

FIFTY-FOURTH DAY

Wednesday, April 3, 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 Dr. Paul M. Wheeler, Pastor of St. Clement's Episcopal Church, after which the Roll was called showing all members present with the exception of Representatives Iha, Kawakami, Kishinami, Roehrig, Suwa, Wakatsuki and Wedemeyer who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-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 Fifty-Third Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 71 to 73) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 71) reporting corrections of position count as appearing in Act 218, SLH, 1973 was placed on file.

A message from the Governor (Gov. Msg. No. 72) transmitting a proposal for acquisition of Halawa Jail was placed on file.

A message from the Governor (Gov. Msg. No. 73) transmitting cost items for collective bargaining agreements negotiated with Hawaii Nurses Association, U.P.W. and H.G.E.A. was placed on file.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 38 and 39) were read by the Clerk and were disposed of as follows:

A communication from Richard Lyman, Jr., President of the Board of Trustees for the Bishop Estate (Misc. Com. No. 38) acknowledging receipt of H. R. No. 338 was placed on file.

A communication from Tad T. Miura, County Clerk of the County of Kauai (Misc. Com. No. 39) transmitting a resolution supporting passage of S. B. No. 1818-74, which was adopted by the Kauai County, was placed on file.

ORDER OF THE DAY

DEFERRED RESOLUTION

S. C. R. No. 47 was referred to the Committee on Water, Land Use and Development.

COMMITTEE REASSIGNMENTS

The following Senate bills were re-referred as follows:

S. B. No.	Re-referred to:
459	Committee on Water, Land Use and Development
840	Committee on Housing
847	Committee on Housing
1262	Committee on Education
1673-74	Committee on Water, Land Use and Development
1766-74	Committee on Public Health and Welfare
1790-74	Committee on Transportation
2052-74	Committee on Judiciary and Corrections
2056-74	Committee on Housing
2060-74	Committee on Water, Land Use and Development
2066-74	Committee on Housing

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 590-74) informing the House that Standing Committee Report Nos. 588-74 to 605-74 and Special Committee Report No. 8, Re: House Resolution No. 140 had been printed and distributed.

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

At 11:36 o'clock a.m., on request by Representative Kimura, the Chair declared a recess, subject to the call of the Chair.

At 12:03 o'clock p.m., the House of Representatives reconvened.

The Chair here directed the Clerk to note the presence of Representatives Kishinami and Wakatsuki.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 591-74) recommending that H. R. No. 327 be referred to the Committee on Finance.

On motion by Representative A. Chong, seconded by Representative King and carried, the report of the Committee was adopted and H. R.

No. 327 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. 592-74) recommending that H. R. No. 437 be referred to the Committee on Finance.

On motion by Representative A. Chong, seconded by Representative Aduja and carried, the report of the Committee was adopted and H. R. No. 437 was referred to the Committee on Finance.

Representative Wasai, for the Committee on Education, presented a report (Stand. Com. Rep. No. 593-74) recommending that H. R. No. 417 be referred to the Committee on Finance.

On motion by Representative Wasai, seconded by Representative Young and carried, the report of the Committee was adopted and H. R. No. 417 was referred to the Committee on Finance.

Representative Wasai, for the Committee on Education, presented a report (Stand. Com. Rep. No. 594-74) recommending that H. R. No. 128 be referred to the Committee on Finance.

On motion by Representative Wasai, seconded by Representative Young and carried, the report of the Committee was adopted and H. R. No. 128 was referred to the Committee on Finance.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 595-74) recommending that H. R. No. 246 be referred to the Committee on Finance 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. 246, 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. 596-74) recommending that H. R. No. 359 be adopted.

On motion by Representative A. Chong, seconded by Representative Poepoe and carried, the report of the Committee was adopted and H. R. No. 359 was adopted.

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

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 597-74) recommending that H. C. R. No. 62 be adopted with certain amendments.

On motion by Representative A. Chong, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H. C. R. No. 62, as amended, was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 598-74) recommending that H. C. R. No. 54 be adopted.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and H. C. R. No. 54 was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 599-74) recommending that S. C. R. No. 1 be adopted.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and S. C. R. No. 1 was adopted.

Representative Wasai, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 600-74) recommending that H. R. No. 442 be adopted.

On motion by Representative Wasai, seconded by Representative Young and carried, the report of the majority of the Committee and H. R. No. 442 was recommitted to the Committee on Education.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (Stand. Com. Rep. No. 601-74) recommending that H. R. No. 390 be adopted with certain amendments.

On motion by Representative Lunasco, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. R. No. 390, as amended, was adopted.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 602-74) recommending that H. R. No. 66 be adopted.

On motion by Representative King, seconded by Representative Medina and carried, the report of the Committee was adopted and H. R. No. 66 was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 603-74) recommending that H. R. No. 55 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. 55 was referred to the Committee on Finance.

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 604-74) reporting certain House printshop matters.

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. 605-74) submitting the monthly expenditure report.

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

SPECIAL COMMITTEE REPORT

Representative Wong, for the Special House Committee on Energy which was assigned to investigate Hawaii's gasoline market, presented a report (Spec. Com. Rep. No. 8)

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

INTRODUCTION OF RESOLUTIONS

The following resolutions (H. R. Nos. 463 to 466) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 463) commending the winners of the 1974 "Ability Counts" Survey Contes and the PCEH/AMVETS Poster Contest was jointly offered by Representatives Yap, Sakima, Akizaki, A. Chong, Kato, Kawakami, Kihano, King, Kishinami, Kondo, Kunimura, Lee, Lunasco, Medina, Nakama, Saiki, Soares, Suwa, Ushijima, Wakatsuki, Wasai, Wong, Yim, Young and Yuen.

On motion by Representative Yap, seconded by Representative Sakima and carried, H. R. No. 463 was adopted.

A resolution (H. R. No. 464) congratulating the Iolani School soccer team for its victory in the Hawaii State Soccer Championship was jointly offered by Representatives Ushijima, Aduja, Akizaki, Amaral, A. Chong, W. Chong, Cobb, de la Cruz, R. Garcia, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Lunasco, Medina, Morioka, Nakama, O'Connor, Oda, Roehrig, Sakima, Takamine, Wakatsuki, Wasai, Wong, Yap, Yim, Young and Yuen.

On motion by Representative Ushijima, seconded by Representative O'Connor and carried, H. R. No. 464 was adopted.

A resolution (H. R. No. 465) commending the Iolani Stage Band for its fine performance at the Reno International Jazz Festival was jointly offered by Representatives Ushijima, Aduja, Akizaki, Amaral, A. Chong, W. Chong, Cobb, de la Cruz, R. Garcia, Hapai, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Lunasco, Medina, Morioka, Nakama, O'Connor, Oda, Roehrig, Sakima, Suwa, Takamine, Wakatsuki, Wasai, Wong, Yap, Yim, Young and Beppu.

On motion by Representative Ushijima, seconded by Representative Sakima and carried, H. R. No. 465 was adopted.

A resolution (H. R. No. 466) expressing appreciation to the Governor's Advisory Committee on Science and Technology and its special task force, for "Hawaii and the Sea—1974" was jointly offered by Representatives Kawakami, Aduja, Ajifu, Aki, Akizaki, Amaral, W. Chong, Fong, Kato, Kishinami, Kondo, Oda, Roehrig, Sakima, Yamada, Yap and Young.

On motion by Representative Kawakami, seconded by Representative Kishinami and carried, H. R. No. 466 was adopted.

At 12:15 o'clock p.m., on request by Representative Yap, the Chair declared a recess, subject to the call of the Chair.

At 12:22 o'clock p.m., the House of Representatives reconvened.

SUSPENSION OF RULES

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

THIRD READING

H. B. No. 1378

On motion by Representative Sakima, seconded by Representative Kishinami, H. B. No. 1378 passed Third Reading by a vote of 46 ayes, with Representatives Iha, Roehrig, Suwa, Uechi and Wedemeyer being excused.

The Chair here directed the Clerk to note that H. B. No. 1378 had passed Third Reading at 12:24 o'clock p.m.

Representative Soares rose on a point of inquiry and stated:

"Will our Committee Chairmen all have their public hearings on the Senate bills coming over?"

Representative O'Connor rose and replied:

"Mr. Speaker, there will be public hearings tomorrow on all Committees to whom Senate bills are referred today. The Committee meetings will be held generally tomorrow morning and only on those bills that require a hearing before they can be reported out. This will be at the discretion of the Committee Chairman. The notices of the public hearings will be published as quickly as the Committee Chairmen can get them out. The only day available for having those hearings will be tomorrow."

Representative Soares again rose and inquired:

"Mr. Speaker, then am I to understand that what the Majority Leader is saying is that in spite of the House Rules calling for public hearings on all bills prior to passage, you may not have all bills in the Senate being heard?"

The Chair then replied:

"Representative Soares, the answer to that is that the Committee Chairmen will call public hearings tomorrow on all Senate bills that do not have companion House bills so that any bill that will hit the floor on Second and Third Readings will have had a public hearing."

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

At 12:27 o'clock p.m., the House of Representatives reconvened.

Representative O'Connor rose and stated:

"Mr. Speaker, it is anticipated that most of our Committees will be having hearings tomorrow morning. It is requested that the Committee chairmen announce these hearings over the loudspeaker system in addition to putting notices out on them tomorrow morning and that the announcements be made sometime tomorrow morning before the meetings begin over the loudspeaker system. And those who are interested in following Senate bills in Committees where the subject matter has not been heard up to this time by the Committee can listen for these announced meeting times and places tomorrow morning."

Representative Wasai then rose and stated:

"Mr. Speaker, I would like to go on record to announce that your Committee on Education will be meeting tomorrow sometime as the bills come in."

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 92 to 201) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 92) transmitting Senate Bill No. 4, S. D. 3 entitled: "A Bill for an Act relating to aged persons," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 93) transmitting Senate Bill No. 459, S. D. 2 entitled: "A Bill for an Act relating to the Hawaii Foundation for History and the Humanities," which passed Third Reading in the Senate on

April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 94) transmitting Senate Bill No. 599, S. D. 2 entitled: "A Bill for an Act relating to public assistance for medical care," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 95) transmitting Senate Bill No. 601, S. D. 2 entitled: "A Bill for an Act relating to social services," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 96) transmitting Senate Bill No. 840, S. D. 2 entitled: "A Bill for an Act relating to land readjustments," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 97) transmitting Senate Bill No. 847, S. D. 2 entitled: "A Bill for an Act relating to housing," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 98) transmitting Senate Bill No. 878, S. D. 2 entitled: "A Bill for an Act relating to a statewide trail and access system, and making an appropriation therefor," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 99) transmitting Senate Bill No. 1101 entitled: "A Bill for an Act relating to the exclusionary rule in criminal proceedings," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 100) transmitting Senate Bill No. 1245, S. D. 1 entitled: "A Bill for an Act relating to ecology, environment and recreation," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 101) transmitting Senate Bill No. 1262, S. D. 1 entitled: "A Bill for an Act relating to boards and commissions," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 102) transmitting Senate Bill No. 1266, S. D. 1 entitled: "A Bill for an Act relating to classification and compensation," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 103) transmitting Senate Bill No. 1391-74, S. D. 2 entitled: "A Bill for an Act creating the position of energy resources coordinator in the Office of the Governor," which passed Third

Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 104) transmitting Senate Bill No. 1403-74, S. D. 2 entitled: "A Bill for an Act relating to bicycles and bikeways," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 105) transmitting Senate Bill No. 1408-74, S. D. 1 entitled: "A Bill for an Act relating to the establishment of research and development industry coordinator," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 106) transmitting Senate Bill No. 1409-74, S. D. 2 entitled: "A Bill for an Act relating to Hawaii research center for future study," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 107) transmitting Senate Bill No. 1417-74, S. D. 1 entitled: "A Bill for an Act relating to the minimum real property tax," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 108) transmitting Senate Bill No. 1422-74, S. D. 1 entitled: "A Bill for an Act relating to intimidation of correctional personnel," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 109) transmitting Senate Bill No. 1424-74 entitled: "A Bill for an Act relating to the sale of liquor on election days," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 110) transmitting Senate Bill No. 1445-74 entitled: "A Bill for an Act relating to minimum length of imprisonment," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 111) transmitting Senate Bill No. 1446-74 entitled: "A Bill for an Act relating to insurance information protection," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 112) transmitting Senate Bill No. 1450-74, S. D. 2 entitled: "A Bill for an Act relating to the staff of Hawaii Public Employment Relations Board," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com.

No. 113) transmitting Senate Bill No. 1451-74, S. D. 1 entitled: "A Bill for an Act relating to the hospital administrators of county general hospitals," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 114) transmitting Senate Bill No. 1490-74 entitled: "A Bill for an Act relating to the Hawaii Business Development Corporation," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 115) transmitting Senate Bill No. 1511-74, S. D. 1 entitled: "A Bill for an Act relating to bond authorization for harbor capital improvement projects," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 116) transmitting Senate Bill No. 1523-74 entitled: "A Bill for an Act relating to fees for registered and practical nurses license examinations and fee for verification of license," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 117) transmitting Senate Bill No. 1525-74, S. D. 1 entitled: "A Bill for an Act relating to renewal of licenses for registered and practical nurses," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 118) transmitting Senate Bill No. 1536-74, S. D. 1 entitled: "A Bill for an Act relating to financial aids at the University of Hawaii," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 119) transmitting Senate Bill No. 1553-74, S. D. 2 entitled: "A Bill for an Act relating to conditions of loans made by the Department of Hawaiian Home Lands under the Hawaiian Homes Commission Act, 1920, as amended," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 120) transmitting Senate Bill No. 1554-74, S. D. 2 entitled: "A Bill for an Act relating to the establishment of revolving funds and special funds under the Hawaiian Homes Commission Act, 1920," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 121) transmitting Senate Bill No. 1555-74 entitled: "A Bill for an Act relating to a revolving fund, designated as the Anahola-Kekaha Fund, established under the Hawaiian Homes Commission Act, 1920, as amended," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 122) transmitting Senate Bill No. 1556-74 entitled: "A Bill for an Act amending the Hawaiian Homes Commission Act, 1920, as amended, to enable guarantee of loans made by private lending institutions," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 123) transmitting Senate Bill No. 1562-74 entitled: "A Bill for an Act relating to the vocational education coordinating advisory council," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 124) transmitting Senate Bill No. 1564-74, S. D. 1 entitled: "A Bill for an Act relating to the Uniform Securities Act (modified)," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 125) transmitting Senate Bill No. 1585-74, S. D. 2 entitled: "A Bill for an Act making an appropriation for the acquisition of land at Fort Ruger, Oahu for the development of East Honolulu Community College," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 126) transmitting Senate Bill No. 1591-74, S. D. 1 entitled: "A Bill for an Act relating to the Pacific Institute of Rehabilitation Medicine," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 127) transmitting Senate Bill No. 1600-74, S. D. 2 entitled: "A Bill for an Act relating to State planning in the State of Hawaii," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 128) transmitting Senate Bill No. 1604-74, S. D. 1 entitled: "A Bill for an Act relating to statewide traffic code," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 129) transmitting Senate Bill No. 1621-74 entitled: "A Bill for an Act relating to planning and development of Kauai," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 130) transmitting Senate Bill No. 1623-74, S. D. 2 entitled: "A Bill for an Act relating to land uses in the State of Hawaii," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com.

No. 131) transmitting Senate Bill No. 1632-74 entitled: "A Bill for an Act relating to planning and development of North Kohala," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 132) transmitting Senate Bill No. 1636-74, S. D. 1 entitled: "A Bill for an Act relating to the planning and development of Molokai," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 133) transmitting Senate Bill No. 1646-74, S. D. 1 entitled: "A Bill for an Act establishing the Hawaii Natural Energy Institute and making an appropriation for planning the structure and operation thereof," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 134) transmitting Senate Bill No. 1651-74, S. D. 2 entitled: "A Bill for an Act relating to the Office of Tourism Coordination," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 135) transmitting Senate Bill No. 1658-74, S. D. 1 entitled: "A Bill for an Act relating to comprehensive health planning," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 136) transmitting Senate Bill No. 1671-74, S. D. 1 entitled: "A Bill for an Act relating to financing of boat launching ramps," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 137) transmitting Senate Bill No. 1673-74, S. D. 1 entitled: "A Bill for an Act relating to fish and game," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 138) transmitting Senate Bill No. 1677-74, S. D. 1 entitled: "A Bill for an Act relating to taxation of public utilities," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 139) transmitting Senate Bill No. 1700-74 entitled: "A Bill for an Act relating to Hawaii Public Broadcasting Authority," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 140) transmitting Senate Bill No. 1703-74, S. D. 1 entitled: "A Bill for an Act relating to general excise tax exemptions for housing projects," which passed Third Reading in the Senate

on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 141**) transmitting **Senate Bill No. 1704-74, S. D. 2** entitled: "A Bill for an Act relating to urban renewal law," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 142**) transmitting **Senate Bill No. 1706-74, S. D. 1** entitled: "A Bill for an Act relating to general obligation bonds of the counties," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 143**) transmitting **Senate Bill No. 1736-74** entitled: "A Bill for an Act relating to public employee's health fund," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 144**) transmitting **Senate Bill No. 1747-74** entitled: "A Bill for an Act relating to examination for cancer," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 145**) transmitting **Senate Bill No. 1748-74, S. D. 2** entitled: "A Bill for an Act relating to the marine affairs coordinator," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 146**) transmitting **Senate Bill No. 1749-74** entitled: "A Bill for an Act relating to a marine exposition in Hawaii," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 147**) transmitting **Senate Bill No. 1766-74** entitled: "A Bill for an Act relating to Hale Hauoli Day activity center for the retarded," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 148**) transmitting **Senate Bill No. 1771-74** entitled: "A Bill for an Act relating to the Uniform Parentage Act," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 149**) transmitting **Senate Bill No. 1785-74, S. D. 1** entitled: "A Bill for an Act making an appropriation for a public park at Sand Island, Oahu," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 150**) transmitting **Senate Bill No. 1790-74, S. D. 1** entitled: "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," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 151**) transmitting **Senate Bill No. 1819-74, S. D. 2** entitled: "A Bill for an Act relating to employment security," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 152**) transmitting **Senate Bill No. 1829-74** entitled: "A Bill for an Act relating to Hale Hauoli Center for the retarded," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 153**) transmitting **Senate Bill No. 1846-74, S. D. 1** entitled: "A Bill for an Act relating to disorderly conduct," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 154**) transmitting **Senate Bill No. 1860-74, S. D. 1** entitled: "A Bill for an Act relating to taxation," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 155**) transmitting **Senate Bill No. 1863-74, S. D. 1** entitled: "A Bill for an Act relating to exchanges of public lands," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 156**) transmitting **Senate Bill No. 1871-74, S. D. 1** entitled: "A Bill for an Act relating to general powers of counties," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 157**) transmitting **Senate Bill No. 1895-74, S. D. 2** entitled: "A Bill for an Act relating to equal employment opportunities," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 158**) transmitting **Senate Bill No. 1897-74** entitled: "A Bill for an Act relating to land trusts," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 159**) transmitting **Senate Bill No. 1904-74, S. D. 2** entitled: "A Bill for an Act relating to historic preservation," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 160**) transmitting **Senate Bill No. 1907-74, S. D. 1** entitled: "A Bill for an Act relating to

remaining unlawfully in apartment houses or on hotel premises," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 161**) transmitting **Senate Bill No. 1913-74** entitled: "A Bill for an Act relating to expungement of arrest records," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 162**) transmitting **Senate Bill No. 1928-74** entitled: "A Bill for an Act relating to workmen's compensation," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 163**) transmitting **Senate Bill No. 1945-74**, **S. D. 1** entitled: "A Bill for an Act relating to safety glazing materials," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 164**) transmitting **Senate Bill No. 1963-74**, **S. D. 2** entitled: "A Bill for an Act relating to entry of private property for gorse control," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 165**) transmitting **Senate Bill No. 1970-74**, **S. D. 2** entitled: "A Bill for an Act relating to fees for service of process," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 166**) transmitting **Senate Bill No. 1973-74**, **S. D. 1** entitled: "A Bill for an Act relating to the Kamehameha Day Celebration Commission, which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 167**) transmitting **Senate Bill No. 1981-74** entitled: "A Bill for an Act relating to interest and usury," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 168**) transmitting **Senate Bill No. 2000-74**, **S. D. 1** entitled: "A Bill for an Act relating to the inspection of elevators, escalators, and other similar mechanical moving devices," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 169**) transmitting **Senate Bill No. 2012-74**, **S. D. 1** entitled: "A Bill for an Act relating to ecology, environment and recreation," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 170**) transmitting **Senate Bill No. 2024-74**,

S. D. 1 entitled: "A Bill for an Act relating to higher education," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 171**) transmitting **Senate Bill No. 2033-74**, **S. D. 3** entitled: "A Bill for an Act relating to contractors," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 172**) transmitting **Senate Bill No. 2035-74**, **S. D. 2** entitled: "A Bill for an Act relating to the residential landlord-tenant code," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 173**) transmitting **Senate Bill No. 2039-74**, **S. D. 2** entitled: "A Bill for an Act relating to capital improvement appropriations for the medical school of the University of Hawaii," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 174**) transmitting **Senate Bill No. 2042-74**, **S. D. 2**, entitled: "A Bill for an Act relating to the creation of a State Planning Council," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 175**) transmitting **Senate Bill No. 2052-74**, **S. D. 1** entitled: "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," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 176**) transmitting **Senate Bill No. 2053-74** entitled: "A Bill for an Act relating to the status of women," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 177**) transmitting **Senate Bill No. 2055-74** entitled: "A Bill for an Act relating to investment of the Employees' Retirement System in home loans made by the Department of Hawaiian Home Lands," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 178**) transmitting **Senate Bill No. 2056-74** entitled: "A Bill for an Act relating to the dwelling unit revolving fund," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 179**) transmitting **Senate Bill No. 2057-74**, **S. D. 1** entitled: "A Bill for an Act relating to certain occupations licensed by the Department of Health," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 180) transmitting Senate Bill No. 2058-74 entitled: "A Bill for an Act relating to environmental quality," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 181) transmitting Senate Bill No. 2060-74, S. D. 1 entitled: "A Bill for an Act relating to the disposition of lands set aside by the Governor," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 182) transmitting Senate Bill No. 2061-74 entitled: "A Bill for an Act relating to funeral leave for public officers and employees," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 183) transmitting Senate Bill No. 2063-74 entitled: "A Bill for an Act relating to civil service and exemptions," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 184) transmitting Senate Bill No. 2066-74 entitled: "A Bill for an Act relating to a consolidated housing information, counseling and referral unit," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 185) transmitting Senate Bill No. 2067-74, S. D. 1 entitled: "A Bill for an Act relating to correctional industries," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 186) transmitting Senate Bill No. 2071-74 entitled: "A Bill for an Act relating to pensioners who return to employment," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 187) transmitting Senate Bill No. 2082-74, S. D. 2 entitled: "A Bill for an Act relating to the Hawaii Water Carrier Law," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 188) transmitting Senate Bill No. 2095-74, S. D. 1 entitled: "A Bill for an Act relating to improvements at Waikiki, Oahu," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 189) transmitting Senate Bill No. 2107-74 entitled: "A Bill for an Act relating to schools and attendance," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 190) transmitting Senate Bill No. 2118-74, S. D. 2 entitled: "A Bill for an Act relating to sanitary sewerage service charges," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 191) transmitting Senate Bill No. 2125-74, S. D. 1 entitled: "A Bill for an Act relating to rendering of services by hospitals or medical facilities," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 192) transmitting Senate Bill No. 2146-74, S. D. 2 entitled: "A Bill for an Act relating to the use tax law," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 193) transmitting Senate Bill No. 2152-74, S. D. 1 entitled: "A Bill for an Act relating to criminal trespass," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 194) transmitting Senate Bill No. 2160-74, S. D. 1 entitled: "A Bill for an Act relating to public money and public contract," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 195) transmitting Senate Bill No. 2173-74, S. D. 2 entitled: "A Bill for an Act relating to mental health services for children and youth," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 196) transmitting Senate Bill No. 2188-74, S. D. 2 entitled: "A Bill for an Act relating to inconsistency between Chapter 476 of the Hawaii Revised Statutes and federal laws and regulations," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 197) transmitting Senate Bill No. 2199-74, S. D. 2 entitled: "A Bill for an Act relating to public lands," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 198) transmitting Senate Bill No. 2200-74, S. D. 1 entitled: "A Bill for an Act amending Chapter 480, Hawaii Revised Statutes," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 199) transmitting Senate Bill No. 2213-74, S. D. 1 entitled: "A Bill for an Act relating to a State natural energy laboratory," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 200) transmitting Senate Bill No. 2219-74, S. D. 1 entitled: "A Bill for an Act relating to in-service training for public officers and employees," which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 201) transmitting Senate Concurrent Resolution No. 49, S. D. 1 requesting the Department of Education to fully implement the foundation program for curriculum in all school districts in the State which was adopted by the Senate on April 3, 1974, was placed on file.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, S. B. Nos. 4, 459, 599, 601, 840, 847, 878, 1101, 1245, 1262, 1266, 1391-74, 1403-74, 1408-74, 1409-74, 1417-74, 1422-74, 1424-74, 1445-74, 1446-74, 1450-74, 1451-74, 1490-74, 1511-74, 1523-74, 1525-74, 1536-74, 1553-74, 1554-74, 1555-74, 1556-74, 1562-74, 1564-74, 1585-74, 1591-74, 1600-74, 1604-74, 1621-74, 1623-74, 1632-74, 1636-74, 1646-74, 1651-74, 1658-74, 1671-74, 1673-74, 1677-74, 1700-74, 1703-74,

1704-74, 1706-74, 1736-74, 1747-74, 1748-74, 1749-74, 1766-74, 1771-74, 1785-74, 1790-74, 1819-74, 1829-74, 1846-74, 1860-74, 1863-74, 1871-74, 1895-74, 1897-74, 1904-74, 1907-74, 1913-74, 1928-74, 1945-74, 1963-74, 1970-74, 1973-74, 1981-74, 2000-74, 2012-74, 2024-74, 2033-74, 2035-74, 2039-74, 2042-74, 2052-74, 2053-74, 2055-74, 2056-74, 2057-74, 2058-74, 2060-74, 2061-74, 2063-84, 2066-74, 2067-74, 2071-74, 2082-74, 2095-74, 2107-74, 2118-74, 2125-74, 2146-74, 2152-74, 2160-74, 2173-74, 2188-74, 2199-74, 2200-74, 2213-74 and 2219-74 passed First Reading by title and further action was deferred until tomorrow, April 4, 1974.

By unanimous consent, S. C. R. No. 49 was placed on the Clerk's desk.

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, April 4, 1974.

FIFTY-FIFTH DAY

Thursday, April 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 Clyde Van Winkle, Pastor of the Christian Reformed Church, after which the Roll was called showing all members present with the exception of Representatives Aduja, Iha, Kato, Suwa, Takamine, Uechi and Wedemeyer who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-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 Fifty-Fourth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 202 to 206) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 202) returning **House Bill No. 2056-74** which passed Third Reading in the Senate on April 3, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 203) returning **House Bill No. 493, H. D. 1** which passed Third Reading in the Senate on April 3, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 204) returning **House Bill No. 1807-74, H. D. 2** which passed Third Reading in the Senate on April 3, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 205) returning **House Bill No. 1931-74, H. D. 2** which passed Third Reading in the Senate on April 3, 1974, in an amended form, was placed on file.

By unanimous consent, **H. B. Nos. 493, H. D. 1; 1807, H. D. 2; and 1931, H. D. 2**, as amended by the Senate, were placed on the Clerk's desk and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **H. B. Nos. 493, H. D. 1, S. D. 1; 1807, H. D. 2, S. D. 1; and 1931, H. D. 2, S. D. 1** were made available to the members of the House at 11:30 o'clock a.m.

A communication from the Senate (Sen. Com. No. 206) informing the House that **Senate Bill No. 218, S. D. 2** passed Final Reading in the Senate on April 3, 1974, was placed on file.

At this time, the Chair directed the Clerk to note the presence of Representatives Aduja and Kato.

ORDER OF THE DAY COMMITTEE REFERRALS

The following bills (S. B. Nos. 599, 601, 840, 847, 1101, 1417-74, 1422-74, 1445-74, 1446-74, 1490-74, 1511-74, 1525-74, 1554-74, 1562-74, 1564-74, 1604-74, 1671-74, 1673-74, 1677-74, 1703-74, 1704-74, 1706-74, 1736-74, 1747-74, 1766-74, 1790-74, 1819-74, 1829-74, 1871-74, 1904-74, 1907-74, 1913-74, 1928-74, 1970-74, 1973-74, 1981-74, 2000-74, 2053-74, 2055-74, 2056-74, 2057-74, 2061-74, 2063-74, 2066-74, 2067-74, 2071-74, 2107-74, 2152-74, 2200-74, 4, 459, 878, 1245, 1262, 1266, 1391-74, 1403-74, 1408-74, 1409-74, 1424-74, 1450-74, 1451-74, 1523-74, 1536-74, 1553-74, 1555-74, 1556-74, 1585-74, 1591-74, 1600-74, 1621-74, 1623-74, 1632-74, 1636-74, 1646-74, 1651-74, 1658-74, 1700-74, 1748-74, 1749-74, 1771-74, 1785-74, 1846-74, 1860-74, 1863-74, 1895-74, 1897-74, 1945-74, 1963-74, 2012-74, 2024-74, 2033-74, 2035-74, 2039-74, 2042-74, 2052-74, 2058-74, 2060-74, 2082-74, 2095-74, 2118-74, 2125-74, 2146-74, 2160-74, 2173-74, 2188-74, 2199-74, 2213-74 and 2219-74) were disposed of as follows:

S. B. No.	Referred to:
599	Committee on Public Health and Welfare, then to the Committee on Finance
601	Committee on Public Health and Welfare, then to the Committee on Finance
840	Committee on Housing, then to the Committee on Finance
847	Committee on Housing, then to the Committee on Finance
1101	Committee on Judiciary and Corrections
1417-74	Committee on Finance
1422-74	Committee on Judiciary and Corrections
1445-74	Committee on Judiciary and Corrections
1446-74	Committee on Consumer Protection
1490-74	Committee on Finance
1511-74	Committee on Finance
1525-74	Committee on Public Health and Welfare, then to the Committee on Finance
1554-74	Committee on Water, Land Use and Development

1562-74	Committee on Finance	2055-74	Committee on Finance
1564-74	Committee on Consumer Protection	2056-74	Committee on Housing, then to the Committee on Finance
1604-74	Committee on Judiciary and Corrections	2057-74	Committee on Finance
1671-74	Committee on Transportation, then to the Committee on Finance	2061-74	Committee on Finance
1673-74	Committee on Water, Land Use and Development, then to the Committee on Finance	2063-74	Committee on Finance
1677-74	Committee on Finance	2066-74	Committee on Housing, then to the Committee on Finance
1703-74	Committee on Housing, then to the Committee on Finance	2067-74	Committee on Finance
1704-74	Committee on Housing	2071-74	Committee on Finance
1706-74	Committee on Housing	2107-74	Committee on Education
1736-74	Committee on Finance	2152-74	Committee on Judiciary and Corrections
1747-74	Committee on Public Health and Welfare	2200-74	Committee on Judiciary and Corrections
1766-74	Committee on Public Health and Welfare, then to the Committee on Finance	4	Committee on Public Health and Welfare, then to the Committee on Finance
1790-74	Committee on Transportation, then to the Committee on Finance	459	Committee on Water, Land Use and Development, then to the Committee on Finance
1819-74	Committee on Finance	878	Committee on Water, Land Use and Development, then to the Committee on Finance
1829-74	Committee on Public Health and Welfare, then to the Committee on Finance	1245	Committee on Agriculture, then to the Committee on Finance
1871-74	Committee on Federal-State-County	1262	Committee on Education, then to the Committee on Finance
1904-74	Committee on Water, Land Use and Development, then to the Committee on Finance	1266	Committee on Public Health and Welfare, then to the Committee on Finance
1907-74	Committee on Judiciary and Corrections	1391-74	Committee on Water, Land Use and Development, then to the Committee on Finance
1913-74	Committee on Judiciary and Corrections	1403-74	Committee on Transportation
1928-74	Committee on Consumer Protection	1408-74	Committee on Water, Land Use and Development, then to the Committee on Finance
1970-74	Committee on Judiciary and Corrections	1409-74	Committee on Water, Land Use and Development, then to the Committee on Finance
1973-74	Committee on Finance	1424-74	Committee on Consumer Protection
1981-74	Committee on Judiciary and Corrections	1450-74	Committee on Finance
2000-74	Committee on Labor and Public Employment	1451-74	Committee on Public Health and Welfare, then to the Committee on Finance
2053-74	Committee on Judiciary and Corrections, then to the Committee on Finance		

nance	1895-74	Committee on Finance
1523-74 Committee on Public Health and Welfare, then to the Committee on Finance	1897-74	Committee on Judiciary and Corrections
1536-74 Committee on Higher Education, then to the Committee on Finance	1945-74	Committee on Public Health and Welfare
1553-74 Committee on Water, Land Use and Development	1963-74	Committee on Agriculture
1555-74 Committee on Water, Land Use and Development	2012-74	Committee on Water, Land Use and Development, then to the Committee on Finance
1556-74 Committee on Water, Land Use and Development	2024-74	Committee on Higher Education, then to the Committee on Finance
1585-74 Committee on Higher Education, then to the Committee on Finance	2033-74	Committee on Consumer Protection, then to the Committee on Finance
1591-74 Committee on Finance	2035-74	Committee on Judiciary and Corrections
1600-74 Committee on Water, Land Use and Development, then to the Committee on Environmental Protection	2039-74	Committee on Higher Education, then to the Committee on Finance
1621-74 Committee on Water, Land Use and Development, then to the Committee on Finance	2042-74	Committee on Water, Land Use and Development, then to the Committee on Finance
1623-74 Committee on Water, Land Use and Development	2052-74	Committee on Judiciary and Corrections, then to the Committee on Finance
1632-74 Committee on Finance	2058-74	Committee on Judiciary and Corrections
1636-74 Committee on Finance	2060-74	Committee on Water, Land Use and Development, then to the Committee on Finance
1646-74 Committee on Water, Land Use and Development	2082-74	Committee on Transportation
1651-74 Committee on Tourism	2095-74	Committee on Finance
1658-74 Committee on Public Health and Welfare	2118-74	Committee on Consumer Protection
1700-74 Committee on Consumer Protection, then to the Committee on Finance	2125-74	Committee on Public Health and Welfare
1748-74 Committee on Water, Land Use and Development	2146-74	Committee on Finance
1749-74 Committee on Water, Land Use and Development	2160-74	Committee on Finance
1771-74 Committee on Judiciary and Corrections	2173-74	Committee on Public Health and Welfare
1785-74 Committee on Finance	2188-74	Committee on Judiciary and Corrections
1846-74 Committee on Judiciary and Corrections	2199-74	Committee on Water, Land Use and Development
1860-74 Committee on Finance	2213-74	Committee on Finance
1863-74 Committee on Water, Land Use and Development	2219-74	Committee on Finance

DISPOSITION OF MATTER PLACED ON CLERK'S DESK

By unanimous consent, S. C. R. No. 49 was taken from the Clerk's desk and was referred to the Committee on Education, then to the Committee on Finance.

COMMITTEE REASSIGNMENTS

The following Senate Bills were re-referred as follows:

S. B. No.	Re-referred to:
1943-74	Committee on Judiciary and Corrections
1944-74	Committee on Judiciary and Corrections

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 606-74) informing the House that House Resolution Nos. 463 to 466, and Standing Committee Report Nos. 607-74 to 625-74, have been printed and distributed.

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

Representative Sakima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 607-74) recommending that H. R. No. 370 be referred to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 370 was referred to the Committee on Finance.

Representative Sakima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 608-74) recommending that H. R. No. 408 be referred to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 408 was referred to the Committee on Finance.

Representative Sakima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 609-74) recommending that H. C. R. No. 64 be referred to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. C. R. No. 64 was referred to the Committee on Finance.

Representative Sakima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 610-74) recommending that H. R. No. 406 be referred to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 406 was referred to the Committee on Finance.

Representative Sakima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 611-74) recommending that H. C. R. No. 63 be referred to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. C. R. No. 63 was referred to the Committee on Finance.

Representative Wasai, for the Committee on Education, presented a report (Stand. Com. Rep. No. 612-74) recommending that H. C. R. No. 67 be referred to the Committee on Finance.

On motion by Representative Wasai, seconded by Representative Young and carried, the report of the Committee was adopted and H. C. R. No. 67 was referred to the Committee on Finance.

Representative Wasai, for the Committee on Education, presented a report (Stand. Com. Rep. No. 613-74) recommending that H. R. No. 334 be referred to the Committee on Finance.

On motion by Representative Wasai, seconded by Representative Young and carried, the report of the Committee was adopted and H. R. No. 334 was referred to the Committee on Finance.

Representative Wasai, for the Committee on Education, presented a report (Stand. Com. Rep. No. 614-74) recommending that H. R. No. 419 be referred to the Committee on Finance.

On motion by Representative Wasai, seconded by Representative Young and carried, the report of the Committee was adopted and H. R. No. 419 was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 615-74) recommending that H. R. No. 339 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. R. No. 339 was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 616-74) recommending that H. R. No. 429 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. 429**, as amended, was referred to the Committee on Finance.

Representative Yap, for the Committee on Consumer Protection, presented a report (**Stand. Com. Rep. No. 617-74**) recommending that **H. R. No. 340** 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. R. No. 340**, as amended, was referred to the Committee on Judiciary and Corrections.

Representative Yap, for the Committee on Consumer Protection, presented a report (**Stand. Com. Rep. No. 618-74**) recommending that **H. R. No. 405** 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. R. No. 405** was referred to the Committee on Finance.

Representative Yap, for the Committee on Consumer Protection, presented a report (**Stand. Com. Rep. No. 619-74**) recommending that **H. C. R. No. 66** 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. C. R. No. 66** 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. 620-74**) recommending that **S. B. No. 238, S. D. 1** pass Second Reading and be referred to the Committee on Consumer Protection.

On motion by Representative Lee, seconded by Representative Nakama and carried, the report of the majority of the Committee was adopted and **S. B. No. 238, S. D. 1** 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. 621-74**) recommending that **S. B. No. 1276, S. D. 1** pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Lee, seconded by Representative Nakama and carried, the report of the Committee was adopted and **S. B. No. 1276, S. D. 1**, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the majority of the Committee on Water, Land Use and Develop-

ment, presented a report (**Stand. Com. Rep. No. 622-74**) recommending that **S. B. No. 180, S. D. 1** 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 majority of the Committee was adopted and **S. B. No. 180, S. D. 1**, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 623-74**) recommending that **S. B. No. 855, S. D. 2**, pass Third Reading with certain amendments.

By unanimous consent, consideration of **Stand. Com. Rep. No. 623-74** on **S. B. No. 855, S. D. 2**, as amended, was deferred until tomorrow, April 5, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **S. B. No. 855, S. D. 2, H. D. 3** 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. 624-74**) recommending that **S. B. No. 1844-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Lee, seconded by Representative Nakama and carried, the report of the Committee was adopted and **S. B. No. 1844-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Yap, for the Committee on Consumer Protection, presented a report (**Stand. Com. Rep. No. 625-74**) recommending that **S. B. No. 2189-74** 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 **S. B. No. 2189-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

The Chair directed the Clerk to note that printed copies of **S. B. No. 180, S. D. 1, H. D. 1; S. B. No. 1844-74; and S. B. No. 2189-74** 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. 467 to 471**) were read by the Clerk and were disposed of as follows:

A resolution (**H. R. No. 467**) congratulating the

Scorpions on their achievements was jointly offered by Representatives Wong, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Saiki, Sakima, Soares, Suwa, Takamine, Ushijima, Wakatsuki, Wasai, Yamada, Yap, Yim, Young and Yuen.

On motion by Representative Wong, seconded by Representative Ushijima and carried, **H. R. No. 467** was adopted.

At this time, Representative Wong introduced to the members of the House Mr. Kenneth Ling, Project Director and Head Coach of the basketball team, and Mr. John Sharp, Head Coach of the football team.

A resolution (**H. R. No. 468**) honoring and congratulating Yumi Mohri and Nobuko Yamazaki for their inspiring musical performances in Hawaii was jointly offered by Representatives Ushijima, Aduja, Ajifu, Aki, Akizaki, Amaral, A. Chong, de la Cruz, J. Garcia, R. Garcia, Kato, Kawakami, Kimura, Kishinami, Kondo, Kunimura, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Saiki, Sakima, Wasai, Wong, Yap, Yuen and Beppu.

On motion by Representative Ushijima, seconded by Representative Sakima and carried, **H. R. No. 468** was adopted.

At this time, Representative Ushijima introduced to the members of the House Miss Yumi Mohri, a first-year student in the Music Department of Toho-Gakuen Girls' High School and a talented violinist, and Miss Nobuko Yamazaki, a gifted cellist, a third-year student at the Toho-Gakuen Girls' High School.

A resolution (**H. R. No. 469**) congratulating the Chamber of Commerce of Hawaii for their cooperative work with the National Alliance of Businessmen, the concentrated employment program, and the Honolulu Community Action Program was jointly offered by Representatives Lee, Aduja, Aki, A. Chong, W. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Kihano, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, Poepoe, Takamine, Ushijima, Wakatsuki, Wasai, Yamada, Yap, Yim and Yuen.

On motion by Representative Lee, seconded by Representative Wakatsuki and carried, **H. R. No. 469** was adopted.

A resolution (**H. R. No. 470**) commending and thanking Mr. Theodore B. (Ted) Candia, Jr. for his outstanding leadership, dedication, and service to the Maryknoll Alumni Association was jointly offered by Representatives Lee, Aduja, Aki, A. Chong, W. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Kihano, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, Poepoe, Takamine, Ushijima, Wakatsuki, Wasai, Yap, Yim and Yuen.

On motion by Representative Lee, seconded by Representative Wakatsuki and carried, **H. R. No. 470** was adopted.

A resolution (**H. R. No. 471**) commending Ray Yuen for a distinguished thirty-eight years of service as a reporter and editor and wishing him luck on his new career was jointly offered by Representatives Roehrig, Aduja, Akizaki, A. Chong, W. Chong, J. Garcia, R. Garcia, Hapai, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Lee, Lunasco, Medina, Morioka, Nakama, Sakima, Takamine, Ushijima, Wakatsuki, Wong, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Roehrig, seconded by Representative Hapai and carried, **H. R. No. 471** was adopted.

At 11:50 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.

Representative Cobb, at this time, rose and stated as follows:

"Mr. Speaker, there is presently a measure laying on the Clerk's desk which is going to require Committee action, specifically **H. B. No. 493, H. D. 1, S. D. 1**, relating to the registration of lobbyists.

I would like to inquire, on a point of information, if the Committee on Judiciary will be taking action in terms of decision making on this measure today since either an agreeing or disagreeing vote will have to be carried by tomorrow."

Representative Wakatsuki responded:

"Mr. Speaker, the Committee members and the Chairman have not had time to read over the bill. It is rather complicated. The Chairman will be meeting with the Committee members and disagree or agree sometime tomorrow."

Representative Wong then rose and stated:

"Does that mean that the bill will go into Committee for deliberation and then be based on the idea of agreeing or disagreeing—is that the procedure?"

Representative Wakatsuki replied:

"The bill lies on the Clerk's desk. The bill has not been referred independently to the Committee on Judiciary and Corrections, Mr. Speaker. However, the question of disagreeing or agreeing will be discussed by the Chairman with the members of the Judiciary and Corrections Committee."

Representative O'Connor then rose and stated

as follows:

"Mr. Speaker, I would remind all members to stay around the building this afternoon so that the committee chairmen can get signatures on committee reports. Also, various committees will be calling meetings as the need arises on various Senate bills. Therefore, all members should be in or around the building to attend committee meetings and sign committee reports.

All committee chairmen are reminded that they are to have down to the Clerk's Office before 4:30 this afternoon all committee reports on Senate bills that they desire to have acted upon on Second Reading at the session tonight at 10:00 o'clock.

The Senate bills which are moving laterally from committee to committee should be down this afternoon as tomorrow is the cut-off date for Senate bills with House drafts to hit the floor for Second Reading for 24 hours notice so all are encouraged to stay in the building this afternoon and work towards a completion date on Senate bills."

Representative Soares then rose and stated:

"Point of information. In yesterday's statement I made on the floor of this House, I questioned that bills from the Senate, unlike our House bills—not companion bills—all have to have public hearings. I would suggest that if they are not companion bills, they do not have the same subject matter, that we will challenge that on the floor of this House."

Representative Cobb again rose and stated:

"Mr. Speaker, the remarks made by the Majority Leader—he indicated passage of Senate bills with House drafts. I would like to inquire, relative to those remarks, if tomorrow would be the final deadline for a disagreeing vote by the House on a House bill with a Senate draft."

Representative O'Connor replied:

"No, that is not correct, Mr. Speaker. If Representative Cobb will check the memorandum I circulated this morning, that answers the question."

At 12:23 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 9:00 o'clock p.m. tonight.

NIGHT SESSION

The House of Representatives reconvened at 9:21 o'clock p.m. and the Speaker resumed the rostrum.

STANDING COMMITTEE REPORTS

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 626-74) recommending that S. B. No. 601, S. D. 2 be referred to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and S. B. No. 601, S. D. 2 was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 627-74) recommending that S. B. No. 1451-74 be referred to the Committee on Finance.

By unanimous consent, action on Stand. Com. Rep. No. 627-74 on S. B. No. 1451-74 was deferred until the end of the calendar.

At 9:23 o'clock a.m., on request by Representative Akizaki, the Chair declared a recess, subject to the call of the Chair.

At 9:33 o'clock a.m., the House of Representatives reconvened.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 628-74) recommending that S. B. No. 1829-74 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the referral of S. B. No. 1829-74 to the Committee on Finance was waived.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the Committee, S. B. No. 1829-74 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 629-74) recommending that S. B. No. 1766-74 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the referral of S. B. No. 1766-74 to the Committee on Finance was waived.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the Committee, S. B. No. 1766-74 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 630-74) recommending that H. R. No. 238 be referred to the Committee on Finance 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. 238, as amended, was referred to the Committee on Finance.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 631-74) recommending that H. R. No. 421 be referred to the Committee on Finance with certain amendments.

On motion by Representative Yap, seconded by Representative Yuen and carried, the report of the Committee was adopted and H. R. No. 421, as amended, was referred to the Committee on Finance.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 632-74) recommending that S. B. No. 1525-74, S. D. 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the referral of S. B. No. 1525-74, S. D. 1 to the Committee on Finance was waived.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the Committee, S. B. No. 1525-74, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 633-74) recommending that S. B. No. 1266, S. D. 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the referral of S. B. No. 1266, S. D. 1 to the Committee on Finance was waived.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the Committee, S. B. No. 1266, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 634-74) recommending that S. B. No. 4, S. D. 3 pass Second Reading and be referred to the Committee on Finance with

certain amendments.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the referral of S. B. No. 4, S. D. 3, as amended, to the Committee on Finance was waived.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and S. B. No. 4, S. D. 3, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 635-74) recommending that S. B. No. 1397-74, S. D. 2 pass Second Reading and be referred to the Committee on Judiciary and Corrections.

At this time, Representative Wakatsuki moved to waive referral of S. B. No. 1397-74, S. D. 2 to the Committee on Judiciary and Corrections, seconded by Representative Kihano.

At this point, Representative J. Garcia rose on a point of protest and stated:

"Mr. Speaker, let me state my protest very, very clearly. I recognize that the majority has the votes to substantiate any position it wants but, if you recall, a few days ago on this very same floor, we raised the question about waiving of referrals. At that time, we asked whether or not the Finance Committee would be the sole committee to waive referrals in view of the fact that finances might not be involved in measures presented before this Honorable Body. We also asked whether or not any measure that contained substantive matter but referred to committees other than Finance might also be asking for waiving of referrals.

We have a situation such as this, Mr. Speaker. Perhaps we ought to have an explanation as to why such waivers are now being requested. That being the case, Mr. Speaker, we're wasting our time. That being the case, then why in heaven's name don't we just come out from the very beginning and forget about referring to Finance and make a decision on the spot that this is it so that we will know that we don't have to worry about waiving on the floor of the House, and questions arise as to the propriety of those motions, Mr. Speaker.

We granted without any protest the waiving by the Finance Committee. Now, it is another committee that is asking for a waiver. Mr. Speaker, I believe it is about time that a positive and firm decision is reached. I don't intend to impede the progress of this Body, Mr. Speaker, but a commitment is a commitment. Let's either live up to it or rescind it—one or the other."

The Chair responded:

"Representative Garcia, for your information, the other alternative is to do a re-referral but if you recall, all the committees met early this morning on some of the original referrals and on the recommendation of the committee chairmen, some of these bills have been waived. There is no magic to it."

Representative J. Garcia then responded:

"Then, Mr. Speaker, if that being the case, then the committee report should have come out but just once on Second Reading and that was it and placed on the Order of the Day for Third Reading the next day. There should have been no need for referrals on the floor of the House. This is the protest that I am making, Mr. Speaker. It makes us look ridiculous."

The Chair responded:

"I don't think so, Representative Garcia. After all, you have 24 hours from the day of this Second Reading..."

Representative Kunimura interrupted and stated:

"I rise on a point of personal privilege. I don't think I look ridiculous—I may look a little obese. But, I would like to state for the record that the second committee, if that committee agrees with the contents of the committee report, is placed before this Body for action, then it is not necessary any more for the second committee to look into the matter. But should the committee report come out with something that the second committee cannot buy, then they will not waive and, therefore, this is the guarantee that is reserved for the second committee as written in the rules of the House that they too shall have an opportunity to see, and I think the Judiciary Committee Chairman is in agreement with the committee report and the contents of the bill. Therefore, it will be redundant for the committee or waste of time for the committee to have it referred to that committee and report out the same bill in the same form."

Representative J. Garcia again rose and stated:

"Mr. Speaker, I cannot let the statements made by the Chairman go unchallenged.

Mr. Speaker, these committee reports made their appearances on our desks just a little while ago and I think I was the first Representative on the floor of this House tonight because I was here at 7:00 o'clock. No committee chairman can tell me that he reviewed every report and knew whether or not to waive right now because nobody had digested those reports that thoroughly."

Representative Kunimura then stated:

"Mr. Speaker, to make one thing plain, before the committee report hits the floor of the House, there are many copies made of the same committee report; the first one with the signature and about ten copies and usually these copies are distributed so that the committee chairman has an opportunity to see what's going to be on the floor. So it is not necessarily true that the only opportunity for a committee chairman to see the committee report is when it is presented and distributed on the floor."

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

"Mr. Speaker, when a referral is waived by the committee chairman, is it done unilaterally by the chairman or is it done with the advice and consent of his committee members?"

The Chair replied:

"Each chairman has a different way of doing it. I can't speak for the chairman."

Representative Cobb continued:

"I am aware of some of the internal distinctions, Mr. Speaker, but I would like to know—is the referral solely a matter of decision by the committee chairman or is it supposed to be a matter of decision by the committee?"

The Chair responded:

"For your information, Representative Cobb, referrals are made by the Chair. You are talking about a waiver."

Representative Cobb replied:

"That is correct, Mr. Speaker."

Representative Kunimura then rose and stated:

"If my hearing is correct, I thought I heard the Judiciary Committee Chairman ask if there is no objection that the Chairman would like to recommend waiver."

The Chair responded:

"That is correct."

Representative Wakatsuki then rose and stated:

"Mr. Speaker, I made that statement because I did not have sufficient time. I did consult with the majority of the members of the committee but I did not find sufficient time to speak with Representative Cobb and one or two others, but I had contacted the majority and this is why I said if there is no strong objection from any member, the

Chairman recommends that the committee report be waived."

At 9:43 o'clock p.m., on request by Representative Oda, the Chair declared a recess, subject to the call of the Chair.

At 9:45 o'clock p.m., the House of Representatives reconvened.

Representative Soares then rose and stated as follows:

"Mr. Speaker, I think the concern expressed by the Minority Leader and by the Minority tonight is trying to get across to the Majority Chairman and to you, Mr. Speaker, that many of the members of committees have signed these reports based upon the fact that they were going to be referred to another committee and if they have not been consulted and the meeting has not been called to agree to waive the referral, it seems to me and to us here that we are wasting our time going through the motions of signing committee reports that have referrals to other committees and then all of a sudden, coming to the floor of the House and being notified by the Chairman of Finance or other committees that they are waiving the referral.

I know we have deadlines; I know we have a time schedule to meet and we are all prepared to do that, but I don't think we can afford to operate the House in a manner in which we see it tonight where every bill is being waived at referral.

I know that our Chairman of Finance is not here but I don't know whether or not Representative Akizaki has talked to the spokesman of the Finance Committee which is our Representative Ajifu to make it known that these bills which are signed today and referral noted on the committee reports were going to be waived. This is what we are concerned about. The communication between the chairman and spokesman has got to be maintained for the integrity of the House."

The Chair responded:

"For your information, Mr. Minority Leader, on the signatures on the committee reports, I don't think we should take the position that because we are the first committee that we are going to just sign the committee reports and send it over to the second committee. I think we should take the position that when there are primary and secondary committees, that all committee members will take a good look at the bills and the committee reports. I don't think we should slough it off to the second committee."

Representative Soares responded:

"Mr. Speaker, I fully agree with you on

that. I am not arguing that point at all. My only concern, of course, is that we want to maintain the communication between chairman and spokesman so that when they do have any referrals, it is fully understood here—there is no question of integrity on the part of the chairman or a question of what's happening to this bill all of a sudden. I think, in fairness to the committee chairman, he, too, wants this kind of report back from the committee spokesman."

At this time, Representative O'Connor was recognized by the Chair and stated:

"Mr. Speaker, since we have been so farsighted to adopt a brand new set of rules this year which require prior concurrence and put the responsibility for handling bills on the initial committee to which they are referred—that type of rule lends itself to the waiver of referral to the second committee when the second committee finds that there is no possible change that need be made to the committee report or the bill. In consonance with the new rules and the ideas behind the new rules, this type of waiver should be encouraged rather than looked upon with some disfavor.

The people signing the initial committee report in the primary committee should realize that they are in the primary committee and their signatures have the most weight in carrying a piece of legislation through this Body and that they should not rely on the second committee as a stopgap or some sort of a measure of protection when they sign the first committee report.

Therefore, Mr. Speaker, I feel that with the adoption of the new rules, a waiver or referral in instances where it can be made, is the more appropriate matter of handling legislation."

Representative Kunimura then rose and stated:

"Mr. Speaker, it is bad medicine to disagree with your leader but I am elected to serve as a member of this House as an individual and not as a part of a flock.

Yes, we will be and I knew long ago that we will be in this situation. But this House, because we make laws, must be the first to obey rules and I would like to, Mr. Minority Leader, if we did not consult with your spokesman on each committee, then we are at fault and I think the Vice Chairman of the Finance Committee has something to say right now."

Representative Akizaki then requested a recess so that the committee members could meet in the majority caucus room.

At 9:50 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 10:00 o'clock p.m., the House of Representatives reconvened.

The motion to waive referral of **S. B. No. 1397-74, S. D. 2** to the Committee on Judiciary and Corrections was put by the Chair and carried.

On motion by Representative King, seconded by Representative Medina and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the Committee, **S. B. No. 1397-74, S. D. 2** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (**Stand. Com. Rep. No. 636-74**) recommending that **S. B. No. 1523-74** pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the referral of **S. B. No. 1523-74** to the Committee on Finance was waived.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and **S. B. No. 1523-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (**Stand. Com. Rep. No. 637-74**) recommending that **S. B. No. 2173-74, S. D. 2** pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

At this time, Representative Yuen rose and stated:

"Mr. Speaker, just as a matter of information, I would just like the record to state that the companion bill, **H. B. 3018-74**, did pass the House a couple of days ago and for expedience's sake, I want the record to reflect that we did pass it even though we pass this particular bill on Second Reading."

The Chair replied:

"We have certain bills that are criss-crossing at this stage."

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and **S. B. No. 2173-74, S. D. 2**, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (**Stand. Com. Rep. No. 638-74**) recommending that **S. B. No. 1601-74, S. D. 1** pass Second Reading and be placed on the calendar for Third

Reading.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and **S. B. No. 1601-74, S. D. 1** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Iha, for the Committee on Transportation, presented a report (**Stand. Com. Rep. No. 639-74**) recommending that **S. B. No. 2082-74, S. D. 2** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakama, seconded by Representative Morioka and carried, the report of the Committee was adopted and **S. B. No. 2082-74, S. D. 2** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Yap, for the Committee on Consumer Protection, presented a report (**Stand. Com. Rep. No. 640-74**) recommending that **S. B. No. 2118-74, S. D. 2** 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 **S. B. No. 2118-74, S. D. 2** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Yap, for the Committee on Consumer Protection, presented a report (**Stand. Com. Rep. No. 641-74**) recommending that **S. B. No. 1564-74, S. D. 1** 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 **S. B. No. 1564-74, S. D. 1** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 642-74**) recommending that **S. B. No. 1745-74, S. D. 1** pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Akizaki, seconded by Representative Kunimura and carried, the report of the Committee was adopted and **S. B. No. 1745-74, S. D. 1**, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 643-74**) recommending that **S. B. No. 17, S. D. 2, H. D. 1** pass Third Reading with certain amendments.

By unanimous consent, consideration of **Stand. Com. Rep. No. 643-74** on **S. B. No. 17, S. D. 2, H. D. 1**, as amended, was deferred until tomorrow, April 5, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **S. B. No. 17, S. D. 2, H. D. 2** were made available to the members of the House at 8:25 o'clock p.m.

Representative Yap, for the Committee on Consumer Protection, presented a report (**Stand. Com. Rep. No. 644-74**) recommending that **S. B. No. 2100-74, S. D. 1** 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 **S. B. No. 2100-74, S. D. 1**, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

Representative Yap, for the Committee on Consumer Protection, presented a report (**Stand. Com. Rep. No. 645-74**) recommending that **S. B. No. 1498-74** pass Third Reading with certain amendments.

By unanimous consent, consideration of **Stand. Com. Rep. No. 645-74** on **S. B. No. 1498-74**, as amended, was deferred until tomorrow, April 5, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **S. B. No. 1498-74, H. D. 1** were made available to the members of the House at 8:25 o'clock p.m.

The Chair directed the Clerk to note that printed copies of **S. B. Nos. 1829-74; 1766-74; 1525-74, S. D. 1; 1266, S. D. 1; 4, S. D. 3, H. D. 1; 1397-74, S. D. 2; 1523-74; 2173-74, S. D. 2, H. D. 1; 1601-74, S. D. 1; 2082-74, S. D. 2; 2118-74, S. D. 2; 1564-74, S. D. 1; 1745-74, S. D. 1, H. D. 1; 17, S. D. 2, H. D. 2; and 2100-74, S. D. 1, H. D. 1** were made available to the members of the House at 8:25 o'clock p.m.

Representative Sakima, for the Committee on Higher Education, presented a report (**Stand. Com. Rep. No. 646-74**) recommending that **S. B. No. 1536-74, S. D. 1** pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Sakima, seconded by Representative Kunimura and carried, the report of the Committee was adopted and **S. B. No. 1536-74, S. D. 1**, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Sakima, for the Committee on Higher Education, presented a report (**Stand. Com. Rep. No. 647-74**) recommending that **S. B. No. 2024-74, S. D. 1** pass Second Reading and be referred to the Committee on Finance with certain amendments.

On motion by Representative Sakima, seconded by Representative Kunimura and carried, the report of the Committee was adopted and **S. B. No. 2024-74, S. D. 1**, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Sakima, for the Committee on Higher Education, presented a report (**Stand. Com. Rep. No. 648-74**) recommending that **S. B. No. 2039-74, S. D. 2** pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Kunimura and carried, the report of the Committee was adopted and **S. B. No. 2039-74, S. D. 2** passed Second Reading and was referred to the Committee on Finance.

DEFERRED MATTER FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 627-74 on **S. B. No. 1451-74, S. D. 1**:

On motion by Representative Akizaki, seconded by Representative Kunimura and carried, the referral of **S. B. No. 1451-74, S. D. 1** to the Committee on Finance was waived.

On motion by Representative Sakima, seconded by Representative Young and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the Committee, **S. B. No. 1451-74, S. D. 1** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 5, 1974.

The Chair directed the Clerk to note that printed copies of **S. B. No. 1451-74, S. D. 1** were made available to the members of the House at 8:25 o'clock p.m.

At this time, Representative J. Garcia rose and stated:

"I will let this matter go by but I would like to point out that we have met with the House attorney on the majority side and he informs us that the motion can be made to amend the committee report to have the measure pass Second Reading and be placed on the Order of the Day for Third Reading.

I must confess that my sidewalk attorney practices law without a license. But the only way that this decision can be substantiated is actually by going to the Supreme Court of the State of Hawaii and I am going to consent to the move."

At 10:09 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 10:25 o'clock p.m., the House of Representatives reconvened.

RECONSIDERATION OF ACTION TAKEN

Representative Young moved to reconsider action taken earlier on **Stand. Com. Rep. No. 633-74** on **S. B. No. 855, S. D. 2, H. D. 3**, seconded by Representative O'Connor and carried.

Representative Young then offered the following amendment to **S. B. No. 855, S. D. 2, H. D. 3**:

"SECTION 1. **Senate Bill No. 855, S. D. 2, H. D. 3** is amended by amending section 5 to read as follows:

'SECTION 4. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.'

SECTION 2. **Senate Bill No. 855, S. D. 2, H. D. 3** is amended by amending section 6 to read as follows:

'SECTION 5. This Act shall take effect on July 1, 1975; provided that section 3 shall take effect on the date of approval of this Act.'

SECTION 3. Section 1 of **Senate Bill No. 855, S. D. 2, H. D. 3** is amended by adding a

new section -11 to read as follows:

'Sec. -11 **Relocation requirements.** The corporation shall not undertake the acquisition, construction, reconstruction, rehabilitation, or improvement of a project unless the provisions regarding relocation in Chapter 111, Hawaii Revised Statutes, are first applied.' "

Representative Young moved that the amendment be adopted, seconded by Representative O'Connor.

The motion was put by the Chair and carried and the amendment was adopted.

By unanimous consent, further action on **S. B. No. 855, S. D. 2, H. D. 3**, as amended, was deferred until tomorrow, April 5, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **S. B. No. 855, S. D. 2, H. D. 4** were made available to the members of the House at 8:25 o'clock p.m.

ADJOURNMENT

At 10:27 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, April 5, 1974.

FIFTY-SIXTH DAY

Friday, April 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 Brother Edward Lelling of St. Louis High School, after which the Roll was called showing all members present with the exception of Representatives R. Garcia, Iha, King, Uechi and Wedemeyer, who were excused.

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

GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 74) transmitting copies of a new report entitled: "Report to the President and to the Council on Environmental Quality," which was prepared by the Citizen's Advisory Committee on Environmental Quality, was read by the clerk and was placed on file.

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 207) transmitting Senate Concurrent Resolution No. 47 requesting the Department of Land and Natural Resources to expedite the development of the master plan for the Makiki Tantalus State Park Complex which was adopted by the Senate on April 4, 1974, was read by the Clerk and was placed on file.

By unanimous consent, action on S. C. R. No. 47 was deferred until later on the calendar.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 12 and 13) were read by the Clerk and were disposed of as follows:

A communication from John A. Chanin, Chairman of the Commission to Promote Uniform Legislation (Dept. Com. No. 12) transmitting copies of their report was placed on file.

A communication from Sumie F. McCabe, Special Assistant to the Chancellor of the University of Hawaii (Dept. Com. No. 13) acknowledging receipt of H. R. Nos. 18, 307, 451 and 460 was placed on file.

ORDER OF THE DAY

DEFERRED RESOLUTION

S. C. R. No. 47 was referred to the Committee on Water, Land Use and Development.

COMMITTEE REASSIGNMENTS

The following Senate bills were re-referred as follows:

S. B. Nos.	Re-referred to:
459	Committee on Water, Land Use and Development
840	Committee on Housing
847	Committee on Housing
1262	Committee on Education
1673-74	Committee on Water, Land Use and Development
1766-74	Committee on Public Health and Welfare
1790-74	Committee on Transportation
2052-74	Committee on Judiciary
2056-74	Committee on Housing
2060-74	Committee on Water, Land Use and Development
2066-74	Committee on Housing

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 649-74) informing the House that House Resolution Nos. 467 to 471, Standing Committee Report Nos. 626-74 to 648-74, Floor Amendment to Senate Bill No. 855, Senate Draft 2, House Draft No. 4 and Standing Committee Report Nos. 650-74 to 661-74 had been printed and distributed.

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

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 650-74) recommending that H. R. No. 106 be adopted.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 106 was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 651-74) recommending that H. R. No. 190 be adopted with certain amendments.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 190, as amended, was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 652-74) recommending that H. R. No. 218 be adopted.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 218 was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 653-74) recommending that H. C. R. No. 25 be adopted.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. C. R. No. 25 was adopted.

Representative Yap, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 654-74) recommending that H. R. No. 295 be adopted.

On motion by Representative Yap, seconded by Representative Yuen and carried, the report of the Committee was adopted and H. R. No. 295 was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 655-74) recommending that S. C. R. No. 28 be adopted.

Representative Kawakami requested that consideration of Stand. Com. Rep. No. 655-74 on S. C. R. No. 28 be deferred until the end of the calendar, and the Chair, noting no objection, so ordered.

At 11:40 o'clock a.m., on request by Representative Medeiros, the Chair declared a recess, subject to the call of the Chair.

At 11:41 o'clock a.m., the House of Representatives reconvened.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 656-74) recommending that S. B. No. 2012-74, S. 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 S. B. No. 2012-74, S. 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. 657-74) recommending that S. B. No. 1621-74 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 S. B. No. 1621-74 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. 658-74) recommending that S. B. No. 1409-74, S. D. 2 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 S. B. No. 1409-74, S. D. 2 was referred to the Committee on Finance.

Representative Kawakami, for the majority of the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 659-74) recommending that S. B. No. 1408-74, S. 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 majority of the Committee was adopted and S. B. No. 1408-74 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. 660-74) recommending that S. B. No. 878, S. D. 2 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 S. B. No. 878, S. D. 2 was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (Stand. Com. Rep. No. 661-74) recommending that S. C. R. No. 3, S. D. 1, H. D. 1 be adopted.

On motion by Representative Lunasco, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. C. R. No. 3, S. D. 1, H. D. 1 was adopted.

At 11:43 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:52 o'clock a.m., the Chair directed the Clerk to note the presence of Representative King.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H. R. Nos. 472 to 479) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 472) honoring Jo Ann Masae Noborikawa, 1974 Cherry Blossom Queen was jointly offered by Representatives Yuen, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J.

Garcia, Hapai, Kawakami, Kihano, Kimura, King, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Takamine, Ushijima, Wakatsuki, Wasai, Wong, Yamada, Yap, Yim, Young and Beppu.

On motion by Representative Yuen, seconded by Representative Young and carried, **H. R. No. 472** was adopted.

A resolution (**H. R. No. 473**) extending aloha and best wishes to the Nisei Week Queen and her court was offered by Representatives Ushijima, Aki, Akizaki, Amaral, Fong, J. Garcia, Kihano, Kishinami, Kondo, Lee, Medeiros, Nakama, Oda, Saiki, Takamine, Wasai, Yap, Young and Yuen.

On motion by Representative Ushijima, seconded by Representative Yuen and carried, **H. R. No. 473** was adopted.

A resolution (**H. R. No. 474**) congratulating the 1974 Cherry Blossom court was jointly offered by Representatives Ushijima, Aki, Akizaki, Amaral, Fong, J. Garcia, Kihano, Kishinami, Kondo, Lee, Medeiros, Nakama, Oda, Saiki, Takamine, Wasai, Young and Yuen.

On motion by Representative Ushijima, seconded by Representative Yuen and carried, **H. R. No. 474** was adopted.

A resolution (**H. R. No. 475**) honoring Mrs. Odie Lee Gossett, National President of the Ladies Auxiliary to the Veterans of Foreign Wars 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, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Kunimura, Lee, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Soares, Suwa, Takamine, Ushijima, Wasai, Wong, Yamada, Yap, Yim and Young.

On motion by Representative Kimura, seconded by Representative O'Connor and carried, **H. R. No. 475** was adopted.

A resolution (**H. R. No. 476**) congratulating Mrs. Dorothy L. Devereux upon her appointment to the new Federal Council on Aging was jointly offered by Representatives J. Garcia, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, R. Garcia, Hapai, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Takamine, Ushijima, Wakatsuki, Wasai, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative J. Garcia, seconded by Representative Soares and carried, **H. R. No. 476** was adopted.

A resolution (**H. R. No. 477**) commending Dr. Donald Klopff, chairman of the Speech Department, University of Hawaii at Manoa and initiator of the Legislative Research Aide Program and the students participating for contributing to the success of the program was jointly offered by Representatives Yuen, Aki, Akizaki, Amaral, Fong, J. Garcia, King, Kishinami, Kondo, Lee, Leopold, Medeiros, Nakama, Oda, Saiki, Takamine, Wasai, Yap and Young.

On motion by Representative Yuen, seconded by Representative Wasai and carried, **H. R. No. 477** was adopted.

A resolution (**H. R. No. 478**) congratulating and commending Vietnam Veterans attending Maui Community College was jointly offered by Representatives Medina, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, Hapai, Kawakami, Kihano, Kimura, King, Kondo, Kunimura, Lee, Leopold, Lunasco, Medeiros, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Takamine, Ushijima, Wakatsuki, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Medina, seconded by Representative Kondo and carried, **H. R. No. 478** was adopted.

A resolution (**H. R. No. 479**) congratulating the Zonta Club of Honolulu for its fine community activities was jointly offered by Representatives Yuen, Aduja, Ajifu, Aki, Akizaki, Amaral, A. Chong, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Kawakami, Kimura, King, Kishinami, Kondo, Lee, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Saiki, Sakima, Takamine, Ushijima, Wasai, Wong, Yamada, Yap, Yim and Young.

On motion by Representative Young, seconded by Representative Lee and carried, **H. R. No. 479** was adopted.

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

At 12:45 o'clock p.m., the House of Representatives reconvened.

RECONSIDERATION OF ACTIONS TAKEN

Representative Kawakami moved that the House reconsider its actions taken on **Stand. Com. Rep. Nos. 656-74, 657-74, 658-74 and 660-74** on **S. B. Nos. 2012-74, S. D. 1, 1621-74, 1409-74, S. D. 2 and 878, S. D. 2**, respectively, seconded by Representative A. Chong and carried.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, **Stand. Com. Rep. Nos. 656-74, 657-74, 658-74 and 660-74** were adopted and notwithstanding the recommendation of the Committee,

S. B. Nos. 2012-74, S. D. 1, 1621-74, 1409-74, S. D. 2 and 878, S. D. 2 passed Second Reading and were referred to the Committee on Finance.

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:

S. B. No. 180

On motion by Representative Kawakami, seconded by Representative Lunasco, S. B. No. 180 passed Third Reading by a vote of 45 ayes to 1 no, with Representative A. Chong voting no and Representatives R. Garcia, Iha, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 1844-74

On motion by Representative Lee, seconded by Representative Takamine, S. B. No. 1844-74 passed Third Reading by a vote of 46 ayes, with Representatives R. Garcia, Iha, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 2189-74

On motion by Representative Yap, seconded by Representative Yuen, S. B. No. 2189-74 passed Third Reading by a vote of 46 ayes, with Representatives R. Garcia, Iha, Suwa, Uechi and Wedemeyer being excused.

At this time, the Chair directed the Clerk to note that S. B. Nos. 180, 1844-74 and 2189-74 had passed Third Reading not earlier than 1:50 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 655-74 (S. C. R. No. 28):

On motion by Representative Medeiros, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S. C. R. No. 28 was adopted.

At 1:55 o'clock p.m., on request by Representative A. Chong, the Chair declared a recess, subject to the call of the Chair.

At 1:56 o'clock p.m., the House of Representatives reconvened.

At 1:56 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives

stood in recess until 9:00 o'clock p.m. tonight.

NIGHT SESSION

The House of Representatives reconvened at 9:12 o'clock p.m.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 208 to 224) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 208) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 623, S. D. 1 and had requested a conference on the subject matter of said amendments, in consequence of which Senators Wong, Chairman; Ushijima and Mills had been appointed as Managers on the part of the Senate at such conference, was placed on file.

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

A communication from the Senate (Sen. Com. No. 209) returning House Bill No. 1856, H. D. 1 which passed Third Reading in the Senate on April 5, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 210) returning House Bill No. 2146-74 which passed Third Reading in the Senate on April 5, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 211) returning House Bill No. 2190-74 which passed Third Reading in the Senate on April 5, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 212) returning House Bill No. 2371-74 which passed Third Reading in the Senate on April 5, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 213) returning House Bill No. 2374-74, H. D. 1 which passed Third Reading in the Senate, in an amended form, on April 5, 1974 by not less than two-thirds vote of all the members to which the Senate is entitled, was placed on file.

A communication from the Senate (Sen. Com. No. 214) returning House Bill No. 2471-74, H. D. 1 which passed Third Reading in the Senate on April 5, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 215) returning House Bill No. 2480-74, H. D. 2 which passed Third Reading in the Senate on April 5, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 216) returning House Bill No. 2538-74, H. D. 1

which passed Third Reading in the Senate on April 5, 1974, in an amended form, was placed on file.

A communication from the Senate (**Sen. Com. No. 217**) returning **House Bill No. 2941-74, H. D. 1** which passed Third Reading in the Senate on April 5, 1974, in an amended form, was placed on file.

A communication from the Senate (**Sen. Com. No. 218**) returning **House Bill No. 2968-74, H. D. 1**, which passed Third Reading in the Senate on April 5, 1974, in an amended form, was placed on file.

A communication from the Senate (**Sen. Com. No. 219**) returning **House Bill No. 3090-74, H. D. 1** which passed Third Reading in the Senate on April 5, 1974, in an amended form, was placed on file.

By unanimous consent, **H. B. Nos. 1856, H. D. 1, 2146-74, 2190-74, 2371-74, 2374-74, H. D. 1, 2471-74, 2480-74, H. D. 2, 2538-74, H. D. 1, 2941-74, H. D. 1, 2968-74, H. D. 1 and 3090-74, H. D. 1**, as amended by the Senate, were placed on the Clerk's desk and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **H. B. Nos. 1856, H. D. 1, S. D. 1, 2146-74, S. D. 1, 2190-74, S. D. 1, 2371-74, S. D. 1, 2374-74, H. D. 1, S. D. 1, 2471-74, H. D. 1, S. D. 1, 2480-74, H. D. 2, S. D. 2, 2538-74, H. D. 1, S. D. 1, 2941-74, H. D. 1, S. D. 1, 2968-74, H. D. 1, S. D. 1 and 3090-74, H. D. 1, S. D. 1** were made available to the members of the House at 9:00 o'clock p.m.

A communication from the Senate (**Sen. Com. No. 220**) transmitting **Senate Concurrent Resolution No. 24** requesting the United States House of Representatives to retain its Merchant Marine and Fisheries Committee in its present form which was adopted by the Senate on April 5, 1974, was placed on file.

By unanimous consent, action on **S. C. R. No. 24** was deferred until Monday, April 8, 1974.

A communication from the Senate (**Sen. Com. No. 221**) transmitting **Senate Concurrent Resolution No. 31** requesting the Governor of the State of Hawaii to establish an ad hoc committee on work on an international trade fair to be held in 1976 or 1978 which was adopted by the Senate on April 5, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 222**) transmitting **Senate Concurrent Resolution No. 34** requesting the return of lands to the State which was adopted by the Senate on April 5, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 223**) transmitting **Senate Concurrent Resolution No. 46, S. D. 1** requesting the Honolulu Stadium, Ltd., to refrain from committing the Honolulu Stadium site for any purpose other than

a recreational park complex which was adopted by the Senate on April 5, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 224**) transmitting **Senate Concurrent Resolution No. 53** requesting the Hawaii Environmental Simulation Laboratory to report to the Eighth State Legislature which was adopted by the Senate on April 5, 1974, was placed on file.

By unanimous consent, action on **S. C. R. Nos. 31, 34, 46, S. D. 1 and 53** was deferred until Monday, April 8, 1974.

STANDING COMMITTEE REPORTS

Representative Young, for the Committee on Housing, presented a report (**Stand. Com. Rep. No. 663-74**) recommending that **S. B. No. 1703-74, S. D. 1** pass Second Reading and 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 **S. B. No. 1703-74, S. D. 1** passed Second Reading and was referred to the Committee on Finance.

Representative Sakima, for the Committee on Higher Education, presented a report (**Stand. Com. Rep. No. 663-74**) recommending that **S. B. No. 323, S. D. 2** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, the report of the Committee was adopted and **S. B. No. 323, S. D. 2** passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 664-74**) recommending that **S. B. No. 2060-74, S. D. 1** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative A. Chong, seconded by Representative Kihano and carried, the report of the Committee was adopted and **S. B. No. 2060-74, S. D. 1** passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 665-74**) recommending that **S. B. No. 459, S. D. 2** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative A. Chong, seconded by Representative Kihano and carried, the report of the Committee was adopted and **S. B. No. 459, S. D. 2** passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 666-74) recommending that S. B. No. 1673-74, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative A. Chong, seconded by Representative Kihano and carried, the report of the Committee was adopted and S. B. No. 1673-74, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (Stand. Com. Rep. No. 667-74) recommending that S. B. No. 1746-74, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Lunasco, seconded by Representative Akizaki and carried, S. B. No. 1746-74, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (Stand. Com. Rep. No. 668-74) recommending that S. B. No. 1871-74, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Lunasco, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1871-74, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 669-74) recommending that S. B. No. 599, 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 Sakima and carried, S. B. No. 599, S. D. 2, as amended, passed Second Reading and was referred to the Committee on Finance.

Representative Sakima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 670-74) recommending that H. C. R. No. 58 be referred to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. C. R. No. 58 was referred to the Committee on Finance.

Representative Wasai, for the Committee on Education, presented a report (Stand. Com. Rep. No. 671-74) recommending that H. R. No. 420 be referred to the Committee on Finance.

On motion by Representative Wasai, seconded

by Representative Young and carried, the report of the Committee was adopted and H. R. No. 420 was referred to the Committee on Finance.

Representative Young, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 672-74) recommending that S. B. No. 10, S. D. 1, H. D. 2 pass Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 672-74 on S. B. No. 10, S. D. 1, H. D. 2, as amended, was deferred until Monday, April 8, 1974, and in accordance with Article III, Section 16 of the Constitution of the State of Hawaii, printed copies of S. B. No. 10, S. D. 1, H. D. 3 were made available to the members of the House at 9:00 o'clock p.m.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 673-74) recommending that S. B. No. 1245, S. D. 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Kihano and carried, the report of the Committee was adopted and S. B. No. 1245, S. D. 1 passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 674-74) recommending that S. B. No. 1184, S. D. 2, H. D. 1 be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Kihano and carried, the report of the Committee was adopted and S. B. No. 1184, S. D. 2, H. D. 1 was referred to the Committee on Finance.

At 9:16 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 9:18 o'clock p.m., the House of Representatives reconvened.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 675-74) recommending that S. B. No. 964, S. D. 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative A. Chong, seconded by Representative Kihano and carried, the report of the Committee was adopted and S. B. No. 964, S. D. 1 passed Second Reading and was referred to the Committee on Finance.

Representative Iha, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 676-74) recommending that S. B. No. 1790-74, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakama, seconded by Representative Morioka and carried, the report of the Committee was adopted and S. B. No. 1790-74, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 677-74) recommending that S. B. No. 2199-74, S. D. 2 pass Second Reading and be placed on the calendar on Third Reading.

On motion by Representative A. Chong, seconded by Representative Kato and carried, the report of the Committee was adopted and S. B. No. 2199-74, S. D. 2 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 678-74) recommending that S. B. No. 1973-74, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted and S. B. No. 1973-74, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 679-74) recommending that S. B. No. 1860-74, S. D. 1 pass Second Reading and be placed on the calendar for Third reading with certain amendments.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted and S. B. No. 1860-74, S. D. 1, as amended, passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 680-74) recommending that S. B. No. 2095-74, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted and S. B. No. 2095-74, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 681-74) recommending that S. B. No. 2067-74, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Akizaki, second-

ed by Representative Kishinami and carried, the report of the Committee was adopted and S. B. No. 2067-74, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 682-74) recommending that S. B. No. 1747-74 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kato, seconded by Representative Sakima and carried, the report of the Committee was adopted and S. B. No. 1747-74 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 683-74) recommending that S. B. No. 1658-74, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kato, seconded by Representative Sakima and carried, the report of the Committee was adopted and S. B. No. 1658-74, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 684-74) recommending that S. B. No. 2125-74, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kato, seconded by Representative Sakima and carried, the report of the Committee was adopted and S. B. No. 2125-74, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 684-74) recommending that S. B. No. 965, S. D. 1 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 685-74 on S. B. No. 965, S. D. 1 was deferred until Monday, April 8, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S. B. No. 965, S. D. 1 were made available to the members of the House at 9:00 o'clock p.m.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 686-74) recommending that S. B. No. 1791-74, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Wakatsuki,

seconded by Representative Kato and carried, the report of the Committee was adopted and S. B. No. 1791-74, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Wakatsuki, for the Committee on Judiciary and corrections, presented a report (Stand. Com. Rep. No. 687-74) recommending that S. B. No. 1734-74 pass Second Reading and be placed on the calendar for Third Reading:

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the report of the Committee was adopted and S. B. No. 1734-74 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 688-74) recommending that S. B. No. 463, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the report of the Committee was adopted and S. B. No. 463, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 689-74) recommending that S. B. No. 1487-74, S. D. 1 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 S. B. No. 1487-74, S. D. 1, H. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 690-74) recommending that S. B. No. 1832-74, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the report of the Committee was adopted and S. B. No. 1832-74, S. D. 1 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 691-74) recommending that S. B. No. 1731-74 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the

report of the Committee was adopted and S. B. No. 1731-74 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 692-74) recommending that S. B. No. 2047-74 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the report of the Committee was adopted and S. B. No. 2047-74 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Wakatsuki, for the majority of the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. 693-74) recommending that S. B. No. 2052-74, S. D. 1 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 majority of the Committee was adopted and S. B. No. 2052-74, S. D. 1, as amended, passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 694-74) recommending that S. B. No. 887 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 S. B. No. 887, as amended, passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 695-74) recommending that S. B. No. 1364, S. D. 1 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Roehrig, seconded by Representative Lunasco and carried, the report of the Committee was adopted and S. B. No. 1364, S. D. 1, as amended, passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 696-74) recommending that S. B. No. 1963-74, S. D. 2 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Roehrig, second-

ed by Representative Lunasco and carried, the report of the Committee was adopted and S. B. No. 1963-74, S. D. 2 passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 697-74) recommending that S. B. No. 1536-74, S. D. 1, H. D. 1 pass Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 697-74 on S. B. No. 1536-74, S. D. 1, H. D. 1, as amended, was deferred until Monday, April 8, 1974, and in accordance with Article III, Section 16 of the Constitution of the State of Hawaii, printed copies of S. B. No. 1536-74, S. D. 1, H. D. 2 were made available to the members of the House at 9:00 o'clock p.m.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 698-74) recommending that S. B. No. 2215-74, S. D. 1 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 S. B. No. 2215-74, S. D. 1, as amended, passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 699-74) recommending that S. B. No. 2065-74 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 S. B. No. 2065-74, as amended, passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 700-74) recommending that S. B. No. 1944-74 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 S. B. No. 1944-74, as amended, passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 701-74) recommending that S. B. No. 1789-74 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the report of the Committee was adopted and S. B. No. 1789-74 passed Second Reading and was referred to the Committee on Finance.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 702-74) recommending that S. B. No. 761 pass Third Reading with certain amendments.

By unanimous consent, consideration of Stand. Com. Rep. No. 702-74 on S. B. No. 761, as amended, was deferred until Monday, April 8, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S. B. No. 761, H. D. 1 were made available to the members of the House at 9:00 o'clock p.m.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 703-74) recommending that S. B. No. 2197-74, S. D. 1 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 S. B. No. 2197-74, S. D. 1, as amended, passed Second Reading and was placed on the calendar for Third Reading on Monday, April 8, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 704-74) recommending that S. B. No. 1802-74, S. D. 1 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 S. B. No. 1802-74, S. D. 1, as amended, passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 705-74) recommending that S. B. No. 1450-74, S. D. 2 pass Second Reading and be placed on the calendar for Third Reading with certain amendments.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the report of the Committee was adopted and S. B. No. 1450-74, S. D. 2, as amended, passed Second Reading and was placed on the calendar for Third Reading Monday, April 8, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 706-74) recommending that S. B. No. 2024-74, S. D. 1, H. D. 1 pass Third Reading.

By unanimous consent, consideration of **Stand. Com. Rep. No. 706-74** on **S. B. No. 2024-74, S. D. 1, H. D. 1** was deferred until Monday, April 8, 1974, and in accordance with Article III, Section 16 of the Constitution of the State of Hawaii, printed copies of **S. B. No. 2024-74, S. D. 1, H. D. 1** were made available to the members of the House at 9:00 o'clock p.m.

The Chair here directed the Clerk to note that printed copies of **S. B. Nos. 323, S. D. 2; 2060-74, S. D. 1; 459, S. D. 2; 1673-74, S. D. 1; 1746-74, S. D. 1; 1871-74, S. D. 1; 1790-74, S. D. 1; 2199-74, S. D. 2; 1973-74, S. D. 1; 1860-74, S. D. 1, H. D. 1; 2095-74, S. D. 1; 2067-74, S. D. 1; 1747-74; 1658-74, S. D. 1; 2125-74, S. D. 1; 1791-74, S. D. 1; 1734-74; 463, S. D. 1; 1487-74, S. D. 1, H. D. 1; 1832-74, S. D. 1; 1731-74; 2047-74; 2052-74, S. D. 1, H. D. 1; 887, H. D. 1; 1364, S. D. 1, H. D. 1; 1963-74, S. D. 2; 2215-74, S. D. 1, H. D. 1; 2065-74, H. D. 1; 1944-74, H. D. 1; 2197-74, S. D. 1, H. D. 1; 1802-74, S. D. 1, H. D. 1 and 1450-74, S. D. 2, H. D. 1** were made available to the members of the House at 9:00 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Representative Kato moved that the House reconsider its action taken on **Stand. Com. Rep. No. 684-74** on **S. B. No. 2125-74, S. D. 1**, seconded by Representative Sakima and carried.

On motion by Representative Kato, seconded by Representative Sakima and carried, **Stand. Com. Rep. No. 684-74** and **S. B. No. 2125-74, S. D. 1** were recommitted to the Committee on Public Health and Welfare.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, **H. B. No. 493, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Wakatsuki moved that the House disagree to the amendments proposed by the Senate to **H. B. No. 493, H. D. 1**, seconded by Representative Kato.

Representative Cobb then rose on a point of information and stated:

"Mr. Speaker, yes, I would like to rise on a point of information and ask if the Chairman of the Judiciary Committee would yield to questions."

Representative Wakatsuki then replied:

"I will."

Representative Cobb then proceeded:

"Thank you, Mr. Speaker. For the record, I would like to know what are the specific areas or sections in the bill in which the House is

asked to disagree on."

Representative Wakatsuki replied:

"Mr. Speaker, in answer to the question by the previous speaker, part of Section 2 of **Senate Draft 1** and every section thereafter."

Representative Cobb then inquired:

"And every section thereafter?"

Representative Wakatsuki replied:

"Yes, if the person read the bill, he'd understand that it is every section thereafter."

Representative Cobb then stated:

"Yes, Mr. Speaker, in reference to every section thereafter, I count at least eight or nine remaining sections. And, am I to understand that the entire bill from Section 2 thereon is the subject of disagreement by the House?"

Representative Wakatsuki replied:

"I am saying, Mr. Speaker—the question I believe was what amendments did the Senate put to **House Draft 1**. I said, 'part of Section 2 and I believe every section thereafter.' I did not say that the Committee or the Committee Chairman disagreed with every provision of the Senate amendments. However, I believe that the majority of these sections are disagreeable."

Representative Cobb then stated:

"Mr. Speaker, is it possible to narrow the area of disagreement to a . . ."

Representative Wasai rose on a point of order and stated:

"Mr. Speaker, I think the Chairman of the Judiciary Committee has made it clear as to the point that he disagrees with."

The Chair ruled that the point was well taken.

Representative Cobb then rose to speak against the motion to disagree with the amendments proposed by the Senate to **H. B. No. 493, H. D. 1** and stated the following:

"Mr. Speaker, we have before us a bill that was obviously put together on short order, and it has some features, particularly in the penalty provision, that either are not entirely clear, or may not withstand all of the constitutional tests brought before it.

Nevertheless, the bill does contain a severability clause, stating very clearly that if any portion is declared unconstitutional, the rest shall remain. Now, Mr. Speaker, in the

absence of a clear-cut declaration of what precise areas we are disagreeing upon, rather than 90 percent of the bill, I personally would hate to see us take the chance of losing this particular bill in conference. I think we've waited far too long for some type of registration of lobbyists, even though this bill may go beyond the scope that some of us had in mind.

For that reason, Mr. Speaker, rather than take the chance of losing it in conference, I would rather take the chance of having even a portion of it declared null and void that the rest may stand; and I would urge the members of this Body to oppose the motion to disagree. So that we may be counted publicly on the record, Mr. Speaker, I would like to ask for a roll call vote."

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

"I would like to know if the previous speaker, Mr. Speaker, is in agreement with several provisions of the Senate draft. First, the penalty provision states that, if a person is convicted of violating sections of this provision, that he thereafter would not be allowed to lobby, indirectly or directly, for three years. And if, by a minute piece of error he is found to have lobbied directly or indirectly, he is then convicted of a felony. Does the previous speaker believe that this is the kind of legislation that the Legislature should enact into law?"

Representative Cobb then replied:

"In response to the question, Mr. Speaker, I think this has teeth, yes, in fact too many fangs. And I think this particular provision may not survive a constitutional test. Of that I cannot say for sure. I do not agree with the specific proposal that it become a felony for a violation of a prohibited lobbying clause. I do agree that there should be some sort of sanction, even be it a misdemeanor, for the violation of the registration or disclosure provisions which is provided in a previous section."

Representative Wakatsuki further inquired:

"I'd like to ask the previous speaker also whether he is in agreement with the provision in this particular bill which states that the administration of this particular section for that particular law, if it becomes law, that the Legislature, by committee, sits as a judge as who should or should not be lobbying by issuance of certificates based on good moral character. Does he think that this is a wide and good, reasonable provision, that this is the kind of legislation that the Legislature should enact into law?"

Representative Cobb responded as follows:

"Mr. Speaker, in the past, each House has clearly established its own Rules and continues to do so today; and, therefore, each House would be, under that proposition, qualified to indicate who would be testifying before it and who would not. However, I would point out, as a further adjunct in response to the question, that a conviction does not take place by either House. A conviction only takes place in a court of law."

Representative Kimura rose to speak in favor of the motion to disagree to the amendments proposed by the Senate to H. B. No. 493, H. D. 1 as follows:

"The Representative from the Ninth District made the very bold and crass statement that he was opposed to the motion because to allow this bill to go into conference presupposed a very important fact, and that is, the bill is presumed to be very shaky as far as passage.

Mr. Speaker, if this was so, many of our very important bills, like no-fault and like the budget are then, if accorded the same shaky presumption, we'd never be able to really get this bill in its proper form. We have the time, Mr. Speaker, and I think the Conference Committee is the appropriate place to thrash out these very important provisions of this very important bill."

Representative Roehrig rose to speak in favor of the motion as follows:

"If the previous speaker will recall, there was a floor amendment made in the Senate and eventually the bill passed the Senate by a unanimous vote. Since the bill passed the Senate, the maker of that floor amendment has given me a copy of a proposed language that he, himself, feels to be more adequate to represent the finished product of a good bill. And, since this is the language that the maker of the motion has suggested, I consider that to be given great weight by this Body. If we're going to go into conference to clear it up, now is the time to do this while there's sufficient amount of time left in this session. And I think that it is rather irresponsible at this point to ask for final passage of a bill that does have major flaws such as this does. Thank you."

At 9:42 o'clock p.m., on request by Representative Yim, the Chair declared a recess, subject to the call of the Chair.

At 9:43 o'clock p.m., the House of Representatives reconvened.

Representative Cobb here rose and stated:

"Mr. Speaker, just one additional historical observation in view of the remarks by the Majority Floor Leader. In 1972, I don't

believe the no-fault bill survived conference, and in 1973, the CIP portion of the budget did not. There is no guarantee at all that major pieces of legislation will come out of conference."

Representative J. Garcia rose on a point of order stating:

"In 1973, the CIP was defeated on the very floor of this House when it did not have a two-thirds vote. It did not die in conference. And, as a further observation, Mr. Speaker, this is the first time that I have ever known where we have sat as a Committee of the Whole on a motion to agree or disagree to an amendment."

The motion to disagree to the amendments proposed by the Senate to **H. B. No. 493, H. D. 1** was put by the Chair and, roll call having been requested, the motion carried by a vote of 38 ayes to 7 noes, with Representatives Ajifu, Aki, A. Chong, Cobb, Hapai, King and Leopold voting no and Representatives R. Garcia, Kato, Kawakami, Suwa, Uechi and Wedemeyer being excused, and the House disagreed to the amendments proposed by the Senate to **H. B. No. 493, H. D. 1** and requested a conference on the subject matter of said amendments.

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

By unanimous consent, **H. B. No. 2480-74, H. D. 2**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Yap, seconded by Representative Wakatsuki and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 2480-74, H. D. 2** and requested a conference on the subject matter of said amendments.

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

THIRD READING

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

S. B. No. 1451-74

On motion by Representative Kato, seconded by Representative Sakima, **S. B. No. 1451-74** passed Third Reading by a vote of 35 ayes to 10 noes, with Representatives Aduja, Carroll, A. Chong, Cobb, J. Garcia, Hapai, King, Roehrig, Soares and Yim voting no and Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 1829-74

On motion by Representative Kato, seconded

by Representative Sakima, **S. B. No. 1829-74** passed Third Reading by a vote of 45 ayes, with Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 1766-74

On motion by Representative Kato, seconded by Representative Sakima, **S. B. No. 1766-74** passed Third Reading by a vote of 45 ayes, with Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 1525-74

On motion by Representative Kato, seconded by Representative Sakima, **S. B. No. 1525-74** passed Third Reading by a vote of 45 ayes, with Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 1266

On motion by Representative Kato, seconded by Representative Sakima, **S. B. No. 1266** passed Third Reading by a vote of 45 ayes, with Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 4

On motion by Representative Kato, seconded by Representative Sakima, **S. B. No. 4** passed Third Reading by a vote of 45 ayes, with Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 1397-74

On motion by Representative King, seconded by Representative Medina, **S. B. No. 1397-74** passed Third Reading by a vote of 45 ayes, with Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 1523-74

On motion by Representative Kato, seconded by Representative Sakima, **S. B. No. 1523-74** passed Third Reading by a vote of 45 ayes, with Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 2173-74

By unanimous consent, consideration of **S. B. No. 2173-74** on Third Reading was deferred until Monday, April 8, 1974.

S. B. No. 1601-74

On motion by Representative Kato, seconded by Representative Sakima, **S. B. No. 1601-74** passed Third Reading by a vote of 45 ayes, with Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 2082-74

Representative Nakama moved that **S. B. No. 2082** pass Third Reading, seconded by Representative Morioka.

Representative Nakama, rising to speak in favor of **S. B. No. 2082-74, S. D. 2**, stated the following:

"At the present time, water carriers are regulated under Chapter 269, Hawaii Revised Statutes. That chapter is worded in such a manner that the provisions apply to utilities such as electricity and gas, and in former days, the HRT.

It is clear that the problems facing water carriers are greatly different from those facing gas and electric utilities. The present statute, therefore, leaves much to be desired when it is applied to water carriers.

In 1961, we saw fit to pass a separate motor carrier law to regulate that segment of the transportation industry. The bill we now consider is an extension of that concept.

This bill will result in fair and impartial regulation of transportation of persons and property over the surface waters of the State of Hawaii. Our State being composed of island communities, we must recognize the importance of surface water transportation. This bill will preserve for the public the benefit of that important mode of transportation and communications.

There are provisions in this bill that will protect the rights of the consumer public and, at the same time, fairly regulate the carriers involved.

All parties heard from on a companion bill were lavish in their praise of the intent and purpose of the bill. Mr. Speaker and members of this Honorable Body, I urge that all support this bill."

The motion was put by the Chair and carried, and **S. B. No. 2082-74** passed Third Reading by a vote of 45 ayes, with Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 2118-74

On motion by Representative Yap, seconded by Representative Yuen, **S. B. No. 2118-74** passed Third Reading by a vote of 45 ayes, with Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 1564-74

On motion by Representative Yap, seconded by Representative Yuen and carried, **S. B. No. 1564-74** was recommitted to the Committee on Consumer Protection.

S. B. No. 1745-74

On motion by Representative Akizaki, seconded by Representative Kishinami, **S. B. No. 1745-74** passed Third Reading by a vote of 45 ayes, with Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 2100-74

On motion by Representative Yap, seconded by Representative Yuen, **S. B. No. 2100-74** passed Third Reading by a vote of 45 ayes, with Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

The Chair here directed the Clerk to note that **S. B. Nos. 1451-74, 1829-74, 1766-74, 1525-74, 1266, 4, 1397-74, 1523-74, 1601-74, 2082-74, 2118-74, 1745-74 and 2100-74** had passed Third Reading not earlier than 9:54 o'clock p.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 643-74 on **S. B. No. 17, S. D. 2, H. D. 1**, as amended, deferred from April 4, 1974.

On motion by Representative Yap, seconded by Representative Yuen and carried, the report of the Committee was adopted and **S. B. No. 17, S. D. 2, H. D. 1**, as amended, passed Third Reading by a vote of 45 ayes, with Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

Stand. Com. Rep. No. 645-74 on **S. B. No. 1498-74**, as amended, deferred from April 4, 1974.

On motion by Representative Yap, seconded by Representative Yuen and carried, the report of the Committee was adopted and **S. B. No. 1498-74** passed Third Reading by a vote of 44 ayes to 1 no, with Representative King voting no and Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

The Chair here directed the Clerk to note that **S. B. Nos. 17 and 1498-74** had passed Third Reading not earlier than 9:55 o'clock p.m.

At 9:56 o'clock p.m., on request by Representative Yim, the Chair declared a recess, subject to the call of the Chair.

At 10:03 o'clock p.m., the House of Representatives reconvened.

Representative King here rose and stated the following:

"Mr. Speaker, this isn't an announcement. It is a motion I'd like to make. I'd like to move to recall **H. B. No. 2369-74**, 'A Bill for an Act relating to meetings open to public,' from Committee."

Representative A. Chong seconded the mo-

tion.

Representative King continued:

"Mr. Speaker, I would like to speak in favor of this motion. **House Bill 2369-74** is the bill that's been called the 'sunshine bill.' As one of the people testifying before the Committee that heard it on the final day for hearings said, this is an idea whose time has come.

This is a bill that was drafted by Herman Doi who was the Chairman of a Committee of Three set up by the Media Council to draft a model sunshine bill. That Committee looked at a number of sunshine bills from various states and came up with this version which was introduced intact. The Big Island has such a sunshine open meeting bill, and the Media Council people flew in from the Big Island and testified in favor of it. Support for this bill was overwhelming.

I would just like to read a line from yesterday's ADVERTISER editorial that said that: 'This is a bill for the kind of reform many feel will help restore the obviously sagging public confidence in the processes of government' and it would be a non-cost item.

The editorial goes on to say 'what is being proposed is not some radical measure.' The bill does provide for executive sessions in three instances — where the reputation of an individual might be affected; to deliberate concerning the authority of persons designated by the Board to conduct labor union negotiations, or negotiate the acquisition of real property; and to consult with the Board's attorney.

It seems to me that this is such a timely bill, in terms of current political feelings, that the members of the House ought to be given a chance to consider it. I urge everyone to vote in favor of the motion to recall.

The House Rules provide that a bill may be recalled after 20 days in the committee if one-third of the members of the House vote for it. That's 17 votes, Mr. Speaker."

Representative O'Connor rose and inquired:

"I wonder if the prior speaker would yield to a question."

Representative King replied:

"Yes, I would."

Representative O'Connor then inquired:

"Mr. Speaker, since this is a House bill, if this motion is successful, what do we do with it once we get it back on the desk? Will the prior speaker answer that question?"

Representative King replied:

"Yes, the prior speaker would be happy to answer that question. What we would do with it, Mr. Speaker, is pass it on Second Reading tonight, pass it on Third Reading tomorrow, and the Senate would pass it on First Reading Tuesday, Second Reading Wednesday and Third Reading on Thursday, the final day now scheduled for this session."

Representative O'Connor again rose and stated the following:

"Mr. Speaker, we have an arrangement with the Senate. The Senate would not accept a House bill from this House at this juncture in our proceedings since we are several days pass cut off. Any motion of this nature, Mr. Speaker . . . I rise to speak against this motion.

Any motion of this nature should have been made a week ago. We are long pass the cut-off date on House bills. Any House bill which passes this Body tonight or Monday or Tuesday of next week would simply end up in the trash half way down the hall between here and the Senate.

For that purely technical reason, I would urge all members to vote against this particular motion as being a weak leg. This House bill should stay in the Committee where it belongs."

Representative Roehrig rose to speak against the motion as follows:

"I haven't been in the Legislature very long. This is only my sixth year. But one particular unwritten rule has been a part of this House since I've been here; that is, except in the most unusual circumstances do we circumvent the prerogative of the chairman and his Committee regarding a bill which reposes in his Committee.

The particular motion which the Representative who is to make in this situation is, in effect, an effort to involuntarily rip a Committee's bill from the Committee without the concurrence of a majority of the members of that Committee calling the bill out from Committee for Third Reading, or whatever the case may be.

It is highly unusual. It is a slap in the face, not only to the chairman; it is a slap in the face to the rest of the members. And I think that it is something for which, except in very unusual circumstances, this House should not be a party to. And I would urge all members of the House, regardless of the merits, and regardless of the fact that this is an election year, and it makes good press to try to pull a bill of this nature out of Committee, to vote against this motion.

Thank you."

At 10:10 o'clock p.m., on request by Representative Wakatsuki, the Chair declared a recess, subject to the call of the Chair.

At 10:15 o'clock p.m., the House of Representatives reconvened.

At this time, Representative Kunimura rose and, speaking against the motion, stated:

"As one of the previous speakers said, this is a very rare motion. Yes, this Body is made of up ladies and gentlemen. And in this group of 51, are 51 pure politicians? We're more pure than the ivory soap. Many times, we float. Although we're almost pure politicians, one of the things I think we are before we're anything else is we're human beings. And every day, as we open the session, we have a man in a black suit with a white collarless tie talk about compassion, understanding and fair play.

Mr. Speaker, this motion to recall is one of the cheapest tricks anybody could pull. Nobody talked about how many days this bill has been in the Committee. This bill was introduced on the 17th day of this session, and it has been in the Committee 39 days.

Down in Kakaako, or Palama, or Koloa, many of the places where we call 'the other side of the tracks', we call this 'laying in the weed.' Mr. Speaker, being cheap is one thing; to do a cheap trick is another. I would urge all the members to vote against this motion."

Representative A. Chong rose and, speaking in favor of the motion, stated:

"Some of the previous speakers brought up the point that the motion lacked precedence and was an unusual motion. I think, number one, we already have a precedent in this session alone when we bent the rules to pass that special University of Hawaii budget bill. And I do not recall that particular bill falling into any rubbish can on the way over to the Senate where it now resides and has become law.

Number two, I think what we have to do is to remember that even though things may be unprecedented because they may be things that have not been done before, I think we should look at the merits of the case. We have had extreme interest in this particular bill, and there are some members in this Honorable Body who would feel that there may be a small minority within the Committee or within this House who do not feel that we should have an open government.

And for this reason, I feel that all members of this House should vote 'yes' on this bill."

Representative J. Garcia rose on a point of order and stated:

"The analogy from the last speaker between the action contemplated here tonight and the action taken on the University of Hawaii higher education bill is as different from day as from night. The higher education bill was an error on the part of the Committee chairman. That bill had been deliberately heard in Committee. The Committee had approved its reporting on the floor of the House, but the simple mistake was made on Second Reading. That's the analogy, Mr. Speaker."

Representative A. Chong again rose and replied:

"I request a reply very briefly there. The point is that we did make an exception to the timetable, and that was the point being made by one of the previous speakers."

Representative Cobb rose to speak in favor of the motion to recall **House Bill No. 2369-74** from the Committee on Judiciary and Corrections as follows:

"Mr. Speaker, what's happened both nationally for the last year and a half, and what's happened locally in the last decade and, particularly over the last 12 months, should give us pause to consider why the public is beginning to erode in terms of its confidence in government.

I realize that the bill being discussed in this motion is extremely far-reaching. Yet, the County of Hawaii has a very similar measure already on the books. And all of the testimony that we listened to in the Judiciary Committee not only was in favor of the bill, but said that the present law in the Big Island is working and is working well.

Now, this is an exceptional motion. But this is also an exceptional time for we see before us, not only an election looming but eight months away, but also the lowest rating in American history in the confidence of the people in their government. And it is precisely because of the informal arrangements, the backroom agreements, and the deals made behind closed doors, that this kind of legislation was ever proposed in the first place.

When I think of the national scandals that have tainted both parties, not just one, but both, when I think of the reform movements that have gone on in Congress each time the Congress convenes, when I think of the need of the people to know, and I look to our own Big Island and see a system that is working, then, Mr. Speaker, I agree on the merits that this bill should pass.

Yes, the irony is that this particular bill was

not called for public hearing until the deadline for House bills. And then the very proponents of the bill who were speaking in favor of it, in effect, found themselves filibustering that bill to death—for the longer they spoke, the closer they came to the four p.m. deadline that meant the death of House bills. And that death was not by rule, but by private agreement.

And I wonder, Mr. Speaker, how long it is we can continue with private agreements dominating, not only the legislation we pass, but the very procedure with which we operate the House. If this bill is unprecedented, if this measure is unprecedented, then, Mr. Speaker, I submit the times and the circumstances that demand it are also unprecedented. And to show exactly where we stand on this vital issue, Mr. Speaker, I would like to ask for a roll call vote on the motion before us."

Representative Kunimura rose and, speaking again against the motion, stated the following:

"I would like to answer the junior member of this House from the Manoa District. Basically and in principle, I am for this bill. But I was talking about the manner in which this motion was brought on this Body tonight.

There is no hope for this bill. This bill could have been brought up on the 37th, 38th or 39th day of the session, and it would have had the reasonable chance of passing this House at least, or maybe in this election year, the Senate. But somebody chose, maybe deliberately, or maybe in not fully understanding the politics of the legislative Body. But on this 56th day—this I cannot understand; and this I call, if it was deliberate, then this is 'laying in the weed.'

I'm not speaking on the merits of the bill but on the motion brought before this Body. I hope this Body and the junior member from Manoa understands, or maybe he can come to my office and I can give him some lessons."

Representative Roehrig again rose and spoke against the motion, as follows:

"Mr. Speaker, I've spoken once against this motion. May I please speak a little bit more against it. I have a few more remarks.

Mr. Speaker, as are a number of other members in this august Body from the Big Island, I am pleased that our county government operates with the openness that it does, and I think that this Legislature has set an example this year of openness in government. And I think this Legislature has also set an example for the young people of the community that we try, sometimes we fail, but we try to be honest with each other and show a

sense of fair dealing, one with the other, as an example for the community and for those who will come after us. We try to show that, in our dealings with each other, we respect one another's differences of opinion, that we legislate regardless of the urgency of the moment by means of rule. We are not rushed headlong into making decisions based on the emotion of the moment because it has a nice ring to the ear and because it may appeal to the gallery who would clap at such matters.

We operate by rules of fair play, and one of the most prominent of those rules of fair play is that we make decisions in the Committee on the basis of a majority vote of what that Committee wants to do with any particular piece of legislation that dwells before us. If I were a young high school student interested in government, I would be particularly interested to find out how the members of the Legislature treated each other as an example for you and the people in this State of Hawaii.

And I, for one, would hang my head in shame when the day came when we started treating each other like dogs and animals and fail to respect each other as adult men and women. And that's what we're going to do if we rip a bill from a Committee without that Committee's approval."

Representative Wong rose on a point of order, stating:

"Mr. Speaker, I think we should give Representative King a chance to respond to all of these statements being made on the floor."

The Chair here replied:

"Yes, the Chair will give her every opportunity after we have heard the others who want to participate."

Representative Wakatsuki rose to speak against the motion to recall H. B. No. 2369-74 from the Committee on Judiciary and Corrections as follows:

"Mr. Speaker, I feel very much compelled to speak against the motion at this time. Much has been spoken on the merits of the bill; much has been spoken about openness in government, backroom dealings and private dealings by the Representative from the Ninth District.

When we had the hearing, Mr. Speaker, testimony presented here by the Ninth District Representative indicates to us that representatives from the County of Hawaii were in full support of the particular measure before the Committee because the county has a similar, not an identical, but a similar ordinance calling for some openness in government. But the written testimonies sub-

mitted by the Mayor of the County of Hawaii cautioned the Committee that balancing openness, we ought to balance it with efficient decision and correct decision, that we ought not to put unreasonable restriction upon decision makers.

And this particular measure before the Committee, Mr. Speaker, says, in effect, that no person, no two persons, be it a member of a legislative committee or a commission or a board, can even discuss by phone or in a hallway the issues that they are going to make decisions on. I don't think that is very reasonable, Mr. Speaker, because that would require, in effect, before two people discuss any aspects of a problem facing the committee or the board, that he or she must give public notice through some kind of publication.

Furthermore, there is a provision in the bill, Mr. Speaker, that calls for the commission or committee mandating that commission to notify by letter, if a request is made, of any organization or individual, to notify them of the issue that they are going to discuss and an agenda way ahead of time which I don't think at this time the boards or commissions are staffed to do.

Furthermore, one of the provisions calls for each commission or board member or committee to take verbatim, particularly the minutes of everything that has been said which, in effect, would require a court reporter or tape recorder transcribing that meeting into words that have been spoken. This, again, Mr. Speaker, in my opinion, is an unreasonable burden on these boards and commissions and committees.

Furthermore, when we had the particular hearing when the Chair recessed, and subsequent to the recess, the Ninth District Representative, who speaks so loudly to an audience and the media this evening, never once approached the Chairman to have a decision-making meeting on that particular bill, nor did he ask the Chairman that he is for the Chairman or the Committee reporting this particular measure.

And now, he stands here before us trying to impress the public that he is for this bill because this is an election year. This is what he's saying. And I question that sincerity, Mr. Speaker, based on his past actions. He speaks about openness and private negotiations. You know something, the Ninth District Representative sent a message through another Representative this evening to me to talk about the lobbying bill that he wanted me to know that if I didn't want a roll call vote that I ought to be talking to him on whether he should be on a conference committee.

Furthermore, he came to me at my desk,

this very desk, this evening implying that he would not call for a roll call vote if I would appoint him to a conference committee on the lobbying bill. He asked me what I thought about the roll call vote; he had understood that many of the people here did not want a roll call vote. And I told him that is not my understanding, that if he wanted to call for a roll call vote, that's his prerogative. That he wanted to be a member of the conference committee, I could not guarantee him that position. Speaking about private deals, the person who screams the loudest is the one who violates it the most, Mr. Speaker."

Representative Cobb rose and stated:

"Mr. Speaker, I rise on a point of personal privilege."

The Chair here recognized Representative King who stated:

"Does the point of personal privilege take precedence, Mr. Speaker? Since I last spoke, you've recognized the Representative from Kauai twice, the Chairman of Judiciary twice, a Representative from the Big Island twice..."

The Chair here addressed himself to Representative King stating:

"Representative King, the Chair would like to recognize you as the movant. The Chair will give you every courtesy as the movant to open the discussion and to end the debate."

Representative King then replied:

"I appreciate that but if the point of personal privilege takes precedence, then I will yield for the moment."

The Chair here recognized Representative Cobb who stated:

"Mr. Speaker, I would like to reply in order to two remarks made. First of all, by a Representative from the Big Island whose opinion and judgment I do respect, when he implied at least that to vote upon this motion, or to make such a motion, would somehow violate the rules, even if this is only by implication. And I would state very clearly that Rule 15, page 6, provides that 20 days after a bill has been referred to Committee, the same may be recalled from Committee by a one-third of the affirmative vote to which the House is entitled. And so, although this motion may be unusual, perhaps almost unprecedented, it is not only in the House Rules, it is part of the Hawaii State Constitution and is very much a recognized part of the Democratic process.

Now then, to the remarks of our Judiciary Chairman. First of all, Mr. Speaker, at the conclusion of the hearing on this open meeting bill, I specifically asked for a decision, one way or the other — was the bill going to come out or was it not? Were there going to be changes made? Was anything going to be done? And to that, there was no reply. Nor was there a reply when I inquired several days later. And so the deadline passed. In fact, the deadline passed that very afternoon.

Then we come to the remarks made in regard to the lobbying bill. And to this, I shall address myself directly. I sought three things. First, a clear-cut area of disagreement on the bill. That was not given privately; I asked for it publicly. I was told everything after Section 2 which covers 90 percent of the bill. Secondly, on the question of a roll call, and I fully recognize the reluctance of some to go into a roll call because I, too, both recognized and stated publicly it is not a perfect bill and it does need some revision. But the question that always remained and the question to which I address myself to with the Judiciary Chairman is if this bill goes to conference, what assurances do we have that it will come out; what input will we have to insure that it remains as strong as it is now without being weakened, without being torn to pieces page by page.

And the only way we can determine that, Mr. Speaker, is to know specifically the areas upon which this House would disagree. And I respected his prerogative as Chairman of the Committee and asked him if you intend to disagree, in what areas. And I did so also on the floor of this House. In short, Mr. Speaker, on the lobbying bill, there was, not only a private discussion, that discussion in large part was repeated publicly, particularly the questions as to where this House would disagree.

I am still searching for the answers to that even after I've read a proposed conference draft one.

Finally, Mr. Speaker, we come back to the question of the merits of the motion before us. And this involves, at least to me personally, not a circumvention of the Rules, for we have this provided in our own House Rules — Rule 15, page 6, but a question of the efficiency and the manner in which this House operates by its very procedure. The distinguished Representative from Kauai has pointed out that this bill was referred to Committee early in the session and that it could have been scheduled for hearing if changes were needed or felt by the Committee to be necessary — those changes could have been made. There was plenty of time for that. Instead, the bill was carried over until the very last possible day for a hearing on a House bill.

That almost guaranteed the death of it simply by the prerogative of the Chairman which I recognize is his right.

So now, Mr. Speaker, it's the right of us to recall this bill for a vote on the floor. Thank you."

Representative Kato rose to speak against the motion as follows:

"The timing of this motion, Mr. Speaker, or this attempt to recall a bill from Judiciary leaves me cold. Now, under the agreement made between the House and Senate leadership, the bill is dead. And to know full well that the bill is dead and still make this motion before us at this time makes me wonder about the motive or the ultimate motive here. Is it to embarrass; is it to harass; to pressure? Are we really being sincere in this attempt to recall the bill in Judiciary? If it is to put us on record, Mr. Speaker, so be it, let's vote. But it makes me wonder, Mr. Speaker, again, just what are we trying to accomplish here. Perhaps we can get an answer. I would hope so."

Representative King, rising to speak for the motion, stated the following:

"Mr. Speaker, the reason I made the motion I did is because I, too, have been wondering just what we're trying to accomplish here. One of the previous speakers indicated that the movant in this instance should perhaps hang her head in shame. I'm not doing that because I don't feel any shame. If I feel anything, I think it's some sorrow. The Representative from Kauai asked why this wasn't done on the 37th day, the 38th day, the 39th day of the session. Mr. Speaker, to do it then would have been inappropriate. The Committee had not set the bill for a hearing and, under the very good reform rules of the House, what we say is that a bill should be heard before it's reported out. The same rules of the House, of course, wisely provide, in an attempt to prevent bills from being killed in Committee, that if a bill is there for 20 days it can be pulled out by a one-third vote from the floor.

The bill was referred to the Committee in question on the 16th day so that any time after the 36th day, this could have been done. But to do it before a hearing would not have been fair. After the hearing was held, I asked the Committee Chairman what he planned to do. And he said, 'Jean, I don't know.' The next morning, I asked him again and he said, 'Jean, I haven't decided.' And that following afternoon, I asked him whether he planned to call a decision-making meeting of his Committee so that the Committee could decide what to do after the hearing. And he said, 'I haven't de-

cided.'

Perhaps if I were more organized and efficient, I would have thought to do this sooner. I wish I had, and I'm sorry that my motives are suspect in doing it tonight. But the bill is not dead. We can pass it on Second Reading, pass it on Third on Monday. And the Senate will have three days for their three readings. We have set up an artificial time schedule which is very helpful in terms of efficiency. Closed meetings are a lot more efficient. What we want is democracy at work.

One of the previous speakers said that regardless of the merits of this bill, we should vote it down because this is not the kind of thing we should do. This kind of thing is what we need more of. It's written into the rules. I think it's a mistake to say regardless of the merits of the bill. I've learned, I think to my sorrow, that sometimes votes are made regardless of the merits of the bill for various reasons — loyalty or whatever. It seems to me that votes should be made on the merits of the bill.

One of the previous speakers has indicated that this was 'laying in the weeds' to do it at this point. Well, aside from the fact that maybe sometimes the weed is a flower that just hasn't been recognized, I don't think it's that at all. I think it's a real attempt to get it on the floor of the House in terms of the rule in the House Rules to prevent killing a bill that has merit in Committee. That's what its attempt is to do.

I think the House has set a good example this session by our open meetings. This is simply saying that government boards should do the same thing. There's an enormous frustration on the part of a lot of people who feel that decisions that are affecting their everyday lives—they don't know what it is. They can't effect it. Government is removed. This bill is an attempt to bring it one step closer. I therefore urge... I don't think that the attacks that have been made upon me personally really have anything to do with the motion or the merits of the bill. And I would urge the members of this House to vote for the motion. May I request a roll call, Mr. Speaker, please."

At 10:45 o'clock p.m., on request by Representative Kato, the Chair declared a recess, subject to the call of the Chair.

At 10:52 o'clock p.m., the House of Representatives reconvened.

The motion to recall **H. B. No. 2369-74** from the Committee on Judiciary and Corrections was put by the Chair and failed to carry by a roll call vote of 14 ayes to 31 noes, with Representatives Ajifu, Aki, Carroll, A. Chong, Cobb, Hapai,

King, Lee, Leopold, Oda, Wasai, Wong, Yim and Yuen voting aye and Representatives R. Garcia, Iha, Kawakami, Suwa, Uechi and Wedemeyer being excused.

S. B. No. 855

Representative Young requested that action on **S. B. No. 855** be deferred until Monday, April 8, 1974, and the Chair, noting that there were no objections, so ordered.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, **H. B. No. 2374-74**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 2374-74** and requested a conference on the subject matter of said amendments.

At this time, Representative Cobb rose and inquired:

"Mr. Speaker, may I inquire if this is a balanced budget?"

The Chair replied:

"It is a supplementary budget."

Representative Cobb further inquired:

"Is it balanced?"

The Chair reiterated:

"It is a supplementary budget."

Representative J. Garcia rose and stated:

"Mr. Speaker, this is the pork barrel."

The Chair here appointed Representatives Suwa, Chairman; Akizaki, A. Chong, Kishinami, Kondo, Kunimura, Morioka, Nakama, Yuen, Ajifu, Amaral, W. Chong and Poepoe as Managers on the part of the House for the consideration of said amendments to **H. B. No. 2374-74**.

By unanimous consent, **H. B. No. 3909-74**, **H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 3909-74**, **H. D. 1** and requested a conference on the subject matter of said amendments.

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

ADJOURNMENT

At 10:59 o'clock p.m., on motion by Represent-

ative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives adjourned until 11:00 o'clock a.m. on Monday, April 8, 1974.

FIFTY-SEVENTH DAY

Monday, April 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 The Reverend Tatsuo Moneto of Honpa Hongwanji Mission, after which the Roll was called showing all members present with the exception of Representatives Kato, Kishinami, Lee, O'Connor, Uechi, Yamada and Yim who were excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fifty-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 Fifty-Sixth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (**Sen. Com. Nos. 225 to 230**) were read by the Clerk and were disposed of as follows:

A communication from the Senate (**Sen. Com. No. 225**) informing the House that the amendments proposed by the House to **Senate Concurrent Resolution No. 3, S. D. 1**, were agreed to by the Senate and said Concurrent Resolution, as thus amended, was finally adopted by the Senate on April 5, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 226**) returning **House Bill No. 834, H. D. 1** which passed Third Reading in the Senate on April 5, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 227**) returning **House Bill No. 2204-74** which passed Third Reading in the Senate on April 5, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 228**) returning **House Bill No. 2228-74** which passed Third Reading in the Senate on April 5, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 229**) returning **House Bill No. 2826-74, H. D. 1** which passed Third Reading in the Senate on April 5, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 230**) returning **House Bill No. 2827-74** which passed Third Reading in the Senate on April 5, 1974, was placed on file.

MISCELLANEOUS COMMUNICATIONS

The following communications (**Misc. Com. Nos. 40 to 43**) were read by the Clerk and were disposed of as follows:

A communication from the Honorable Elmer F.

Cravalho, Mayor, County of Maui (**Misc. Com. No. 40**) acknowledging receipt of **House Resolution No. 43**, Regular Session of 1974, was placed on file.

A communication from Therese Baptiste (**Misc. Com. No. 41**) acknowledging receipt of **House Resolution No. 43**, Regular Session of 1974, was placed on file.

A communication from the Honorable Carl Albert, Speaker, U.S. House of Representatives (**Misc. Com. No. 42**) acknowledging receipt of **House Resolution No. 267**, Regular Session of 1974, was placed on file.

A communication from Stanley S. Goshi, Director of Public Works, County of Maui (**Misc. Com. No. 43**) acknowledging receipt of **House Resolution No. 195**, Regular Session of 1974, was placed on file.

At this time, the Chair directed the Clerk to note the presence of Representatives Kato, Kishinami, Lee, O'Connor, Yamada and Yim.

Representative Wedemeyer then introduced to the members of the House the Honorable Alfred H. Song, a member of the Senate of the California State Legislature.

The Chair then appointed Representatives O'Connor, Kimura and Carroll to escort Senator Song to the rostrum whereupon he addressed the members of the House as follows:

"Thank you very much, Mr. Speaker, and members of the House. It is certainly a great pleasure and privilege for me to be here and to be able to say a few words to you.

It has been many, many years for me since Waipahu, McKinley High School and the University of Hawaii and at the present time, I am, this year, a candidate for re-election to the California State Senate. Naturally, I hope I am going to make it because I hope that at the end of the forthcoming term, if I make it, I hope then to retire and perhaps to return finally to the land of my birth. It has just been too many years. I think all of you here obviously, in my opinion, have a wonderful opportunity. I am sure that you share this thought with me and again I thank you for this opportunity.

Aloha."

At 11:09 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 1:21 o'clock p.m., the House of Representatives reconvened.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following concurrent resolutions (**S. C. R.**

Nos. 24, 31, 34, 46 and 53) were disposed of as follows:

S. C. R. Nos.	Referred to:
24	Committee on Federal-State-County
31	Committee on Water, Land Use and Development
34	Committee on Finance
46	Committee on Finance
53	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. 707-74) informing the House that House Resolution Nos. 472 to 479, Standing Committee Report Nos. 662-74 to 706-74, Special Committee Report No. 9, Standing Committee Report Nos. 708 and 709, and Conference Committee Report Nos. 1 and 2 have been printed and distributed.

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

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 708-74) recommending that H. C. R. No. 49 be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. C. R. No. 49 was adopted.

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 709-74) recommending that H. R. No. 404 be adopted.

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and H. R. No. 404 was adopted.

SPECIAL COMMITTEE REPORT

Representative Young, for the Interim Committee on Housing which was established for the purposes of investigating the problems related to the housing market, and making inquiries into the proposals which the State and the various counties have regarding housing legislation, presented a report (Spec. Com. Rep. No. 9).

On motion by Representative Young, seconded by Representative Yuen and carried, the report of

the Committee was received and was placed on file.

CONFERENCE COMMITTEE REPORTS

Representative Kato, for the majority of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to S. B. No. 14, S. D. 1, H. D. 2, presented a report (Conf. Com. Rep. No. 1) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 1 on S. B. No. 14, as amended, was deferred until tomorrow, April 9, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of S. B. No. 14, S. D. 1, H. D. 2, C. D. 1 were made available to the members of the House at 11:00 o'clock a.m.

Representative Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H. B. No. 2065-74, H. D. 1, S. D. 1, presented a report (Conf. Com. Rep. No. 2) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 2 on H. B. No. 2065-74, as amended, was deferred until tomorrow, April 9, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H. B. No. 2065-74, H. D. 1, S. D. 1, C. D. 1 were made available to the members of the House at 11:00 o'clock a.m.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H. R. Nos. 480 to 485) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 480) congratulating and commending Tokuji Ono for his outstanding and devoted service to public education, the State of Hawaii and the United States of America was jointly offered by Representatives Sakima, Ajifu, Aki, Akizaki, Amaral, Carroll, W. Chong, de la Cruz, R. Garcia, Hapai, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Medina, Morioka, O'Connor, Oda, Poepoe, Roehrig, Saiki, Soares, Takamine, Ushijima, Wakatsuki, Wasai, Wong, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Sakima, seconded by Representative Yap and carried, H. R. No. 480 was adopted.

A resolution (H. R. No. 481) wishing success to Jerry Hock and Robert Neuweiler in the forthcoming United States Open Table-Tennis Tournament was jointly offered by Representatives A. Chong, Ajifu, Amaral, W. Chong, Cobb, de la Cruz, J. Garcia, Hapai, Kato,

Kawakami, Kimura, King, Kishinami, Kondo, Lunasco, Medina, Nakama, O'Connor, Oda, Poepoe, Soares, Suwa, Ushijima, Wakatsuki, Wasai, Wong, Yap, Yim, Young and Beppu.

On motion by Representative A. Chong, seconded by Medina and carried, **H. R. No. 481** was adopted.

A resolution (**H. R. No. 482**) thanking the Board of Directors and staff of "The House" for their valuable contribution to community mental health was jointly offered by Representatives A. Chong, Ajifu, Amaral, W. Chong, Cobb, de la Cruz, J. Garcia, Hapai, Kato, Kawakami, Kimura, King, Kishinami, Kondo, Lunasco, Medina, Nakama, O'Connor, Oda, Poepoe, Soares, Suwa, Ushijima, Wakatsuki, Wasai, Wong, Yap, Yim, Young and Beppu.

On motion by Representative A. Chong, seconded by Representative Yim and carried, **H. R. No. 482** was adopted.

A resolution (**H. R. No. 483**) commending the Hawaii Science Teachers Association for its work for improvement of science teaching in the State of Hawaii was jointly offered by Representatives A. Chong, Ajifu, W. Chong, Cobb, de la Cruz, J. Garcia, Hapai, Kato, Kawakami, Kimura, King, Kishinami, Kondo, Lunasco, Medina, Nakama, O'Connor, Oda, Poepoe, Soares, Suwa, Ushijima, Wakatsuki, Wasai, Wong, Yap, Yim, Young and Beppu.

On motion by Representative A. Chong, seconded by Representative Lunasco and carried, **H. R. No. 483** was adopted.

A resolution (**H. R. No. 484**) commending Mr. Teichiro Hirata and Dr. Albert Miyasato for their leadership in promoting quality administration in the State of Hawaii was jointly offered by Representatives Wasai, Ajifu, Akizaki, Amaral, A. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Leopold, Lunasco, Medina, Morioka, Nakama, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Ushijima, Wakatsuki, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Wasai, seconded by Representative R. Garcia and carried, **H. R. No. 484** was adopted.

A resolution (**H. R. No. 485**) commending Richard T. Funai for his many years of fine service to the Department of Education and extending best wishes to him upon his retirement was jointly offered by Representatives Wasai, Aduja, Ajifu, Akizaki, Amaral, A. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Leopold, Lunasco, Medina, Morioka, Nakama, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Ushijima,

Wakatsuki, Wedemeyer, Wong, Yamada, Yap, Young, Yuen and Beppu.

On motion by Representative Wasai, seconded by Representative Yuen and carried, **H. R. No. 485** was adopted.

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 and Final Readings on the basis of a modified consent calendar.

THIRD READING

S. B. No. 323

On motion by Representative Sakima, seconded by Representative Kishinami, **S. B. No. 323** passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 2060-74

On motion by Representative Kawakami, seconded by Representative A. Chong, **S. B. No. 2060-74** passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Cobb and King voting no and Representatives W. Chong and Uechi being excused.

S. B. No. 459

Representative Kawakami moved that action on **S. B. No. 459** be deferred until tomorrow, April 9, 1974, and the Chair, noting that there were no objections, so ordered.

S. B. No. 1673-74

On motion by Representative Kawakami, seconded by Representative A. Chong, **S. B. No. 1673-74** passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 1746-74

On motion by Representative Lunasco, seconded by Representative Suwa, **S. B. No. 1746-74** passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 1871-74

On motion by Representative Lunasco, seconded by Representative Suwa, **S. B. No. 1871-74** passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 1790-74

On motion by Representative Iha, seconded by

Representative Nakama, S. B. No. 1790-74 passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Aduja, Carroll, Cobb, J. Garcia and Leopold voting no and Representatives W. Chong and Uechi being excused.

S. B. No. 2199-74

Representative Kawakami moved that action on S. B. No. 2199-74 be deferred until tomorrow, April 9, 1974, and the Chair, noting that there were no objections, so ordered.

S. B. No. 1973-74

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 1973-74 passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 1860-74

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 1860-74 passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 2095-74

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 2095-74 passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 2067-74

On motion by Representative Suwa, seconded by Representative Akizaki, S. B. No. 2067-74 passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 1747-74

On motion by Representative Kato, seconded by Representative Sakima, S. B. No. 1747-74 passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 1658-74

Representative Kato moved that S. B. No. 1658-74, having been read throughout, pass Third Reading, seconded by Representative Sakima.

At this time, Representative Yuen rose and spoke in favor of the bill as follows:

"Mr. Speaker, during the past two decades, the cost of hospital and health care has risen at rates which far exceed the general inflationary tendencies of our country's economy. This critical situation has led to widespread attention being focused on find-

ing ways to reduce or at least stabilize these hospital and health care costs. Through studies, it has been discovered that the factors underlying the rapid increase in the cost of hospital care are numerous and diverse and while it is evident that many of these factors emanate from extra hospital sources over which the hospital themselves have little or no control, there are, however, factors within the hospital field which can be controlled to some degree.

One of the principal factors of the high cost of hospital care which can be controlled has been the relatively unplanned and uncoordinated initiation and expansion of hospital facilities, equipment and services. This lack of proper comprehensive health planning in the hospital field has led to the unfortunate situation of:

1. Hospitals being constructed in areas where they are not needed and not constructed in areas where they are needed.
2. Costly equipment being purchased without concern for their optimal utilization.
3. Services being offered without ascertaining real community need.

In many instances, this has resulted in the duplication of facilities and services among several hospitals in the same area and has led to hospital beds and hospital equipment being under-utilized. This has led to unnecessary increases in the cost of hospital and health care.

Mr. Speaker, the desired situation for the State of Hawaii and its people is the availability of the best hospitals and health care possible at the lowest feasible cost to the health consumer. One way to achieve this goal is a mandatory comprehensive health planning on a State-wide basis. Through this approach of mandatory comprehensive health planning, the health care needs of our population can be properly ascertained for the present and projected for the future through research and definitive planning.

By providing for mandatory rather than voluntary implementation of this kind of Statewide comprehensive health care planning, the interest of the people can be protected and advanced through the encouragement of necessary health care services and the prevention of unnecessary ones.

Statewide comprehensive care planning on a voluntary level is already a reality here in Hawaii through the application of Public Law 89-749. Congress has become fully cognizant of the fact that hospital costs were related to the availability or lack of comprehensive health care planning and, therefore, passed the comprehensive health

planning and public health services amendment. Through this amendment, funds were made available to states to create care planning, councils to do what Congress deemed was necessary planning in the State health care field.

While the intent of this federal law is admirable, there is one major weakness. These health planning councils are voluntary in nature and, therefore, they lack the necessary power to enforce decisions based on their comprehensive health plans. Comprehensive health planning is only as effective as its implementation and it has been discovered that such planning on a voluntary basis has not been very successful. To rectify this situation, Mr. Speaker, this bill has formulated a two-fold policy:

1. Give the already existing comprehensive health planning councils designated under federal Public Law 89-749, statutory existence on the State level.

2. Provide for the mandatory implementation of comprehensive health planning using the certification of need approach.

Mr. Speaker, I urge all to support this measure.

Thank You."

The motion was put by the Chair and **S. B. No. 1658-74**, having been read throughout, passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Kawakami and Roehrig voting no and Representatives W. Chong, Kimura and Uechi being excused.

S. B. No. 1791-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 1791-74** passed Third Reading by a vote of 48 ayes, with Representatives W. Chong, Kimura and Uechi being excused.

S. B. No. 1734-74

Representative Wakatsuki moved that **S. B. No. 1734-74**, having been read throughout, pass Third Reading, seconded by Representative Kato.

Representative King then rose and spoke in favor of the bill, as follows:

"I just want to underscore for the record that the intent of this bill is to apply specifically to actions under the section which knowingly endanger a minor's physical and mental welfare."

The motion was put by the Chair and **S. B. No. 1734-74**, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 463

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 463** passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 1487-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 1487-74** passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 1832-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 1832-74** passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 1731-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 1731-74** passed Third Reading by a vote of 48 ayes to 1 no, with Representative Adjua voting no and Representatives W. Chong and Uechi being excused.

S. B. No. 2047-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 2047-74** passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 2052-74

Representative Wong moved that action on **S. B. No. 2052-74** be deferred until the end of the calendar and the Chair, noting that there were no objections, so ordered.

S. B. No. 887

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 887** passed Third Reading by a vote of 48 ayes to 1 no with Representative Fong voting no and Representatives W. Chong and Uechi being excused.

S. B. No. 1364

On motion by Representative Roehrig, seconded by Representative Kihano, **S. B. No. 1364** passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 1963-74

Representative Roehrig moved that **S. B. No.**

1963-74, having been read throughout, pass Third Reading, seconded by Representative Kihano.

Representative Lee then rose and asked Representative Roehrig what gorse control meant to which Representative Roehrig replied that it was weed control.

The motion was put by the Chair and S. B. No. 1963-74, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 2215-74

On motion by Representative Wakatsuki, seconded by Representative Kato, S. B. No. 2215-74 passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

S. B. No. 2065-74

On motion by Representative Wakatsuki, seconded by Representative Kato, S. B. No. 2065-74 passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Ajifu, J. Garcia and Soares voting no and Representatives W. Chong and Uechi being excused.

S. B. No. 1944-74

On motion by Representative Wakatsuki, seconded by Representative Kato, S. B. No. 1944-74 passed Third Reading by a vote of 48 ayes to 1 no, with Representative Kunimura voting no and Representatives W. Chong and Uechi being excused.

S. B. No. 2197-74

Representative Wakatsuki moved that S. B. No. 2197-74, having been read throughout, pass Third Reading, seconded by Representative Kato.

Representative A. Chong then rose and spoke against the measure as follows:

"Mr. Speaker, this bill amends the Horizontal Property Act. The Horizontal Property Act sets down guidelines relating to condominium financing, development and construction. The amendments to the Act which this bill calls for are far-reaching and, in effect, relaxed many of the consumer protecting provisions in the Act.

I would like to call your attention and the members of this Honorable Body to three of the major amendments here:

1. The concept of time-period unit is introduced in the condominium laws of Hawaii and the time-period unit concept would, in effect, force mass merchandising of financing of condominiums, probably on the mainland.

As such, it would develop a whole new area of financing for condominiums, encourage high-rise development, encourage immigration and, therefore, our population pressures.

2. Another amendment in this Act calls for the relaxation of the non-contiguous concept. In other words, Mr. Speaker, a condominium developer could build his condominium somewhere and build his parking space ten miles down the road. That's just one of the things he can do. As it is now, condominium developers are required to put their parking spaces right in the condominium.

3. Another amendment, in effect, abolishes the escrow safeguards. In other words, Mr. Speaker, a contractor can use the funds he gets by selling these condominiums under a time-period unit and use them, not only for construction purposes, but also for administration and other purposes as called for in the amendments.

For the above reasons and just for philosophical reasons, I urge the members of this Honorable Body to vote against this bill."

The motion was put by the Chair and S. B. No. 2197-74, having been read throughout, passed Third Reading by a vote of 42 ayes to 7 noes, with Representatives A. Chong, Cobb, R. Garcia, Hapai, King, Leopold and Yim voting no and Representatives W. Chong and Uechi being excused.

S. B. No. 1802-74

On motion by Representative Wakatsuki, seconded by Representative Kato, S. B. No. 1802-74 passed Third Reading by a vote of 49 ayes, with Representative W. Chong and Uechi being excused.

S. B. No. 1450-74

On motion by Representative Suwa, seconded by Representative Kishinami, S. B. No. 1450-74 passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

The Chair directed the Clerk to note that S. B. Nos. 323, 2060-74, 1673-74, 1746-74, 1871-74, 1790-74, 1973-74, 1860-74, 2095-74, 2067-74, 1747-74, 1658-74, 1791-74, 1734-74, 463, 1487-74, 1832-74, 1731-74, 2047-74, 887, 1364, 1963-74, 2215-74, 2065-74, 1944-74, 2197-74, 1802-74 and 1450-74 had passed Third Reading not earlier than 1:25 o'clock p.m.

At 1:46 o'clock p.m., on request by Representative Kato, the Chair declared a recess, subject to the call of the Chair.

At 1:47 o'clock p.m., the House of Represent-

atives reconvened.

UNFINISHED BUSINESS

S. B. No. 2173-74 on Third Reading, deferred from April 5, 1974:

Representative Kato moved that action on **S. B. No. 2173-74** be deferred until the end of the calendar and the Chair, noting that there were no objections, so ordered.

Stand. Com. Rep. No. 623-74 on **S. B. No. 855**, as amended, deferred from April 5, 1974:

Representative Young moved that the report of the Committee be adopted and **S. B. No. 855**, as amended, having been read throughout, pass Third Reading, seconded by Representative Kunimura.

At this time, Representative Amaral rose and inquired whether or not Representative Young would yield to questions to which Representative Young replied in the affirmative.

Representative Amaral then inquired:

"I would like to refer you to page 35, lines 16 through 21 inclusive. In general, it states that the county may disapprove of the general project planned and so forth. Now, if the county disapproves a project, does this act of disapproval from a county veto such plan?"

Representative Young replied:

"Mr. Speaker, Senate Bill 855 gives the counties more powers to control housing developments than what is now given under our State Act.

Under this bill, they have to have two public hearings in the affected neighborhood and they must submit plans to the Executive Officer of the county and also to the County Planning Agency and to the legislative body of the county, and lines 16 through 21 states that 60 days following the presentation to the county's planning agency, the county's legislative body may within 45 days disapprove of the general project plan and standards in their entirety as originally presented or revised by the majority of its members. So, Mr. Speaker, the counties can exercise their veto powers under this measure."

Representative Amaral further inquired:

"Representative Young, would the intent of the committee in this disapproval powers really give the counties the final say; in other words, the agency cannot come back and say although you disapprove, we still would like to go on with the plan."

Representative Young then responded:

"This does not say, but on the original plan, after they have submitted for 60 days, you have 45 days following so it is about three months for them to review the plan and if they feel that this won't fulfill their county's needs, they can veto."

Representative Amaral continued:

"But, Representative Young, the committee would decide or the intent of the committee was that if the county would object and veto the plan, that is it."

Representative Young replied that that's it.

Representative Amaral further inquired:

"The other question is... I refer you to page 22..."

Representative Kondo interrupted and asked for a short recess and the Chair declared a recess at 1:50 o'clock p.m., subject to the call of the Chair.

At 1:51 o'clock p.m., the House of Representatives reconvened and Representative Amaral continued his inquiry:

"Mr. Speaker, I refer to page 22, line 2 and the word 'may.' It says 'the corporation may sell or lease the real property or personal property.' Am I to understand that both the HDC and the HHA will be duplicating their efforts and staff in the sale or lease of these projects?"

Representative Young replied:

"Mr. Speaker, your Committee felt that a 'shall' was too restrictive and instead we put 'may' so that we can encourage the participation of private developers to go into joint venture with this corporation and then give them the option to buy or lease or whatever development comes into the market."

The motion was put by the Chair and carried, and the report of the Committee was adopted and **S. B. No. 855**, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

Stand. Com. Rep. No. 672-74 on **S. B. No. 10**, as amended, deferred from April 5, 1974:

Representative Young moved that **S. B. No. 10**, as amended, having been read throughout, pass Third Reading, seconded by Representative Kunimura.

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

"Basically, I rise to compliment the Chairman of the Committee for putting together these two housing bills and also to put on the

record that we Republicans have spent all summer with a very effective housing task force putting together some of the comments, and some of the concepts are incorporated in both of these bills. I do think, in fairness to Representative Young, the cooperation of the Committee with our input and our comments have been really fair and square and I do think that we are on the road to recovery on our housing program and ask all members to vote for this bill."

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

"Mr. Speaker, the Legislature has determined that there exists in the State a critical shortage of housing units for the low-income residents. High costs and various other obstacles combined to maintain the housing shortage, reduce the quality and choice of housing, and create economic hardship for families.

Half the population of Oahu earn less than \$12,000 a year and it is these low and moderate income families who suffer the most. Rentals and the price of housing have risen at a higher rate than that of income. I feel that the housing problem, the imbalance between supply and demand, is so severe that the combined efforts of Act 105 programs, together with the county and the Housing Development, Incorporated, are necessary to bring more adequate housing for our people.

Mr. Speaker, housing should not be treated as an economic commodity, but rather as a basic human need and right. I urge all members to vote favorably on this measure.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S. B. No. 10, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

Stand. Com. Rep. No. 685-74 on S. B. No. 965, deferred from April 5, 1974:

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the report of the Committee was adopted and S. B. No. 965, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

Stand. Com. Rep. No. 697-74 on S. B. No. 1536-74, as amended, deferred from April 5, 1974:

On motion by Representative Suwa, seconded by Representative Kishinami and carried, the report of the Committee was adopted and S. B. No. 1536-74, as amended, having been read throughout, passed Third Reading by a vote of 49

ayes, with Representatives W. Chong and Uechi being excused.

Stand. Com. Rep. No. 702-74 on S. B. No. 761, as amended, deferred from April 5, 1974:

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the report of the Committee was adopted and S. B. No. 761, as amended, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

Stand. Com. Rep. No. 706-74 on S. B. No. 2024-74, deferred from April 5, 1974:

On motion by Representative Suwa, seconded by Representative Kishinami and carried, the report of the Committee was adopted and S. B. No. 2024-74, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

The Chair directed the Clerk to note that S. B. Nos. 855, 10, 965, 1536-74, 761 and 2024-74 had passed Third Reading not earlier than 1:48 o'clock p.m.

At 1:55 o'clock p.m., on request by Representative Suwa, the Chair declared a recess, subject to the call of the Chair.

At 2:05 o'clock p.m., the House of Representatives reconvened.

At 2:07 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 5:00 o'clock p.m. this evening.

EVENING SESSION

The House of Representatives reconvened at 5:39 o'clock p.m.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 231 to 270) were read by the Clerk and were disposed as follows:

A communication from the Senate (Sen. Com. No. 231) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 493, and the request for a conference on the subject matter of said amendments, Senators Ching, Chairman; Kawasaki and Anderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, the Chair appointed Representatives Wakatsuki, Chairman; Aduja, Fong, Kato, Kawakami, Kihano, Medina, Takamine and Yamada as Managers on the part of the House at such conference.

A communication from the Senate (**Sen. Com. No. 232**) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to **House Bill No. 2374-74, H. D. 1** and the request for a conference on the subject matter of said amendments, Senators Yoshinaga, Chairman; Yamasaki, Taira, Ching, Toyofuku, Anderson and Henderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

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

A communication from the Senate (**Sen. Com. No. 233**) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to **House Bill No. 2480-74, H. D. 2**, and the request for a conference on the subject matter of said amendments, Senators Ushijima, Chairman; Wong, Takahashi and Mills had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, the Chair appointed Representatives Yap, Chairman; Wakatsuki, Fong, Kawakami, Kihano, Kishinami, Medeiros, Medina, Saiki, Takamine and Yamada as Managers on the part of the House at such conference.

A communication from the Senate (**Sen. Com. No. 234**) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to **House Bill No. 3090-74, H. D. 1**, and the request for a conference on the subject matter of said amendments, Senators Ushijima, Chairman; Wong, Takahashi and Mills had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, the Chair appointed Representatives Wakatsuki, Chairman; Aduja, Carroll, Fong, Kawakami, Kihano, Medina, Takamine, Wedemeyer and Yamada as Managers on the part of the House at such conference.

A communication from the Senate (**Sen. Com. No. 235**) informing the House that the Senate had disagreed to the amendments proposed by the House to **Senate Bill No. 17, S. D. 2**, and has requested a conference on the subject matter of said amendments, in consequence of which Senators Ushijima, Chairman; Takitani and Mills had been appointed as Managers on the part of the Senate at such conference, was placed on file.

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

A communication from the Senate (**Sen. Com. No. 236**) informing the House that the Senate had disagreed to the amendments proposed by the House to **Senate Bill No. 748, S. D. 2**, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Yoshinaga, Chairman; Yamasaki and Anderson had been appointed as Managers on the

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

In accordance therewith, the Chair appointed Representatives Suwa, Chairman; Akizaki and Ajifu as Managers on the part of the House at such conference.

A communication from the Senate (**Sen. Com. No. 237**) informing the House that the Senate had disagreed to the amendments proposed by the House to **Senate Bill No. 1498-74**, and has requested a conference on the subject matter of said amendments, in consequence of which Senators Taira, Chairman; Takitani and Henderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

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

A communication from the Senate (**Sen. Com. No. 238**) informing the House that the Senate has disagreed to the amendments proposed by the House to **Senate Bill No. 2100-74, S. D. 1**, and has requested a conference on the subject matter of said amendments, in consequence of which Senators Ushijima, Chairman; Takitani and Mills had been appointed as Managers on the part of the Senate at such conference, was placed on file.

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

A communication from the Senate (**Sen. Com. No. 239**) returning **House Bill No. 27** which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (**Sen. Com. No. 240**) returning **House Bill No. 92, H. D. 1** which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (**Sen. Com. No. 241**) returning **House Bill No. 144, H. D. 1** which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (**Sen. Com. No. 242**) returning **House Bill No. 1447, H. D. 1** which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (**Sen. Com. No. 243**) returning **House Bill No. 1562** which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (**Sen. Com. No. 244**) returning **House Bill No. 2073-74** which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 245) returning House Bill No. 2193-74 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 246) returning House Bill No. 2197-74 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 247) returning House Bill No. 2206-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 248) returning House Bill No. 2297-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 249) returning House Bill No. 2312-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 250) returning House Bill No. 2329-74 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 251) returning House Bill No. 2375-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 252) returning House Bill No. 2455-74, H. D. 2 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 253) returning House Bill No. 2491-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 254) returning House Bill No. 2541-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 255) returning House Bill No. 2544-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 256) returning House Bill No. 2621-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 257) returning House Bill No. 2747-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 258) returning House Bill No. 2840-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 259) returning House Bill No. 2981-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 260) returning House Bill No. 2995-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 261) returning House Bill No. 3094-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 262) returning House Bill No. 3096-74, H. D. 2 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

By unanimous consent, H. B. Nos. 27; 92, H. D. 1; 144, H. D. 1; 1447, H. D. 1; 1562; 2073-74; 2193-74; 2197-74; 2206-74, H. D. 1; 2297-74, H. D. 1; 2312-74, H. D. 1; 2329-74; 2375-74, H. D. 1; 2455-74, H. D. 2; 2491-74, H. D. 1; 2541-74, H. D. 1; 2544-74, H. D. 1; 2621-74, H. D. 1; 2747-74, H. D. 1; 2840-74, H. D. 1; 2981-74, H. D. 1; 2995-74, H. D. 1; 3094-74, H. D. 1; and 3096-74, H. D. 2, as amended by the Senate, were placed on the Clerk's desk and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H. B. Nos. 27, S. D. 1; 92, H. D. 1, S. D. 1; 144, H. D. 1, S. D. 1; 1447, H. D. 1, S. D. 1; 1562, S. D. 1; 2073-74, S. D. 1; 2193-74, S. D. 2; 2197-74, S. D. 1; 2206-74, H. D. 1, S. D. 1; 2297-74, H. D. 1, S. D. 1; 2312-74, H. D. 1, S. D. 1; 2329-74, S. D. 1; 2375-74, H. D. 1, S. D. 1; 2455-74, H. D. 2, S. D. 1; 2491-74, H. D. 1, S. D. 1; 2541-74, H. D. 1, S. D. 1; 2544-74, H. D. 1, S. D. 1; 2621-74, H. D. 1, S. D. 1; 2747-74, H. D. 1, S. D. 1; 2840-74, H. D. 1, S. D. 1; 2981-74, H. D. 1, S. D. 1; 2995-74, H. D. 1, S. D. 1; 3094-74, H. D. 1, S. D. 1; and 3096-74, H. D. 2, S. D. 1 were made available to the members of the House at 5:00 o'clock p.m.

A communication from the Senate (Sen. Com. No. 263) informing the House that the amendments proposed by the House to Senate Bill No. 180, S. D. 1 were agreed to by the Senate, and Senate Bill No. 180, S. D. 1, as amended, passed Final Reading in the Senate on April 8, 1974, was

placed on file.

A communication from the Senate (**Sen. Com. No. 264**) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 2065-74, H. D. 1, S. D. 1, C. D. 1** were adopted by the Senate, and **House Bill No. 2065-74, H. D. 1, S. D. 1, C. D. 1** passed Final Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (**Sen. Com. No. 265**) informing the House that the Senate had disagreed to the amendments proposed by the House to **Senate Bill No. 1450-74, S. D. 2**, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Yoshinaga, Chairman; Yamasaki and Anderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, the Chair appointed Representatives Akizaki, Chairman; Kondo and Poepoe as Managers on the part of the House at such conference.

A communication from the Senate (**Sen. Com. No. 266**) informing the House that the Senate had disagreed to the amendments proposed by the House to **Senate Bill No. 1536-74, S. D. 1**, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Wong, Chairman; Ushijima and Mills had been appointed as Managers on the part of the Senate at such conference, was placed on file.

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

A communication from the Senate (**Sen. Com. No. 267**) informing the House that the Senate had disagreed to the amendments proposed by the House to **Senate Bill No. 1860-74, S. D. 1**, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Yoshinaga, Chairman; Yamasaki and Anderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, the Chair appointed Representatives Suwa, Chairman; Akizaki and Ajifu as Managers on the part of the House at such conference.

A communication from the Senate (**Sen. Com. No. 268**) informing the House that the Senate had disagreed to the amendments proposed by the House to **Senate Bill No. 1944-74**, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Ushijima, Chairman; Takitani and Mills had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, the Chair appointed

Representatives Wakatsuki, Chairman; Kato and Carroll as Managers on the part of the House at such conference.

A communication from the Senate (**Sen. Com. No. 269**) informing the House that the Senate had disagreed to the amendments proposed by the House to **Senate Bill No. 2024-74, S. D. 1**, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Wong, Chairman; Toyofuku and Mills had been appointed as Managers on the part of the Senate at such conference, was placed on file.

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

A communication from the Senate (**Sen. Com. No. 270**) informing the House that the Senate had disagreed to the amendments proposed by the House to **Senate Bill No. 2215-74, S. D. 1**, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Ushijima, Chairman; Takitani and Mills had been appointed as Managers on the part of the Senate at such conference, was placed on file.

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

RECONSIDERATION OF ACTION TAKEN

Representative Kato moved that the House reconsider its action taken earlier in passing **S. B. No. 1658-74** on Third Reading and returning said bill to the Senate, seconded by Representative Sakima and carried.

Representative Kato then moved that the House respectfully request the Senate to return **S. B. No. 1658-74** to the House inasmuch as the bill is an appropriation measure.

The motion was seconded by Representative Sakima and carried.

Representative Kato then moved that action on **S. B. No. 1658-74** on Third Reading be deferred until tomorrow, April 9, 1974 and the Chair, noting that there were no objections, so ordered.

STANDING COMMITTEE REPORTS

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 710-74**) recommending that **S. B. No. 1391-74, S. D. 2** 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 **S. B. No. 1391-74, S. D. 2** passed Second

Reading and was referred to the Committee on Finance.

At 5:40 o'clock p.m., on request by Representative Sakima, the Chair declared a recess, subject to the call of the Chair.

At 5:41 o'clock p.m., the House of Representatives reconvened.

Representative Sakima, for the Committee on Higher Education, presented a report (**Stand. Com. Rep. No. 711-74**) recommending that **S. B. No. 1585-74, S. D. 2** pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, the report of the Committee was adopted and **S. B. No. 1585-74, S. D. 2** passed Second Reading and was referred to the Committee on Finance.

Representative Sakima, for the Committee on Higher Education, presented a report (**Stand. Com. Rep. No. 712-74**) recommending that **H. R. No. 432** be referred to the Committee on Education.

On motion by Representative Wasai, seconded by Representative Young and carried, the referral of **H. R. No. 432** to the Committee on Education was waived.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the Committee, **H. R. No. 432** was referred to the Committee on Finance.

Representative Sakima, for the Committee on Higher Education, presented a report (**Stand. Com. Rep. No. 713-74**) recommending that **H. C. R. No. 71** be referred to the Committee on Education.

On motion by Representative Wasai, seconded by Representative Young and carried, the referral of **H. C. R. No. 71** to the Committee on Education was waived.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the Committee, **H. C. R. No. 71** was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 714-74**) recommending that **S. B. No. 964, S. D. 1** pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 715-74**) recommending that **S. B. No. 1245, S. D. 1**, pass Third Reading with certain amendments.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 716-74**) recommending that **S. B. No. 1409-74, S. D. 2** pass Third Reading.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 717-74**) recommending that **S. B. No. 878, S. D. 2** pass Third Reading with certain amendments.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 718-74**) recommending that **S. B. No. 599, S. D. 2, H. D. 1** pass Third Reading.

By unanimous consent, consideration of **Stand. Com. Rep. Nos. 714-74** on **S. B. No. 964, S. D. 1; 715-74** on **S. B. No. 1245, S. D. 1**, as amended; **716-74** on **S. B. No. 1409-74, S. D. 2; 717-74** on **S. B. No. 878, S. D. 2**, as amended; and **718-74** on **S. B. No. 599, S. D. 2, H. D. 1** was deferred until tomorrow, April 9, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **S. B. Nos. 964, S. D. 1; 1245, S. D. 1, H. D. 1; 1409-74, S. D. 2; 878, S. D. 2, H. D. 1** and **599, S. D. 2, H. D. 1** were made available to the members of the House at 5:00 o'clock p.m.

At 5:43 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 5:51 o'clock p.m., the House of Representatives reconvened.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

S. B. No. 2052-74, S. D. 1, H. D. 1 on Third Reading:

Representative Wakatsuki moved that action on **S. B. No. 2052-74, S. D. 1, H. D. 1** be deferred until tomorrow, April 9, 1974 and the Chair, noting that there were no objections, so ordered.

S. B. No. 2173-74, S. D. 2, H. D. 1 on Third Reading:

Representative Kato moved that action on **S. B. No. 2173-74, S. D. 2, H. D. 1** be deferred until tomorrow, April 9, 1974 and the Chair, noting that there were no objections, so ordered.

DISPOSITION OF MATTERS PLACED ON CLERK'S DESK

By unanimous consent, **H. B. No. 2329-74**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 2329-74** and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman; Akizaki and Ajifu were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, **H. B. No. 3094-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 3094-74, H. D. 1** and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Kondo, Chairman; Morioka and Poepoe were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, **H. B. No. 2491-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 2491-74, H. D. 1** and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman; Akizaki and Ajifu were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, **H. B. No. 2747-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 2747-74, H. D. 1** and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman; Akizaki and Ajifu were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, **H. B. No. 2544-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Young, seconded by Representative Kunimura and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 2544-74, H. D. 1** and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Young, Chairman; Kondo and Amaral were appointed as Managers on the part of the House for the consideration of said amendments.

At 5:56 o'clock p.m., on request by Representative Kondo, the Chair declared a recess, subject to the call of the Chair.

At 6:00 o'clock p.m., the House of Representatives reconvened.

By unanimous consent, **H. B. No. 2941-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Yap, seconded by Representative Yuen and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 2941-74, H. D. 1** and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Roehrig, Chairman; Kondo and Saiki were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, **H. B. No. 2538-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Yap, seconded by Representative Yuen and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 2538-74, H. D. 1** and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Roehrig, Chairman; Kondo and Saiki were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, **H. B. No. 2455-74, H. D. 2**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Lee, seconded by Representative Takamine and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 2455-74, H. D. 2** and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Lee, Chairman; Takamine and Leopold were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, **H. B. No. 2466-74, H. D. 2**, as amended by the Senate, was taken from the Clerk's desk.

Representative Lunasco moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2466-74, H. D. 2**, and that **H. B. No. 2466-74, H. D. 2**, as amended, having been read throughout, pass Final Reading, seconded by Representative Suwa.

Representative Lunasco then explained the amendment as follows:

"What this amendment does is that Section 265-29 will apply to the new provisions on notification of owners of maintaining the sidewalks and after receipt of certified mail, there are 60 days to comply with cleaning or repairing of the sidewalks and if they do not clean or repair the sidewalks, the County has the right to go ahead and maintain it and charge the owner for the cost."

Representative Carroll then rose and stated:

"There is a slight confusion on this bill among some people as to the amendment, and I would say that this bill is a bullet-proof vest for Representative Lunasco as far as getting shot full of holes."

The motion was put by the Chair and carried, and **H. B. No. 2466-74, H. D. 2**, as amended, passed Final Reading by a vote of 47 ayes, with Representatives W. Chong, de la Cruz, Uechi and Wedemeyer being excused.

The Chair directed the Clerk to note that **H. B. No. 2466-74** had passed Final Reading at 6:03 o'clock p.m.

At this time, Representative Suwa gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. Nos. 2312-74, H. D. 1, S. D. 1; 2375-74, H. D. 1, S. D. 1; 2621-74, H. D. 1, S. D. 1; and 2840-74, H. D. 1, S. D. 1**.

At 6:06 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 7:47 o'clock p.m., the House of Representatives reconvened.

At this time, Representative Kunimura rose on a point of personal privilege and stated as follows:

"Mr. Speaker, this day I am very, very much aggrieved and embarrassed. If we remember, those of us who have been here for more than two years — that is, two sessions — we had a little girl here, physically maybe not little, but certainly a young girl, one of the youngest to be elected to any elected position and I remember very well when she championed the cause for clean restaurants and many of us, Mr. Speaker, both in the majority and in the minority, thought she was crazy. We treated her like she had a certain kind of incurable disease.

Well, this afternoon, Mr. Speaker, I, for one, would like to enter into the record of this House my very sincere regret that I did not take her seriously because in yesterday's (Sunday) newspaper, it tells about the many, many eating places in this City and County of Honolulu and I believe throughout this State, very unsanitary conditions prevailing.

I don't think we have bills before the legislature at this time or laws in our statute

that is going to help the poor citizen who goes to the restaurant to eat. Some are very prominent establishments and I hope maybe, if necessary, at least a resolution to help the Department of Health come out and make recommendations to whoever is coming back here next session but, personally, I would like to apologize publicly to Miss Diana Hansen because she was right."

Representative J. Garcia then rose on a point of personal privilege and stated:

"I would like to point out very strongly that the minority at no time regarded the young lady in question as crazy. We recognized that she had done a great deal of research work and I believe that her research work was substantiated by both Representative Soares and myself when we ate at one of the restaurants mentioned in this report.

I do want to point out that one of the places that she mentioned is mentioned in this report, but I do want to point out that at no time whatsoever did the minority members regard the young lady as being crazy. We thought that she was a little bit ahead of her time, but the work that she did was certainly borne out by the article in the Honolulu Advertiser."

Representative Kunimura responded:

"I did not at any time say the minority. What I really meant was some members of the minority speaking very privately."

At 7:50 o'clock p.m., on request by Representative O'Connor, the Chair declared a recess, subject to the call of the Chair.

At 7:52 o'clock p.m., the House of Representatives reconvened.

DISPOSITION OF MATTERS PLACED ON CLERK'S DESK

At this time, Representative Yap gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2968-74, H. D. 1**.

At 7:53 o'clock p.m., on request by Representative Kihano, the Chair declared a recess, subject to the call of the Chair.

At 7:57 o'clock p.m., the House of Representatives reconvened.

By unanimous consent, **H. B. No. 2146-74**, as amended by the Senate, was taken from the Clerk's desk.

Representative Wakatsuki moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2146-74**, and **H. B. No. 2146-74**, as amended, having been read throughout, pass Final Reading, seconded by Representative Kato.

Representative Wakatsuki then explained the amendment as follows:

"H. B. No. 2146-74, S. D. 1, relates to disclosure by return preparers.

The Senate amended this bill by deleting a comma and inserting the letter 'a' before the word misdemeanor. It is a technical change. I have discussed this with the Committee members."

The motion was put by the Chair and carried, and **H. B. No. 2146-74,** as amended, passed Final Reading by a vote of 45 ayes, with Representatives Aduja, Carroll, W. Chong, Uechi, Ushijima and Wedemeyer being excused.

The Chair directed the Clerk to note that **H. B. No. 2146-74** passed Final Reading at 7:58 o'clock p.m.

By unanimous consent, **H. B. No. 2190-74, H. D. 1,** as amended by the Senate, was taken from the Clerk's desk.

Representative Wakatsuki moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2190-74, H. D. 1,** and **H. B. No. 2190-74, H. D. 1,** as amended, having been read throughout, pass Final Reading, seconded by Representative Kato.

Representative Wakatsuki then explained the amendments made by the Senate as follows:

"H. B. No. 2190-74, H. D. 1, S. D. 1 relates to marriage licenses, solemnization and certification.

This is the bill where the marriage laws are put into Chapter 572. Under the House bill, it required the Department to issue certificates of marriage upon request. The Senate amended this bill to mandate that the Department shall issue a certificate of marriage."

The motion was put by the Chair and carried, and **H. B. No. 2190-74, H. D. 1,** as amended, passed Final Reading by a vote of 45 ayes, with Representatives Aduja, Carroll, W. Chong, Uechi, Ushijima and Wedemeyer being excused.

The Chair directed the Clerk to note that **H. B. No. 2190-74** had passed Final Reading at 8:00 o'clock p.m.

By unanimous consent, **H. B. No. 1856, H. D. 1,** as amended by the Senate, was taken from the Clerk's desk.

Representative Wakatsuki moved that the House agree to the amendments proposed by the Senate to **H. B. No. 1856, H. D. 1,** and **H. B. No. 1856, H. D. 1,** as amended, having been read throughout, pass Final Reading, seconded by Representative Kato.

Representative Wakatsuki then explained the amendments made by the Senate as follows:

"H. B. No. 1856, H. D. 1, S. D. 1 relates to theft.

H. B. No. 1856 is a bill that the Senate has sent over. The House moved this bill last session and under the Penal Code, a new section relating to shoplifting was inserted in this bill. The Senate amended the section by making the markings or tag on a good or merchandise duly identifiable by photography to be prima facie evidence of value and ownership of such goods. They also amended the bill by indicating that shoplifting is theft when it is accompanied by intent to defraud."

The motion was put by the Chair and carried, and **H. B. No. 1856, H. D. 1,** as amended, passed Final Reading by a vote of 45 ayes, with Representatives Aduja, Carroll, W. Chong, Uechi, Ushijima and Wedemeyer being excused.

The Chair directed the Clerk to note that **H. B. No. 1856** had passed Final Reading at 8:01 o'clock p.m.

At this time, Representative Wakatsuki gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 27** relating to substitute justices of the Supreme Court.

Representative Wakatsuki further explained the amendment:

"This is another monumental amendment made by the Senate. The Senate changed the word 'cause' to 'case.' In other words, the sentence reads, 'in case of a vacancy or if a justice of the Supreme Court is disqualified from sitting in any cause — this is the House version — pending before the Supreme Court. They changed that 'cause' to 'sitting in any case.'"

By unanimous consent, **H. B. No. 2371-74,** as amended by the Senate, was taken from the Clerk's desk.

Representative Iha moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2371-74,** and **H. B. No. 2371-74,** as amended, having been read throughout, pass Final Reading, seconded by Representative Nakama.

Representative Iha then explained the amendment made by the Senate as follows:

"The Senate made a very minor amendment to the bill itself. They added a comma after the word inspection and also corrected a typographical error."

The motion was put by the Chair and carried, and **H. B. No. 2371-74,** as amended, passed Final

Reading by a vote of 45 ayes, with Representatives Aduja, Carroll, W. Chong, Uechi, Ushijima and Wedemeyer being excused.

The Chair directed the Clerk to note that **H. B. No. 2371-74** passed Final Reading at 8:05 o'clock p.m.

At this time, Representative Iha gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2981-74, H. D. 1.**

Representative Young then gave notice of her intention to agree to the amendments proposed by the Senate to **H. B. Nos. 2541-74, H. D. 1** relating to general obligation bonds of the counties; **1447, H. D. 1** relating to urban renewal laws; and **92, H. D. 1** relating to housing and related programs of the State.

Representative Lee then gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. Nos. 2193-74** regarding the Hawaii Occupational and Health Law to conform with the federal standards; **3096-74, H. D. 2**, to create an Institute for Management Analysis in the Budget Department; **2297-74, H. D. 1**, to raise the benefits for workmen's compensation; and **144, H. D. 1**, to change the word 'widow' to 'surviving spouse.'

Representative Wong then gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2995-74, H. D. 1.**

At this time, Representative Kato, on a point of information, stated:

"Mr. Speaker, there has been all kinds of rumor and stories regarding the status of **S. B. No. 14** which is the prepaid medical insurance bill. I was wondering if we have received any communications from the Senate regarding its status — whether new conferees have been appointed."

The Chair replied:

"As of this date, we have no communication from the Senate as to **Senate Bill 14.**"

Representative Soares, on a point of information, questioned:

"We had one on our desks this morning with the Senate signatures on it. Has that bill been recalled by the conferees?"

The Chair replied:

"My understanding is that it was recalled earlier by the Senate."

Representative Soares continued:

"Therefore, it should not be on our desks for 24 hours — is that it?"

The Chair responded:

"Representative Soares, I understand that we had a couple of shifts in the Senate since then so we don't know the status of that particular bill or the conferees."

Representative Cobb then rose and queried:

"Have we received any communication relative to **Senate Bill 17, H. D. 2, S. D. 2?**"

The Chair directed the question to the Clerk who replied that no communication was received on that particular bill.

Representative Kato, on a point of information, stated:

"Assuming that only the signatures are changed, does that mean that we have to start the 24 hour period all over again?"

The Chair replied:

"On the Final Reading. If I recall the rules, the bill has to be in final form on the desks for 24 hours so if you had a recall in between, it has to start all over again."

COMMITTEE REASSIGNMENT

The Chair re-referred **S. C. R. No. 53** to the Committee on Environmental Protection solely.

The Chair then stated:

"The Chair would like to remind all members to be available tomorrow morning, noon and afternoon for signatures and meetings. You have many conferences going on; the Chair expects everyone to be available."

ADJOURNMENT

At 8:13 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, April 9, 1974.

FIFTY-EIGHTH DAY

Tuesday, April 9, 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 Norman Hammer, Pastor of the Prince of Peace Lutheran Church, after which the Roll was called showing all members present with the exception of Representatives W. Chong, R. Garcia and Kato who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 271 to 376) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 271) returning House Bill No. 82, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 272) returning House Bill No. 89, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 273) returning House Bill No. 135, H. D. 2 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 274) returning House Bill No. 220, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 275) returning House Bill No. 498, H. D. 2 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 276) returning House Bill No. 1291, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 277) returning House Bill No. 1378, H. D. 1 which passed Third Reading in the Senate on

April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 278) returning House Bill No. 1387, H. D. 2 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 279) returning House Bill No. 2062-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 280) returning House Bill No. 2067-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 281) returning House Bill No. 2241-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 282) returning House Bill No. 2245-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 283) returning House Bill No. 2302-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974 by not less than two-thirds vote of all the members to which the Senate is entitled, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 284) returning House Bill No. 2352-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 285) returning House Bill No. 2428-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 286) returning House Bill No. 2431-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 287) returning House Bill No. 2436-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 288) returning House Bill No. 2456-74 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 289) returning House Bill No. 2485-74, H. D. 2 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 290) returning House Bill No. 2623-74 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 291) returning House Bill No. 2624-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 292) returning House Bill No. 2681-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 293) returning House Bill No. 2682-74, H. D. 3 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 294) returning House Bill No. 2731-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 295) returning House Bill No. 2738-74 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 296) returning House Bill No. 2756-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 297) returning House Bill No. 2799-74 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 298) returning House Bill No. 2858-74 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 299) returning House Bill No. 2865-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 300) returning House Bill No. 2888-74, H. D. 2 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 301) returning House Bill No. 2900-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 302) returning House Bill No. 2999-74 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 303) returning House Bill No. 3037-74, H. D. 2 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 304) returning House Bill No. 3051-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 305) returning House Bill No. 3095-74, H. D. 1 which passed Third Reading in the Senate on April 8, 1974, in an amended form, was placed on file.

By unanimous consent, H. B. Nos. 82, H. D. 1; 89, H. D. 1; 135, H. D. 2; 220, H. D. 1; 498, H. D. 2; 1291, H. D. 1; 1378, H. D. 1; 1387, H. D. 2; 2062-74, H. D. 1; 2067-74, H. D. 1; 2241-74, H. D. 1; 2245-74, H. D. 1; 2302-74, H. D. 1; 2352-74, H. D. 1; 2428-74, H. D. 1; 2431-74, H. D. 1; 2436-74, H. D. 1; 2456-74; 2485-74, H. D. 2; 2623-74; 2624-74, H. D. 1; 2681-74, H. D. 1; 2682-74, H. D. 3; 2731-74, H. D. 1; 2738-74; 2756-74, H. D. 1; 2799-74; 2858-74; 2865-74, H. D. 1; 2888-74, H. D. 2; 2900-74, H. D. 1; 2999-74; 3037-74, H. D. 2; 3051-74, H. D. 1 and 3095-74, H. D. 1, as amended by the Senate, were placed on the Clerk's desk and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H. B. Nos. 82, H. D. 1, S. D. 1; 89, H. D. 1, S. D. 1; 135, H. D. 2, S. D. 1; 220, H. D. 1, S. D. 1; 498, H. D. 2, S. D. 1; 1291, H. D. 1, S. D. 1; 1378, H. D. 1, S. D. 1; 1387, H. D. 2, S. D. 1; 2062-74, H. D. 1, S. D. 1; 2067-74, H. D. 1, S. D. 1; 2241-74, H. D. 1, S. D. 1; 2245-74, H. D. 1, S. D. 1; 2302-74, H. D. 1, S. D. 1; 2352-74, H. D. 1, S. D. 1; 2428-74, H. D. 1, S. D. 2; 2431-74, H. D. 1, S. D. 2; 2436-74, H. D. 1, S. D. 1; 2456-74, S. D. 1; 2485-74, H. D. 2, S. D. 2; 2623-74, S. D. 1; 2624-74, H. D. 1, S. D. 1; 2681-74, H. D. 1, S. D. 1; 2682-74, H. D. 3, S. D. 1; 2731-74, H. D. 1, S. D. 1; 2738-74, S. D. 1; 2756-74, H. D. 1, S. D. 1; 2799-74, S. D. 1; 2858-74, S. D. 1; 2865-74, H. D. 1, S. D. 1; 2888-74, H. D. 2, S. D. 1; 2900-74, H. D. 1, S. D. 1; 2999-74, S. D. 1; 3037-74, H. D. 2, S. D. 1; 3051-74, H. D. 1, S. D. 1 and 3095-74, H. D. 1, S. D. 1 were made available to the members of the House at 11:30 o'clock a.m.

A communication from the Senate (Sen. Com. No. 306) returning House Bill No. 104, H. D. 2 which passed Third Reading in the Senate on April 8, 1974, was placed on file.

1974, was placed on file.

A communication from the Senate (Sen. Com. No. 362) returning **House Bill No. 2750-74, H. D. 1** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 363) returning **House Bill No. 2801-74** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 364) returning **House Bill No. 2810-74, H. D. 1** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 365) returning **House Bill No. 2841-74** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 366) returning **House Bill No. 2843-74, H. D. 1** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 367) returning **House Bill No. 2859-74, H. D. 1** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 368) returning **House Bill No. 2860-74, H. D. 2** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 369) returning **House Bill No. 2862-74** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 370) returning **House Bill No. 2864-74** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 371) returning **House Bill No. 2872-74** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 372) returning **House Bill No. 2892-74** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 373) returning **House Bill No. 2928-74** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 374) returning **House Bill No. 2979-74** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com.

No. 375) returning **House Bill No. 3005-74, H. D. 1** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 376) returning **House Bill No. 3092-74** which passed Third Reading in the Senate on April 8, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 377) informing the House that the Senate had disagreed to the amendments proposed by the House to **Senate Bill No. 10, S. D. 1** and had requested a conference on the subject matter of said amendments, in consequence of which Senators Toyofuku, Chairman; Yamasaki and Henderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

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

A communication from the Senate (Sen. Com. No. 378) informing the House that the Senate had disagreed to the amendments proposed by the House to **Senate Bill No. 855, S. D. 2** and had requested a conference on the subject matter of said amendments, in consequence of which Senators Toyofuku, Chairman; Yamasaki and Henderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

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

At 11:38 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 R. Garcia and W. Chong.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 719-74) informing the House that **House Resolution Nos. 480 to 485, Standing Committee Report Nos. 710-74 to 718-74 and Standing Committee Report Nos. 720-74 to 724-74** 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. 720-74) recommending that **S. B. No. 1913-74** 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 S. B. No. 1913-74 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 10, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (Stand. Com. Rep. No. 721-74) recommending that S. B. No. 1943-74 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 S. B. No. 1943-74 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 10, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 722-74) recommending that S. B. No. 601, S. D. 2 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. 601, S. D. 2 passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 10, 1974.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 723-74) recommending that H. R. No. 275 be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and H. R. No. 275 was adopted.

Representative Sakima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 724-74) recommending that H. R. No. 26 be adopted.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, the report of the Committee was adopted and H. R. No. 26 was adopted.

The Chair directed the Clerk to note that printed copies of S. B. Nos. 1913-74, 1943-74 and 601, S. D. 2 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. 486 to 490) were read by the Clerk and were disposed of as follows:

A resolution (H. R. No. 486) extending congratulations to Jack Y. Ouye, recently reelected for his 16th year as president of the Hilo Coast Little League was jointly offered by Representatives Roehrig, Aduja, Carroll, W. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha,

Kawakami, Kishinami, Kondo, Lunasco, Medeiros, Medina, Morioka, Nakama, Poepoe, Saiki, Takamine, Ushijima, Wasai, Yamada and Young.

On motion by Representative Roehrig, seconded by Representative Takamine and carried, H. R. No. 486 was adopted.

A resolution (H. R. No. 487) congratulating Hilo High School participants in the DECA Program was jointly offered by Representatives Roehrig, Carroll, W. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Iha, Kawakami, Kishinami, Kondo, Lunasco, Medeiros, Medina, Morioka, Nakama, Poepoe, Saiki, Takamine, Ushijima, Wasai, Yamada and Young.

On motion by Representative Roehrig, seconded by Representative Takamine and carried, H. R. No. 487 was adopted.

A resolution (H. R. No. 488) expressing respect and admiration for Clarence Chew Kau Chun was jointly offered by Representatives Yuen, Aduja, Ajifu, Aki, Akizaki, Amaral, A. Chong, W. Chong, de la Cruz, Fong, R. Garcia, Hapai, Iha, Kato, Kawakami, Kishinami, Lee, Lunasco, Medeiros, Medina, Nakama, Oda, Poepoe, Saiki, Suwa, Ushijima, Wasai, Yamada and Yap.

On motion by Representative Yuen, seconded by Representative Kawakami and carried, H. R. No. 488 was adopted.

A resolution (H. R. No. 489) honoring and commending Mrs. Margaret S. Priest for forty-two years of devoted service to the community and in the field of education was jointly offered by Representatives Kishinami, Aduja, Ajifu, Aki, Akizaki, Carroll, A. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kondo, Kunitura, Lee, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, 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. 489 was adopted.

A resolution (H. R. No. 490) expressing appreciation to "Legislative Pray-In" and recognizing National Prayer Day was jointly offered by Representatives O'Connor, Ajifu, Akizaki, J. Garcia, Iha, Kimura, Kishinami, Lee, Medeiros, Roehrig, Wong, Yamada, Yim and Yuen.

On motion by Representative O'Connor, seconded by Representative Kimura and carried, H. R. No. 490 was adopted.

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 and Final Readings on the basis of a modified consent calendar.

UNFINISHED BUSINESS

S. B. No. 2173-74 on Third Reading, deferred from April 8, 1974.

On motion by Representative Kato, seconded by Representative Sakima and carried, **S. B. No. 2173-74** was recommitted to the Committee on Public Health and Welfare.

S. B. No. 459 on Third Reading, deferred from April 8, 1974.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, **S. B. No. 459** passed Third Reading by a vote of 50 ayes, with Representative W. Chong being excused.

S. B. No. 2199-74 on Third Reading, deferred from April 8, 1974.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, **S. B. No. 2199-74** was recommitted to the Committee on Water, Land Use and Development.

S. B. No. 1658-74 on Third Reading, deferred from April 8, 1974.

By unanimous consent, consideration of **S. B. No. 1658-74** on Third Reading was deferred until tomorrow, April 10, 1974.

S. B. No. 2052-74 on Third Reading, deferred from April 8, 1974.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, **S. B. No. 2052-74** was recommitted to the Committee on Judiciary and Corrections.

Conf. Com. Rep. No. 1 on **S. B. No. 14, S. D. 1, H. D. 2**, as amended, deferred from April 8, 1974.

By unanimous consent, consideration of **Conf. Com. Rep. No. 1** on **S. B. No. 14, S. D. 1, H. D. 2**, as amended, was deferred until tomorrow, April 10, 1974.

Conf. Com. Rep. No. 2 on **H. B. No. 2065-74, H. D. 1, S. D. 1**, as amended, deferred from April 8, 1974.

On motion by Representative Kawakami, seconded by Representative Lunasco and carried, the report of the Committee was adopted and **H. B. No. 2065-74, H. D. 1, S. D. 1**, as amended, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Hapai voting no and Representative W. Chong being excused.

At this time, the Chair directed the Clerk to note

that **S. B. No. 459** had passed Third Reading at 12:22 o'clock p.m. and that **H. B. No. 2065-74** had passed Final Reading at 12:23 o'clock p.m.

At 12:24 o'clock p.m., on request by Representative Wakatsuki, the Chair declared a recess, subject to the call of the Chair.

At 12:37 o'clock p.m., the House of Representatives reconvened.

SENATE COMMUNICATIONS

The following communications from the Senate (**Sen. Com. Nos. 379 to 386**) were read by the Clerk and were disposed of as follows:

A communication from the Senate (**Sen. Com. No. 379**) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to **House Bill No. 2329-74**, as amended, and the request for a conference on the subject matter of said amendments, Senators Yamasaki, Chairman; Toyofuku and Henderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (**Sen. Com. No. 380**) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to **House Bill No. 2455-74 H. D. 2**, as amended, and the request for a conference on the subject matter of said amendments, Senators Yoshinaga, Chairman; Yamasaki and Henderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (**Sen. Com. No. 381**) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to **House Bill No. 2491-74, H. D. 1**, as amended, and the request for a conference on the subject matter of said amendments, Senators Yamasaki, Chairman; Toyofuku and Henderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (**Sen. Com. No. 382**) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to **House Bill No. 2538-74, H. D. 1**, as amended, and the request for a conference on the subject matter of said amendments, Senators Ushijima, Chairman; Takitani and Mills had been appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (**Sen. Com. No. 383**) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to **House Bill No. 2544-74, H. D. 1**, as amended, and the request for a conference on the subject matter of said amendments, Senators Toyofuku, Chairman; Yoshinaga and Henderson had been appointed as

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

A communication from the Senate (Sen. Com. No. 384) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to **House Bill No. 2747-74, H. D. 1**, as amended, and the request for a conference on the subject matter of said amendments, Senators Yamasaki, Chairman; Toyofuku and Henderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 385) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to **House Bill No. 2941-74, H. D. 1**, as amended, and the request for a conference on the subject matter of said amendments, Senators Ushijima, Chairman; Takitani and Forbes had been appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 386) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to **House Bill No. 3094-74, H. D. 1**, as amended, and the request for a conference on the subject matter of said amendments, Senators Yoshinaga, Chairman; Yamasaki and Henderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, **H. B. No. 3095-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 3095-74, H. D. 1** and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman; Akizaki and Ajifu were appointed as Managers on the part of the House for the consideration of said amendments.

At this time, Representative Suwa gave notice of his intention to agree with the amendments proposed by the Senate to **H. B. No. 2623-74 and H. B. No. 2858-74**.

Representative Akizaki here gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2431-74, H. D. 1**.

By unanimous consent, **H. B. No. 2865-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Lee, seconded by Representative Takamine and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 2865-75, H. D. 1** and requested a conference on the subject matter of said amendments.

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

At this time, Representative Sakima gave notice of his intention to agree with the amendments proposed by the Senate to **H. B. No. 1378, H. D. 1**.

By unanimous consent, **H. B. No. 1387, H. D. 2**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 1387-74, H. D. 2** and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Sakima, Chairman; Kunimura and Saiki were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, **H. B. No. 3037-74, H. D. 2**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 3037-74, H. D. 2** and requested a conference on the subject matter of said amendments.

In accordance there, Representatives Sakima, Chairman; Kunimura and Saiki were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, **H. B. No. 2197-74**, as amended by the Senate, was taken from the Clerk's desk.

Representative Kawakami moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2197-74**, and **H. B. No. 2197-74**, as amended, having been read throughout pass Final Reading, seconded by Representative A. Chong.

Representative Kawakami then explained the Senate amendments as follows:

"Yes, Mr. Speaker, the Senate has amended the bill by adding a new section defining geothermal resource."

The motion was put by the Chair and carried, and **H. B. No. 2197-74**, as amended, passed Final Reading by a vote of 50 ayes, with Representative W. Chong being excused.

The Chair directed the Clerk to note that **H. B. No. 2197-74** had passed Final Reading at 12:42 o'clock p.m.

At 12:43 o'clock p.m., on request by Representative J. Garcia, the Chair declared a recess, subject to the call of the Chair.

At 12:50 o'clock p.m., the House of Representatives reconvened.

At this time, Representative Kawakami gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2471-74, H. D. 1.**

Representative Cobb gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2485-74, H. D. 2.**

Representative Wasai gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 498, H. D. 2.**

Representative Kato gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. Nos. 2062-74, H. D. 1; 2734-74 and 2731-74, H. D. 1.**

By unanimous consent, **H. B. No. 2428-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Kato, seconded by Representative Sakima and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 2428-74, H. D. 1** and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Kato, Chairman; Sakima and Yamada were appointed as Managers on the part of the House for the consideration of said amendments.

Representative Iha gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2302-74, H. D. 1.**

Representative J. Garcia here rose on a point of personal privilege and stated:

"Mr. Speaker, I do not want the Majority members to have the impression that the Minority is trying, in any way, to impede the progress of this House as it moves toward adjournment on Thursday night. That is not the intent of our questioning the amendments agreed to by the Majority Committee Chairmen on Senate or House bills pending before us.

All we ask is the opportunity of getting an explanation, that our spokesmen be so notified so that when we come on the floor of the House, we know what we are voting for, rather than buying a blank pig in the poke. That's all we're asking, fair play. It is not our

intent to impede the progress of any piece of legislation on the floor of this Body."

Representative O'Connor rose on a point of personal privilege and stated:

"Mr. Speaker, the Committee Chairmen will notify this Body approximately 24 hours in advance of taking action upon measures which come back with Senate changes; and they will, as they have been this morning and last night, notify all members who are present in the Chamber approximately one day in advance of when they intend to take action.

This time may be shortened a little bit as we go towards the terminal point of this session, but that attempt will be made. They will also be communicating with the Republican spokesman in each committee.

Of course, the motions for disagreement may be made immediately upon receiving the Senate communication, in which case I am sure that the Committee Chairmen will explain in each instance."

Representative J. Garcia then replied:

"Mr. Speaker, then we should have absolutely no problems whatsoever. Thank you, Mr. Majority Leader."

APPOINTMENT OF CONFERENCE COMMITTEE

In accordance with the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 3037-74, H. D. 2** and the request for a conference on the subject matter of said amendments, Representatives Sakima, Chairman; Kunimura and Saiki were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 1536-74, S. D. 1** and the request for a conference on the subject matter of said amendments, Representatives Sakima, Chairman; Kunimura and Saiki were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 2024-74** and the request for a conference on the subject matter of said amendments, Representatives Sakima, Chairman; Kunimura and Saiki were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 1387, H. D. 2** and the request for a conference on the subject matter of said amendments, Representatives Sakima, Chairman; Kunimura and Saiki were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 2865-74, H. D. 1** and the request for a conference on the subject matter of said amendments, Representatives Lee, Chairman; Nakama and Poepoe were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 17** and the request for a conference on the subject matter of said amendments, Representatives Wakatsuki, Chairman; Cobb, Kondo, Takamine, Carroll and Amaral were appointed as Managers on the part of the House at such conference.

COMMITTEE REASSIGNMENTS

H. R. No. 428 was re-referred to the Committee on Higher Education.

S. C. R. No. 49 was re-referred to the Committee on Education.

At 1:00 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 7:30 o'clock p.m. this evening.

EVENING SESSION

The House of Representatives reconvened at 7:52 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Wasai, for the Committee on Education, presented a report (**Stand. Com. Rep. No. 725-74**) recommending that **S. B. No. 1262, S. D. 1** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Wasai, seconded by Representative Young and carried, the report of the Committee was adopted and **S. B. No. 1262, S. D. 1** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 10, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 726-74**) recommending that **S. B. No. 1565-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kihano, seconded by Representative Medina and carried, the report of the Committee was adopted and **S. B. No. 1565-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 10, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 727-74**) recommending that **S. B. No. 2152-74, S. D. 1** pass Second Reading and be placed on the calendar for Third

Reading.

On motion by Representative Kihano, seconded by Representative Medina and carried, the report of the Committee was adopted and **S. B. No. 2152-74, S. D. 1** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 10, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 728-74**) recommending that **S. B. No. 2051-74, S. D. 1** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kihano, seconded by Representative Medina and carried, the report of the Committee was adopted and **S. B. No. 2051-74, S. D. 1** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 10, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 729-74**) recommending that **S. B. No. 1981-74** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kihano, seconded by Representative Medina and carried, the report of the Committee was adopted and **S. B. No. 1981-74** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 10, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 730-74**) recommending that **S. B. No. 1907-74, S. D. 1** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kihano, seconded by Representative Medina and carried, the report of the Committee was adopted and **S. B. No. 1907-74, S. D. 1** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 10, 1974.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 731-74**) recommending that **S. B. No. 1422-74, S. D. 1** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kihano, seconded by Representative Medina and carried, the report of the Committee was adopted and **S. B. No. 1422-74, S. D. 1** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 10, 1974.

Representative Uechi, for the Committee on Agriculture, presented a report (**Stand. Com. Rep. No. 732-74**) recommending that **H. R. No. 418** be referred to the Committee on Finance with certain

amendments.

On motion by Representative Roehrig, seconded by Representative Kawakami and carried, the report of the Committee was adopted and **H. R. No. 418**, as amended, was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (**Stand. Com. Rep. No. 733-74**) recommending that **H. R. No. 219** be referred to the Committee on Finance.

On motion by Representative Roehrig, seconded by Representative Kawakami and carried, the report of the Committee was adopted and **H. R. No. 219** was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (**Stand. Com. Rep. No. 734-74**) recommending that **H. R. No. 433** be referred to the Committee on Water, Land Use and Development.

On motion by Representative Roehrig, seconded by Representative Kawakami and carried, the report of the Committee was adopted and **H. R. No. 433** was referred to the Committee on Water, Land Use and Development.

Representative Wakatsuki, for the Committee on Judiciary and Corrections, presented a report (**Stand. Com. Rep. No. 735-74**) recommending that **S. B. No. 2200-74**, **S. D. 1** pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kihano, seconded by Representative Medina and carried, the report of the Committee was adopted and **S. B. No. 2200-74**, **S. D. 1** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 10, 1974.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 736-74**) recommending that **S. B. No. 1789-74** pass Third Reading.

By unanimous consent, consideration of **Stand. Com. Rep. No. 736-74** on **S. B. No. 1789-74** was deferred until tomorrow, April 10, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **S. B. No. 1789-74** were made available to the members of the House at 7:30 o'clock p.m.

Representative Roehrig, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 2538-74**, **H. D. 1**, presented a report (**Conf. Com. Rep. No. 3**) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of **Conf. Com. Rep. No. 3** on **H. B. No. 2538-74**, **H. D. 1**, **S.**

D. 1, as amended, was deferred until tomorrow, April 10, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **H. B. No. 2538-74**, **H. D. 1**, **S. D. 1**, **C. D. 1** were made available to the members of the House at 7:30 o'clock p.m.

Representative Roehrig, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 2941-74**, **H. D. 1**, **S. D. 1**, presented a report (**Conf. Com. Rep. No. 4**) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of **Conf. Com. Rep. No. 4** on **H. B. No. 2941-74**, **H. D. 1**, **S. D. 1**, as amended, was deferred until tomorrow, April 10, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **H. B. No. 2941-74**, **H. D. 1**, **S. D. 1**, **C. D. 1** were made available to the members of the House at 7:30 o'clock p.m.

Representative Wakatsuki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 1944-74**, presented a report (**Conf. Com. Rep. No. 5**) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of **Conf. Com. Rep. No. 5** on **S. B. No. 1944-74**, **H. D. 1**, as amended, was deferred until tomorrow, April 10, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **S. B. No. 1944-74**, **H. D. 1**, **C. D. 1** were made available to the members of the House at 7:30 o'clock p.m.

SENATE COMMUNICATIONS

The following communications from the Senate (**Sen. Com. Nos. 387 to 409**) were read by the Clerk and were disposed of as follows:

A communication from the Senate (**Sen. Com. No. 387**) returning **House Bill No. 2082-74** which passed Third Reading in the Senate on April 9, 1974, in an amended form, was placed on file.

By unanimous consent, **H. B. No. 2082-74**, as amended by the Senate, was placed on the Clerk's desk and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **H. B. No. 2082-74**, **S. D. 1** were made available to the members of the House at 12:20 o'clock p.m.

A communication from the Senate (**Sen. Com. No. 388**) transmitting **Senate Concurrent Resolution No. 40** requesting Hawaii's Congressional Delegation to support direct federal funding of the Pacific Islands Development Commission which was adopted by the Senate on April 9, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 389) transmitting Senate Concurrent Resolution No. 43 requesting Hawaii's Congressional Delegation to seek the early return and stationing of the research vessel Cromwell which was adopted by the Senate on April 9, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 390) transmitting Senate Concurrent Resolution No. 52 requesting the office of the Governor to direct appropriate departments, agencies and commissions in conjunction with a joint interim committee consisting of members from each House to conduct an analysis of and develop an implementation for the preliminary draft of the State of Hawaii Growth Policies Plan: 1974-1984 which was adopted by the Senate on April 9, 1974 was placed on file.

By unanimous consent, further action on S. C. R. Nos. 40, 43 and 52 was deferred until tomorrow, April 10, 1974.

A communication from the Senate (Sen. Com. No. 391) returning House Bill No. 645 which passed Third Reading in the Senate on April 9, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 392) returning House Bill No. 2271-74 which passed Third Reading in the Senate on April 9, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 393) returning House Bill No. 2590-74 which passed Third Reading in the Senate on April 9, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 394) returning House Bill No. 2784-74, H. D. 1 which passed Third Reading in the Senate on April 9, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 395) returning House Bill No. 2997-74 which passed Third Reading in the Senate on April 9, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 396) returning House Bill No. 3018-74, H. D. 1 which passed Third Reading in the Senate on April 9, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 397) informing the House that Senate Bill No. 463, S. D. 1 this day passed Final Reading in the Senate in accordance with Article III, Section 16 of the Constitution of the State of Hawaii was placed on file.

A communication from the Senate (Sen. Com. No. 398) informing the House that Senate Bill No. 965, S. D. 1 this day passed Final Reading in the Senate in accordance with Article III, Section 16 of the Constitution of the State of Hawaii was placed on file.

A communication from the Senate (Sen. Com. No. 399) informing the House that the Senate had agreed to the amendments proposed by the House to Senate Bill No. 1745-74, S. D. 1 and that Senate Bill No. 1745-74, S. D. 1, as amended, passed Final Reading in the Senate on April 9, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 400) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1387, H. D. 2 and the request for a conference on the subject matter of said amendments, Senators Wong, Chairman; Brown and Mills had been appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 401) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2428-74, H. D. 1 and the request for a conference on the subject matter of said amendments, Senators Toyofuku, Chairman; Yamasaki and Henderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 402) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2865-74, H. D. 1 and the request for a conference on the subject matter of said amendments, Senators Takitani, Chairman; Brown and Mirikitani had been appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 403) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to H. B. No. 3037-74, H. D. 2 and the request for a conference on the subject matter of said amendments, Senators Wong, Chairman; Yamasaki and Mills had been appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 404) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 3095-74, H. D. 1 and the request for a conference on the subject matter of said amendments, Senators Yoshinaga, Chairman; Yamasaki and Anderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 405) returning House Bill No. 2589-74, H. D. 1 which passed Third Reading in the Senate on April 9, 1974, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 406) returning House Bill No. 2896-74, H. D. 1

which passed Third Reading in the Senate on April 9, 1974, in an amended form, was placed on file.

By unanimous consent, H. B. Nos. 2589-74, H. D. 1 and 2896-74, H. D. 1, as amended by the Senate, were placed on the Clerk's desk and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H. B. Nos. 2589-74, H. D. 1, S. D. 1 and 2896-74, H. D. 1, S. D. 1 were made available to the members of the House at 7:30 o'clock p.m.

A communication from the Senate (Sen. Com. No. 407) returning House Bill No. 41, H. D. 2 which passed Third Reading in the Senate on April 9, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 408) returning House Bill No. 708, H. D. 2 which passed Third Reading in the Senate on April 9, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 409) returning House Bill No. 1526-74, H. D. 1 which passed Third Reading in the Senate on April 9, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 410) pursuant to the request made by the House returning Senate Bill No. 1658-74, S. D. 1 for further consideration was placed on file.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 714-74 on S. B. No. 964, deferred from April 8, 1974.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 964 passed Third Reading by a vote of 41 ayes, with Representatives A. Chong, W. Chong, Fong, Iha, Kato, Lee, Nakama, Uechi, Wakatsuki and Yamada being excused.

Stand. Com. Rep. No. 715-74 on S. B. No. 1245, as amended, deferred from April 8, 1974.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1245, as amended, passed Third Reading by a vote of 41 ayes, with Representatives A. Chong, W. Chong, Fong, Iha, Kato, Lee, Nakama, Uechi, Wakatsuki and Yamada being excused.

Stand. Com. Rep. No. 716-74 on S. B. No. 1409-74, deferred from April 8, 1974.

By unanimous consent, consideration of Stand. Com. Rep. No. 716-74 on S. B. No. 1409-74 was deferred until tomorrow, April 10, 1974.

Stand. Com. Rep. No. 717-74 on S. B. No. 878, as amended, deferred from April 8, 1974.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 878, as amended, passed Third Reading by a vote of 43 ayes, with Representatives A. Chong, W. Chong, Fong, Iha, Kato, Uechi, Wakatsuki and Yamada being excused.

Stand. Com. Rep. No. 718-74 on S. B. No. 599, deferred from April 8, 1974.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 599 passed Third Reading by a vote of 43 ayes, with Representatives A. Chong, W. Chong, Fong, Iha, Kato, Uechi, Wakatsuki and Yamada being excused.

The Chair here directed the Clerk to note that S. B. Nos. 964, 1245, 878 and 599 had passed Third Reading not earlier than 8:00 o'clock p.m.

INTRODUCTION OF RESOLUTION

A resolution (H. R. No. 491) expressing support for George A. L. Yuen and commending him for his distinguished service as manager and chief engineer of the Honolulu Board of Water Supply was jointly offered by Representatives Kunimura, Aduja, Ajifu, Aki, Akizaki, Amaral, A. Chong, J. Garcia, R. Garcia, Kawakami, Kihano, Kimura, King, Kishinami, Lee, Leopold, Lunasco, Medina, Morioka, Nakama, O'Connor, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Ushijima, Wasai, Wedemeyer, Wong, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Kunimura, seconded by Representative Soares and carried, H. R. No. 491 was adopted.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H. B. No. 2312-74, H. D. 1, as amended by the Senate, was taken from the Clerk's desk.

Representative Suwa moved to agree to the amendments proposed by the Senate to H. B. No. 2312-74, H. D. 1, and H. B. No. 2312-74, H. D. 1, as amended, having been read throughout, pass Final Reading, seconded by Representative Akizaki.

Representative Suwa explained the Senate amendments:

"Mr. Speaker, the title of this is relating to real property tax, known as the minimum tax. At present, it is \$25. Earlier, we reduced it down to \$7, but the Senate made the changes on page 3 in the area of the effective date to July 1, 1974. Since the real property tax year is on the fiscal year basis from July 1 to June 30 of the following year, I think this amendment is in order."

The motion was put by the Chair and carried, and **H. B. No. 2312-74, H. D. 1**, as amended, passed Final Reading by a vote of 47 ayes, with Representatives W. Chong, Iha, Roehrig and Uechi being excused.

The Chair here directed the Clerk to note that **H. B. No. 2312-74, H. D. 1, S. D. 1** had passed Final Reading at 8:40 o'clock p.m.

By unanimous consent, **H. B. No. 2621-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Suwa moved to agree to the amendments proposed by the Senate to **H. B. No. 2621-74, H. D. 1** and **H. B. No. 2621-74, H. D. 1**, as amended, pass Final Reading, seconded by Representative Akizaki.

Representative Suwa then explained the Senate amendments as follows:

"Mr. Speaker, the subject matter is relating to the administration of taxes dealing with Section 23-39 in the area of non-compliance or evasion of interest on underpayments and overpayments."

The Senate made the amendments on page 3 where the House version reads, 'failure to pay taxes after filing a timely return, if the return is filed on or before the date prescribed therefor and the amount shown on the tax return is not paid within 90 days of the prescribed filing date, there shall be added to the unpaid tax of up to 10 percent, as determined by the director'. But the Senate put in the word 'completely' to read, 'days on the return is not completely paid within the 90 days'. This amendment, I think, is in order; and, therefore, Mr. Speaker, I urge the members to accept the amendment."

The motion was put by the Chair and carried, and **H. B. No. 2621-74, H. D. 1**, as amended, passed Final Reading by a vote of 46 ayes to 1 no, with Representative Cobb voting no and Representatives W. Chong, Iha, Roehrig and Uechi being excused.

The Chair here directed the Clerk to note that **H. B. No. 2621-74, H. D. 1, S. D. 1** had passed Final Reading at 8:42 o'clock p.m.

By unanimous consent, **H. B. No. 2840-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Suwa moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2840-74, H. D. 1** and **H. B. No. 2840-74, H. D. 1**, as amended, pass Final Reading, seconded by Representative Akizaki.

Representative Suwa then explained the Senate amendments as follows:

"This is known as the CUSIP bill, Committee for the Uniform Security Identification Procedure. What the Senate has done, I think, is a good amendment. They included the CUSIP number for the district improvement bonds for the counties also, and I feel it is a good amendment and that we should accept the amendment."

The motion was put by the Chair and carried, and **H. B. No. 2840-74, H. D. 1**, as amended, passed Final Reading by a vote of 46 ayes, with Representatives W. Chong, Iha, Kato, Roehrig and Takamine being excused.

The Chair here directed the Clerk to note that **H. B. No. 2840-74, H. D. 1, S. D. 1** had passed Final Reading at 8:45 o'clock p.m.

By unanimous consent, **H. B. No. 2471-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Kawakami moved to agree to the amendments proposed by the Senate to **H. B. No. 2471-74, H. D. 1** and **H. B. No. 2471-74, H. D. 1**, as amended, pass Final Reading, seconded by Representative A. Chong.

Representative Kawakami explained the Senate amendments as follows:

"Yes, Mr. Speaker, as an explanation, the Senate has made technical corrections of punctuation, grammar and spelling."

The motion was put by the Chair and carried, and **H. B. No. 2471-74, H. D. 1**, as amended, passed Final Reading by a vote of 46 ayes, with Representatives W. Chong, Iha, Kato, Roehrig, and Takamine being excused.

The Chair here directed the Clerk to note that **H. B. No. 2471-74, H. D. 1, S. D. 1** had passed Final Reading at 8:47 o'clock p.m.

Representative Lunasco here rose and gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2456-74**.

By unanimous consent, **H. B. No. 27**, as amended by the Senate, was taken from the Clerk's desk.

Representative Wakatsuki moved that the House agree to the amendments proposed by the Senate to **H. B. No. 27** and **H. B. No. 27**, as amended, pass Final Reading, seconded by Representative Kihano.

The motion was put by the Chair and carried, and **H. B. No. 27**, as amended, passed Final Reading by a vote of 46 ayes, with Representatives W. Chong, Iha, Kato, Roehrig and Takamine being excused.

The Chair here directed the Clerk to note that **H. B. No. 27**, **S. D. 1** had passed Final Reading at 8:48 o'clock p.m.

Representative Wakatsuki rose and gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2082-74**.

Representative Wakatsuki rose and explained the Senate amendments as follows:

"The Senate again made some minor technical changes. They added the word 'other' after a sentence and replaced some commas."

Representative Lee gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. Nos. 89**, **H. D. 1**, **220**, **H. D. 1**, **2352**, **H. D. 1** and **3096**, **H. D. 2**.

By unanimous consent, **H. B. No. 144**, **H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Lee moved to agree to the amendments proposed by the Senate to **H. B. No. 144**, **H. D. 1** and **H. B. No. 144**, **H. D. 1**, as amended, pass Final Reading, seconded by Representative Takamine.

Representative Lee explained the amendments proposed by the Senate as follows:

"The title of the bill is relating to workmen's compensation, and the section amended relates to dependents and essentially, it changes the word 'widow' to 'surviving spouse' and the Senate, for instance, has changed the word 'new' to 'the' to read 'upon the deceased.'"

The motion was put by the Chair and carried, and **H. B. No. 144**, **H. D. 1**, as amended, passed Final Reading by a vote of 49 ayes, with Representatives Iha and Uechi being excused.

The Chair here directed the Clerk to note that **H. B. No. 144**, **H. D. 1**, **S. D. 1** had passed Final Reading at 8:52 o'clock p.m.

By unanimous consent, **H. B. No. 2193-74**, as amended by the Senate, was taken from the Clerk's desk.

Representative Lee moved to agree to the amendments proposed by the Senate to **H. B. No. 2193-74** and **H. B. No. 2193-74**, as amended, pass Final Reading, seconded by Representative Takamine.

Representative Lee explained the Senate amendments as follows:

"Basically, the bill that was brought out by **Senate draft 2** incorporates **House Bill 230**, also relating to the changes on the subject matter to comply with the federal laws. And the **Senate draft** just combines **House Bill 230** and the present **House Bill 2193-74**."

The motion was put by the Chair and carried, and **H. B. No. 2193-74**, as amended, passed Final Reading by a vote of 48 ayes, with Representatives W. Chong, Iha and Uechi being excused.

The Chair here directed the Clerk to note that **H. B. No. 2193**, **S. D. 2** had passed Final Reading at 8:53 o'clock p.m.

By unanimous consent, **H. B. No. 2297-74**, **H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Lee moved to agree to the amendments proposed by the Senate to **H. B. No. 2297-74**, **H. D. 1** and **H. B. No. 2297-74**, **H. D. 1**, as amended, pass Final Reading, seconded by Representative Takamine.

Representative Lee explained the Senate amendments as follows:

"It relates to workmen's compensation, and it raises the maximum weekly benefits to take it to the average weekly wage, so that as the economy goes up, the wages go up, the benefits go up. And it is one of the few bills that business, labor and the Department all agree is a good bill. And the basic difference between the House and the Senate is that they made a one-step change instead of a two-step change."

The motion was put by the Chair and carried, and **H. B. No. 2297-74**, **H. D. 1**, as amended, passed Final Reading by a vote of 48 ayes, with Representatives W. Chong, Iha and Uechi being excused.

The Chair here directed the Clerk to note that **H. B. No. 2297-74**, **H. D. 1**, **S. D. 1** had passed Final Reading at 8:55 o'clock p.m.

By unanimous consent, **H. B. No. 1482**, **H. D. 2** was taken from the Clerk's desk.

On motion by Representative Roehrig, seconded by Representative Kihano and carried, **H. B. No. 1482**, **H. D. 2**, having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives W. Chong, Iha and Uechi being excused, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

The Chair here directed the Clerk to note that **H. B. No. 1482**, **H. D. 2** had passed Final Reading at 8:58 o'clock p.m.

By unanimous consent, **H. B. No. 2995-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Wong moved to agree to the amendments proposed by the Senate to **H. B. No. 2995-74, H. D. 1** and **H. B. No. 2995-74, H. D. 1**, as amended, pass Final Reading, seconded by Representative Ushijima.

Representative Wong then explained the Senate amendments as follows:

"Mr. Speaker, the amendments made to the House bill deletes a Section 5 under the original House draft which asks for additional information regarding importation. In discussion with the Senate and with the Department, they had some difficulty obtaining this type of information. So, there, Mr. Speaker, we agree with the amendments made by the Senate."

The motion was put by the Chair and carried, and **H. B. 2995-74, H. D. 1**, as amended, passed Final Reading by a vote of 48 ayes, with Representatives W. Chong, Iha and Uechi being excused.

The Chair here directed the Clerk to note that **H. B. No. 2995-74, H. D. 1, S. D. 1** had passed Final Reading at 9:02 o'clock p.m.

At 9:02 o'clock p.m., on request by Representative King, the Chair declared a recess, subject to the call of the Chair.

At 9:10 o'clock p.m., the House of Representatives reconvened.

By unanimous consent, **H. B. No. 2999-74**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Yap, seconded by Representative Kunimura and carried, the House disagreed to the amendments proposed by the Senate to **H. B. No. 2999-74** and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Kunimura, Chairman; Kihano and Saiki were appointed as Managers on the part of the House for the consideration of said amendments.

Representative Yap here rose and gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. Nos. 2968-74, H. D. 1, 135, H. D. 2, 2900-74, H. D. 1, 1562, 2073-74, 2445-74, H. D. 1, 2436-74, H. D. 1, 2681-74, H. D. 1, 2082, H. D. 3, 2888-74, H. D. 2 and 3051-74, H. D. 1**.

At 9:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 9:17 o'clock p.m., the House of Representatives reconvened.

By unanimous consent, **H. B. No. 92, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Young moved to agree to the amendments proposed by the Senate to **H. B. No. 92, H. D. 1** and **H. B. No. 92, H. D. 1**, as amended, pass Final Reading, seconded by Representative Kunimura.

Representative Young then explained the Senate amendments as follows:

"**H. B. No. 92, H. D. 1, S. D. 1** is entitled 'housing and related programs.' The Senate has amended it in its entirety. This bill gives the counties similar powers that the State has under Act 105."

The motion was put by the Chair and carried, and **H. B. No. 92, H. D. 1**, as amended, passed Final Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

The Chair directed the Clerk to note that **H. B. No. 92, H. D. 1, S. D. 1** had passed Final Reading at 9:18 o'clock p.m.

By unanimous consent, **H. B. No. 1447, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Young moved to agree to the amendments proposed by the Senate to **H. B. No. 1447, H. D. 1** and **H. B. No. 1447, H. D. 1**, as amended, pass Final Reading, seconded by Representative Kunimura.

Representative Young then explained the Senate amendments as follows:

"**H. B. No. 1447, H. D. 1, S. D. 1** is entitled the urban renewal law. The only amendment was that of moving the effective date from upon its approval to January 1, 1975."

The motion was put by the Chair and carried and **H. B. No. 1447, H. D. 1**, as amended, passed Final Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

The Chair here directed the Clerk to note that **H. B. No. 1447, H. D. 1, S. D. 1** had passed Final Reading at 9:20 o'clock p.m.

By unanimous consent, **H. B. No. 2541-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Young moved to agree to the amendments proposed by the Senate to **H. B. No.**

2541-74, H. D. 1 and **H. B. No. 2541-74, H. D. 1**, as amended, pass Final Reading, seconded by Representative Kunimura.

Representative Young then explained the Senate amendments as follows:

"**H. B. No. 2541-74, H. D. 1, S. D. 1** is entitled GO bonds of counties. The only technical change was the changing of the parenthesis to brackets."

The motion was put by the Chair and carried, and **H. B. No. 2541-74, H. D. 1**, as amended, passed Final Reading by a vote of 49 ayes, with Representatives W. Chong and Uechi being excused.

The Chair here directed the Clerk to note that **H. B. No. 2541-74, H. D. 1, S. D. 1** had passed Final Reading at 9:20 o'clock p.m.

Representative Wakatsuki here rose and gave notice of his intention to agree with the amendments proposed by the Senate to **H. B. No. 2799-74**.

Representative Wakatsuki here explained the Senate amendments as follows:

"**H. B. No. 2799-74, S. D. 1** relates to fees for services of process. The House bill incorporated the service fees effective July 1, 1974. Since it's only two more months before July 1 arrives, the Senate made it effective upon approval."

Representative Wakatsuki rose and gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2756-74, H. D. 1**.

Representative Wakatsuki then explained the Senate amendments as follows:

"The bill relates to theft of gasoline. The House bill made stealing of gasoline a felony in the second degree—Class C felony. The Senate included within the definition gas diesel fuel and other related petroleum products of any value not exceeding \$200, theft in the second degree."

Representative Wakatsuki gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2624-74, H. D. 1**.

Representative Wakatsuki explained the Senate amendments as follows:

"It relates to annulment, divorce and separation. The House bill provided that a spouse who is deceived into marrying a person who has another spouse living shall be entitled to allowance for support. The Senate deleted the word 'shall' and replaced it with 'may be entitled'. And in another provision, the House provided that the allowance to a

deceased spouse shall not exceed one-third of the real and personal property. The Senate removed that restriction."

Representative Wakatsuki gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2241-74, H. D. 1**.

Representative Wakatsuki explained the Senate amendments as follows:

"**H. B. No. 2241-74, H. D. 1, S. D. 1** relates to unreasonable noise. The Senate amended the bill to include in the bill unreasonable noise. And they defined unreasonable noise to make it a gross deviation of standard of conduct that a law-abiding citizen would follow in the same situation and this would be for 24 hours."

Representative Wakatsuki gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2485-74, H. D. 2**.

Representative Wakatsuki then explained the Senate amendments as follows:

"It relates to the employment and licensing of convicted persons. Throughout the bill, the Senate removed the qualification of good moral character and also they made technical amendments, changing words like 'or' or sections and so forth."

At 9:24 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 9:39 o'clock p.m., the House of Representatives reconvened.

Representative Wakatsuki gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 82, H. D. 1**.

Representative Wakatsuki then explained the Senate amendments as follows:

"It relates to the revised uniform disposition of unclaimed property. This is notice with the intention to agree with the amendments made by the Senate. They're all technical. If anyone would look at the bill, they're changing words and phrases to clarify the particular provisions."

Representative Yap gave notice of his intention to agree to the amendments proposed by the Senate to **H. B. No. 2589-74, H. D. 1**, and **H. B. Nos. 41, H. D. 2** and **708, H. D. 2**.

At 9:41 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 9:44 o'clock p.m., the House of Representatives reconvened.

ADJOURNMENT

At 9:45 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Gar-

cia and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, April 10, 1974.

FIFTY-NINTH DAY

Wednesday, April 10, 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 Representative Richard Wasai, after which the Roll was called showing all members present with the exception of Representatives Hapai, Kato, Kawakami, Kimura, Kishinami, Morioka, Uechi and Wakatsuki who were excused.

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

At this time, the Chair directed the Clerk to note the presence of Representatives Hapai, Kawakami, Kimura, Kishinami, Morioka, Uechi and Wakatsuki.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 411 to 423) were disposed of as follows:

A communication from the Senate (Sen. Com. No. 411) informing the House that the amendments proposed by the House to Senate Bill No. 761 were agreed to by the Senate, and Senate Bill No. 761, as amended, passed Final Reading in the Senate on April 9, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 412) informing the House that the amendments proposed by the House to Senate Bill No. 887 were agreed to by the Senate, and Senate Bill No. 887, as amended, passed Final Reading in the Senate on April 9, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 413) informing the House that the amendments proposed by the House to Senate Bill No. 1364, S. D. 1 were agreed to by the Senate, and Senate Bill No. 1364, S. D. 1, as amended, passed Final Reading in the Senate on April 9, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 414) informing the House that the amendments proposed by the House to Senate Bill No. 1487-74, S. D. 1 were agreed to by the Senate, and Senate Bill No. 1487-74, S. D. 1, as amended, passed Final Reading in the Senate on April 9, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 415) informing the House that the amend-

ments proposed by the House to Senate Bill No. 1802-74, S. D. 1 were agreed to by the Senate, and Senate Bill No. 1802-74, S. D. 1, as amended, passed Final Reading in the Senate on April 9, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 416) informing the House that the amendments proposed by the House to Senate Bill No. 2065-74 were agreed to by the Senate, and Senate Bill No. 2065-74, as amended, passed Final Reading in the Senate on April 9, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 417) informing the House that the amendments proposed by the House to Senate Bill No. 2197-74, S. D. 1 were agreed to by the Senate, and Senate Bill No. 2197-74, S. D. 1, as amended, passed Final Reading in the Senate on April 9, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 418) returning House Bill No. 2771-74 which passed Third Reading in the Senate on April 9, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 419) returning House Bill No. 2796-74, H. D. 1 which passed Third Reading in the Senate on April 9, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 420) returning House Bill No. 2915-74, H. D. 2 which passed Third Reading in the Senate on April 9, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 421) transmitting Senate Concurrent Resolution No. 58 inviting the Honorable John A. Burns, Governor of the State of Hawaii, to address the Legislature assembled in joint session, which was adopted by the Senate on April 10, 1974, was placed on file.

On motion by Representative Kimura, seconded by Representative O'Connor and carried, S. C. R. No. 58 was adopted.

A communication from the Senate (Sen. Com. No. 422) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2999-74 and the request for a conference on the subject matter of said amendments, Senators Yamasaki, Chairman; Ching and Henderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 423) informing the House that the Senate has reconsidered action taken in passing House Bill No. 2378-74, H. D. 1 on Third Reading and requests the return of said bill for further consideration, was placed on file.

At 11:39 o'clock a.m., the Chair declared a

recess, subject to the call of the Chair.

Upon reconvening at 12:55 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Kato.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 737-74) informing the House that House Resolution Nos. 486 to 491, Standing Committee Report Nos. 725-74 to 736-74, Conference Committee Report No. 3, Re: H. B. No. 2538-74, H. D. 1, S. D. 1, C. D. 1; Conference Committee Report No. 4, Re: H. B. No. 2941-74, H. D. 1, S. D. 1, C. D. 1; Conference Committee Report No. 5, Re: S. B. No. 1944-74, H. D. 1, C. D. 1; and Standing Committee Report Nos. 738-74 to 745-74; and Conference Committee Report No. 6, Re: H. B. No. 2374-74, H. D. 1, S. D. 1, C. D. 1 have been printed and distributed.

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

Representative Iha, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 738-74) recommending that H. R. No. 445 be referred to the Committee on Finance.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the referral of H. R. No. 445 to the Committee on Finance was waived.

On motion by Representative O'Connor, seconded by Representative Soares and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the Committee, H. R. No. 445 was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 739-74) recommending that H. R. No. 279 be adopted with certain amendments.

On motion by Representative Uechi, seconded by Representative Roehrig and carried, the report of the Committee was adopted and H. R. No. 279, as amended, was adopted.

Representative Wasai, for the Committee on Education, presented a report (Stand. Com. Rep. No. 740-74) recommending that H. R. No. 407 be adopted.

On motion by Representative Young, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H. R. No. 407 was adopted.

Representative Lunasco, for the Committee on Federal-State-County, presented a report (Stand.

Com. Rep. No. 741-74) recommending that S. C. R. No. 24 be adopted.

On motion by Representative Lunasco, seconded by Representative Suwa and carried, the report of the Committee was adopted and S. C. R. No. 24 was adopted.

Representative King, for the Committee on Environmental Protection, presented a report (Stand. Com. Rep. No. 742-74) recommending that S. C. R. No. 53 be adopted.

On motion by Representative King, seconded by Representative Medina and carried, the report of the Committee was adopted and S. C. R. No. 53 was adopted.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 743-74) recommending that S. C. R. No. 18 be adopted.

On motion by Representative Kato, seconded by Representative Sakima and carried, the report of the Committee was adopted and S. C. R. No. 18 was adopted.

Representative Kato, for the Committee on Public Health and Welfare, presented a report (Stand. Com. Rep. No. 744-74) recommending that S. C. R. No. 21, S. D. 1 be adopted.

On motion by Representative Kato, seconded by Representative Sakima and carried, the report of the Committee was adopted and S. C. R. No. 21, S. D. 1 was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (Stand. Com. Rep. No. 745-74) recommending that S. C. R. No. 31 be adopted.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and S. C. R. No. 31 was adopted.

CONFERENCE COMMITTEE REPORTS

Representative Suwa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2374-74, H. D. 1, S. D. 1, presented a report (Conf. Com. Rep. No. 6) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 6 on H. B. No. 2374-74, as amended, was deferred until tomorrow, April 11, 1974, and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H. B. No. 2374-74, H. D. 1, S. D. 1, C. D. 1 were made available to the members of the House at 11:30 o'clock a.m.

Representative Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 2865-74, H. D. 1, S. D. 1**, presented a report (**Conf. Com. Rep. No. 7**) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of **Conf. Com. Rep. No. 7** on **H. B. No. 2865-74**, as amended, was deferred until tomorrow, April 11, 1974, and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **H. B. No. 2865-74, H. D. 1, S. D. 1, C. 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. 492 to 500**) were read by the Clerk and were disposed of as follows:

A resolution (**H. R. No. 492**) commending Advertiser Food Editor Hildegaard Verploegen for her outstanding and courageous coverage of the restaurant sanitation problem was jointly offered by Representatives Kunimura, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, Cobb, de la Cruz, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, 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 Kunimura, seconded by Representative Kihano and carried, **H. R. No. 492** was adopted.

A resolution (**H. R. No. 493**) congratulating the Hawaii Canoe Racing Association was jointly offered by Representatives Beppu, Ajifu, Aki, Akizaki, Carroll, A. Chong, W. Chong, Fong, J. Garcia, R. Garcia, Iha, Kato, Kawakami, Kihano, King, Kishinami, Kondo, Lee, Lunasco, Medeiros, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Suwa, Takamine, Uechi, Wasai, Wedemeyer, Yamada, Yap, Yim, Young and Yuen.

On motion by Representative Wedemeyer, seconded by Representative Kawakami and carried, **H. R. No. 493** was adopted.

A resolution (**H. R. No. 494**) commending the Hawaii Farm Bureau Federation for its efforts in agriculture was jointly offered by Representatives Uechi, Aduja, Ajifu, Aki, Akizaki, Amaral, A. Chong, Cobb, de la Cruz, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunimura, Lee, Leopold, Lunasco, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young,

Yuen and Beppu.

On motion by Representative Uechi, seconded by Representative Roehrig and carried, **H. R. No. 494** was adopted.

A resolution (**H. R. No. 495**) congratulating the Hawaii State YMCA Youth Model Legislature currently celebrating its 25th anniversary and its participants from Hilo High School was jointly offered by Representatives Roehrig, Aduja, Aki, Akizaki, A. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, Kishinami, Kondo, Lunasco, Medeiros, Medina, Morioka, Nakama, Oda, Poepoe, Saiki, Sakima, Suwa, Takamine, Uechi, Ushijima, Wasai, Wedemeyer, Yamada, Yap, Young and Yuen.

On motion by Representative Roehrig, seconded by Representative Takamine and carried, **H. R. No. 495** was adopted.

A resolution (**H. R. No. 496**) commending Robert Napalapalai on his farming efforts 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. 496** was adopted.

A resolution (**H. R. No. 497**) congratulating Glenn Campos upon his scholarship award was jointly offered by Representatives Lunasco, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. 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. 497** was adopted.

A resolution (**H. R. No. 498**) commending Zero Population Growth-Honolulu for its work on population problems was jointly offered by Representatives A. Chong, Aduja, Akizaki, Carroll, de la Cruz, Fong, R. Garcia, Iha, Kato, Kawakami, Kihano, Kimura, King, Kondo, Kunimura, Lee, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Poepoe, Roehrig, Saiki, Sakima, Suwa, Takamine, Uechi, Ushijima, Wedemeyer, Wong, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative A. Chong, seconded by Representative King and carried, **H. R. No. 498** was adopted.

A resolution (**H. R. No. 499**) commending the Conservation Council for Hawaii on its 24th anniversary for valuable work to improve the environmental quality of the State of Hawaii was jointly offered by Representatives A. Chong, Aduja, Akizaki, Carroll, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Iha, Kato, Kihano, Kimura, King, Kondo, Kunimura, Lee, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Poe-poe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wedemeyer, Wong, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative A. Chong, seconded by Representative King and carried, **H. R. No. 499** was adopted.

A resolution (**H. R. No. 500**) recognizing and commending the American Field Service International Scholarship program in Hawaii was jointly offered by Representatives A. Chong, Aduja, Akizaki, Carroll, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Iha, Kato, Kihano, Kimura, King, Kondo, Kunimura, Lee, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Poe-poe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wedemeyer, Wong, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative A. Chong, seconded by Representative King and carried, **H. R. No. 500** was adopted.

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 and Final Readings on the basis of a modified consent calendar.

THIRD READING

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

S. B. No. 1913-74

On motion by Representative Cobb, seconded by Representative Wakatsuki, **S. B. No. 1913-74** passed Third Reading by a vote of 50 ayes, with Representative Wasai being excused.

S. B. No. 1943-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 1943-74** passed Third Reading by a vote of 50 ayes, with Representative Wasai being excused.

S. B. No. 601

On motion by Representative Suwa, seconded

by Representative Akizaki, **S. B. No. 601** passed Third Reading by a vote of 50 ayes, with Representative Wasai being excused.

The Chair directed the Clerk to note that **S. B. Nos. 1913-74, 1943-74** and **601** had passed Third Reading not earlier than 1:03 o'clock p.m.

UNFINISHED BUSINESS

S. B. No. 1658-74, S. D. 1 on Third Reading, deferred from April 9, 1974:

Representative Kato moved that action on **S. B. No. 1658-74, S. D. 1** be deferred until tomorrow, April 11, 1974, and the Chair, noting that there were no objections, so ordered.

Stand. Com. Rep. No. 716-74 on **S. B. No. 1409-74, S. D. 2**, deferred from April 9, 1974:

Representative Suwa moved that action on **Stand. Com. Rep. No. 716-74** on **S. B. No. 1409-74, S. D. 2** be deferred until tomorrow, April 11, 1974, and the Chair, noting that there were no objections, so ordered.

Conf. Com. Rep. No. 1 on **S. B. No. 14, S. D. 1, H. D. 2, C. D. 1**, deferred from April 9, 1974:

Representative Kato moved that the report of the Committee be adopted and **S. B. No. 14**, as amended, having been read throughout, pass Final Reading, seconded by Representative Lee.

At 1:05 o'clock p.m., on request by Representative R. Garcia, the Chair declared a recess, subject to the call of the Chair.

At 1:09 o'clock p.m., the House of Representatives reconvened.

At this time, Representative Takamine rose and spoke in favor of **S. B. No. 14, S. D. 1, H. D. 2, C. D. 1** as follows:

"Mr. Speaker, first, I would like to thank and congratulate the Chairman of the House conferees. This is a very good bill. It is the House version of **S. B. 14** and Representative Kato, Chairman, deserve all of the credit. It is with the greatest of satisfaction and pleasure that I remind this Body that the Hawaii Legislature again demonstrates in **S. B. 14, S. D. 1, H. D. 2, C. D. 1**, the public concern for the well-being and dignity of our working people.

The history of **S. B. 14** dates back to 1967 when the Legislative Reference Bureau, pursuant to legislative mandate, commenced background study and research. Two years later, in 1969, a companion research assignment to the Bureau was enacted as the Hawaii Temporary Disability Insurance Law. At the end of the next two-year period, in 1971, the first version of the Hawaii Health

Prepayment Act was introduced. Since then, a score of legislative acts were introduced. Since then, a score of legislative standing committees have worked on the proposal, modifying and refining it, and making sure that the maximum of beneficial result will cause a minimum number of public dollars; at the same time, safeguarding the interest of the employers. The result is S. B. 14, S. D. 1, H. D. 2, C. D. 1.

I think this an appropriate moment to call to your attention the contributions that have been made in this effort by some non-legislators.

First, we, and all the people of the State, owe a debt of gratitude to Dr. Stephen A. Rosenfeld of the University of California Law School for his brilliant and tireless work in directing the research project, drafting the bill for introduction, and advising and educating all concerned as to the philosophy, importance and mechanics of the proposal. On May 26, 1972, Dr. Rosenfeld was officially conferred the title 'Calabash Cousin to the people of Hawaii' in a ceremony at which the Governor presided. The honor was accorded, not only for the Professor's work on the prepaid health matter, but also for his many other efforts, including workmen's compensation, temporary disability insurance, debtor's rights and creditor's remedies—the Uniform Commercial Code.

Dr. Rosenfeld brought yet another honor to this Legislature. On November 19, 1974, the Legislative Reference Bureau's report on prepaid health care in Hawaii was awarded for excellence in legislative report by the National Conference of State Legislative Leaders, the first such award ever made to this date.

There are countless others who deserve our sincere thanks for without their help, we would not have been able to enact a truly landmark piece of legislation. They include the staff of the Legislative Reference Bureau, especially Mrs. Patricia Putnam, Associate Dean for Legislative and Legal Affairs, University of Hawaii, School of Medicine, who along with Dr. Rosenfeld, has worked on this measure since 1967. The Department of Labor and Industrial Relations, the Department of Planning and Economic Development, the Department of Social Services and Housing, the Research Office of the Department of Taxation, the Hawaii Employers' Council, the labor unions, the Health Insurance Association of America and the prepaid health insurance contractors in the State—all of these and unnamed others can, on this occasion, enjoin with us the sense of mission accomplished.

With the passage of S. B. 14, S. D. 1, H. D. 2, C. D. 1, we will have virtually universal

prepaid health protection for all of our people in this State. Tens of thousands of members of the work force who now have no such protection would be given the health and economic security that such protection guarantees. There will be a rise in the general stands of public health throughout the State. Those of the working poor who are now classed as medical indigents will have the dignity and security of their own prepaid health protection. This will allow a savings in the medical benefits of the welfare program.

The prepaid health plan, as proposed in S. B. 14, S. D. 1, H. D. 2, C. D. 1, provides a health plan at a relatively low price tag for the State which includes the circumstances of marginal, small employers in meeting the premium cost.

Mr. Speaker and members of this House, with the passage of this measure and other similar measures, including the minimum wage, it can be said that this Legislature took care of the needs of the poor people of this State. The poor of this State should continue to organize so that they can build on the good work of this session and work for a better quality of life in the future sessions of the Legislature.

I strongly urge this Body to vote 'yes' on S. B. 14, S. D. 1, H. D. 2, C. D. 1 to assure a virtual universal prepaid health protection for all the people."

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

"Mr. Speaker, we in the House and Senate have debated over the subject of a State plan of prepaid health care for three years now. S. B. 14, S. D. 1, H. D. 2, C. D. 1 is a result of a year's work in Conference Committee. It extends a plan of guaranteed health care to all regular workers not covered by some kind of adequate health insurance and aids the marginal employer who can't afford to cover his employees with a health insurance plan.

About ten percent of Hawaii's work force will benefit directly from the passage of this bill. These are about 10,000 or so residents in the so-called 'gap group' who are not subject to collective bargaining agreements, who don't belong to private or group medical insurance plans, and who don't qualify for medical assistance.

Mr. Speaker, I don't have to remind this Honorable Body of the skyrocketing hospital and medical costs here. Fortunately, most of us have a health insurance plan which would help us pay for any hospitalization or medical care that we might need. In the event of a serious accident or illness, however, the re-

sources of an ordinary worker without any form of health insurance would be wiped out by the costs of medical care. There are many more workers with only partial medical coverage who would be almost as hard hit if they were hospitalized.

The health care benefits in this bill are tied to health care plans such as HMSA and Kaiser which have already proven to be successful in the general community. There is also enough flexibility in the bill to provide for specific benefits based on medically reasonable substitutions. The bill also provides that an employee's share of the health plan will be no more than 1.5 percent of his wages, with the employer paying at least half of the premium cost.

One of the longstanding objections to the concept of universal health insurance has been the cost it would incur upon the small businessman that, in fact, to impose such a requirement on the small-scale employer would wipe him out. It has been argued that such a requirement would have a disastrous effect upon our many small businesses. For this reason, I am pleased to note that this bill also contains a very important clause with regard to the small businessman. In order to protect the marginal employer who may be under a hardship to cover his employees, this measure provides for a State supplementation of the premium costs. This State supplement will make up the difference for those businesses who can prove that they are unable to afford their full share of the health insurance premium costs. In this way, the small businessman won't be wiped out by the premium costs, and his employee will get an adequate health care coverage.

Mr. Speaker, this is a far-reaching provision which only goes to show how deeply we in the Hawaii State Legislature are committed to the guarantee of good health and quality medical care for all of the people of Hawaii. By virtue of this provision, we overcome the problems of the small businessman by rendering direct assistance for the sake of ensuing health benefits for his employees.

Mr. Speaker, I believe this bill to be a good one. It will cover a large portion of workers presently without any form of health care insurance. It will make Hawaii the first in the nation to offer a guarantee of prepaid health care to virtually all of our workers and for us politicians, it will put our money where our mouth is. I urge all of my colleagues to vote aye on this measure.

Thank you, Mr. Speaker."

Representative Kato then rose and spoke in favor of the measure as follows:

"Mr. Speaker, I feel like a 'Johnny come

lately' when it comes to this bill because it was only this year that I became really involved in it.

Senate Bill 14 has had an interesting history. I am sure everyone knows it has been in conference for over a year—this must be a record of some sort or another. The history is interesting because of the changes made from committee to committee in the House, the Senate amendments—all of these things are quite revealing and interesting because the changes made do reflect different philosophies and thinking.

Going to the bill itself, this measure underlines a concept I think we should consider, not only today, but should keep in mind in the future. That concept is that every resident of this State has a right to good health and good health care. Good health and good health care are basic needs—needs that I am sure we all agree with but far too long have we been negligent in fulfilling. We have neglected to take care of a class of people—working people, mind you—who do not and cannot afford the health care coverage that would go a long way to ensure their good health. It is time we did something about it.

Most, if not all, union member employees have health coverage and most, if not all, employers carry some sort of prepaid health plan. As a matter of fact, welfare recipients' health care needs are taken care of, too.

Yet, we have a void, a vacuum in the total health care picture. It is the lack of coverage for those employees who work for marginal employers or for employers who just don't give a damn and, therefore, cannot or will not provide the necessary health care coverage. Passage of this bill will fill this vacuum and will help, Mr. Speaker, about 40,000 workers.

I feel no pride of authorship when it comes to this measure. It's been worked on before and will be changed hereafter. I feel no pride in having managed this bill through conference, but I do feel for those workers whose health care needs are finally going to be taken care of. I hope every member of this House feels the same way.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and **S. B. No. 14**, as amended, passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives Ajifu, Medeiros, Oda and Poepoe voting no and Representative Wasai being excused.

The Chair directed the Clerk to note that **S. B. No. 14** had passed Final Reading at 1:23 o'clock p.m.

DISPOSITION OF MATTERS PLACED ON CLERK'S DESK

By unanimous consent, **H. B. No. 89, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Lee, seconded by Representative Takamine and carried, the House agreed to the amendments proposed by the Senate to **H. B. No. 89, H. D. 1**, and **H. B. No. 89, H. D. 1**, as amended, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Wasai being excused.

By unanimous consent, **H. B. No. 220, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Lee, seconded by Representative Takamine and carried, the House agreed to the amendments proposed by the Senate to **H. B. No. 220, H. D. 1**, and **H. B. No. 220, H. D. 1**, as amended, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Wasai being excused.

By unanimous consent, **H. B. No. 1291, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Lee, seconded by Representative Takamine and carried, the House agreed to the amendments proposed by the Senate to **H. B. No. 1291, H. D. 1**, and **H. B. No. 1291, H. D. 1**, as amended, having been read throughout, passed Final Reading by a vote of 45 ayes to 5 noes, with Representatives Ajifu, Amaral, W. Chong, J. Garcia and Soares voting no and Representative Wasai being excused.

By unanimous consent, **H. B. No. 2352-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Lee, seconded by Representative Takamine and carried, the House agreed to the amendments proposed by the Senate to **H. B. No. 2352-74, H. D. 1** and **H. B. No. 2352-74, H. D. 1**, as amended, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Wasai being excused.

By unanimous consent, **H. B. No. 2485-74, H. D. 2**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Cobb, seconded by Representative Wakatsuki and carried, the House agreed to the amendments proposed by the Senate to **H. B. No. 2485-74, H. D. 2** and **H. B. No. 2485-74, H. D. 2**, as amended, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Wasai being excused.

By unanimous consent, **H. B. No. 2623-74**, as

amended by the Senate, was taken from the Clerk's desk.

Representative Suwa moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2623-74**, and **H. B. No. 2623-74**, as amended, having been read throughout, pass Final Reading, seconded by Representative Akizaki.

Representative Suwa then explained the amendment as follows:

"**H. B. No. 2623-74, S. D. 1** relates to taxation. This is in the area of reciprocal revision of the multi-state commission. The Senate amended page 1, adding a comma after officer, and deleted a period on page 7."

The motion was put by the Chair and carried, and **H. B. No. 2623-74**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Wasai being excused.

By unanimous consent, **H. B. No. 2858-74**, as amended by the Senate, was taken from the Clerk's desk.

Representative Suwa moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2858-74**, and **H. B. No. 2858-74**, as amended, having been read throughout, pass Final Reading, seconded by Representative Akizaki.

Representative Suwa then explained the amendment as follows:

"The purpose of the bill is to make it possible for the State to receive favorable bids by the certification method for longer contracts. The Senate amended the bill substantially but this does not alter the intent of the bill relating to the favorable contract."

The motion was put by the Chair and carried, and **H. B. No. 2858-74**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Wasai being excused.

By unanimous consent, **H. B. No. 2431-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Akizaki, seconded by Representative Kishinami and carried, the House agreed to the amendments proposed by the Senate to **H. B. No. 2431-74, H. D. 1**, and **H. B. No. 2431-74, H. D. 1**, as amended, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Wasai being excused.

The Chair directed the Clerk to note that **H. B. No. 89** had passed Final Reading at 1:24 o'clock p.m.; **H. B. No. 220** at 1:25 o'clock p.m.; **H. B. No.**

1291 at 1:26 o'clock p.m.; H. B. Nos. 2352-74, 2485-74 and 2623-74 at 1:27 o'clock p.m.; H. B. No. 2858-74 at 1:29 o'clock p.m.; and H. B. No. 2431-74 at 1:30 o'clock p.m.

By unanimous consent, H. B. No. 2067-74, H. D. 1, as amended by the Senate, was taken from the Clerk's desk.

Representative Medina moved to disagree with the amendments proposed by the Senate to H. B. No. 2067-74, H. D. 1, seconded by Representative A. Chong.

Representative Wakatsuki then rose and stated as follows:

"Mr. Speaker, I am tempted to speak on the motion but time being of the essence, all I would like to do is reflect in the record my vote against the motion and the vote of our great environmentalist Representative A. Chong, agreeing with the motion."

Representative Kunimura then rose and stated as follows:

"Mr. Speaker, I don't know if I should speak for or against this, but I would like to register one thing.

Indecision on the part of some individuals in this House has greatly jeopardized the passage of this bill and I would like to complain, Mr. Speaker, if we are going to be elected to an office of this sort, like the House of Representatives, the people of this State should make real sure that they elect people who can make up their mind and make decisions."

Representative A. Chong then rose and spoke in favor of the motion as follows:

"Mr. Speaker, politics is the art of the possible and the reason why your Committee has decided to vote for disagreement was because after polling this House by your environmental whip, we found that a motion for agreement would have been overwhelmingly killed and since this is a major piece of environmental legislation for this session, we felt that a motion for disagreement to clear up any problems and get it back here before 4:30 this afternoon would be the wiser thing to do."

The motion to disagree with the amendments proposed by the Senate to H. B. No. 2067-74, H. D. 1 was put by the Chair and carried.

In accordance therewith, Representatives King, Chairman; A. Chong, Kondo, Roehrig, Carroll and Yamada were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, H. B. No. 2062-74, H.

D. 1, as amended by the Senate, was taken from the Clerk's desk.

Representative Kato moved that the House agree to the amendments proposed by the Senate to H. B. No. 2062-74, H. D. 1, and H. B. No. 2062-74, H. D. 1, as amended, having been read throughout, pass Final Reading, seconded by Representative Sakima.

Representative Kato then explained the amendment as follows:

"Mr. Speaker, this measure relates to poison prevention for packaging of dangerous household items. What the Senate did was merely substitute the terms for the phrase 'economic poisons or pesticides' and two pages of the measure."

The motion was put by the Chair and carried, and H. B. No. 2062-74, H. D. 1, as amended, passed Final Reading by a vote of 50 ayes, with Representative Wasai being excused.

By unanimous consent, H. B. No. 2731-74, H. D. 1, as amended by the Senate, was taken from the Clerk's desk.

Representative Kato moved that the House agree to the amendments proposed by the Senate to H. B. No. 2731-74, H. D. 1, and H. B. No. 2731-74, H. D. 1, as amended, having been read throughout, pass Final Reading, seconded by Representative Sakima.

Representative Kato then explained the amendment as follows:

"This bill is entitled: 'A Bill for an Act Relating to Drug Abuse.' What was done was change the scheduling of a particular drug from Schedule 3 to Schedule 2."

The motion was put by the Chair and carried, and H. B. No. 2731-74, H. D. 1, as amended, passed Final Reading by a vote of 50 ayes, with Representative Wasai being excused.

By unanimous consent, H. B. No. 2738-74, as amended by the Senate, was taken from the Clerk's desk.

Representative Kato moved that the House agree to the amendments proposed by the Senate to H. B. No. 2738-74, and H. B. No. 2738-74, as amended, having been read throughout, pass Final Reading, seconded by Representative Sakima.

Representative Kato then explained the amendment as follows:

"This bill relates to State safety glazing materials. What the Senate did in this measure was to clarify the definition of a phrase immediately adjacent to fixed or operable panels. I think the Senate definition is a better

definition, Mr. Speaker.”

The motion was put by the Chair and carried, and **H. B. No. 2738-74**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Wasai being excused.

The Chair directed the Clerk to note that **H. B. No. 2062-74** had passed Final Reading at 1:33 o'clock p.m.; **H. B. No. 2731-74** at 1:34 o'clock p.m. and **2738-74** at 1:35 o'clock p.m.

At this time, Representative Kunimura, on a point of information, inquired:

“Mr. Speaker, what time did the Senate recess?”

The Chair replied that he would have to check with the Senate.

Representative Kunimura then inquired:

“Is it correct they recessed about 11:30? I have another question, Mr. Speaker. Does this House or the leadership of this House or the conferees have any agreement with the Senate on the disagreement of the environmental impact statement bill?”

The Chair responded:

“The Chair does not know if there is an agreement on the various proposals.”

Representative Kunimura continued:

“Then, Mr. Speaker, is there a Conference Committee appointed by the Senate to meet with the House conferees?”

The Chair responded:

“As far as the Chair is concerned, the House disagreed with the Senate amendments so the House appointed conferees today.”

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

“Mr. Speaker, the action just taken by this House to disagree with the Senate’s amendment is a futile one and makes us look like a bunch of kids because the Senate is in recess.

Mr. Speaker, we voted to disagree. There is no opportunity to reconcile our differences because the Senate will not reconvene until 4:30 this afternoon. How can our conferees meet with non-existent Senate conferees. This is the greatest shibai. I rise, Mr. Speaker, because indecision on the part of the chairman in charge of this bill has caused this serious jeopardy to arise.”

Representative King then rose on a point of per-

sonal privilege and stated:

“Mr. Speaker, I think a great charge has been leveled against me by the Representative from Kauai. The Chairman of the Committee has not been undecided about her feelings about this bill. I spoke to my Committee members last night; three of them changed their minds about what they had originally told me. A fourth one, with very definite feelings, changed his mind today. With the changing in minds that was taking place, it seems to me that the best thing was to call a meeting of the Environmental Protection Committee this morning. That meeting was called and a decision was reached 6 to 1, and I was prepared to act on the basis of that decision.

Subsequently, as Representative A. Chong pointed out, a poll of votes was taken indicating that the course taken was the only alternative open to the House at this point.”

Representative Kunimura further stated:

“Mr. Speaker, then I will level an even more serious charge. If the Chairman of the Committee is not in touch with the members, she does not have and command the respect of the Committee members.”

By unanimous consent, **H. B. No. 2981-74, H. D. 1**, as amended by the Senate, was taken from the Clerk’s desk.

Representative Iha moved that the House agree to amendments proposed by the Senate to **H. B. No. 2981-74, H. D. 1**, and **H. B. No. 2981-74, H. D. 1**, as amended, having been read throughout, pass Final Reading, seconded by Representative Nakama.

Representative Iha then explained the amendment as follows:

“The Senate amended the bill to include the language ‘old passenger and goods for use by ocean-going vehicles.’ This will provide relief for those ocean-going vehicles carrying both passengers and goods.”

The motion was put by the Chair and carried, and **H. B. No. 2981-74, H. D. 1**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Wasai being excused.

The Chair directed the Clerk to note that **H. B. No. 2981-74** had passed Final Reading at 1:39 o'clock p.m.

At 1:40 o'clock p.m., on request by Representative Kunimura, the Chair declared a recess, subject to the call of the Chair.

At 1:42 o'clock p.m., the House of Representatives reconvened.

APPOINTMENT OF CONFERENCE COMMITTEE

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 2100-74** and the request for a conference on the subject matter of said amendments, Representatives Yuen, Chairman; Kihano and Medeiros were appointed as Managers on the part of the House at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 1498-74** and the request for a conference on the subject matter of said amendments, Representatives Yuen, Chairman; Kihano and Yamada were appointed as Managers on the part of the House at such conference.

At 1:43 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 7:30 o'clock p.m. this evening.

EVENING SESSION

The House of Representatives reconvened at 7:55 o'clock p.m.

SENATE COMMUNICATION

A communication from the Senate (**Sen. Com. No. 424**) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to **House Bill No. 2067-74, H. D. 1** and the request for a conference on the subject matter of said amendments, Senators Brown, Chairman; Ushijima and Rohlfing were appointed as Managers on the part of the Senate at such conference, was read by the Clerk and was placed on file.

CONFERENCE COMMITTEE REPORTS

Representative Suwa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 3095-74, H. D. 1, S. D. 1**, presented a report (**Conf. Com. Rep. No. 8**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **H. B. No. 2455-74, H. D. 2, S. D. 1**, presented a report (**Conf. Com. Rep. No. 9**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Wakatsuki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 17, S. D. 2, H. D. 2**, presented a report (**Conf. Com. Rep. No. 10**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Young, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 10, S. D. 1, H. D. 3**, presented a report (**Conf. Com. Rep. No. 11**) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of **Conf. Com. Rep. Nos. 8** on **H. B. No. 3095-74, H. D. 1, S. D. 1**; **9** on **H. B. No. 2455-74, H. D. 2, S. D. 1**; **10** on **S. B. No. 17, S. D. 2, H. D. 2** and **11** on **S. B. No. 10, S. D. 1, H. D. 3**, as amended, was deferred until tomorrow, April 11, 1974, and in accordance with Article 111, Section 16, of the Constitution of the State of Hawaii, printed copies of **H. B. No. 3095-74, H. D. 1, S. D. 1, C. D. 1**; **H. B. No. 2455-74, H. D. 2, S. D. 1, C. D. 1**; **S. B. No. 17, S. D. 2, H. D. 2, C. D. 1** and **S. B. No. 10, S. D. 1, H. D. 3, C. D. 1** were made available to the members of the House at 4:45 o'clock p.m.

Representative Kondo, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 3094-74, H. D. 1, S. D. 1**, presented a report (**Conf. Com. Rep. No. 12**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Suwa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 1860-74, S. D. 1, H. D. 1**, presented a report (**Conf. Com. Rep. No. 13**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Young, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 2544-74, H. D. 1, S. D. 1**, presented a report (**Conf. Com. Rep. No. 14**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Wakatsuki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 2215-74, S. D. 1, H. D. 1**, presented a report (**Conf. Com. Rep. No. 15**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Suwa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 2747-74, H. D. 1, S. D. 1**, presented a report (**Conf. Com. Rep. No. 16**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Suwa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 2491-74, H. D. 1, S. D. 1**, presented a report (**Conf. Com. Rep. No. 17**) recommending to their respective Houses the final passage of the bill with certain amendments.

to their respective Houses the final passage of the bill with certain amendments.

Representative Suwa, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 2329-74, S. D. 1**, presented a report (**Conf. Com. Rep. No. 18**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Yuen, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 2100-74, S. D. 1, H. D. 1**, presented a report (**Conf. Com. Rep. No. 19**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Sakima, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 1536-74, S. D. 1, H. D. 2**, presented a report (**Conf. Com. Rep. No. 20**) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of **Conf. Com. Rep. Nos. 12** on **H. B. No. 3094-74, H. D. 1, S. D. 1**; **13** on **S. B. No. 1860-74, S. D. 1, H. D. 1**; **14** on **H. B. No. 2544-74, H. D. 1, S. D. 1**; **15** on **S. B. No. 2215-74, S. D. 1, H. D. 1**; **16** on **H. B. No. 2747-74, H. D. 1, S. D. 1**; **17** on **H. B. No. 2491-74, H. D. 1, S. D. 1**; **18** on **H. B. No. 2329-74, S. D. 1**; **19** on **S. B. No. 2100-74, S. D. 1, H. D. 1** and **20** on **S. B. No. 1536-74, S. D. 1, H. D. 2**, as amended, was deferred until tomorrow, April 11, 1974, and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **H. B. No. 3094-74, H. D. 1, S. D. 1, C. D. 1**; **S. B. No. 1860-74, S. D. 1, H. D. 1, C. D. 1**; **H. B. No. 2544-74, S. D. 1, H. D. 1, C. D. 1**; **S. B. No. 2215-74, S. D. 1, H. D. 1, C. D. 1**; **H. B. No. 2747-74, H. D. 1, S. D. 1, C. D. 1**; **H. B. No. 2491-74, H. D. 1, S. D. 1, C. D. 1**; **H. B. No. 2329-74, S. D. 1, C. D. 1**; **S. B. No. 2100-74, S. D. 1, H. D. 1, C. D. 1** and **S. B. No. 1536-74, S. D. 1, H. D. 2, C. D. 1** were made available to the members of the House at 5:15 o'clock p.m.

Representative Suwa, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 748, S. D. 2, H. D. 1**, presented a report (**Conf. Com. Rep. No. 21**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Kato, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 2428-74, H. D. 1, S. D. 2**, presented a report (**Conf. Com. Rep. No. 22**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Yuen, for the Committee on Conference on the disagreeing vote of the House

to the amendments proposed by the Senate to **S. B. No. 1498-74, H. D. 1**, presented a report (**Conf. Com. Rep. No. 23**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Sakima, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **S. B. No. 2024-74, S. D. 1, H. D. 1**, presented a report (**Conf. Com. Rep. No. 24**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Sakima, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 1387, H. D. 2, S. D. 1**, presented a report (**Conf. Com. Rep. No. 25**) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of **Conf. Com. Rep. Nos. 21** on **S. B. No. 748, S. D. 2, H. D. 1**; **22** on **H. B. No. 2428-74, H. D. 1, S. D. 2**; **23** on **S. B. 1498-74, H. D. 1**; **24** on **S. B. No. 2024-74, S. D. 1, H. D. 1** and **25** on **H. B. No. 1387, H. D. 2, S. D. 1** was deferred until tomorrow, April 11, 1974, and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **S. B. No. 748, S. D. 2, H. D. 1, C. D. 1**; **H. B. No. 2428-74, H. D. 1, S. D. 2, C. D. 1**; **S. B. No. 1498-74, H. D. 1, C. D. 1**; **2024-74, S. D. 1, H. D. 1, C. D. 1** and **H. B. No. 1387, H. D. 2, S. D. 1, C. D. 1** were made available to the members of the House at 5:50 o'clock p.m.

Representative Kunimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 2999-74, S. D. 1**, presented a report (**Conf. Com. Rep. No. 26**) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative King, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 2067-74, H. D. 1, S. D. 1**, presented a report (**Conf. Com. Rep. No. 27**) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of **Conf. Com. Rep. Nos. 26** on **H. B. No. 2999-74, S. D. 1** and **27** on **H. B. No. 2067-74, H. D. 1, S. D. 1** was deferred until tomorrow, April 11, 1974, and, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **H. B. No. 2999-74, S. D. 1, C. D. 1** and **H. B. No. 2067-74, H. D. 1, S. D. 1, C. D. 1** were made available to the members of the House at 6:40 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Suwa, for the Committee on

Finance, presented a report (**Stand. Com. Rep. No. 746-74**) recommending that **S. B. No. 1391-74, S. D. 2** pass Third Reading.

By unanimous consent, consideration of **Stand. Com. Rep. No. 746-74** on **S. B. No. 1391-74, S. D. 2** was deferred until tomorrow, April 11, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **S. B. No. 1391-74, S. D. 2** were made available to the members of the House at 6:25 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 747-74**) recommending that **S. B. No. 1408-74, S. 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 **S. B. No. 1408-74, S. D. 1** passed Second Reading and was placed on the calendar for Third Reading tomorrow, April 11, 1974.

The Chair directed the Clerk to note that printed copies of **S. B. No. 1408-74, S. D. 1** were made available to the members of the House at 6:25 o'clock p.m.

Representative Sakima, for the Committee on Higher Education, presented a report (**Stand. Com. Rep. No. 748-74**) recommending that **H. R. No. 424** be referred to the Committee on Education.

On motion by Representative Wasai, seconded by Representative Young and carried, the referral of **H. R. No. 424** to the Committee on Education was waived.

On motion by Representative Sakima, seconded by Representative Kondo and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the Committee, **H. R. No. 424** was adopted.

Representative Sakima, for the Committee on Higher Education, presented a report (**Stand. Com. Rep. No. 749-74**) recommending that **S. C. R. No. 14, S. D. 1** be referred to the Committee on Finance with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the referral of **S. C. R. No. 14, S. D. 1**, as amended, to the Committee on Finance was waived.

On motion by Representative Sakima, seconded by Representative Kondo and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the Committee, **S. C. R. No. 14, S. D. 1**, as amended, was adopted.

At 7:59 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 8:00 o'clock p.m., the House of Representatives reconvened.

Representative Iha, for the Committee on Transportation, presented a report (**Stand. Com. Rep. No. 750-74**) recommending that **H. R. No. 415** be referred to the Committee on Finance with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the referral of **H. R. No. 415**, as amended, to the Committee on Finance was waived.

At this time, Representative J. Garcia rose to speak in favor of the resolution as follows:

"The reason I rise to speak in favor of the resolution is to make the position of the minority very, very clear on this resolution. There were those of us who had reservations on this measure, but we have been assured by the Chairman of the Committee that our fears can be allayed because what we had in mind will not necessarily be the thing that will happen and the resolution is in good order."

Representative Iha then rose and stated:

"I would like to assure the members of this House that the resolution itself does not call for a witch-hunt. It is for a thorough look into the operations of the Harbors Division. If they did a little kokua and help, I think we should be willing to assist them in any way possible."

On motion by Representative Iha, seconded by Representative Nakama and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the Committee, **H. R. No. 415**, as amended, entitled: "House Resolution requesting the Office of the Legislative Auditor to conduct an investigation of the operations of the Harbors Division of the Department of Transportation, State of Hawaii," was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 751-74**) recommending that **H. R. No. 443** be referred to the Committee on Finance.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the referral of **H. R. No. 443** to the Committee on Finance was waived.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the Committee, **H. R. No. 443** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 752-74**) recommending that **H. C. R. No. 12** be

adopted with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. C. R. No. 12**, as amended, entitled: "House Concurrent Resolution requesting the Kohala Task Force to formulate proposals for measures to save Kohala Sugar Company and similarly troubled agricultural enterprises," was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 753-74**) recommending that **H. C. R. No. 45** be adopted with certain amendments.

On motion by Representative Suwa, seconded by Representatives Akizaki and carried, the report of the Committee was adopted and **H. C. R. No. 45**, as amended, entitled: "House Concurrent Resolution requesting the appointment of a Legislative Interim Housing Committee," was adopted.

At 8:02 o'clock p.m., on request by Representative Kondo, the Chair declared a recess, subject to the call of the Chair.

At 8:03 o'clock p.m., the House of Representatives reconvened.

Representative Akizaki, for the Joint Committees on Legislative Management and Finance, presented a report (**Stand. Com. Rep. No. 754-74**) recommending that **H. C. R. No. 31** be adopted.

On motion by Representative Akizaki, seconded by Representative Suwa and carried, the report of the Committees was adopted and **H. C. R. No. 31** was adopted.

At 8:05 o'clock p.m., on request by Representative Kimura, the Chair declared a recess, subject to the call of the Chair.

At 8:09 o'clock p.m., the House of Representatives reconvened.

CONFERENCE COMMITTEE REPORT

Representative Yap, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **H. B. No. 2480-74**, **H. D. 2**, **S. D. 2**, presented a report (**Conf. Com. Rep. No. 28**) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of **Conf. Com. Rep. No. 28** on **H. B. No. 2480**, as amended, was deferred until tomorrow, April 11, 1974, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of **H. B. No. 2480-74**, **H. D. 2**, **S. D. 2**, **C. D. 1** were made available to the members of the House at 8:05 o'clock p.m.

THIRD READING

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

S. B. No. 1262

On motion by Representative Wasai, seconded by Representative Young, **S. B. No. 1262** passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Cobb, Kishinami and Uechi being excused.

S. B. No. 1565-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 1565-74** passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Cobb, Kishinami and Uechi being excused.

S. B. No. 2152-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 2152-74** passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Cobb, Kishinami and Uechi being excused.

S. B. No. 2051-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 2051-74** passed Third Reading by a vote of 45 ayes to 2 noes, with Representatives King and Roehrig voting no and Representatives Carroll, Cobb, Kishinami and Uechi being excused.

S. B. No. 1981-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 1981-74** passed Third Reading by a vote of 47 ayes, with Representatives Carroll, Cobb, Kishinami and Uechi being excused.

S. B. No. 1907-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 1907-74** passed Third Reading by a vote of 46 ayes to 1 no, with Representative R. Garcia voting no and Representatives Carroll, Cobb, Kishinami and Uechi being excused.

S. B. No. 1422-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 1422-74** passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Uechi being excused.

S. B. No. 2200-74

On motion by Representative Wakatsuki, seconded by Representative Kato, **S. B. No. 2200-74**

passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Uechi being excused.

The Chair directed the Clerk to note that S. B. Nos. 1262, 1565-74, 2152-74, 2051-74, 1981-74, 1907-74, 1422-74 and 2200-74 had passed Third Reading not earlier than 8:10 o'clock p.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 736-74 on S. B. No. 1789-74, deferred from April 9, 1974:

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. B. No. 1789-74, having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Carroll and Uechi being excused.

The Chair directed the Clerk to note that S. B. No. 1789-74 had passed Third Reading at 8:14 o'clock p.m.

Conf. Com. Rep. No. 3 on H. B. No. 2538-74, as amended, deferred from April 9, 1974:

On motion by Representative Roehrig, seconded by Representative Kondo and carried, the report of the Committee was adopted and H. B. No. 2538-74, as amended, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Carroll and Uechi being excused.

Conf. Com. Rep. No. 4 on H. B. No. 2941-74, as amended, deferred from April 9, 1974:

On motion by Representative Roehrig, seconded by Representative Kondo and carried, the report of the Committee was adopted and H. B. No. 2941-74, as amended, having been read throughout, passed Final Reading by a vote of 49 ayes, with Representatives Carroll and Uechi being excused.

Conf. Com. Rep. No. 5 on S. B. No. 1944-74, as amended, deferred from April 9, 1974:

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the report of the Committee was adopted and S. B. No. 1944-74, as amended, having been read throughout, passed Final 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. 2538-74 and 2941-74 and S. B. No. 1944-74 had passed Final Reading not earlier than 8:15 o'clock p.m.

DISPOSITION OF MATTERS PLACED ON CLERK'S DESK

By unanimous consent, H. B. No. 2456-74, as amended by the Senate, was taken from the

Clerk's desk.

Representative Lunasco moved that the House agree to the amendments proposed by the Senate to H. B. No. 2456-74, and H. B. No. 2456-74, as amended, having been read throughout, pass Final Reading, seconded by Representative Takamine.

Representative Lunasco then explained the amendments as follows:

"Mr. Speaker, technical amendments were made to the bill on page 1, Section 142-66 on public roads and lands. The Senate underscored the four words and also on page 2, Section 142-70, expenses, driving, etc. were underscored."

The motion was put by the Chair and carried, and H. B. No. 2456-74, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

By unanimous consent, H. B. No. 41, H. D. 2, was taken from the Clerk's desk.

Representative Yap moved that H. B. No. 41, H. D. 2, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the bill as follows:

"This bill relates to consumer complaints to provide for complaints by consumers against persons licensed or regulated by government boards."

The motion was put by the Chair and carried, and H. B. No. 41, H. D. 2, passed Final Reading by a vote of 50 ayes, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, with Representative Uechi being excused.

By unanimous consent, H. B. No. 708, H. D. 2, as amended by the Senate, was taken from the Clerk's desk.

Representative Yap moved that the House agree to the amendments proposed by the Senate to H. B. No. 708, H. D. 2, and H. B. No. 708, H. D. 2, as amended, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the amendments as follows:

"This bill provides that a person suspected of violating consumer protection laws may give written assurance of voluntary compliance. The consumer who accepts and receives full restitution is barred from bringing any further action. Such written assurance and compliance is not an admission of violation."

The motion was put by the Chair and carried, and **H. B. No. 708, H. D. 2**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

By unanimous consent, **H. B. No. 135, H. D. 2**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Yap, seconded by Representative Yuen and carried, the House agreed to the amendments proposed by the Senate to **H. B. No. 135, H. D. 2**, and **H. B. No. 135, H. D. 2**, as amended, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

By unanimous consent, **H. B. No. 1562**, as amended by the Senate, was taken from the Clerk's desk.

Representative Yap moved that the House agree to the amendments proposed by the Senate to **H. B. No. 1562**, and **H. B. No. 1562**, as amended, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the amendments as follows:

"This bill permits the Office of Consumer Protection to contract with other public or non-profit agencies for the performance of any of the office function except those functions relating to enforcement of rules and regulations. The Senate made three minor technical changes to the bill."

The motion was put by the Chair and carried, and **H. B. No. 1562**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

By unanimous consent, **H. B. No. 2073-74**, as amended by the Senate, was taken from the Clerk's desk.

Representative Yap moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2073-74**, and **H. B. No. 2073-74**, as amended, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the amendments as follows:

"**H. B. No. 2073-74**, as amended, relates to motor vehicle safety.

Mr. Speaker, this bill calls for a six months' safety check on U-Drive vehicles. The Senate amended the bill to add the definition of 'rental of U-Drive motor vehicle.'"

The motion was put by the Chair and carried, and **H. B. No. 2073-74**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

By unanimous consent, **H. B. No. 2245-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Yap moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2245-74, H. D. 1**, and **H. B. No. 2245-74, H. D. 1**, as amended, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the amendments as follows:

"Mr. Speaker, the Senate amended the provisions which make it unlawful to receive or use information relating to insurance furnished illegally by lending institutions. We deleted that portion and the Senate put it right back in."

The motion was put by the Chair and carried, and **H. B. No. 2245-74, H. D. 1**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

By unanimous consent, **H. B. No. 2436-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Yap moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2436-74, H. D. 1**, and **H. B. No. 2436-74, H. D. 1**, as amended, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the amendments as follows:

"This bill relates to special tax exemption. The House went upwards of .8% to 1.5%. The Senate reverted back to .5% and also added a provision to reduce the property tax exemption of utilities in proportion to the gross income from sales."

The motion was put by the Chair and carried, and **H. B. No. 2436-74, H. D. 1**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

By unanimous consent, **H. B. No. 2589-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Yap moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2589-74, H. D. 1**, and **H. B. No. 2589-74, H. D. 1**, as amended, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the amendments as follows:

"In the past, activities of unlicensed contractors have caused many problems to the consumers of this State. This measure tends to eliminate or reduce these problems. The Senate amended the bill in two respects:

1. Owners of the land who rent dwelling units to their employees are exempted from Chapter 444, Hawaii Revised Statutes. In other words, these owners need not be licensed contractors. This is found on page 5, lines 13 and 14.

2. The Senate version provides an investigator to be hired by the Department of Regulatory Agencies while the House does not."

The motion was put by the Chair and carried, and **H. B. No. 2589-74, H. D. 1**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

By unanimous consent, **H. B. No. 2681-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Yap moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2681-74, H. D. 1**, and **H. B. No. 2681-74, H. D. 1**, as amended, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the amendments as follows:

"The Senate deleted the House provision which requires additional thirty days' notice when takeover involves an unregulated company."

The motion was put by the Chair and carried, and **H. B. No. 2681-74, H. D. 1**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

The Chair directed the Clerk to note that **H. B. Nos. 2456-74 and 41** had passed Final Reading at 8:17 o'clock p.m.; **H. B. No. 708** at 8:19 o'clock p.m.; **H. B. Nos. 135 and 1562** at 8:20 o'clock p.m.; **H. B. No. 2073-74** at 8:21 o'clock p.m.; **H. B. No. 2245-74** at 8:24 o'clock p.m.; **H. B. No. 2589-74** at 8:25 o'clock p.m. and **H. B. No. 2681-74** at 8:26 o'clock p.m.

At 8:27 o'clock p.m., on request by Representative Kunimura, the Chair declared a recess, subject to the call of the Chair.

At 8:28 o'clock p.m., the House of Representatives reconvened.

By unanimous consent, **H. B. No. 2682-74, H. D. 3**, as amended by the Senate, was taken from the Clerk's desk.

Representative Yap moved that the House agree

to the amendments proposed by the Senate to **H. B. No. 2682-74, H. D. 3**, and **H. B. No. 2682-74, H. D. 3**, as amended, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the amendments as follows:

"**H. B. No. 2682-74** relates to mechanics and materialmen's liens.

Mr. Speaker, this bill takes away the lien rights of suppliers who furnish material to unlicensed contractors or who unreasonably advance credit. It also takes away the lien rights of a licensed or unlicensed contractor who subcontracts with an unlicensed contractor. The Senate provides that the bill applies only to real property. The House version states that it applies to building and improvements on real property primarily zoned for residential use. The Senate had narrowed down to provide that the bill applies only to real property with existing dwelling. That's where all the swimming pools and carports have been in the news because of the unlicensed contractors."

The motion was put by the Chair and carried, and **H. B. No. 2682-74, H. D. 3**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

By unanimous consent, **H. B. No. 2888-74, H. D. 2**, as amended by the Senate, was taken from the Clerk's desk.

Representative Yap moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2888-74, H. D. 2**, and **H. B. No. 2888-74, H. D. 2**, as amended, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the amendments as follows:

"Mr. Speaker, this bill makes several changes in the Landlord/Tenant Code. The Senate differed with the House in the disposition of abandoned property of the tenant. **H. D. 2** provides that the landlord may store property at lessee's expense or rent at lessee's expense. **Senate Draft 1** provides that the landlord may sell such property after thirty days and the proceeds are kept for thirty days and thereafter forfeited to the landlord."

The motion was put by the Chair and carried, and **H. B. No. 2888-74, H. D. 2**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

By unanimous consent, **H. B. No. 2900-74, H. D. 1**, as amended by the Senate, was taken from

the Clerk's desk.

Representative Yap moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2900-74, H. D. 1, and H. B. No. 2900-74, H. D. 1**, as amended, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the amendments as follows:

"Mr. Speaker, this bill provides for the regulation of speech pathologists and audiologists. The Senate made the following changes in **House Draft 1**:

1. Exempt all persons employed by federal, state or county agencies so long as practice is confined within their public duty. The House exempts only persons with DOE certification and did not exempt University of Hawaii and other affected employees.

2. Instead of listing specific academic credit courses, the Senate substituted as one of the license requirements for the applicant to submit evidence showing completion of American Speech and Hearing Association course of study, the reason being that the curriculum may change from time to time.

3. The Senate made another change in the effective date, from January 1, 1974 to January 1, 1975.

All other changes are technical changes."

The motion was put by the Chair and carried, and **H. B. No. 2900-74, H. D. 1**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

By unanimous consent, **H. B. No. 2968-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Yap moved that the House agree to the amendments proposed by the Senate to **H. B. No. 2968-74, H. D. 1, and H. B. No. 2968-74, H. D. 1**, as amended, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the amendments as follows:

"Mr. Speaker, **H. B. No. 2968-74** relates to automatic elevators.

The purpose of **H. B. No. 2968-74** is to add a fire safety requirement to automatic elevators by requiring that at least one elevator in the building of five floors or more be equipped with heat and smoke sensing devices. The Senate amended the bill by providing that all elevators must meet all safety requirements."

The motion was put by the Chair and carried, and **H. B. No. 2968-74, H. D. 1**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

By unanimous consent, **H. B. No. 3051-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Yap moved that the House agree to the amendments proposed by the Senate to **H. B. No. 3051-74, H. D. 1, and H. B. No. 3051-74, H. D. 1**, as amended, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the amendments as follows:

"Mr. Speaker, the purpose of this bill is to remedy inconsistencies between Chapter 476, Hawaii Revised Statutes, and a federal law of regulation. Chapter 476 deals with retail installment sales."

The motion was put by the Chair and carried, and **H. B. No. 3051-74, H. D. 1**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

The Chair directed the Clerk to note that **H. B. No. 2682-74** had passed Final Reading at 8:30 o'clock p.m.; **H. B. No. 2888-74** at 8:31 o'clock p.m.; **H. B. No. 2900-74** at 8:33 o'clock p.m. and **H. B. Nos. 2968-74 and 3051-74** at 8:35 o'clock p.m.

At 8:36 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 8:49 o'clock p.m., the House of Representatives reconvened.

At this time, Representative Yap rose and thanked the members of the Consumer Protection Committee for their hard work despite their many disagreements.

Representative J. Garcia then rose and stated:

"Frankly, I don't know what kind of gasoline Representative Kunimura fed Representative Yap a while back, but on behalf of the minority, I do want to congratulate the Chairman of the Committee on Consumer Protection for a job well done.

As you know, he issued a memorandum to all House members in which every one of the amendments he mentioned tonight were contained in full in this report. The memorandum was issued in sufficient time for all members of the House to study the proposed amendments and you will note that that was one of the reasons why the minority was able to expedite the business without any interruptions.

Congratulations, Representative Yap, for a job well done."

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

"I remember when Mr. Yap came to this House and we thought Mr. Yap, coming from Kalihi Valley, would take the Printing Committee, but I would like to say he surprised all of us. He has come the longest way in this very short time.

Thank you, Mr. Speaker."

By unanimous consent, **H. B. No. 1931, H. D. 2**, as amended by the Senate, was taken from the Clerk's desk.

Representative Young moved that the House agree to the amendments proposed by the Senate to **H. B. No. 1931, H. D. 2**, and **H. B. No. 1931, H. D. 2**, having been read throughout, pass Final Reading, seconded by Representative Kunimura.

Representative Young then explained that the Senate amended the bill by consolidating two paragraphs into one.

The motion was put by the Chair and carried, and **H. B. No. 1931, H. D. 2**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

The Chair directed the Clerk to note that **H. B. No. 1931** has passed Final Reading at 8:56 o'clock p.m.

Representative Suwa, at this time, gave notice of his intention to agree with the amendments proposed by the Senate to **H. B. No. 2375-74, H. D. 1**.

Representative Suwa then explained the Senate amendments as follows:

"**H. B. No. 2375-74, H. D. 1, S. D. 1** relates to compensation of certain persons under the Criminal Injuries Compensation Act. The Senate amended page 2, line 7, adding the mother of Tanya Botelho, a minor. On page 3, the Senate added the word 'Junior' after Lamont Dahlquist."

Representative Sakima then rose and gave notice of his intention to agree with the Senate amendments to **H. B. No. 1378, H. D. 1**.

At 9:00 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 9:03 o'clock p.m., the House of Representatives reconvened.

By unanimous consent, **H. B. No. 498, H. D. 2**, as amended by the Senate, was taken from the Clerk's desk.

Representative Wasai moved that the House

agree to the amendments proposed by the Senate to **H. B. No. 498, H. D. 2**, and **H. B. No. 498, H. D. 2**, as amended, having been read throughout, pass Final Reading, seconded by Representative Young.

Representative Wasai then explained the amendments as follows:

"Mr. Speaker, this is a good bill. It calls for interim retention of a number of vice principals to their respective schools."

The motion was put by the Chair and carried, and **H. B. No. 498, H. D. 2**, as amended, passed Final Reading by a vote of 50 ayes, with Representative Uechi being excused.

By unanimous consent, **H. B. No. 645** was taken from the Clerk's desk.

Representative Kato then rose and stated:

"This bill passed the House on the recommendation of the then Health Committee Chairman, Representative Wong. It was referred back to me this session and I yield to Representative R. Garcia, the introducer of the measure."

Representative R. Garcia then stated:

"Mr. Speaker, **H. B. No. 645 (1973)** relating to tort actions and liability is commonly called the 'Good Samaritan Bill.'"

This bill seeks to clarify **H. R. S. 663** by defining the extent of liability for rescue and emergency teams. One example is that if Representative Kunimura is injured and I applied first-aid and he dies, his family can sue me. This is a good bill, Mr. Speaker, and I urge all members to vote 'aye'."

The motion was put by the Chair and carried, and **H. B. No. 645** passed Final Reading by a vote of 50 ayes, in accordance with Article III, Section 16 of the Constitution of the State of Hawaii, with Representative Uechi being excused.

The Chair directed the Clerk to note that **H. B. Nos. 498 and 645** has passed Final Reading not earlier than 9:05 o'clock p.m.

At 9:06 o'clock p.m., on motion by Representative Soares, the Chair declared a recess, subject to the call of the Chair.

At 9:56 o'clock p.m., the House of Representatives reconvened.

ADJOURNMENT

At 9:57 o'clock p.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, April 11, 1974.

SIXTIETH DAY

Thursday, April 11, 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 The Reverend Charles M. C. Kwock, Pastor of First Chinese Church, after which the Roll was called showing all members present.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 425 to 431) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 425) informing the House that the Senate had reconsidered its action taken on April 8, 1974, in disagreeing to the amendments made by the House to Senate Bill No. 1450-74, S. D. 2 and that said bill passed Final Reading in the Senate on April 10, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 426) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 14, S. D. 1 was this day adopted by the Senate; and Senate Bill No. 14, S. D. 1, H. D. 2, C. D. 1 passed Final Reading in the Senate on April 10, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 427) transmitting Senate Concurrent Resolution No. 36, S. D. 1 requesting the Governor to appoint a temporary advisory council on the hearing impaired which was adopted by the Senate on April 10, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 428) transmitting Senate Concurrent Resolution No. 55 requesting the Office of the Legislative Reference Bureau to study the question of privileged communication as it applies to outreach counselors, social workers, and other professionals who play an advocate role on behalf of their clientele which was adopted by the Senate on April 10, 1974 was placed on file.

A communication from the Senate (Sen. Com. No. 429) transmitting Senate Concurrent Resolution No. 56 commemorating May 1, 1974 as Law Day U.S. A. and April 29 through May 3, 1974 as Law Week which was adopted by the Senate on April 10, 1974, was placed on file.

A communication from the Senate (Sen. Com.

No. 430) transmitting Senate Concurrent Resolution No. 57 commending the auto manufacturers for conducting auto repair training seminars in Hawaii which was adopted by the Senate on April 10, 1974, was placed on file.

A communication from the Senate (Sen. Com. No. 431) transmitting Senate Concurrent Resolution No. 59 relating to the report on the final compensation plan and the cost thereof which was adopted by the Senate on April 10, 1974, was placed on file.

By unanimous consent, further action on S. C. R. Nos. 36, 55, 56, 57 and 59 was deferred until later on the calendar.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS

The following concurrent resolutions (H. C. R. Nos. 74 and 75) were read by the Clerk and were disposed of as follows:

A concurrent resolution (H. C. R. No. 74) calling a joint session of the Legislature for the purpose of appointing an auditor was offered by Representative Beppu.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, H. C. R. No. 74 was adopted.

A concurrent resolution (H. C. R. No. 75) calling a joint session of the Legislature for the purpose of appointing a director for the Office of the Legislative Reference Bureau was offered by Representative Beppu.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, H. C. R. No. 75 was adopted.

At 11:07 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

At 11:28 o'clock a.m., the House of Representatives met in joint session with the Senate, pursuant to H. C. R. Nos. 74 and 75 for the purpose of appointing a legislative auditor and a director for the Office of the Legislative Reference Bureau.

At this time, the Speaker introduced to the members of the Seventh Legislature The Honorable Governor John Burns:

"It's a rare honor that we have with us this morning a man who has done so much for the people of this State, not only as a Governor and as a delegate to the Congress of the United States, but as a citizen. It gives me great honor and privilege this morning to introduce to you The Honorable John A. Burns, the Governor of the State of Hawaii. Mr. Governor..."

At this time, Governor Burns addressed the members of the Seventh Legislature as follows:

"Thank you very much, Mr. Speaker, Mr. President, Honorable Members of the House and of the Senate, Mr. Lt. Governor, Mr. Chief Justice, distinguished guests, my fellow citizens:

Aloha, aloha nui kakou. Mahalo. I wanted to come today to talk to you before this session ended. Really what I wanted to do was to come here and tell you what great legislators you all are. Because sometimes, as you go through your session and you talk to your people and you do your work, you sort of wonder your dreams and your ideals don't quite meet up with the actions that you take. And you sort of get a little lack of confidence. But really, there is no state, no nation that has as great a Legislature as the State of Hawaii. And I say that with due knowledge of other legislatures, because I have served in another one as you know.

But I can't just do that and come in and say what a great people you are, what a great privilege it's been over the last twelve years to serve with you and some who have gone on to other places, what a great job you've done for the people of the State of Hawaii and for the world, really, because you're offering them an example. But I can't just do that. You got to add a little more formality than that, so I got to have it all written out.

So it is with a mixture of joy and sadness that I approach this occasion, in joining you as another memorable session of our Legislature comes to a close. I deeply appreciate the opportunity that you presented me to use this forum for a special message—a message of Mahalo and a message of Aloha.

A full measure of joy fills my heart in the knowledge that we have shared for many years an intimate working relationship and mutual respect in our common endeavors to attain those goals and objectives for which the people of Hawaii have expressed a desire, or have an inherent aspiration and will for us to do for them. No words can express the warmth of the bonds that I share with you.

On the other hand, I am saddened in the thought that this is likely to be the last opportunity I will have for joining with you in a communion of spirit and dedication on behalf of the people that we represent. I shall miss the comradeship we have shared for so long.

In looking over our association, however, I see no cause for any regrets. The years past have been fruitful and productive. The decisions arrived here at these halls have enriched the lives of the people of this State.

Notwithstanding the ever-present second-guessers and critics, you have every right to be proud of the consequences of your deliberations in shaping public policy, as is your responsibility.

As that great American, Governor Al Smith, once said: 'Let's look at the record when you really want to find out.' The record you have constructed is an outstanding record, indeed. Each of you and your predecessor legislatures can take justifiable pride in a decade of solid and meaningful progress. Our educational, social, economic and political institutions are no longer acceptable only to a select class of people. They have flourished so that equal opportunity for advancement is open to all who have the initiative to develop themselves and to use their God-given talents and abilities.

The record to which you have contributed is an outstanding one because we have outstanding men and women participate in the making of the record. It is yours to claim as a measure of your own success in public service.

Whatever the achievements of this Administration and the Executive, such attainments are not to the personal credit of Jack Burns. As Governor, I have been the instrument through which the hopes and aspirations of our people have been expressed. As Governor, it has been my duty to execute those policies and programs which you of the Legislature have adopted for the sake of Hawaii's people and for their continued advancement and well-being. That I personally share your commitment to public progress has only made my responsibilities the more pleasant and welcome a task.

The co-equality of the legislative branches of government, as well as the Judiciary, is a principle to be respected and honored if our system is to endure.

The improvements we seek are incremental; they do not flower overnight. They are attained through diligent pursuit of the common good. Thus, hope and optimism are essential in bringing about change for the better. We erode the human spirit and human initiative by endless negativism and by constant rhetoric of despair; we destroy them entirely by succumbing to dictatorial fiat.

The many achievements in which we share have been the product of a continuing spirit of cooperation, and I am grateful for the opportunity that you have given me to work in concert with you of the Legislature.

Looking back over the years of this Administration and trying to summarize all my thoughts and emotions about Hawaii, I return again and again to one decision of our

State Legislature that is symbolic of all that Hawaii is and all that Hawaii desires to be. And this was your decision a few years ago to designate Kamehameha the Great and Father Damien of Molokai as worthy representatives of these Islands for enshrinement in our Nation's Capitol.

In one, you chose a noble Polynesian alii, gifted in leadership, in war and peace, a contemporary of George Washington, and a representative of the deepest ethnic and cultural roots of our mid-Pacific Island society.

In the other, you selected an alien from a foreign land, a missionary teacher and a voluntary servant of the poorest and most neglected of the Hawaiian people.

In this action, Hawaii's Legislature demonstrated its greatness and its deepest understanding of our history, our culture, our people, our ideals, our yearnings and our aspirations.

Kamehameha and Damien tell the whole story of Hawaii. They stand as shining inspirations. They have taught us that leadership means service to others. They have given us the greatest goals that we have to serve. For me, it has been a rare privilege to be in public service during a period so vital and formative in our State's young history. You have made those years exciting and dynamic, and I would be tempted to savor more of the future with you. But, in the words of Ecclesiastes, 'For everything there is a season and a time for every matter under heaven.'

God willing, I will, of course, serve out the final months of this, my third and last term as your Governor. I shall do so in the same spirit which guided my actions from the time I first took office on December 3, 1962.

We still have some eight months ahead of us to continue with the work of this Administration and to implement those laws that you have passed and will pass in this fine session and great Legislature. I want to reassure you that my decision to retire later in this year in no way means that we will have a 'caretaker government' for the balance of this term.

On the contrary, we will approach our executive responsibilities, as we have in the past, with our total energies and resources. We will continue to apply the full range of our imagination, our initiative and our industry in carrying out those policies which you determine through your forum as the policies of the State of Hawaii to be guided by.

I want to further assure you that my door will always remain open to each one of you for consultation and discussion on matters of

concern to you, or on matters of mutual concern. It is through this interchange, by working together cooperatively, that we have attained our progress to date, and I look forward to meeting with you in the months ahead.

At the time of the death of one of our Nation's greatest leaders, Walter Lippmann observed, in writing of President Franklin Delano Roosevelt: 'The final test of a leader is that he leaves behind him in other men and women the conviction and the will to carry on.'

I mean no self-serving interest in citing this observation. I repeat it only to remind you of your own future challenges.

In my maiden address before the Congress as your Delegate in 1957, I called attention to the desire of Hawaii's people for equal treatment under the laws of our Nation, and their deep-seated hopes to shape their own destiny. I further suggested that the people of Hawaii, by means of their harmonious understanding of the cultures of the East and West, had much to offer the Nation as citizens of a sovereign state.

That this has been proven true, that Hawaii is regarded and envied as the dream of all other societies, is my proudest claim to any degree of prophecy.

Indeed, we are one people. We are one people; we are one State. Therein lies the secret to our successes.

There are in these very halls, as there are among thousands of young men and women in our universities and in our community college campuses, in classrooms from Hanalei to South Point, any number of individuals who possess the measure for greatness and the potential for greatness and for future outstanding leadership in our State, for service in the tradition of Kamehameha and Damien.

Let us not forget that in human endeavor nothing is beyond reach.

Your own outstanding record provides motivation for each of you to continue striving for ever higher goals, to continue dreaming the impossible dream, to pursue what is unattainable today, but is tomorrow's reality.

Mindful of your own capabilities, your dedication and your resolve, I am comforted in my conviction that, whatever the future holds, you of Hawaii's Legislature, the finest in the Nation, can successfully meet any challenge, with honor and with integrity.

With no regrets, with an unclouded con-

science, and with the knowledge that we have done our best within our limited abilities, I shall leave this office in due time; I shall leave enriched with the countless new and cherished friendships, with nothing but warm memories of years of mutual toil toward noble ends, and with a deep and abiding love for the people in whose cause we have sought a life of public service.

To each of you, I extend my deepest thanks for your helpful cooperation. I extend to you my best wishes for continued success and achievement. Mahalo, Aloha, God bless you."

President McClung then stated the following:

"Governor Burns, there are many good people in the world; as a matter of fact, most people are good people. I have met some and I have read of others. There is none that have crossed my path and my life who has more compassion, more energy, more dedication, more integrity, more courage than you, Governor Burns. God bless you. I am sure that every member of this joint session would like to rise and make a few remarks. I would rather, at this moment, if I may, call on the Majority and Minority leaders of each House for a brief remark. I will start with the Senate Majority Leader, Senator Donald Ching."

Senator Ching then stated the following:

"Mr. Governor, Mr. Lt. Governor, Mr. Speaker, Mr. President, members of this Honorable Body, honored guests, friends all:

I did not know that I was going to be called to say anything this morning. I am sure that I speak for my 24 colleagues in the Senate when I say that whoever of us that are going to be back in January of 1975, it's going to be a completely different ball game. It's not going to be the same without the 'Great White Father' up on the fifth floor. We're going to miss you, Jack. Godspeed to you in your future. Thank you."

Representative Soares then stated the following:

"Thank you, Mr. President, Governor Burns, leaders, Chief Justice, Lt. Governor:

God, this is tough, but a rare honor for me this morning for one who's had a very secret love for a wonderful man, Governor John A. Burns. As a Minority of this House, I want to extend to you, on behalf of my colleagues, a warm appreciation for some well-read lessons and a warm appreciation to God for allowing us to serve with an outstanding Governor and allowing us to be a part of Hawaii's great, great heritage and, hopefully, setting the pace for Hawaii's great future. Governor Burns, we thank you from the bottom of our hearts

for your tremendous compassion and your tremendous ability to make us all love you from the bottom of our hearts. I thank you personally, because I think the greatest man I have ever met is Governor John A. Burns. Thank you."

Representative O'Connor rose and stated the following:

"Governor Burns, fellow legislators, distinguished guests, friends:

The door of the Governor's office has always been open to all of us. And I know I speak for everyone in the Majority of the House when I say that his calm, capable, dispassionate advice has more than anything else helped to shape some of the major laws that people who have worked with those laws and have had to do over the past twelve years. Governor Burns has been the advisor, the father confessor, the person who has given all of us more strength, more courage and more sound, sane, logical advice than anyone else in this State during the time that he has served as our Governor. It will be awfully difficult for some of us to function as capable legislators in the future without his kind and very stable hand and mind to go to in time of need. I know I speak for everyone in the Majority of the House and for all my fellow legislators when I say, Governor, that we will certainly miss you and I certainly say thank you for everything you've done for us. Thank you very much."

Senator Yee then stated the following:

"I am pleased to express the opportunity of the Republican Senators at this time to honor a great man who is before us and who is expiring his term of office after twelve years of dedicated service. As a Republican and member of the other side of the party, I'd like to say that I have never found a man with greater passion, not only for the people, but for the entire State. He never pitted one side of the community against the other. He brought opposing forces together for the good of the people and the good of the State. And because of this kind of compassion of what he has recently talked about—King Kamehameha and Father Damien—during his twelve years of leadership, he has brought great progress to the State of Hawaii. Every one of us today is enjoying the fruits of his leadership. We will miss him because he's been fair, he's been honest, dedicated and a person with great integrity. John, we wish you well. And we hope that the rest of your term will be a successful one and you have many years to live with us. Thank you."

President McClung then stated:

"Governor, there aren't enough words in any dictionary that could appropriately

describe how I think you understand the members of this Legislature feel about you. I would ask that you extend to the most beautiful and charming First Lady of the State, Bea, as we like to call her, our fondest as well. Governor, thank you so kindly."

President McClung then introduced to the members of the Joint Session Chief Justice William Shaw Richardson who addressed the members of the Seventh Legislature as follows:

"Mr. President, Mr. Speaker, Mr. Governor, Mr. Lt. Governor:

I have noted this morning that when one has so much to say that one cannot say it. I have that problem at the moment. I noted that some of the previous speakers had the same problem. Perhaps there is an answer to that and that is, because of the person you have honored this morning. As you know, it has been my privilege to work with the one you honor. As a matter of fact, it was my privilege to take office with him on the day that he took office as Governor of this State. As I said, I have so much to say, but I find that I cannot say it. Perhaps it is his desire, as he put it, that what he would like best for us to do is to carry out the traditions that he seems to have instilled in all of us. The Judiciary of this State is charged with bringing justice to the people of this State, and there is no man that I know of that has been of greater assistance to the Judiciary of this State in bringing that justice. That is sometimes hard to recognize and hard to achieve as Governor John A. Burns. I want to say thank you to him, and I want to say thanks to those of you in this great body—the Body that I have the greatest respect for, the Body that in the course of my work I look to for guidance. I look through its journals to find the answers that I think are necessary to bring justice to the people of this State. And, at this time, the Judiciary thanks you, Governor Burns, thanks Mrs. Burns for all that you have done for this State. Thank you."

President McClung then introduced to the members of the Legislature, The Honorable Lt. Governor George Ariyoshi who addressed the members of the Legislature as follows:

"Mr. Governor, Mr. President, Mr. Speaker, Mr. Chief Justice and members of the Legislature, Ladies and Gentlemen:

All of us are very intimately familiar with the ability of Governor Burns, the leadership and the foresight of this great man as a statesman in our community. And there are some who know more about the Governor and refer to him as the 'Old Stone Face'—an impression in the minds of many of our people that the Governor is a very cold person.

During the three and a half years that I have had a chance to work very intimately with Governor Burns, I have come to know the other side of Governor Burns much better and more intimately than I had known him before serving together with him in the Executive Branch. I have learned to respect him, even more so than his accomplishments in the political arena, as a warm, decent human being. And as one who knows—the Governor knows—how close I was to my dad, I think that the greatest tribute that I can pay to Governor Burns is to say to him that had he been my father, I would have been very proud. Aloha."

At 11:59 o'clock a.m., the joint session stood in recess, subject to the call of the Chair.

At 12:10 o'clock p.m., the joint session of the Seventh Legislature reconvened.

At this time, Speaker Beppu stated:

"This morning we're here for the purpose of appointing the Legislative Auditor and the director of the Legislative Reference Bureau, pursuant to Article 6, Section 7 of the Constitution of the State of Hawaii, by a majority vote of each House—the House of Representatives and the Senate. The votes shall be recorded separately. Nominations are now in order for the position of Legislative Auditor."

The Speaker here recognized Representative Suwa, who stated the following:

"Mr. Speaker, Mr. President, members of the Legislature meeting in joint session:

It is with honor and with pleasure that I place in nomination a person of distinguished credentials for the position of Legislative Auditor for the State of Hawaii. This is a position established by the State Constitution. It calls for a person who must have unimpeachable judgment, who is fearless and impartial, who knows that the public trust is his trust and who has the confidence and the support of the Legislature. In the years since 1965, when the Legislative Auditor and his office were established I believe that the Legislature has become stronger. And I believe that it is so because the Auditor and his office have served us well. Not only have we come to realize this, but in the few years, the Auditor has developed his office in the support of the Legislature, it has come to be recognized as being one of the most effective auditing agencies in the entire nation. In two successive years, the National Conference of State Legislative Leaders has honored this Legislature for having commissioned the best legislative report in the country. Those reports were the reports of our Legislative Auditor. For having served as the first Legislative Auditor for the State of Hawaii,

for having demonstrated that auditing can provide effective support to the Legislature, for having developed his office into an objective, professional and impartial office, for having earned the trust of the Legislature and the public, for having distinguished himself in the service of our State, it is with pleasure and with honor that I nominate for the position of Legislative Auditor for the State of Hawaii, our present Legislative Auditor, Clinton T. Tanimura."

Senator Taira here moved that nominations be closed, seconded by Senator Anderson and carried.

The motion to appoint Clinton T. Tanimura as the Legislative Auditor for the State of Hawaii was put by the Speaker and was carried by a roll call vote of 51 ayes.

The President put the motion to the members of the Senate, which was carried by a roll call vote of 25 ayes.

The votes being so cast, Clinton T. Tanimura was declared unanimously elected as the Legislative Auditor of the State of Hawaii.

President McClung here appointed Senators Yoshinaga and Yee and Representatives Akizaki and Soares to escort Mr. Clinton T. Tanimura to the rostrum, whereupon Mr. Tanimura addressed the members of the Legislature as follows:

"Mr. Speaker, Honorable members of the Legislature:

I just wanted to take this opportunity to thank you for the vote of confidence you have given me, but more than that I want to thank you for the wonderful support you have given our program over these many years. I want you to know that, without that, nothing would have been accomplished. I also want to thank you again for my appointment and to ask you for your continued support of our program. Thank you."

President McClung then stated:

"We are here also for a joint appointment of the director of the Legislative Reference Bureau. Nominations are in order."

President McClung here recognized Senator Ching:

"Just because I'm used to this side of the aisle I thought I'd try this side of the aisle over in our Chamber anyway. Mr. President, this is what I get for going home early. Again, I was not aware that I was to make the nominating speech. But I'll try to take a few things off the top of my head and tell you a little about the candidate who we will place into nomination. Mr. President, today, I'd like to place into nomination the acting direc-

tor of the Legislative Reference Bureau. Mr. Chang comes to us with all kinds of credentials. He's held numerous positions within the government, both with the City and County and State. And, since he's taken over, upon the resignation of the then director of the Legislative Reference Bureau, I think he's done a very commendable job. I'd like to commend his nomination to each and every one of us here today, and I'd like to at this time, Mr. President, nominate Samuel B. K. Chang as director of the Legislative Reference Bureau."

Representative O'Connor moved that nominations be closed, seconded by Representative J. Garcia and carried.

The motion to appoint Samuel B. K. Chang as the director of the Legislative Reference Bureau for the State of Hawaii was put by the Speaker to the members of the House and was carried by a vote of 51 ayes.

The motion was then put by the President to the members of the Senate and was carried by a vote of 25 ayes.

The votes being so cast, Samuel Chang was declared unanimously elected as the director of the Legislative Reference Bureau of the State of Hawaii.

Speaker Beppu here appointed Senators Henderson and Kawasaki, and Representatives Kimura and de la Cruz to escort Mr. Samuel Chang to the rostrum, whereupon Mr. Chang addressed the members of the Legislature as follows:

"Mr. President, Mr. Speaker, Honorable Members of the Legislature:

It is with much pride and a deep sense of humility that the recognition of the honor that you have bestowed upon me has set into my consciousness. It is with a deep sense of challenge and a deep sense of responsibility of the task that your Honorable Body has laid upon me. I pledge with the utmost of my abilities and my intellect and with that of the staff to continue to provide to the Legislature the kind of services that it needs in order to keep Hawaii in the forefront of progressive state legislatures. I want to thank you personally for your support during the years in which I have been acting director and for your confidence in the work that we have done. Thank you very much."

At 12:24 o'clock p.m., the joint session of the Seventh Legislature was adjourned.

At 12:44 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 and Final Readings on the basis of a modified consent calendar.

UNFINISHED BUSINESS

Conference Committee Report No. 6 (H. B. No. 2374-74, H. D. 1, S. D. 1, C. D. 1):

Representative Suwa moved that the Conference Committee Report be adopted and that H. B. No. 2374-74, H. D. 1, S. D. 1, C. D. 1 pass Final Reading, seconded by Representative Akizaki.

Representative Suwa rose to speak in favor of the bill as follows:

"First of all, Mr. Speaker, let me say that it is a pleasure to report on a bill which is the product of all 51 members of this Body. And it is also a pleasure to report on a bill which has become progressively better as it worked its way through the legislative process.

Finally, we now have before us a conference draft which I believe deserves our support.

We all know that the State has been under strict financial controls. These controls are necessary, and credit should be given to the Governor in steering the State on a prudent course. The Governor has been instrumental in enabling the State to work its way out of financial difficulty. And when we now foresee that the budget will be balanced over the fiscal biennium, it is in large measure due to the efforts of the Governor.

There have been some sacrifices, but I believe that these were necessary. I also believe that the chances are good that as the economy continues to take an upturn, as the condition of the treasury continues to improve, some restrictions will be eased and programs will attain the levels which were originally intended.

In the supplemental appropriations bill before you, we have tried very carefully to incorporate only the most urgent program priorities. And these priorities are mainly for programs which directly affect people.

I believe that this bill can correctly be called the people's supplemental appropriations bill. Much of it goes to social programs for those most in need, and a good part of it goes to our continued emphasis on education, on giving the children of this State the best chance possible to prepare themselves for adulthood.

Finally, Mr. Speaker, I would like to thank

the staff as well as all of the conference managers who worked so hard on this bill. And I hope that they have as good a feeling about their efforts as I do.

I also want to thank all of the subject matter committees and their chairmen for their valuable input, and I wish to invite them to speak on any aspect of the bill.

Mr. Speaker, this is a bill shaped by all of us; it merits, in turn, the support of all of us. Thank you, Mr. Speaker."

Representative O'Connor rose to speak in favor of the bill as follows:

"Mr. Speaker, I rise not so much to speak in favor of the bill, but to commend and give those accolades which are necessary to the chairman of our Finance Committee and to his dedicated Committee members. Mr. Speaker, as you will recall, this Body was struck about three or four weeks ago with a flu bug which affected different members in different ways. The chairman of our Finance Committee was so sick that he was required to go to Kuakini Hospital. From his bed at Kuakini Hospital, Mr. Speaker, the chairman of our Finance Committee directed the members of the Finance Committee and the other people working on this measure so as to come out with a product which the House could be proud of.

I think, Mr. Speaker, that all of us should commend the chairman of the Finance Committee for his dedicated efforts in the face of extreme adversary situations this particular year and in doing so we must also commend his vice chairman and other members of his Committee that worked during his forced absences at times in coming up with this bill. Thank you very much, Mr. Speaker."

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

"Mr. Speaker, I think Representative Suwa has chosen the right phrase for this particular bill—the people's supplementary bill. This bill before us is the product of a lot of hard work on the part of the Finance Committee chairman and its members, the chairman of the Health Committee and other Committee chairmen. I, personally, would like to thank them for their patience and their vision that have gone into preparing this particular bill.

The State has appropriated badly needed funds in the areas of social welfare and education. I am especially pleased to note that this supplementary budget allows for the continuation of various Model Cities projects, Progressive Neighborhoods Program, senior citizens centers and the Hawaii Office of Economic Opportunity. I am pleased to vote favorably on this particular bill, and I com-

mend the State for assuming the responsibility of funding the programs that so vitally affect her people. And I urge all members of this House to vote for the passage of this bill. Thank you."

Representative Kato rose to speak in favor of the bill as follows:

"Representative Garcia cost us particular concern about the social problems, such as Model Cities, Progressive Neighborhoods; and the Chairman of the Finance Committee agreed with me that the City should fund part of the Model Cities programs. However, Representative Garcia has a long arm; he reached into the Senate and changed it. And, to his delight, Representative Suwa agreed that funding should be totally a State responsibility. It really wasn't a big point. As far as I was concerned, I did feel that the City had some responsibility in this area also. This is the only point of disagreement I have with this budget. I would be remiss if I did not, however, acknowledge the work of the Finance Committee and particularly its chairman, Representative Suwa, for his concern in the health field. We passed this session, Mr. Speaker, some aggressive and far-reaching measures, particularly in the mental health area. And I want to personally thank him and the Committee for agreeing that more money should have been put into this area earlier. Thank you very much."

Representative Cobb, rising to speak in favor of the bill, stated the following:

"Mr. Speaker, some of the previous remarks, I think, have been a fitting testimony to your chairman on Finance for the work that he's done. And, as one of the subject matter chairmen in the field of corrections, I would like to take this opportunity to thank him for the amount of input, the amount of concern, for the changes we felt were necessary in the corrections field, to get away from the concept of bricks and mortar and into the field of human programs—the writings of those programs which I see reflected in this document which we're about to vote on.

Initially, I did have some reservations about this as well as the deficit budget that first came out. I want to say that it is a real pleasure to vote for a balanced budget, one that reflects the input of all 51 members of the House. And I think the credit should go where it's due, to your chairman and vice chairman of your Finance Committee. Thank you."

Representative Soares rose, and speaking in favor of the bill, stated the following:

"I rise to speak in favor of this bill. Mr. Speaker, looking back at the problems we

had last year when the budget was being voted against by many of us, I think the initiative taken by the Committee to work throughout the interim, diligently, watching the projections, watching the financial plight that faced us, brought about a realization on the part of all the members of this House, as in the Senate, in trying to put together the kind of a budget that would take care of the needs of our people without facing a tax package.

I think the Republican members applaud the chairman for the way he allowed the input offered by them—the comments and suggestions by the members of the Committee to mold together a document before us this morning that does take care of the needs of our people. The Republican members of this House have looked long and hard at various programs, have some concerns on some that are in the budget but, nevertheless, would like to take this opportunity to congratulate the Committee members for the kind of work that has come before us. I ask all members to vote for this budget."

The motion was put by the Chair and carried, and the report of the Conference Committee was adopted and **H. B. No. 2374-74, H. D. 1, S. D. 1, C. D. 1** passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **H. B. No. 2374-74, H. D. 1, S. D. 1, C. D. 1** had passed Final Reading at 12:55 o'clock p.m.

Conference Committee Report No. 7 (**H. B. No. 2865-74, H. D. 1, S. D. 1, C. D. 1**):

On motion by Representative Lee, seconded by Representative Nakama and carried, the report of the Conference Committee was adopted and **H. B. No. 2865-74, H. D. 1, S. D. 1, C. D. 1** passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **H. B. No. 2865-74, H. D. 1, S. D. 1, C. D. 1** had passed Final Reading at 12:57 o'clock p.m.

DEFERRED RESOLUTIONS

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, **S. C. R. No. 56** was adopted.

On motion by Representative Kimura, seconded by Representative J. Garcia and carried, **S. C. R. No. 57** was adopted.

The following concurrent resolutions were disposed of as follows:

S. C. R. No.	Referred to:
36	Committee on Finance
55	Committee on Finance
59	Committee on Finance

INTRODUCTION OF RESOLUTIONS

The following resolutions (**H. R. Nos. 501 to 505**) and concurrent resolutions (**H. C. R. Nos. 76 and 77**) were read by the Clerk and were disposed of as follows:

A resolution (**H. R. No. 501**) extending aloha and best wishes to Bishop Kanmo Imamura upon his retirement was jointly offered by Representatives Wasai, A. Chong, R. Garcia, Iha, Kawakami, Kihano, King, Kishinami, Kondo, Lunasco, Morioka, Roehrig, Sakima, Takamine, Uechi, Ushijima, Wakatsuki, Wedemeyer, Wong, Yap, Yim, Young and Yuen.

On motion by Representative Wasai, seconded by Representative Lunasco and carried, **H. R. No. 501** was adopted.

A resolution (**H. R. No. 502**) congratulating McWayne Marine Supply, winner of the first Sesquicentennial Business Achievement Award was jointly offered by Representatives O'Connor, Akizaki, Amaral, Fong, Lee, Poepoe, Wasai, Yap, Yim and Yuen.

On motion by Representative O'Connor, seconded by Representative Lee and carried, **H. R. No. 502** was adopted.

A resolution (**H. R. No. 503**) commending the students and teacher of Grade 6, Room 20, Language Arts Class of Ala Wai School for presenting testimony concerning the future use of the Honolulu Stadium site to the Hawaii State House of Representatives was jointly offered by Representatives A. Chong, Aduja, Aki, Akizaki, Carroll, W. Chong, Cobb, de la Cruz, Fong, J. Garcia, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kunimura, Lee, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative A. Chong, seconded by Representative Carroll and carried, **H. R. No. 503** was adopted.

A resolution (**H. R. No. 504**) extending appreciation to the Hawaii Public Broadcasting Authority for its informative coverage of the State Legislature was jointly offered by Representatives Ushijima, Ajifu, Aki, Akizaki, R. Garcia, Kawakami, Kihano, Kimura, King, Kondo, Lee, Leopold, Medeiros, Medina, Nakama, Sakima, Takamine, Wakatsuki, Wasai, Wedemeyer, Wong, Yap, Yuen and Beppu.

On motion by Representative Ushijima, seconded by Representative R. Garcia and carried, **H. R. No. 504** was adopted.

A resolution (**H. R. No. 505**) congratulating Hannah L. P. Kelihoomalua upon being appointed deputy director of the Department of Regulatory Agencies was jointly offered by Representa-

tives Kunimura, A. Chong, W. Chong, de la Cruz, R. Garcia, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Lunasco, Medeiros, Medina, Nakama, Oda, Poepoe, Saiki, Sakima, Suwa, Takamine, Wakatsuki, Wong, Yamada, Yap, Yim and Yuen.

On motion by Representative Kunimura, seconded by Representative Kawakami and carried, **H. R. No. 505** was adopted.

A concurrent resolution (**H. C. R. No. 76**) commending and wishing success to Pacific Sea Transportation, Ltd., for its enterprise and initiative in developing a revolutionary interisland transportation system was jointly offered by Representatives Iha, Akizaki, Carroll, A. Chong, de la Cruz, Fong, J. Garcia, R. Garcia, Kato, Kihano, Kishinami, Lee, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Poepoe, Roehrig, Saiki, Sakima, Suwa, Takamine, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Young, Yuen and Beppu.

On motion by Representative Iha, seconded by Representative Nakama and carried, **H. C. R. No. 76** was adopted.

A concurrent resolution (**H. C. R. No. 77**) congratulating Dr. James Mak, recipient of the Outstanding Teaching Award for 1973-74 for excellence in teaching in the field of economics was jointly offered by Representatives Wong, 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, Kunimura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Soares, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Wong, seconded by Representative Suwa and carried, **H. C. R. No. 77** was adopted.

STANDING COMMITTEE REPORTS

Representative Akizaki, for the Committee on Legislative Management, presented a report (**Stand. Com. Rep. No. 755-74**) informing the House that **House Resolution Nos. 492 to 500**, **Standing Committee Report Nos. 746-74 to 754-74** and **Conference Committee Report Nos. 7 to 28** 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. 756-74**) recommending that **H. R. No. 401** be adopted.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried.

the report of the Committee was adopted and **H. R. No. 401** was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 757-74**) recommending that **S. C. R. No. 52** be adopted.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and **S. C. R. No. 52** was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 758-74**) recommending that **S. C. R. No. 40** be adopted.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and **S. C. R. No. 40** was adopted.

Representative Kawakami, for the Committee on Water, Land Use and Development, presented a report (**Stand. Com. Rep. No. 759-74**) recommending that **S. C. R. No. 43** be adopted.

On motion by Representative Kawakami, seconded by Representative A. Chong and carried, the report of the Committee was adopted and **S. C. R. No. 43** was adopted.

Representative Sakima, for the Committee on Higher Education, presented a report (**Stand. Com. Rep. No. 760-74**) recommending that **H. R. No. 428** be adopted with certain amendments.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, **H. R. No. 428** entitled: "House Resolution requesting the Speaker of the House of Representatives to appoint an interim committee on higher education to continue work in the area of higher education" was adopted.

Representative Lee, for the Committee on Labor and Public Employment, presented a report (**Stand. Com. Rep. No. 761-74**) recommending that **H. R. No. 430** be adopted.

By unanimous consent, consideration of **Stand. Com. Rep. No. 761-74** on **H. R. No. 430** was deferred until the end of the calendar.

Representative Wasai, for the Committee on Education, presented a report (**Stand. Com. Rep. No. 762-74**) recommending that **S. C. R. No. 49, S. D. 1** be adopted.

On motion by Representative Wasai, seconded by Representative Young and carried, the report of the Committee was adopted and **S. C. R. No. 49, S. D. 1** was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (**Stand. Com. Rep. No. 763-74**) recommending that **H. R. No. 315** be adopted with certain amendments.

On motion by Representative Uechi, seconded by Representative Roehrig and carried, the report of the Committee was adopted and **H. R. No. 315**, as amended, was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 764-74**) recommending that **H. R. No. 34** be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. R. No. 34** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 765-74**) recommending that **S. C. R. No. 27, S. D. 1** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 766-74**) recommending that **S. C. R. No. 2, S. D. 1** be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **S. C. R. No. 2, S. D. 1** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 767-74**) recommending that **S. C. R. No. 26, S. D. 1** be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **S. C. R. No. 26, S. D. 1** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 768-74**) recommending that **H. R. No. 405** be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. R. No. 405** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 769-74**) recommending that **H. R. No. 418, H. D. 1** be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. R. No. 418, H. D. 1** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 770-74**) recommending that **H. R. No. 334** be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. R. No. 334** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 771-74**) recommending that **H. R. No. 421, H. D. 1** be adopted with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. R. No. 421, H. D. 1**, as amended, was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 772-74**) recommending that **H. R. No. 429, H. D. 1** be adopted.

Representative Suwa moved that the report of the Committee be adopted and that **H. R. No. 429, H. D. 1** be adopted, seconded by Representative Akizaki.

Representative Wong rose to speak in favor of the resolution as follows:

"Mr. Speaker, as an individual whose family has been affected by this particular disease, high blood pressure or hypertension is a major public health problem facing the nation today. An estimated 24 million Americans have this disease; yet, over half of them don't know it and only about one-eighth of them are now receiving adequate treatment.

High blood pressure is the primary cause of 60 thousand American deaths annually, and it is a major factor in many of the more than 1.5 million heart attacks and strokes suffered each year. Half of these stroke and heart attack victims die. And those who don't die are usually disabled to some degree.

The cost of caring for victims of the complications of untreated high blood pressure result in our State's annual losing of millions of dollars of potential from the persons who die or are disabled by high blood pressure and its complications. Ironically, Mr. Speaker, much of the premature deaths and disability caused by high blood pressure can be prevented. Both the knowledge and effective medications are available which can effectively control the dangerous blood pressure elevation.

Dr. Thomas Cooper, Director of the National Heart/Lung Institute has estimated that an effective campaign against high blood pressure could result in averting the deaths of about 200,000 people per year from heart attacks, strokes and kidney failure. Therefore, Mr. Speaker, I urge the members of this Body to vote aye.

The motion was put by the Chair and carried, and the report of the Committee was adopted and **H. R. No. 429, H. D. 1** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 773-74**) recommending that **H. R. No. 96** be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. R. No. 96** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 774-74**) recommending that **H. R. No. 246, H. D. 1** be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. R. No. 246, H. D. 1** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 775-74**) recommending that **H. R. No. 339** be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. R. No. 339** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 776-74**) recommending that **H. R. No. 105** be adopted with certain amendments.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. R. No. 105**, as amended, was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 777-74**) recommending that **H. R. No. 219** be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. R. No. 219** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 778-74**) recommending that **H. R. No. 432** be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. R. No. 432** was adopted.

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 779-74**) recommending that **S. C. R. No. 59** be adopted.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and S. C. R. No. 59 was adopted.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H. B. Nos. 2624-74, H. D. 1, 2241-74, H. D. 1, 82, H. D. 1, 2082-74, 2799-74, 2756-74, H. D. 1 and 1807, H. D. 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the House agreed to the amendments proposed by the Senate to H. B. No. 2624-74, H. D. 1, and H. B. No. 2624-74, H. D. 1, as amended, having been read throughout, passed Final Reading by a vote of 51 ayes.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the House agreed to the amendments by the Senate to H. B. No. 2241-74, H. D. 1, and H. B. No. 2241-74, H. D. 1, as amended, having been read throughout, passed Final Reading by a vote of 51 ayes.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the House agreed to the amendments proposed by the Senate to H. B. No. 82, H. D. 1, and H. B. No. 82, H. D. 1, as amended, having been read throughout, passed Final Reading by a vote of 51 ayes.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the House agreed to the amendments proposed by the Senate to H. B. No. 2082-74, and H. B. No. 2082-74, as amended, having been read throughout, passed Final Reading by a vote of 51 ayes.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the House agreed to the amendments proposed by the Senate to H. B. No. 2799-74, and H. B. No. 2799-74, as amended, having been read throughout, passed Final Reading by a vote of 51 ayes.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the House agreed to the amendments proposed by the Senate to H. B. No. 2756-74, H. D. 1, and H. B. No. 2756-74, H. D. 1, as amended, having been read throughout, passed Final Reading by a vote of 51 ayes.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, the House agreed to the amendments proposed by the Senate to H. B. No. 1807, H. D. 2, and H. B. No. 1807, H. D. 2, as amended, having been read throughout, passed Final Reading by a vote of 51 ayes.

At this time, the Chair directed the Clerk to note that H. B. Nos. 2624-74, H. D. 1, S. D. 1; 2241-74, H. D. 1, S. D. 1; 82, H. D. 1, S. D. 1; 2082-74, S. D. 1; 2799-74, S. D. 1; 2756-74, H. D. 1, S. D.

1 and 1807, H. D. 2, S. D. 1 had passed Final Reading not earlier than 1:15 o'clock p.m.

By unanimous consent, H. B. No. 2206-74, H. D. 1, as amended by the Senate, was taken from the Clerk's desk.

Representative Yap moved that the House agree to the amendments proposed by the Senate to H. B. No. 2206-74, H. D. 1 and H. B. No. 2206-74, H. D. 1, as amended, having been read throughout, pass Final Reading, seconded by Representative Yuen.

Representative Yap then explained the Senate amendments as follows:

"The amendments the Senate made was to change one word on line 13 from 'the' to 'an.'"

The motion was put by the Chair and carried, and H. B. No. 2206-74, H. D. 1, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that H. B. No. 2206-74, H. D. 1, S. D. 1 had passed Final Reading at 1:17 o'clock p.m.

At 1:17 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.

By unanimous consent, H. B. No. 1526, H. D. 1 was taken from the Clerk's desk.

On motion by Representative Wakatsuki, seconded by Representative Kato and carried, H. B. No. 1526, H. D. 1, having been read throughout, passed Final Reading by a vote of 51 ayes, in accordance with Article III, Section 16, of the Constitution of the State of Hawaii.

The Chair directed the Clerk to note that H. B. No. 1526, H. D. 1 had passed Final Reading at 1:21 o'clock p.m.

At 1:22 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives stood in recess until 6:00 o'clock p.m. this evening.

EVENING SESSION

The House of Representatives reconvened at 7:10 o'clock p.m.

UNFINISHED BUSINESS

S. B. No. 1658-74 on Third Reading, deferred from April 10, 1974.

On motion by Representative Yuen, seconded by Representative Kato, S. B. No. 1658-74 having been read throughout, passed Third Reading by a vote of 51 ayes.

Stand. Com. Rep. No. 716-74 on S. B. No. 1409-74, deferred from April 10, 1974.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **S. B. No. 1409-74** having been read throughout, passed Third Reading by a vote of 44 ayes to 7 noes, with Representatives Ajifu, A. Chong, J. Garcia, Leopold, Soares, Oda and Hapai voting no.

The Chair here directed the Clerk to note that **S. B. Nos. 1658-74 and 1409-74** had passed Third Reading not earlier than 7:13 o'clock p.m.

MATTERS DEFERRED FROM

EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 761-74 (H. R. No. 430):

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. R. No. 430** was adopted.

DISPOSITION OF MATTERS

PLACED ON THE CLERK'S DESK

By unanimous consent, **H. B. No. 2302-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

Representative Iha moved that the House agree to the amendments proposed by the Senate to **H. B. 2302-74, H. D. 1**, and **H. B. No. 2302-74, H. D. 1**, as amended, having been read throughout, pass Final Reading, seconded by Representative Nakama.

Representative Iha then explained the Senate amendments as follows:

"The purpose of this bill is to provide for financing of bikeways and registration of bicycles by counties. The bill proposes to increase the annual bike tax from \$1 to \$3 and to create a bikeway fund to which all of the bicycle tax shall be deposited.

The Senate amended the bill by substituting this phrase 'Treasurer to his Deputy' with 'Director of Finance' to conform with the charter of each respective county. The Senate further amended the bill to provide the Director of Finance of the county with an option to issue a decal or the existing metallic tag at the time of registration of the bicycle. The issuance of the decal will make it difficult to lose, to steal or fraudulently transfer it to another bicycle. It can also assist the police in investigating ownership of a bicycle.

The Senate also generously tagged on a \$50,000 appropriation to develop a statewide master plan for bikeways."

Representative Iha then rose to speak in favor of

the bill as follows:

"Mr. Speaker, this bill that we're about to take action on is not glamorous, nor a bill which has a lot of sex appeal. However, this is what I consider to be one of the major pieces of legislation to be enacted upon by this Legislature. I am sure that once this bill is enacted into law, it's going to have a tremendous impact in changing the lifestyle of the people of this great State of Hawaii.

Mr. Speaker, in 1970, this Body first recognized the value of the bicycle as both a recreational and a transportation vehicle. **House Resolution No. 274** stated and I quote: 'The bicycle offers an efficient alternative to the automobile and bikeways will provide added recreation, safety, physical fitness, social activities, fun and family togetherness and an increased awareness of Hawaii's natural scenic beauty.'

Since that time, Mr. Speaker, Hawaii, especially Oahu, has experienced the bicycle's tremendous growth and popularity. In 1970, less than 28,000 bikes were registered in the City and County of Honolulu. Today, four years later, the number of registered bikes has tripled to almost 80,000 and it is estimated that 120,000 more are unregistered. These 200,000 bikers are part of the growing trend.

Annually, more and more Americans are discovering the value of the bicycle. In 1974, over 100 million of us are biking to work, going to the store, play areas, schools, just about anywhere people go.

A large number of bikers are adults. The bike can no longer be considered a child's toy, or something to graduate from when one becomes old enough to drive an automobile. In 1972 when bicycles first outsold the automobile—13 million to 11 million—half of the bikes sold were for adults. It is expected that approximately 15.6 million bikes will be sold this year, with over 55 percent being sold to the adults. The bicycle seems to be here to stay.

Why this sudden tremendous surge in biking popularity? Certainly, a great deal of this surge can be traced to the fact that biking is an economically, environmentally and personally rewarding activity. The initial expenditure for a good reliable bicycle is relatively low and maintenance costs are negligible.

The bicycle is the most efficient, non-polluting vehicle ever devised by man. Biking is even more efficient than walking and demands no energy other than the biker's own. But besides these obvious reasons for biking's popularity is another, perhaps stronger, reason. The bicycle has become one of the symbols of the changing values in our

society. In these days of searching for an acceptable alternative to the all-consuming automobile, the bicycle has become a symbol of clean simplicity. The bicycle is a highly personal response to the economic, environmental and energy problems currently facing our society.

In contrast to other alternatives to the automobile, the bicycle allows one to preserve a sense of individual freedom and dignity, a sense of self-sufficiency and a sense of physical and mental well-being.

H. B. 2302, H. D. 1, S. D. 1 proposes a partial solution to the funding difficulties. It proposes that the annual bicycle tax be raised from \$1 to \$3 and collected monies to be deposited in the newly created bikeway fund to be expended for the purposes and functions of bikeways. Hawaii bikers have demonstrated a willingness to go along with this plan. If **H. B. 2302, H. D. 1, S. D. 1** becomes law, Hawaii will, to my knowledge, become the first State to have enacted such a plan.

Whereas biking represents positive action by the citizens of our State to move away from their sedentary and convenience living into a healthy, active life more in keeping with Hawaii's clean air and natural beauty, I urge you to encourage its growth. I can envision no more positive form of encouragement than the development of bikeways in our State. Mr. Speaker and members of this House, I urge that all of you support this particular measure. Thank you very much."

Representative Carroll, rising to speak in favor of the bill, stated the following:

"This bill is indeed an historic event, but this bill is also a mini-step towards what we need in this State as far as bikeways and bike paths are concerned. And paint on the side of the street which is rough, which is oftentimes dangerous to the bike rider is not the answer. And I think that taxing the adults who are going to be acquiring bicycles more and more as the years roll on is indeed good. But the commitment which I see here is the thing which makes this bill historic, and I trust that this will be the first of many more, much larger steps to come in the future sessions. Now on that basis, I urge that everyone vote for this bill. Thank you."

The motion was put by the Chair and carried, and **H. B. No. 2302-74, H. D. 1**, as amended, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Kunimura voting no.

The Chair here directed the Clerk to note that **H. B. No. 2302-74, H. D. 1, S. D. 1** had passed

Final Reading at 7:22 o'clock p.m.

By unanimous consent, **H. B. No. 1378, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Sakima, seconded by Representative Kishinami and carried, **H. B. No. 1378, H. D. 1**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **H. B. No. 1378, H. D. 1, S. D. 1** had passed Final Reading at 7:23 o'clock p.m.

By unanimous consent, **H. B. No. 2375-74, H. D. 1**, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, **H. B. No. 2375-74, H. D. 1**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **H. B. No. 2375-74, H. D. 1, S. D. 1** had passed Final Reading at 7:24 o'clock p.m.

By unanimous consent, **H. B. No. 3096-74, H. D. 2**, as amended by the Senate, was taken from the Clerk's desk.

Representative Lee moved that the House agree to the amendments proposed by the Senate to **H. B. No. 3096-74, H. D. 2**, and **H. B. No. 3096-74, H. D. 2**, as amended, having been read throughout, pass Final Reading, seconded by Representative Takamine.

Representative Lee then explained the Senate amendments as follows:

"Mr. Speaker, the one change was the word 'center' to 'institute', and in Section 2 the reordering of the paragraphs. No substantive change."

The motion was put by the Chair and carried, and **H. B. 3096-74, H. D. 2**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **H. B. No. 3096-74, H. D. 2, S. D. 1** passed Final Reading at 7:24 o'clock p.m.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 8 on H. B. No. 3095-74, H. D. 1, S. D. 1, as amended, deferred from April 10, 1974.

Representative Suwa moved that the report of the Committee be adopted and that **H. B. No. 3095-74, H. D. 1, S. D. 1**, as amended, pass Final Reading, seconded by Representative Akizaki.

"The objective of **H. B. 3095, H. D. 1, S. D. 1, C. D. 1** is to revise and simplify the Executive Budget Act so as to make it both less burdensome and more useful.

Since Act 185, Session Laws of Hawaii, 1970 was passed, almost all of the administrative and mechanical aspects of the system have been devised and installed. Nevertheless, neither the Executive nor the Legislature has been fully satisfied with the outcome. While Act 185 is theoretically sound, actual experience with the Act has revealed several major practical problems.

Dr. Allen Shick, who recently evaluated the Administration's implementation of the Act, made the following observation: 'In Hawaii, PPB has neither failed conspicuously nor succeeded completely. The system has not been abandoned, but neither has it reached full fruition. While the progress made thus far offers much encouragement for the future, PPB has not yet achieved the sturdiness or acceptability that guarantees its continuation during the next several years.'

This bill will improve and strengthen the PPB system by increasing the flexibility of determining the program structure, decreasing the voluminous nature of the documents and decreasing the cost of preparing the required documents. In short, this bill will drastically simplify the preparation, review, and execution of the State's plan, budget and variance report and, at the same time, retain the integrity of Act 185.

Mr. Speaker, I believe that the proposed changes to the Executive Budget Act are necessary if the Administration is to overcome the major problems identified over the past four years. Moreover, I believe that the changes to the Act are necessary if the Legislature is to realize the full benefits of the PPB system. Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and **H. B. No. 3095-74, H. D. 1, S. D. 1**, as amended, having been read throughout, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **H. B. No. 3095-74, H. D. 1, S. D. 1, C. D. 1** had passed Final Reading at 7:27 o'clock p.m.

Conf. Com. Rep. No. 9 on H. B. No. 2455-74, H. D. 2, S. D. 1, as amended, deferred from April 10, 1974.

On motion by Representative Lee, seconded by Representative Takamine and carried, the report of the Committee was adopted and **H. B. No. 2455-74, H. D. 2, S. D. 1**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that

H. B. No. 2455-74, H. D. 2, S. D. 1, C. D. 1 had passed Final Reading at 7:28 o'clock p.m.

Conf. Com. Rep. No. 10 on S. B. No. 17, S. D. 2, H. D. 2, as amended, deferred from April 10, 1974.

On motion by Representative Wakatsuki, seconded by Representative Cobb and carried, the report of the Committee was adopted and **S. B. No. 17, S. D. 2, H. D. 2**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **S. B. No. 17, S. D. 2, H. D. 2, C. D. 1** had passed Final Reading at 7:29 o'clock p.m.

Conf. Com. Rep. No. 11 on S. B. No. 10, S. D. 1, H. D. 3, as amended, deferred from April 10, 1974.

On motion by Representative Young, seconded by Representative Kondo and carried, the report of the Committee was adopted and **S. B. No. 10, S. D. 1, H. D. 3**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **S. B. No. 10, S. D. 1, H. D. 3, C. D. 1** had passed Final Reading at 7:29 o'clock p.m.

Conf. Com. Rep. No. 12 on H. B. No. 3094-74, H. D. 1, S. D. 1, as amended, deferred from April 10, 1974.

On motion by Representative Kondo, seconded by Representative Morioka and carried, the report of the Committee was adopted and **H. B. No. 3094-74, H. D. 1, S. D. 1**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **H. B. No. 3094-74, H. D. 1, S. D. 1, C. D. 1** had passed Final Reading at 7:30 o'clock p.m.

Conf. Com. Rep. No. 13 on S. B. No. 1860-74, S. D. 1, H. D. 1, as amended, deferred from April 10, 1974.

Representative Suwa moved that the report of the Committee be adopted and that **S. B. No. 1860-74, S. D. 1, H. D. 1**, as amended, pass Final Reading, seconded by Representative Akizaki.

Representative Wong rose to speak in favor of the bill as follows:

"Mr. Speaker, in 1965, the Legislature took a very important step by adopting the first of four tax credits. We took this step because we recognized that those who come from low-income families feel too heavily the burden of taxes and the rising cost of living. We were wise in trying to help these deserving citizens by reducing the burdens upon them. However, Mr. Speaker, well-intentioned we were, these tax benefits, unfortunately, are not fully enjoyed by those who need them the most.

Less than 50 percent of those who qualify actually applied for them. One of the major reasons is that there are presently separate forms for each of the four tax credits. And these forms are much too complicated for people to use. The record shows that people who need help the most are least able to take advantage of the benefit which we intended them to have.

Mr. Speaker, this bill before us now makes it possible that our original intention finally will be realized. The bill provides for the elimination of the complicated forms by combining all the credits into one. It simplifies the filing procedure so that all who qualify will actually realize the benefits they deserve.

Mr. Speaker, the merits of this bill are beyond doubt. With the cost of living rising at the rate unparalleled in the last quarter century, this bill will help in a small way to alleviate the hardships faced by those who are least capable of coping with the runaway inflation. The bill will help, not only the very poor—it will help many in the middle income where too often they have been forgotten by us. It will help those with large families as well as many of our retired citizens who cannot qualify under the present law.

In total, Mr. Speaker, it will affect about 75 percent of the families in our State and the families in every district. Mr. Speaker, let us now finally put into practice what we had intended a decade ago. Thank you very much, Mr. Speaker."

Representative Suwa, rising to speak in favor of the bill, stated:

"Mr. Speaker, this measure is one of the most significant bills to be passed on by the Legislature. It affects the taxpayers of the State directly and it is designed to assure that our system of taxation operates fairly.

The purpose of the bill is to simplify the system of tax credits as well as to expand on the benefits of the system. The present system of various tax credits for specific purposes is well intentioned. But we know that it does not work as well as it should. It is complex. It is difficult for the individual taxpayer to follow, and it does not serve all of the people that it should.

This measure establishes a single, simple tax credit schedule. The purpose of the schedule is to counteract the regressiveness of the excise tax which, as we all know, falls equally to everyone, rich or poor alike. What we have done to this bill is to tie a single system of tax credits to a single standard of who is entitled to such credits, and that single standard is the income of our citizens.

It will return more dollars to people who most need those dollars. It will benefit, most of all, people who are on fixed incomes, such as those who are retired.

Mr. Speaker, I feel a great deal of satisfaction about this bill. It helps people who deserve to be treated fairly. It is a bill which will ease hardship and will move our society to greater justice and equality.

I thank everyone who has worked for this bill. And I now ask the honorable members of this Body to join me in voting for this major legislation, which is a distinction to the effects of this Legislature. Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and **S. B. No. 1860-74, S. D. 1, H. D. 1**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **S. B. No. 1860-74, S. D. 1, H. D. 1, C. D. 1** had passed Final Reading at 7:35 o'clock p.m.

Conf. Com. Rep. No. 14 on H. B. No. 2544-74, H. D. 1, S. D. 1, as amended, deferred from April 10, 1974.

On motion by Representative Young, seconded by Representative Kondo and carried, the report of the Committee was adopted and **H. B. No. 2544-74, H. D. 1, S. D. 1**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **H. B. No. 2544-74, H. D. 1, S. D. 1, C. D. 1** had passed Final Reading at 7:35 o'clock p.m.

Conf. Com. Rep. No. 15 on S. B. No. 2215-74, S. D. 1, H. D. 1, as amended, deferred from April 10, 1974.

On motion by Representative Wakatsuki, seconded by Representative Takamine and carried, the report of the Committee was adopted and **S. B. No. 2215-74, S. D. 1, H. D. 1**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **S. B. No. 2215-74, S. D. 1, H. D. 1, C. D. 1** had passed Final Reading at 7:36 o'clock p.m.

Conf. Com. Rep. No. 16 on H. B. No. 2747-74, H. D. 1, S. D. 1, as amended, deferred from April 10, 1974.

Representative Suwa moved that the report of the Committee be adopted and that **H. B. No. 2747-74, H. D. 1, S. D. 1**, as amended, pass Final Reading, seconded by Representative Akizaki.

Representative Suwa rose to speak in favor of the bill as follows:

"This bill deals with the economic development of Molokai. At the same time, Mr. Speaker, with the permission of the Body, I would like to make some reference to the two bills which are to follow—**House Bill 2491-74** (which deals with the planning and economic development of North Kohala) as well as **House Bill 2329-74** (which deals with the economic development of Kauai).

These three bills which have the same intent and purpose—they represent the efforts of this Legislature to help those counties and communities to help themselves and bring about a stronger economy and jobs, income and security for the people who live in those counties and communities.

With respect to Molokai, we propose to appropriate additional funds, including general obligation bonds in the amount of \$4.6 million so that we can accomplish what we tried to achieve in the legislation which we passed last year when we decided that the people of Molokai needed our help.

Through no fault of their own, the termination of the pineapple operations posed a serious threat to the social and economic well-being of the people of Molokai. We passed enabling legislation in 1973. We now carry through with this bill the additional financial means by which the legislation is to be implemented. Recognizing also that the economic problems of Molokai will not be solved overnight, we have determined that our financing authorization shall extend to June 30 of 1979.

We have used a similar approach with respect to North Kohala and Kauai. We are proposing that with respect to North Kohala, the amount of \$100,000 in general fund revenues and \$3.7 million appropriated in 1972 shall continue to be in force until 1979. With respect to Kauai, the authorization of \$100,00 in general revenues and \$3.5 million in bonds shall also be effective until June 30, 1979.

The intent is clear, Mr. Speaker. We intend that these amendments will enable economic development programs to be systematically established.

At the same time, we shall continue to monitor the implementation of the enabling acts by requiring in all of the bills before us that there will be annual progress reports.

Mr. Speaker, these bills have the same objective in mind: to rebuild the economies of communities which are affected by economic dislocations and change. By passing these measures, we help to build a stronger State and better lives for our citizens.

I urge the members of this Honorable Body to support the conference draft of **House Bill 2747-74** on Molokai and the bills which are to follow on North Kohala and Kauai. Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and **H. B. No. 2747-74, H. D. 1, S. D. 1**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that **H. B. No. 2747-74**, as amended, had passed Final Reading at 7:39 o'clock p.m.

Conf. Com. Rep. No. 17 on H. B. No. 2491-74, H. D. 1, S. D. 1, as amended, deferred from April 10, 1974.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. B. No. 2491-74, H. D. 1, S. D. 1**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that **H. B. No. 2491-74, H. D. 1, S. D. 1, C. D. 1** had passed Final Reading at 7:40 o'clock p.m.

Conf. Com. Rep. No. 18 on H. B. No. 2329-74, S. D. 1, as amended, deferred from April 10, 1974.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **H. B. No. 2329-74, S. D. 1**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **H. B. No. 2329-74, S. D. 1, C. D. 1** had passed Final Reading at 7:41 o'clock p.m.

Conf. Com. Rep. No. 19 on S. B. No. 2100-74, S. D. 1, H. D. 1, as amended, deferred from April 10, 1974.

On motion by Representative Yuen, seconded by Representative Kihano and carried, the report of the Committee was adopted and **S. B. No. 2100-74, S. D. 1, H. D. 1**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that **S. B. No. 2100-74, S. D. 1, H. D. 1, C. D. 1** had passed Final Reading at 7:42 o'clock p.m.

Conf. Com. Rep. No. 20 on S. B. No. 1536-74, S. D. 1, H. D. 2, as amended, deferred from April 10, 1974.

On motion by Representative Sakima, seconded by Representative Kunimura and carried, the report of the Committee was adopted and **S. B. No. 1536-74, S. D. 1, H. D. 2**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that **S. B. No. 1536-74, S. D. 1, H. D. 2, C. D. 1** had passed Final Reading at 7:43 o'clock p.m.

Representative Sakima here rose and stated the following:

"Mr. Speaker, I would like to insert something into the Journal.

Mr. Speaker, I would like the Journal to show that the Senate and the House of Representatives have passed on Third and Final Readings, respectively, **Senate Bill No. 323, S. D. 1**, about a week ago which amends Sections 304-4, Hawaii Revised Statutes, to reduce the non-resident tuition differential at the University of Hawaii.

Senate Bill No. 1536-74, S. D. 1, H. D. 2, C. D. 1, the bill we just passed, which includes the same section of the law but does not reflect the prior action of the Legislature to amend the non-resident tuition differential because the title of **S. B. 1536-74** is too restrictive to allow for this change. Thus, I would like the Journal to indicate that the intent of the Legislature is to reduce the non-resident tuition differential as set forth in **Senate Bill No. 323, S. D. 1**, even though **Senate Bill No. 1536-74, C. D. 1** does not reflect this change."

Conf. Com. Rep. No. 21 on S. B. No. 748, S. D. 2, H. D. 1, as amended, deferred from April 10, 1974.

Representative Suwa moved that the report of the Committee be adopted and that **S. B. No. 748, S. D. 2, H. D. 1**, as amended, pass Final Reading, seconded by Representative Akizaki.

Representative Suwa rose to speak in favor of the bill as follows:

"Mr. Speaker, this bill will increase the bonus payments to pensioners of the State Retirement System and of the various county pension systems by providing an additional 5½ percent to such payments. The increase will be made retroactive to July 1, 1973, in line with the date active employees received salary increases. Presently, those with ten years of service receive a monthly bonus of \$68.29. This will be increased to \$72.05 per month. Those with 21 or more years of service who now receive \$95.61 per month will receive \$100.87 under this bill.

This bill also proposes to include in this special cost-of-living bonus benefit, a new group—those who retired between July 1, 1965 and June 30, 1970. This group will receive a bonus of 5½ percent effective July 1, 1974.

Senate Bill No. 748 also provides that the counties shall finance the bonus payment to pensioners of their respective pension systems as well as those former county employees who retired under the State Retirement System. This cost is presently borne by the State. The appropriation figure of \$510,000 represents the additional cost of finance pensioners under the State Retirement System only.

We believe that increasing the bonus payment to those presently receiving the bonus and to include in the bonus payment those who retired between July 1, 1965 and June 30, 1970 will assist them in catching up, to some degree at least, with the rapid rise of cost of living particularly to those who retired many years ago on low pensions. Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and **S. B. No. 748, S. D. 2, H. D. 1**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **S. B. No. 748, S. D. 2, H. D. 1, C. D. 1** had passed Final Reading at 7:47 o'clock p.m.

Conf. Com. Rep. No. 22 on H. B. No. 2428-74, H. D. 1, S. D. 2, as amended, deferred from April 10, 1974.

On motion by Representative Kato, seconded by Representative Sakima and carried, the report of the Committee was adopted and **H. B. No. 2428-74, H. D. 1, S. D. 2**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that **H. B. No. 2428-74, H. D. 1, S. D. 2, C. D. 1** had passed Final Reading at 7:47 o'clock p.m.

Conf. Com. Rep. No. 23 on S. B. No. 1498-74, H. D. 1, as amended, deferred from April 10, 1974.

On motion by Representative Yuen, seconded by Representative Kihano and carried, the report of the Committee was adopted and **S. B. No. 1498-74, H. D. 1**, as amended, passed Final Reading by a vote of 50 ayes to 1 no, with Representative Cobb voting no.

The Chair directed the Clerk to note that **S. B. No. 1498-74, H. D. 1, C. D. 1** had passed Final Reading at 7:48 o'clock p.m.

Conf. Com. Rep. No. 24 on S. B. No. 2024-74, S. D. 1, H. D. 1, as amended, deferred from April 10, 1974.

On motion by Representative Sakima, seconded by Representative Kunimura and carried, the report of the committee was adopted and **S. B. No. 2024-74, S. D. 1, H. D. 1**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that **S. B. No. 2024-74, S. D. 1, H. D. 1, C. D. 1** had passed Final Reading at 7:48 o'clock p.m.

Conf. Com. Rep. No. 25 on H. B. No. 1387, H. D. 2, S. D. 1, as amended, deferred from April 10, 1974.

Representative Sakima moved that the report of the Committee be adopted and **H. B. No. 1387, H. D. 2, S. D. 1**, as amended, pass Final Reading, seconded by Representative Kunimura.

Representative Roehrig rose to speak in favor of the bill as follows:

"I think the members of the House are aware of some of the history that precedes this measure which provides for the establishment of an agricultural baccalaureate program at the University of Hawaii at Hilo. I've been in the Legislature now for a short six years and back in 1969 I think I saw the first resolution that dealt with this problem. Probably there were resolutions and bills before my time.

The farmers of the County of Hawaii thank all of you for this bill and to the Senators who may be present in the gallery. We'd like to thank all the governmental officials in the County of Hawaii and the State administration who have made this a reality, including those at the University of Hawaii and especially the Board of Regents who supported us. It is a very pleasant moment, Mr. Speaker, for our county and for the future of agriculture in our county. Thank you very much."

Representative Kunimura rose to speak in favor of the bill as follows:

"A very simple measure of this type, Mr. Speaker . . . I rise to speak in favor of this bill. And, not only the benefit of this measure for the people of the State of Hawaii to have an option in the pursuit of the higher learning in agriculture, but this bill has taught us that trying to transfer the University of Hawaii, Manoa Campus, College of Tropical Agriculture, was like trying to transfer an acre of knot grass without breaking them. And we never realized the inter-disciplinary twine that went on in Manoa to support one College of Tropical Agriculture. I thought it was just one small school. But many inter-disciplinary combinations make the school and, therefore, I'm very happy that we got a good lesson in higher education. And congratulations to Representative Roehrig. You almost got everything you wanted this session."

The motion was put by the Chair and carried, and the report of the Committee was adopted and **H. B. No. 1387, H. D. 2, S. D. 1**, as amended, passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Fong and Leopold voting no.

The Chair directed the Clerk to note that **H. B. No. 1387, H. D. 2, S. D. 1, C. D. 1** had passed Final Reading at 7:52 o'clock p.m.

Conf. Com. Rep. No. 26 on H. B. No. 2999-74, S. D. 1, as amended, deferred from April 10, 1974.

Representative Kunimura moved that the report of the Committee be adopted and that **H. B. No. 2999-74, S. D. 1**, as amended, pass Final Reading, seconded by Representative Kihano.

Representative Kunimura rose to speak in favor of the bill as follows:

"Yes, Mr. Speaker, this is a very interesting bill. At our hearings in the House, with strong proponents and strong opposition, and I'd like to say that this bill came back from the Senate that needed terrible laundering. And I'd like to report to this House that the three conferees appointed by you, Mr. Speaker, fortunately, had a very good laundry lady. And I hope the ladies won't class me as a male chauvinist pig, but I'd like to give special recognition to Representative Sakai for a great effort and a great contribution in making this a very clean bill."

The bill before us tonight reflects the efforts of many people to fashion an acceptable first step into new territory. Any pioneering legislation requires some adjustment after implementation. But our first efforts, it seems to me, should have come as close as possible to that goal—the goal we ultimately seek. And, it seems to me, that we're a long, long way from that. Everytime this bill has moved, it's gotten weaker. With ordinary things, the weaker they get, the harder time it has moving. But with legislation, where I guess the art of the possible that Representative Chong referred to the other night, has to be the guiding philosophy. The weaker, the easier it moves. Otherwise, it would just die.

What we're proposing is a far cry from what the people of the State had a right to expect and our environment deserves. Some good things have happened to the bill along the way. 'Significant adverse effects' has been changed to 'significant effects', along the lines of an earlier floor amendment. There are, on the other hand, some provisions of the bill which, it seems to me may be declared unconstitutional. Granted, you can get as many opinions on that probably as you can find lawyers, but perhaps the specific identification of Waikiki.

I certainly wholeheartedly concur that we need to really take a long hard look at the impact of whatever we do in Waikiki, but the specifics to it, rather than in general descriptive language might be questioned. More important, in my view, is the limitation of action, in terms of a party's right to sue. In environmental legislation, prevention of irreversible damage to the environment is the paramount concern; and it is most critical that no action move ahead until valid environmental issues have been legally resolved. Injunctive relief is the appropriate means for preventing irreversible environmental damages before issues are resolved.

This right has been stricken from the original bill, and in what a fashion—a triple whammy. First, the time is really cut down. Second, we've limited it as to who can and limited it again as to what—we tell the courts they can only hear this and not that.

In terms of time, the bill imposes a 60-day statute of limitations for the taking of legal action. Sixty days, it seems to me, is an unreasonably short period within which to commence legal actions challenging the acceptability of an environmental impact statement. Courts have repeatedly held, and here I quote from Am. Jr. that a limitation statute is void if the period allowed is unreasonably short. Well, you know, I could go on a great length about that particular provision.

But, in terms of the additional double limitation, first the aggrieved person would have to have commented in writing. And, on top of that, not only the specific issue he had commented on in writing, he could raise only that specific issue on which he had commented on in writing. We have to keep in mind that in this bill we are dealing with 'aggrieved persons', that's in quotes, the legal definition of that phrase—in other words, a person, who had suffered actual injury. So, by definition, there is no question whether the person has been injured. Yet, the statute would bar that person from seeking redress for such injury, unless he had previously dealt with the cause of his injury by commenting on it.

This bill, and very rightly so, puts the environmental impact statement requirement as far in front of the process as possible. This is a very good thing. But what it means is, since there's no requirement that an individual be notified if something is happening to the lot right next to him, if he doesn't find out about it and comment on it, he can't sue. On top of that, if he wants to sue and say he's not a hydrology expert and it turns out that he's going to be deprived of water, he can't sue unless he's commented specifically on that.

The real value as we found in the environmental impact statement process that now exists in commenting on impact statements are the very specific requirements. I think that what this double restriction tends to do is cause people to file very broad comments in order to touch all bases.

But, of course, if these are unconstitutional, the bill does have a severability clause. So, it seems to me, as a matter of legislative philosophy, we shouldn't have to put some concerned, caring citizen through the time and expense of getting parts of legislation we enact declared unconstitutional. But even aside from all that, the thing is what we've got here covers very, very little. Areas categorically included earlier have been watered down. Specific areas which the commission could include by rules and regs have been cut out.

Someday, of course, what we should really hope and try for is that we won't need environmental impact statements at all. If we had truly adequate general plans and zoning, with real environmental policy an integral part of them, it would mean when someone got the green light on an action, it would really be okay. That's what our goal should be. What we want is to enhance our quality of life, not require a lot of paperwork, often self-serving.

What we should be doing, I guess I'm trying to say really, is plan, not just patch. But as long as we have to patch in the meantime, then we should do the best job we can. This bill is, I've said, seems to me, is a long way from that. But, it's better than nothing. And without the changes that it's undergone in terms of present philosophies and pressures, we would have nothing. And perhaps it says something and maybe a great deal for it and the art of the possible in any kind of situation that the construction industry on the one hand is still saying that this bill is too strong, and the environmental groups, on the other, is saying that it's too weak. This does take us a step forward. And although a long, strong stride forward is what we desperately need, a step is a step.

House Bill 2067 is a step. Therefore, I hope we'll pass it. And I hope we'll all, and I mean all, those outside the Legislature whatever their persuasions and those inside who may come back next time and those who will be newly elected will all begin to think of how it can become more what our environment and the people of this State desperately need and richly deserve."

The motion was put by the Chair and carried and the report of the Committee was adopted and **H. B. No. 2067-74, H. D. 1, S. D. 1**, as amended, passed Final Reading by a vote of 48 ayes to 3 noes, with Representatives Kato, Kunimura and Wasai voting no.

The Chair directed the Clerk to note that **H. B. No. 2067-74, H. D. 1, S. D. 1, C. D. 1** had passed Final Reading at 8:03 o'clock p.m.

Conf. Com. Rep. No. 28 on H. B. No. 2480-74, H. D. 2, S. D. 2, as amended, deferred from April 10, 1974.

On motion by Representative Yap, seconded by Representative Kihano and carried, the report of the Committee was adopted and **H. B. No. 2480-74, H. D. 2, S. D. 2**, as amended, passed Final Reading by a vote of 51 ayes.

The Chair here directed the Clerk to note that **H. B. No. 2480-74, H. D. 2, S. D. 2, C. D. 1** had passed Final Reading at 8:05 o'clock p.m.

THIRD READING

S. B. No. 1408-74

On motion by Representative Suwa, seconded by Representative Akizaki and carried, **S. B. No. 1408-74**, having been read throughout, passed Third Reading by a vote of 36 ayes to 15 noes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, J. Garcia, Hapai, Leopold, Medeiros, Oda, Poepoe, Soares and Yim voting no.

The Chair here directed the Clerk to note that **S. B. No. 1408-74** had passed Third Reading at 8:06 o'clock p.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 746-74 on S. B. No. 1391-74, deferred from April 10, 1974.

On motion by Representative Suwa, seconded by Representative Akizaki and carried, the report of the Committee was adopted and **S. B. No. 1391-74** passed Third Reading by a vote of 36 ayes to 15 noes, with Representatives Aduja, Ajifu, Aki, Amaral, Carroll, W. Chong, Cobb, J. Garcia, Hapai, Leopold, Medeiros, Oda, Poepoe, Soares and Yim voting no.

The Chair here directed the Clerk to note that **S. B. No. 1391-74** had passed Third Reading at 8:07 o'clock p.m.

STANDING COMMITTEE REPORT

Representative Suwa, for the Committee on Finance, presented a report (**Stand. Com. Rep. No. 780-74**) recommending that **S. C. R. No. 55** be adopted.

Representative Wasai moved that the report of the Committee be adopted and that **S. C. R. No. 55** be adopted, seconded by Representative Suwa.

Representative Cobb then rose and spoke in favor of the resolution as follows:

"Mr. Speaker, this resolution asking for an interim study on the subject of outreach counselors is actually the result of the death of a bill dealing with outreach counselors—**House Bill 639, H. D. 3** that we passed near the midpoint of the session.

I hope, in terms of the consideration that is given during the interim study on whether or not outreach counselors, social workers or others should or should not be given the privileged communication that we passed in **House Bill 639**, that the human problem and the very real consideration of the need for this kind of privilege be examined. Your Committee on Education and your Committee on Judiciary deliberated many hours on this particular issue; we heard a great deal of testimony on both sides. But I think the most compelling testimony was given by some young students who said that this kind of a bill, that this kind of a law, would establish a bond of trust to make it possible for them to communicate with a trained responsible adult and in some way try to solve their problems.

What this resolution will accomplish, I hope in the interim, is more evidence of the need of that kind of a solution. And I urge every member to vote aye. Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and **S. C. R. No. 55** was adopted.

At 8:10 o'clock p.m., on request by Representative Wakatsuki, the Chair declared a recess, subject to the call of the Chair.

At 8:12 o'clock p.m., the House of Representatives reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolutions (**H. R. Nos. 506 to 528**) were read by the Clerk and were disposed of as follows:

A resolution (**H. R. No. 506**) congratulations and appreciation to L. E. Rader, director of Institutions, Social and Rehabilitative Services for the State of Oklahoma, for outstanding assistance to the citizens of Hawaii was jointly offered by Representatives Beppu, Akizaki, de la Cruz, Iha, Kihano, Kimura, Kondo, Kunitamura, Lee, Lunasco, Medina, Morioka, Roehrig, Sakima, Uechi, Ushijima, Wedemeyer, Yap, Young and Yuen.

On motion by Representative Kihano, seconded by Representative Lunasco and carried, **H. R. No. 506** was adopted.

A resolution (**H. R. No. 507**) congratulating and commending Representative Joseph R. Garcia, Jr. for his many years of service in the House of Representatives was jointly offered by Representatives Soares, Aduja, Ajifu, Aki, Akizaki, Amaral, Carroll, A. Chong, W. Chong, Cobb, de la Cruz, Fong, R. Garcia, Hapai, Iha, Kato, Kawakami, Kihano, Kimura, King, Kishinami, Kondo, Kunitamura, Lee, Leopold, Lunasco, Medeiros, Medina, Morioka, Nakama, O'Connor, Oda, Poepoe, Roehrig, Saiki, Sakima, Suwa, Takamine, Uechi, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

The Chair here recognized Representative Soares, who yielded to Representative Suwa.

Representative Suwa moved that the resolution be adopted, seconded by Representative Ajifu.

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

"Mr. Speaker, I rise to speak in favor of this resolution. Mr. Speaker, as long as I have been in office, rumors have persistently been spread about the Minority Floor Leader and myself. At this time, I would like the record to show that Joseph Garcia and I are not, and I repeat, are not twins. Perhaps, Mr. Speaker, the rumors were only natural. The Honorable Representative from the Third District and I have many things in common. Over the past, we have received each other's mail, phone calls and visitors—and I won't divulge his mail. Also, Mr. Speaker, much to my dismay, the media has on several occasions, interchanged our photographs. For the sake of my own identity, Mr. Speaker, I would like to state that I am the one with the hair.

But more than that, Mr. Speaker, I hold a special place in my heart for Representative Joseph Garcia because I, as the so-called dissident, can understand what his 24 years in the House as a Republican must have been like. For we both have something in common, we are both in the Minority. But, in all seriousness this Body honoring the Minority Floor Leader has long been overdue. Representative Joseph Garcia has contributed much to this State, and his integrity, wisdom and fine sense of humor have made working with him a pleasure. It is with greatest sincerity that I vote for the adoption of this resolution, for, Mr. Speaker, if there ever was a gentleman with whom I would share my name, I could not have asked for a better man. Thank you."

Representative Kunimura rose and spoke in favor of the resolution as follows:

"So often we hear people say I've given the shirt off my back. But Representative Garcia has a unique ability to say, 'I've given also the hair off my head.' And one warning to all you young members of this House, if you stay around here 24 years, that's what you're going to look like."

Representative Takamine rose and spoke in favor of the resolution as follows:

"Mr. Speaker, I would like also to second the motion. I know we never agreed on all the issues all the time. But I think I can speak for everybody here that we must admit that Representative Garcia was never short for words. In behalf of all the members here, I would like to wish him all the luck in his future endeavors, which include elections. In fact, I emphasize that, if it's elections, I wish him all the luck for any race but of the Third District."

Representative Roehrig then rose and spoke in favor of the resolution as follows:

"Mr. Speaker, I would also like to speak in favor of this resolution. When I saw the resolution come around and I had the opportunity to sign it, I kind of got a little lump in my chest when I thought about the subject matter. I've had my differences also with our honorable colleague from the Third District. He's a man who I have great respect for. I think he is one of the true gentlemen and fighters of this Legislature and through this interaction that I've had with him, I gained a tremendous amount of respect for him and what he has shown on the floor in terms of style, in terms of principle, in terms of warmth and friendship which I will cherish during my days. Thank you."

Representative Suwa rose to speak in favor of the resolution as follows:

"Likewise, it was a pleasure to work with a gentleman known in the Big Island as 'Hukilepo Joe' for many years. He criticized when we deserved it and he patted our shoulder when we deserved it. Likewise, it was a pleasure to work with Joe and I learned plenty from him. Thank you, Joe."

Representative W. Chong rose to speak in favor of the resolution as follows:

"Mr. Speaker, a few years ago when I was a few years younger, I heard a lot of rumors on the Island of Hawaii that when the Republicans met and the Representative from the Second District was disturbed with the going-ons of the caucus, he declared to the members of the caucus, 'the Representative from the County of Hawaii is going to be a dissident. Will the Representatives from the Second District please leave the caucus.' And so, our Honorable Representative Joseph Garcia left the caucus room. And I heard that he was very lonesome because he was the only Republican Representative from the County of Hawaii. After hearing this sad story, I decided to see if I could keep him company. Now, when there's a disagreement in the Minority caucus and I'm telling the Majority a secret, sometimes we disagree too, when he is unhappy, he says, 'Representatives from the County of Hawaii disagree with the decision of the caucus so let's step out.' So now he has company.

But I do want to say, Mr. Speaker, that it has not all been pleasure to serve with our Honorable Representative from the Second District. Sometimes when we have interim committee meetings and we have to be roommates and, as you recall, I'm still a growing boy and I need my sleep. One incident caused me to lose a lot of sleep. We had a meeting at Keauhou Beach Hotel in Kona and I usually dream pleasant dreams. But one morning, somehow there seemed to be flashes of shadows passing back and forth and I wondered what it was. I knew it was not a

blonde in my room. When I woke up, I saw this shadow going back and forth again, then my eyes began to open up and my honorable roommate, 'Hukilepo Joe' was doing his jogging 4 o'clock in the morning. So, Mr. Speaker, in spite of this very unpleasant experience, I still will vote and urge all my colleagues in this Honorable Body to vote in favor of the resolution."

Representative Lunasco rose to speak in favor of the resolution as follows:

"Mr. Speaker, four years ago when we came in as freshmen legislators, about 14 of us, I had the pleasure of working with Representative Garcia. I couldn't find a finer man throughout the halls. In fact, I think, I would echo the words of the staff also. He was always there to give you advice. Although we were on the opposing party and we differed in opinion, he was always there. And it has been a pleasure for me to work with you, Representative Garcia, and I hope you will retire."

Representative Wasai rose to speak in favor of the resolution as follows:

"In the few years that I have known Representative Garcia, we have had enjoyable conversations in Spanish, talking badly about our colleagues. And I know that we'll continue to speak the language. After all, I left education some years ago and Representative Garcia has been the only person who has given me the opportunity to practice the language. Thank you, Representative Garcia."

Representative Aduja rose and spoke in favor of the resolution as follows:

"I thought I was not going to speak tonight because I don't have anything prepared. But I'd like to say that in 1954, even before that, you see I come from Hakalau, and Mr. Joseph Garcia, 'Hukilepo Joe', used to write for the Hilo Tribune Herald. So in 1954 he made me a Republican. At that time, the Republicans were the majority party so I thought, gee, this might be good to be a Republican. So I followed Joe and we got elected. But somehow we were in the Minority. And since 1954 until now, I have never found myself in the Majority. And I'd like to say that, Mr. Speaker, I should have taken your advice in 1959. Somehow, I feel amiss. But, anyway, I'd like to say that Representative Joseph Garcia has taught me a lot.

When we campaigned from the Valley of Hana, that's on the other side, and went up to Kalapana and to the Volcano, it was a big first district then, but I was so happy that I was one of those elected then. And, as I said, I've seen

all kinds of things happen in 1954. I've seen fights on the very floor. I've seen a lot of tears flowing. I've seen a lot of these people becoming United States Senators, lieutenant governor and many more. I say to you, Mr. Speaker, that Mr. Joseph Garcia has shown us how important it is to have a Minority in this hall. And I am sure that if it weren't so, I think the laws of Hawaii would be entirely different. So we owe a great deal to Mr. Joseph Garcia and we shall certainly miss him. But just the same, we hope that he will run again and give the Third District a real fight for survival. And so I speak to say, let us push and agree on this very good resolution. Thank you, Mr. Speaker."

Representative Soares rose to speak in favor of the resolution as follows:

"Mr. Speaker, I've had the privilege and pleasure of serving in this House with Representative Joseph R. Garcia, Jr. for the last eight years, six of which have been as the House Republican leader with he, the master, at my side.

I have never met a man so quick on his feet, so witty and so brazen at times to jump up and keep this place alive. I've never met a man who has the stamina to spin around from the second floor to the fourth floor like this guy does and have the ability to kiss every single secretary in every single office of this Capitol building and to be able to be in the caucus room on time for the Minority caucus. And the funny part is, Mr. Speaker, we have never been able to find out the secret of where Joseph R. Garcia, spends his evenings. I think Representative Kunimura stated one evening that he never met a man with so many kissing cousins as Joe has. And I think we've numbered between 350 and 400.

But, Mr. Speaker, I think all of us here do not feel, nor want, this man of such stamina and dedication to ever leave politics. This resolution does not state this. I do hope it spurs him on to higher heights with the likes of the mayor of the County of Hawaii, with the likes of the State Senate and, heaven forbid, to return back to this arena to give me six more years of what I've had during the last six years.

But, Mr. Speaker, I think all of us here have a tremendous respect and admiration for this man who dedicated 24 years of his life to his Island and to the State and I say with utmost seriousness and affection and love for this man.

I ask all of you to support this resolution or he'll kill me if you don't."

Representative Kimura rose and spoke in favor of the resolution as follows:

"Mr. Speaker, I think it would be somewhat remiss for me not to comment in favor of this resolution on my Minority counterpart—the shining knight.

The two things that I will remember of Representative Garcia during his term as I've served as the Majority Floor Leader and he as the Minority Floor Leader and that is every morning without failure he comes to my office between the hours of 9:30 and 10:00. And his statement every morning is that, 'Representative Kimura, no problems today from the Minority. If you're going to get it, you're going to get it from Richard Garcia and maybe some of the other dissidents.' But he says no problem. And, Mr. Speaker, you will recall that Representative Garcia and some of his colleagues that sit to the right and to the left of him have given us some troublesome resolutions.

And the other thing about him is the fact that, and I think that all of the secretaries of this House will attest to it, when they asked Joe how he felt and he says, 'Of course with my hands.' And the other thing is, I think, on a more serious note, Mr. Speaker, is that you know I think that they've said a lot of good things and I think that some of the things that we see dwindling on the American scene are true patriots. And I think Representative Joe Garcia has from time to time gotten on the floor and given his stirring speeches and he always used to end and remind us that we live in a country of the 'home of the free', or the 'land of the brave.' And I think this is one of the true marks of one of the true patriots, Representative Joe Garcia."

Representative O'Connor rose to speak in favor of the resolution as follows:

"Mr. Speaker, I rise to speak in favor of the resolution simply to say from the Majority—thank you, Joe."

The motion was put by the Chair and carried, and H. R. No. 507 was adopted by a roll call vote of 50 ayes, with Representative J. Garcia being excused.

The Chair here appointed Representatives Takamine, de la Cruz, Wakatsuki and Sakima to escort Representative Joseph Garcia, Jr. to the rostrum.

The Chair then stated:

"The Chair is very privileged tonight to present to this Body one who tasted chairmanship the last time about 25 years ago. I have known Joe for many years as a staff member back in the '55 session and the '57 session. And it is my humble experience that I had a good relationship over the years with Joseph R. Garcia, Jr. It gives me great pleasure at this time to present to you

Representative Garcia."

Representative J. Garcia then addressed the members of the House as follows:

"Mr. Speaker, my fellow colleagues, ladies and gentlemen:

I want to extend my sincere thanks and deep appreciation to the members of this Honorable Body for adopting my obituary. It is said that nothing good is said about a person until after he is dead. Flattering though your comments were, I assure you it was very, very good to hear something good being said about me while I'm still very much alive.

A great deal has been said about my hair. I blame this on the Democrats. If you will recall, Mr. Speaker, and ladies and gentlemen of this House, in 1966 the Democrats, wealthy as they are, presented me with a toupee. Unfortunately, Mr. Speaker, I had to return the toupee because, for a bunch of wealthy men, the Democrats were cheap. The toupee was faulty. It suffered from falling hair and had dandruff. Mr. Speaker, I do appreciate the remarks made by Representative Richard Garcia, Sr. Everytime that he and I walk down the street together people question which of the two Garcia's has the Toni.

But I do want to say that one of the reasons I stay away from Richard is because of the fact that every time the people look at him then at me, they ask themselves, how could such a handsome boy like that have such an ugly father. Mr. Speaker, I trust that nobody is burying me tonight. But I do want to express my sincere thanks and deep appreciation to all of you because in working with you, I have come to one conclusion—every time that we vote aye for a measure, we please some people. And every time we vote no, we displease many others. But in the final analysis, the satisfaction that one takes away from this Capitol and being a public servant is the fact that he or she has tried to make Hawaii a better place in which to live, not only for today, but for always.

And, in conclusion, I would like to say this: 'please, ladies and gentlemen, instead of applauding, would you mind dropping money? I may need it in my next campaign.' Thank you very much."

At 8:42 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

At 8:50 o'clock p.m., the House of Representatives reconvened.

A resolution (H. R. No. 508) commending and expressing sincere appreciation to Dr. Stefan A. Risenfeld, Mrs. Patricia K. Putman, and other persons instrumental in the passage of the Hawaii

Health Prepayment Act was jointly offered by Representatives Takamine, Aduja, Aki, Akizaki, 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, Roehrig, Saiki, Sakima, Soares, Suwa, Ushijima, Wakatsuki, Wasai, Wedemeyer, Wong, Yamada, Yap, Yim, Young, Yuen and Beppu.

On motion by Representative Takamine, seconded by Representative King and carried, **H. R. No. 508** was adopted.

A resolution (**H. R. No. 509**) honoring Kiyoko and Enji Kawamura for their dedicated service to scouting and the community was jointly offered by Representatives Yap, Sakima, Aki, Akizaki, A. Chong, Fong, R. Garcia, Iha, Kato, Kihano, Kishinami, Kondo, Kunimura, Lunasco, Medeiros, Medina, Morioka, Nakama, Suwa, Takamine, Uechi, Ushijima, Wedemeyer, Wong, Yamada, Yim, Yuen and Beppu.

On motion by Representative Yap, seconded by Representative Sakima and carried, **H. R. No. 509** was adopted.

A resolution (**H. R. No. 510**) congratulations to Edwin Takemi Sato for service to the people of Hawaii was jointly offered by Representatives Beppu, Akizaki, de la Cruz, Iha, Kihano, Kimura, Kondo, Kunimura, Lee, Lunasco, Medina, Morioka, Roehrig, Sakima, Uechi, Ushijima, Wedemeyer, Yap, Young and Yuen.

On motion by Representative Yap, seconded by Representative Kihano and carried, **H. R. No. 510** was adopted.

A resolution (**H. R. No. 511**) expressing appreciation to the Central Services Division, Department of Accounting and General Services, for excellent services rendered to the House of Representatives, Regular Session of 1974 was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 511** was adopted.

A resolution (**H. R. No. 512**) conveying appreciation and thanks to the Pineapple Growers Association of Hawaii for supplying fresh pineapple juice was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 512** was adopted.

A resolution (**H. R. No. 513**) conveying appreciation and thanks to the University of Hawaii for supplying fresh tropical fruit juice was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 513** was adopted.

A resolution (**H. R. No. 514**) extending sincere gratitude and thanks to the Honolulu Council of Churches and all of its member churches, the Association of the Oahu Evangelicals, the Honpa Hongwanji Mission and the Catholic Diocese was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 514** was adopted.

A resolution (**H. R. No. 515**) expressing appreciation to the Capitol security force for outstanding service throughout the Regular Session of 1974 was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 515** was adopted.

A resolution (**H. R. No. 516**) extending appreciation to the Honolulu Police Department for its kind and efficient service rendered during the entire session was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 516** was adopted.

A resolution (**H. R. No. 517**) commending the Honolulu Star-Bulletin for its coverage of the activities of the Seventh Legislature, Regular Session of 1974 was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 517** was adopted.

A resolution (**H. R. No. 518**) commending the Honolulu Advertiser for its coverage of the activities of the Seventh Legislature, Regular Session of 1974 was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 518** was adopted.

A resolution (**H. R. No. 519**) commending the Associated Press for its extensive coverage of the activities of the Seventh Legislature, Regular Session of 1974 was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 519** was adopted.

A resolution (**H. R. No. 520**) commending the United Press International for its extensive

coverage of the activities of the Seventh Legislature, Regular Session of 1974 was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 520** was adopted.

A resolution (**H. R. No. 521**) expressing deepest appreciation to the radio stations and TV stations for having provided extensive coverage throughout the session was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 521** was adopted.

A resolution (**H. R. No. 522**) approving the Journal of the House of Representatives of the Sixtieth Day was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 522** was adopted.

A resolution (**H. R. No. 523**) authorizing and directing the Committee on the Journal to compile and print the Journal of the House of Representatives of the Regular Session of 1974 was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 523** was adopted.

A resolution (**H. R. No. 524**) authorizing and empowering the Speaker of the House of Representatives of the Regular Session of 1974 to complete the work of the Seventh Legislature, including the carrying out of official legislative business in the interim was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 524** was adopted.

A resolution (**H. R. No. 525**) authorizing the Speaker of the House of Representatives to designate which employees and officers of the House shall be given additional employment in order to meet the work after the session was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 525** was adopted.

A resolution (**H. R. No. 526**) expressing appreciation to the Legislative Auditor's Office for its splendid cooperation and service rendered to the House during this session was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 526** was adopted.

A resolution (**H. R. No. 527**) expressing appreciation to the Legislative Reference Bureau for its splendid cooperation and service rendered to the House during this session was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 527** was adopted.

A resolution (**H. R. No. 528**) relating to standing and special committees authorized to conduct hearings during the interim between the adjournment of the Regular Session of 1974 and the convening of the Regular Session of 1975 was jointly offered by Representatives Beppu, O'Connor and Soares.

On motion by Representative O'Connor, seconded by Representative Soares and carried, **H. R. No. 528** was adopted.

SENATE COMMUNICATIONS

The following communications from the Senate (**Sen. Com. Nos. 432 to 483**) were read by the Clerk and were disposed of as follows:

A communication from the Senate (**Sen. Com. No. 432**) returning **House Concurrent Resolution No. 12, H. D. 1** which was this day adopted by the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 433**) returning **House Concurrent Resolution No. 50** which was this day adopted by the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 434**) returning **House Concurrent Resolution No. 62, H. D. 1** which was this day adopted by the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 435**) returning **House Concurrent Resolution No. 74** which was this day adopted by the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 436**) returning **House Concurrent Resolution No. 75** which was this day adopted by the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 437**) returning **House Concurrent Resolution No. 76** which was this day adopted by the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 438**) returning **House Concurrent Resolution No. 77** which was this day adopted by the Senate was placed on file.

A communication from the Senate (**Sen. Com.**

No. 439) returning **House Bill No. 390, H. D. 1** which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 440**) returning **House Bill No. 465** which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 441**) returning **House Bill No. 676, H. D. 1** which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 442**) returning **House Bill No. 1470-74, H. D. 2** which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 443**) returning **House Bill No. 2080-74, H. D. 1** which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 444**) returning **House Bill No. 2263-74** which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 445**) returning **House Bill No. 2264-74** which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 446**) returning **House Bill No. 2376-74** which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 447**) returning **House Bill No. 2378-74, H. D. 1** which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 448**) returning **House Bill No. 2482-74, H. D. 1** which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 449**) returning **House Bill No. 2709-74** which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 450**) returning **House Bill No. 3097-74** which this day passed Third Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 451**) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 3094-74, H. D. 1** was adopted by the Senate; and **House Bill No. 3094-74, H. D. 1, S. D. 1, C. D. 1** this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 452**) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 3095-74, H. D. 1** was adopted by the Senate; and **House Bill No. 3095-74, H. D. 1, S. D. 1, C. D. 1** this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 453**) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 2999-74** was adopted by the Senate; and **House Bill No. 2999-74, S. D. 1, C. D. 1** this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 454**) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 2941-74, H. D. 1** was adopted by the Senate; and **House Bill No. 2941-74, H. D. 1, S. D. 1, C. D. 1** this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 455**) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 2865-74, H. D. 1** was adopted by the Senate; and **House Bill No. 2865-74, H. D. 1, S. D. 1, C. D. 1** this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 456**) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 2747-74, H. D. 1** was adopted by the Senate; and **House Bill No. 2747-74, H. D. 1, S. D. 1, C. D. 1** this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 457**) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 2544-74, H. D. 1** was adopted by the Senate; and **House Bill No. 2544-74, H. D. 1, S. D. 1, C. D. 1** this day passed Final Reading in the Senate by not less than two-thirds vote of all the members to which the Senate is entitled was placed on file.

A communication from the Senate (**Sen. Com. No. 458**) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 2538-74, H. D. 1** was adopted by the Senate; and **House Bill No. 2538-74, H. D. 1, S. D. 1, C. D. 1** this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 459**) informing the House that the report of the Committee on Conference on the disagreeing

vote of the House to the amendments proposed by the Senate to **House Bill No. 2491-74**, H. D. 1 was adopted by the Senate; and **House Bill No. 2491-74**, H. D. 1, S. D. 1, C. D. 1 this day passed Final Reading in the Senate by not less than two-thirds vote of all the members to which the Senate is entitled was placed on file.

A communication from the Senate (Sen. Com. No. 460) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 2480-74**, H. D. 2 was adopted by the Senate; and **House Bill No. 2480-74**, H. D. 2, S. D. 2, C. D. 1 this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 461) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 2455-74**, H. D. 2, was adopted by the Senate; and **House Bill No. 2455-74**, H. D. 2, S. D. 1, C. D. 1 this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 462) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 2428-74**, H. D. 1 was this day adopted by the Senate; and **House Bill No. 2428-74**, H. D. 1, S. D. 2, C. D. 1 this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 463) informing the House that the Senate had agreed to the amendments proposed by the House to **Senate Concurrent Resolution No. 14**, S. D. 1 and that **Senate Concurrent Resolution No. 14**, S. D. 1, as amended, was this day Finally adopted by the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 464) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 2374-74**, H. D. 1 was this day adopted by the Senate; and **House Bill No. 2374-74**, H. D. 1, S. D. 1, C. D. 1 this day passed Final Reading in the Senate by not less than two-thirds vote of all the members to which the Senate is entitled was placed on file.

A communication from the Senate (Sen. Com. No. 465) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 2329-74** was adopted by the Senate; and **House Bill No. 2329-74**, S. D. 1, C. D. 1 this day passed Final Reading in the Senate by not less than two-thirds vote of all the members to which the Senate is entitled was placed on file.

A communication from the Senate (Sen. Com. No. 466) informing the House that the report of the Committee on Conference on the disagreeing

vote of the House to the amendments proposed by the Senate to **House Bill No. 2067-74**, H. D. 1 was this day adopted by the Senate; and **House Bill No. 2067-74**, H. D. 1, S. D. 1, C. D. 1 this day passed Final Reading was placed on file.

A communication from the Senate (Sen. Com. No. 467) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to **House Bill No. 1387**, H. D. 2 was adopted by the Senate; and **House Bill No. 1387**, H. D. 2, S. D. 1, C. D. 1 this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 468) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **Senate Bill No. 2215-74**, S. D. 1 was adopted by the Senate; and **Senate Bill No. 2215-74**, S. D. 1, H. D. 1, C. D. 1 this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 469) informing the House that the Report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **Senate Bill No. 2100-74**, S. D. 1 was adopted by the Senate; and **Senate Bill No. 2100-74**, S. D. 1, H. D. 1, C. D. 1 this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 470) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **Senate Bill No. 2024-74**, S. D. 1 was adopted by the Senate; and **Senate Bill No. 2024-74**, S. D. 1, H. D. 1, C. D. 1 this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 471) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **Senate Bill No. 1944-74** was adopted by the Senate; and **Senate Bill No. 1944-74**, H. D. 1, C. D. 1 this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 472) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **Senate Bill No. 1860-74**, S. D. 1 was adopted by the Senate; and **Senate Bill No. 1860-74**, S. D. 1, H. D. 1, C. D. 1 this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (Sen. Com. No. 473) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **Senate Bill No. 1536-74**, S. D. 1 was adopted by the Senate; and **Senate Bill No. 1536-74**, S. D. 1, H. D. 2, C. D. 1 this passed Final Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 474**) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **Senate Bill No. 1498-74**, was adopted by the Senate; and **Senate Bill No. 1498-74, H. D. 1, C. D. 1** this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 475**) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **Senate Bill No. 748, S. D. 2** was adopted by the Senate; and **Senate Bill No. 748, S. D. 2, H. D. 1, C. D. 1** this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 476**) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **Senate Bill No. 17, S. D. 2** was adopted by the Senate; and **Senate Bill No. 17, S. D. 2, H. D. 2, C. D. 1** this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 477**) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to **Senate Bill No. 10, S. D. 1** was adopted by the Senate; and **Senate Bill No. 10, S. D. 1, H. D. 3, C. D. 1** this day passed Final Reading in the Senate was placed on file.

A communication from the Senate (**Sen. Com. No. 478**) informing the House that the Senate had agreed to the amendments proposed by the House to **Senate Bill No. 1245, S. D. 1** and that **Senate Bill No. 1245, S. D. 1**, as amended, this day passed Final Reading in the Senate in accordance with Article III, Section 16, of the Constitution of the State of Hawaii was placed on file.

A communication from the Senate (**Sen. Com. No. 479**) informing the House that the Senate had agreed to the amendments proposed by the House to **Senate Bill No. 878, S. D. 2** and that **Senate Bill No. 878, S. D. 2**, as amended, this day passed Final Reading in the Senate in accordance with Article III, Section 16, of the Constitution of the State of Hawaii was placed on file.

A communication from the Senate (**Sen. Com. No. 480**) informing the House that the Senate had agreed to the amendments proposed by the House to **Senate Bill No. 599, S. D. 2** and that **Senate Bill No. 599, S. D. 2**, as amended, this day passed Final Reading in the Senate in accordance with Article III, Section 16, of the Constitution of the State of Hawaii was placed on file.

A communication from the Senate (**Sen. Com. No. 481**) informing the House that the Senate had agreed to the amendments proposed by the House to **Senate Bill No. 4, S. D. 3** and that **Senate Bill No. 4**, as amended, this day passed Final Reading

in the Senate in accordance with Article III, Section 16, of the Constitution of the State of Hawaii was placed on file.

A communication from the Senate (**Sen. Com. No. 482**) advising the House that the Senate has this day completed its business and is ready to adjourn sine die was placed on file.

A communication from the Senate (**Sen. Com. No. 483**) informing the House that **Senate Bill No. 964, S. D. 1** this day passed Final Reading in the Senate in accordance with Article III, Section 16, of the Constitution of the State of Hawaii was placed on file.

Representative Kato rose on a point of personal privilege and stated the following:

"This term, Mr. Speaker, and I repeat, this term started in rather stormy fashion. It kind of reminded me of the 1971 session. I'm sure you'll recall that session—when it was held up for about ten working days and an 'agreement' was reached with the Minority to affect the organization of the House. You will note, Mr. Speaker, I did not use the term 'coalition', but called it an 'agreement'. Well, whatever the term, or whatever the name, a rose by any other name, etc. and whether it is the dissident group or the reformist group of the dissident reformist group, what is really important is out of all the conflict and strife we have experienced during the past four years, I have seen growth, I've seen progress, I've seen reform and a spirit of fairness which I thought was lacking in the past.

I wish to commend you, Mr. Speaker, for the attitude and stance you have taken after the new Rules of the House were adopted. You will recall, Mr. Speaker, and I emphasize after the Rules were adopted, that Rules, per se, were not a panacea for the problems in the House. And what really mattered was the attitude, the spirit, the philosophy with which the Rules were to be administered.

If I may be permitted to be presumptuous, Mr. Speaker, I have noticed a striking change in the House. It's a change for the better, I might add. And I commend you again, Mr. Speaker, for accepting the new Rules and for adopting the philosophy behind these Rules.

It's been a good session, Mr. Speaker—a very productive one. And I'm glad it was because I would have hated to end my legislative career on a lesser note. I wish to thank all the members of this House for their friendship and for their kindness that they've shown me during the years I've been in the House. The 14 years I spent here have been enriching and unforgettable. I know, Mr. Speaker, I've been trying at times. Did you say yes? But I think that we have all gained something. So, thanks again to you and all the members of the House."

Representative O'Connor rose and spoke on a point of personal privilege as follows:

"Mr. Speaker, I detected in the speech of the previous speaker a note of finality. If I detected that note correctly, I rise to respond to his speech.

Mr. Speaker, I've known Hiroshi Kato for many years, professionally as an attorney, as a legislator and as a friend. He is an excellent, fine man. He said many fine things about the Minority Floor Leader tonight, and I would like to echo many of them about Hiroshi Kato.

His work this year alone, Mr. Speaker, as the Chairman of the Health and Welfare Committee, has resulted in so many productive bills in that area that I wonder why we haven't done many of them a long time ago. He guided the health insurance law through to conclusion in a way that few people in this House could have. He did an excellent job. Therefore, Mr. Speaker, I would like to commend Representative Hiroshi Kato on the work he's done in this Body and commend him in whatever pursuit he pursues henceforth."

Representative J. Garcia rose on a point of personal privilege and stated:

"Mr. Speaker, I rise to speak on behalf of the Minority members of this House. Mr. Speaker, it was my pride and privilege to know Representative Kato from the first day that he sought political office and was elected. And all during his tenure as a member of the House of Representatives. Representative Kato served the people with honor, with distinction and with courage.

Representative Kato has always been an outstanding gentleman. One thing that I appreciated about Representative Kato was the fact that his word was always his bond. His signature was never required. A handshake was all that was needed. I am very, very sorry to see that Representative Kato is terminating his political career because the State of Hawaii is going to be the loser.

Men like Hiroshi Kato come far and few between. And it is my sincere hope, and the hope of the Republican members of this Body, that he would reconsider his decision and still be a candidate in 1974. He has done a great deal to help make Hawaii a better State in which to live, not only for himself, but for all of us. On behalf of the Minority members, we wish him Godspeed and the success in all of his future undertakings."

Representative Saiki rose and stated:

"I have a short statement. I would like to have it inserted into the Journal."

The Chair so ordered and the following is Representative Saiki's prepared statement:

"It is with a great deal of regret that I note this evening that **House Bill 932**, relating to the reapportionment of the Board of Education, has not returned from the Senate where it has been in Fifth Reading for the past year.

It is obvious that the bill is dead. The Legislature will not have a reapportionment plan to offer this year. The State Constitution clearly assigns this responsibility to the Legislature and immediate action was mandated by the courts.

More than nine months ago, we were warned that, if we failed to reapportion the Board this session, the court would do the job. And now that we have abdicated our responsibility, the court will be compelled to act. I have every confidence that the court will do the job fairly and well. But it was not their job to do. It was ours.

As they approach the complex question of reapportionment, the courts will be bound by existing statutes in this area which mandate that the Board of Education shall consist of eleven members. It is highly likely that the courts will determine that the only equitable apportionment of an eleven-member Board is for all eleven members to run at large. Should that be their decision, we face the possibility that our State Board of Education will be made up predominately of Oahu members while our Neighbor Island counties go under-represented, or may go without any representation whatsoever. I hope this will not be the case. But we have left the courts with few options.

We wrestled with the problem of the proper size for the Board, and how it should be apportioned. We spent many hours with many public hearings held throughout the State. But, in the final analysis, Mr. Speaker, we failed to come to grips with the problem. And the proof of that lies in the fact that we have no reapportionment bill before us tonight.

My apology is owed to the people of this State and I know I speak for all the members of this House when I offer that apology. And I would certainly hope that there will be one forthcoming from the Senate."

The Chair here addressed the members of the House as follows:

"Members of the House, when we began this session, our State, like other states, was beset by a number of crises. The energy crisis, of course, was paramount at that time. The cost of living continued to rise here, as in the other states, and the State's fiscal stability was still uncertain. My comments at that time

were that crises last as long as people permit them to last. In other words, we had to begin working together to solve them.

And this we have attempted to do. I believe we have dealt with some of the major issues that confronted us and have worked to alleviate those crises that have beset us. In response to the energy crisis, we enacted the emergency powers bill to provide the administration with the means to ease the fuel situation. And, despite the fiscal crisis, we passed a budget without the need for a tax increase.

We have provided for an increase in the minimum wage and prepaid health insurance for all workers. Neither measure will completely solve the problem of our cost of living, but they will certainly help the average working man meet the demands of increasing costs.

In other areas we have extended the housing powers under Act 105 to the counties, enacted further protections for consumers, provided economic assistance to the depressed areas of Kohala, Molokai and Kauai.

We have worked hard to pass many other measures which are not apt to catch the attention of the public, or make the headlines, but which are important to the welfare of our people and to the continuation and improvement of government operations and services.

As we look back on this session, I think we can rightly say that we, as a Body, acted responsibly—that the hallmark of this session was responsibility. We have met some hard questions; and, in the process, we have had some trying times and experiences. But the end result reflects a deeply held collective sense of responsibility—of doing the right things, given the constraints and limitations we have had to work under. I venture to add that our actions required a certain measure of political courage.

It is easy enough to go along with those loud and vocal champions of issues having political appeal in the nature of motherhood and apple pie without regard to the adverse consequences which a hastily, ill-conceived measure may inflict upon those affected and without regard to the fact that the cure may be worse than the cause.

It is not easy to stand up and resist the temptation to give in to what may be politically expedient, to fight a popular cause not because it, in itself, is bad, but because the means with which it seeks to advance is defective. And yet, we have seen such acts of political courage here in this Chamber.

I must admit there have been frustrating times, as Hiroshi Kato just mentioned, but I

am sure that it has been for all of us here an experience. This is due in part to our wide differences of opinions on many subjects. They need to be argued in order that we can arrive at a common ground.

We must never lose sight of working together, for it is the only reason that we are seated in these Chambers. We must be constantly aware of the fact that we, as in all legislative bodies, are simply human beings with differences of opinion. It is essential that we recognize each other and respect each other's opinions in our relationships with each other. For it is not so important that we be of the same opinion, but we be of the same spirit. For this spirit is what has enabled us to achieve what we have over the past years, and it is what we will continue to do in the future.

I want to thank the staff, the floor staff, the printshop, the journal clerks for their work. And before I close, I want to give my personal appreciation for the work the Representative from the Eleventh District has done this session. And I'm talking about Representative Kato. One of the monumental legislative works we've done was the prepaid health plan. I want to thank you very much for your leadership in the Committee and in the Conference Committee. I thank you all for your patience and participation. Thank you."

Representative Soares then addressed the members of the House as follows:

"Mr. Speaker, we've had very long and beautiful speeches tonight. I'd therefore, would like to file my beautiful speech with the Clerk for the Journal because I'd hate to bore anyone any longer. But in so doing, I want to thank the staff for treating the Republicans as equals and being very, very cordial to us in doing a good job on the floor and in the offices. We really appreciate this kind of courtesy and assistance. We've had very trying times, Mr. Speaker, we've done a good job in many areas and have failed in others. And I think, for the record, we hope that these areas of concern which have not been solved will be attacked with vigor and enthusiasm and dedication in the session ahead of us. On behalf of the Republicans of the House, we look forward to at least a great year in 1975 and interim work leading up to that. And I want to pledge on their behalf our dedicated service and our desire to serve the people in the utmost fashion. Thank you, Mr. Speaker."

Representative Soares' written address follows:

"Mr. Speaker, the House Republicans appreciate this opportunity to make a few observations regarding the 1974 session. In reviewing the scorecard for this session, I find the job of assessment to be unusually difficult.

From the point of view of legislation relating to labor, education, social welfare and consumer protection, the 1974 session ought to go down in the books as extraordinarily productive.

Not only have we enacted pioneer legislation providing Hawaii's people with an adequate minimum wage and outstanding health and dental coverage, we have also taken significant action in such equally important areas as minimum property tax reduction, enhanced tax credits for low- and moderate-income families, and much needed consumer-oriented legislation to protect the public from abuse by unscrupulous business operators.

The Minority wants to give special attention to two legislative areas in addition to those I have already mentioned. First, the many and various achievements relating to housing in the State of Hawaii. Suffice it to say here that the measures enacted into law by this Honorable Body have created at long last an environment which should eventually assure Hawaii's citizens adequate housing at reasonable prices. Just as Act 105 was considered landmark legislation in 1970, Mr. Speaker, I believe the measures we have passed in 1974 will merit comparable recognition.

The second area deserving special attention is Hawaii's no-fault law and especially the improvements we have made this session. When these improvements are signed into law, Hawaii can rightfully take its place as a leader among all the states in the effort to protect the motoring public.

Finally, Mr. Speaker, I want to give a special pat on the back to the Minority in taking the initiative which not only provided the State House of Representatives with its first independent audit ever of its expenses and management practices, but also will result in a manual of procedures to insure that this Honorable Body will henceforth conduct its financial business in reasonable fashion. Indeed, Mr. Speaker, we can hope that this action taken by the House might soon be duplicated by our Senate colleagues when they next convene.

While it is pleasant to dwell on these and other pleasant accomplishments, Mr. Speaker, the Minority also has the critical role of the loyal opposition.

In 1973 the Legislature was often praised for the things that it did not do—most notably the last minute decision of the House to kill the tax bill before it. This year, unfortunately, the 1974 session may become severely criticized rather than lauded for things we did not do.

When I say 'we', Mr. Speaker, I want to

make it explicit that the responsibility for inaction must fall directly on the shoulders of the leadership and all Majority members of the House. The same holds true for the Senate leadership which has similarly failed to act in a cooperative spirit with the House despite both sides being from the same political party.

We can only hope that the consequences of these failures are not so serious as to largely outweigh the good which we have accomplished here. Whatever the judgment proves to be, let us review very briefly what this Honorable Body might have additionally accomplished had it enjoyed sharper direction from its leaders and a clearer commitment to decisive action.

First, the House has a dismal record in the area of government reform. Despite excellent bills from both sides of the aisle regarding initiative referendum and provisions for open governmental meetings, the scorecard for bills passed shows a flat zero.

Second, the sun has certainly failed to shine upon House actions with respect to campaign and election reform and lobbyist registration. It seems to me, Mr. Speaker, that the House was a victim of the Senate's one-upmanship game last evening. And it is the public which ultimately pays the price.

A third and similarly disastrous area of legislative inertia is the matter of reapportionment of the State Board of Education. The House has been on notice for more than a year concerning the need to take action and yet our efforts have done nothing but add more fuel to the fires of confusion. It has been embarrassing for us to be able to do nothing more than sit back and watch the courts take corrective action where we could not.

The fourth notable failure is the lack of action toward genuine fiscal reform. While balanced budgets are, of course, a nice thing to have whether produced by magic or otherwise, it is nicer still to have reasonable assurances that the State's long-range fiscal imbalance will not be rearing its ugly head year after year. The people are fed up with spiraling governmental costs without any apparent effort to introduce and effect responsible fiscal controls. The 1974 session had its opportunity to act and simply blew it.

The fifth and final area of legislative deficiency the Minority will discuss this evening is the matter of improved State and County planning and land use control policies. At least a dozen good bills were in the hopper which would have resolved State and County policy conflicts and would have furnished definitive policy guides for State and County action. However, this Honorable Body saw fit to pass only stop-gap measures at best and at

worst administrative changes at all levels of government which may in the future seriously hamper concerned citizens and groups seeking to protect and enhance Hawaii's social and natural environment.

In summary, Mr. Speaker, I believe we should not go too far tonight in congratulating ourselves on this 1974 session. Good legislation is there, to be sure, but it is the absence of so much of what could have been accomplished that every member of this Honorable Body will have to live with from now until November.

And you may be sure, Mr. Speaker, that the Republican members of this esteemed assembly fully intend to keep these memories alive. Thank you, Mr. Speaker."

Representative O'Connor rose and stated:

"Mr. Speaker, I, too, had a prepared speech, but I shall deviate from in the essence of saving time. I've never been a majority leader before, and I would just like very simply to say to all of you in all humility and appreciation, thank you very much. Each of you have in some way this session contributed to making it go in the way it should, and thank you.

Mr. Speaker, your committee chairmen have done a heck of a job this year, and I had a long speech laid out to tell you just what each one had done. But they know what they've done. I don't think we need to say anything more about that.

I would like to comment very succinctly on the conference committees that have met. And I would like to report to you as you know from the reports that have been filed that we have had 28 very successful conference committees which have resolved differences between the House and the Senate. All who participated should be congratulated. However, unfortunately, we had two conference committees that were not successful. Just to clear the record, Mr. Speaker, I would like to say that the record of this House in both areas that were in conference in the un-

successful areas—the registration of lobbyist and campaign spending is very, very clear.

This House passed a lobbying registration bill in 1971 which died in the Senate. This House passed another lobbying registration bill which was a little bit weaker and didn't include expenditure requirements in 1973 which sat in the Senate for a year. This House went to conference on the lobbying bill and our conferees were still in conference when the Senate adjourned for the evening last evening, leaving approximately five hours of working time unused. And they adjourned immediately after our conference committee had made a counter offer in regards to some provision of the bill.

This House, as part of its platform both Majority and Minority, sought a registration of a lobbyist bill this session. And we did not get one. And the same is true of the campaign spending bill, Mr. Speaker. As you will recall, this House passed a campaign spending bill to the Senate in 1972 and that bill, because of certain requirements that the Senate needed having to do with individual legislators, died in conference. That was a House bill. Again, the campaign spending bill worked upon this year was a House bill as was the lobbying bill. And that campaign spending bill met the same fate last night that the registration of lobbyist bill did.

Mr. Speaker, when in a negotiation one party says to the other party, 'take it or leave it,' it's time at that time to reassess the good faith of the negotiators. I think, Mr. Speaker, the record of this House is clear in those areas and that our conferees should hold their heads high and we shall proceed in future years to obtain the goals which we did not obtain this year in those areas. Thank you, Mr. Speaker."

ADJOURNMENT

At 9:08 o'clock p.m., on motion by Representative Kimura, seconded by Representative J. Garcia and carried, the House of Representatives of the Seventh Legislature adjourned sine die.

**GOVERNOR'S MESSAGES RECEIVED
AFTER THE ADJOURNMENT OF THE
LEGISLATURE SINE DIE**

Gov. Mess. No. 75 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the House that he signed **House Bill No. 143-73** as Act 8 on April 1, 1974.

Gov. Mess. No. 76 from John A. Burns, Governor of Hawaii, thanking the Honorable Tadao Beppu and the House of Representatives for the certificate and copy of Senate Concurrent Resolution extending birthday greetings to him.

Gov. Mess. No. 77 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the House that he signed the following bills on April 4, 1974: **House Bill No. 2216-74** as Act 9, **House Bill No. 2217-74** as Act 10, **House Bill No. 2220-74** as Act 11 and **House Bill No. 2622-74** as Act 12.

Gov. Mess. No. 78 from George R. Ariyoshi, Acting Governor, State of Hawaii, respectfully requesting consideration for an increase in the proposed general obligation bond appropriation for the new East-West Center facility from \$6 million to \$8.10 million.

Gov. Mess. No. 79 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the House that he signed **Senate Bill No. 1559-74** as Act 13 on April 8, 1974.

Gov. Mess. No. 80 from George R. Ariyoshi, Acting Governor, State of Hawaii, transmitting copies of a report prepared by the Department of Planning and Economic Development in response to **House Resolution No. 42**, requesting proposals in support of new town developments.

Gov. Mess. No. 81 from George R. Ariyoshi, Acting Governor, State of Hawaii, transmitting copies of a report prepared by the University of Hawaii in response to **Senate Resolution No. 205-74** Congratulating President Harlan Cleveland, Chancellor Wytze Gorter, and David Hood on the Provisional Accreditation of the Law School of the University of Hawaii, which requested a progress report regarding the stated reservations of the accreditation committee of the American Bar Association.

Gov. Mess. No. 82 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the House that he signed **House Bill No. 651** as Act 14 on April 9, 1974.

Gov. Mess. No. 83 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the House that he signed **Senate Bill No. 1573-74** as Act 15 on April 26, 1974.

Gov. Mess. No. 84 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the House that he signed **Senate Bill No. 2060-74** as Act 16 on May 2, 1974.

Gov. Mess. No. 85 from George R. Ariyoshi, Acting Governor, State of Hawaii informing the House that he signed **House Bill No. 866** as Act 17 on May 15, 1974.

Gov. Mess. No. 86 from George R. Ariyoshi, Acting Governor, State of Hawaii informing the House that he signed **Senate Bill No. 761** as Act 18 on May 17, 1974.

Gov. Mess. No. 87 from George R. Ariyoshi, Acting Governor, State of Hawaii informing the House that he signed **House Bill No. 2582-74** as Act 19 and **Senate Bill No. 1981-74** as Act 20 on May 20, 1974.

Gov. Mess. No. 88 from George R. Ariyoshi, Acting Governor, State of Hawaii informing the House that on May 22, 1974 he signed **House Bill No. 2082-74** as Act 21; **House Bill No. 2826-74** as Act 22 and **House Bill No. 2827-74** as Act 23 and on May 23, 1974 he signed **Senate Bill No. 1262** as Act 24; **Senate Bill No. 1523-74** as Act 25; **Senate Bill No. 1525-74** as Act 26; **House Bill No. 1526** as Act 27; **House Bill No. 2207-74** as Act 28 and **House Bill No. 2858-74** as Act 29.

Gov. Mess. No. 89 from George R. Ariyoshi, Acting Governor, State of Hawaii informing the House that he signed the following bills on May 24, 1974: **House Bill No. 2179-74** as Act 30, **House Bill No. 2190-74** as Act 31, **House Bill No. 2192-74** as Act 32, **Senate Bill No. 2200-74** as Act 33, **Senate Bill No. 2215-74** as Act 34, **House Bill No. 2466-74** as Act 35, **House Bill No. 2508-74** as Act 36, **House Bill No. 2738-74** as Act 37, **Senate Bill No. 1733-74** as Act 38, **House Bill No. 1856-74** as Act 39, **House Bill No. 2617-74** as Act 40, **House Bill No. 3051-74** as Act 41, **Senate Bill No. 1601-74** as Act 42, **Senate Bill No. 1729-74** as Act 43, **House Bill No. 645** as Act 44, **House Bill No. 834** as Act 45, **House Bill No. 2431-74** as Act 46, **House Bill No. 2681-74** as Act 47, **House Bill No. 2900-74** as Act 48 and on May 25, 1974 he signed **Senate Bill No. 2152-74** as Act 49, **House Bill No. 2266-74** as Act 50, **House Bill No. 2498-74** as Act 51, **House Bill No. 2892-74** as Act 52 and **House Bill No. 3094-74** as Act 53.

Gov. Mess. No. 90 from George R. Ariyoshi, Acting Governor, State of Hawaii informing the House that he signed the following bills on May 28, 1974: **Senate Bill No. 1487-74** as Act 54, **Senate Bill No. 1907-74** as Act 55, **Senate Bill No. 1745-74** as Act 56, **Senate Bill No. 1973-74** as Act 57, **Senate Bill No. 2051-74** as Act 58, **Senate Bill No. 2118-74** as Act 59, **Senate Bill No. 2189-74** as Act 60, **House Bill No. 708** as Act 61, **House Bill No. 1470-74** as Act 62, **House Bill No. 2456-74** as Act 63, **House Bill No. 2471-74** as Act 64, **House Bill No. 2624-74** as Act 65, **House Bill No. 2771-74** as Act 66 and **House Bill No. 2968-74** as Act 67 on May 29, 1974 he signed the following bills: **Senate**

Bill No. 601 as Act 68, **Senate Bill No. 878** as Act 69, **House Bill No. 2277-74** as Act 70, **Senate Bill No. 1517-74** as Act 71, **Senate Bill No. 1702-74** as Act 72, **Senate Bill No. 1802-74** as Act 73, **Senate Bill No. 2065-74** as Act 74, **House Bill No. 82** as Act 75, **House Bill No. 1430** as Act 76, **House Bill No. 2052-74** as Act 77, **House Bill No. 2196-74** as Act 78 and **House Bill No. 2276-74** as Act 79.

Gov. Mess. No. 91 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the House that he signed the following bills on May 30, 1974: **House Bill No. 2222-74** as Act 80, **Senate Bill No. 887** as Act 81, **House Bill No. 2538-74** as Act 82, **House Bill No. 2590-74** as Act 83, **Senate Bill No. 1746-74** as Act 84, **House Bill No. 1482** as Act 85 and **House Bill No. 3096-74** as Act 86.

Gov. Mess. No. 92 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the House that he signed the following bills on May 31, 1974: **Senate Bill No. 1364** as Act 87, **Senate Bill No. 1498-74** as Act 88, **Senate Bill No. 1565-74** as Act 89, **Senate Bill No. 1741-74** as Act 90, **Senate Bill No. 1790-74** as Act 91, **Senate Bill No. 1913-74** as Act 92, **Senate Bill No. 2047-74** as Act 93, **Senate Bill No. 2082-74** as Act 94, **Senate Bill No. 2100-74** as Act 95, **House Bill No. 342** as Act 96, **House Bill No. 1807** as Act 97, **House Bill No. 2073-74** as Act 98, **House Bill No. 2177-74** as Act 99, **House Bill No. 2185-74** as Act 100, **House Bill No. 2186-74** as Act 101, **House Bill No. 2206-74** as Act 102, **House Bill No. 2228-74** as Act 103, **House Bill No. 2245-74** as Act 104, **House Bill No. 2302-74** as Act 105, **House Bill No. 2371-74** as Act 106, **House Bill No. 2541-74** as Act 107, **House Bill No. 2801-74** as Act 108, **House Bill No. 2840-74** as Act 109, **House Bill No. 2872-74** as Act 110, **House Bill No. 2979-74** as Act 111, **House Bill No. 2589-74** as Act 112, **House Bill No. 2682-74** as Act 113 and **Senate Bill No. 1789-74** as Act 114 and on June 3, 1974 he signed the following bills: **Senate Bill No. 1266** as Act 115, **Senate Bill No. 1450-74** as Act 116, **House Bill No. 41** as Act 117, **House Bill No. 89** as Act 118, **House Bill No. 563** as Act 119, **House Bill No. 719** as Act 120, **House Bill No. 865** as Act 121, **House Bill No. 1291** as Act 122, **House Bill No. 1447** as Act 123, **House Bill No. 867** as Act 124, **House Bill No. 1498** as Act 125, **House Bill No. 2049-74** as Act 126, **House Bill No. 1562** as Act 127, **House Bill No. 2146-74** as Act 128, **House Bill No. 2178-74** as Act 129, **House Bill No. 2199-74** as Act 130, **House Bill No. 2204-74** as Act 131, **House Bill No. 2312-74** as Act 132, **House Bill No. 2330-74** as Act 133, **House Bill No. 2331-74** as Act 134, **House Bill No. 2436-74** as Act 135, **House Bill No. 2455-75** as Act 136, **House Bill No. 2544-74** as Act 137, **House Bill No. 2621-74** as Act 138, **House Bill No. 2623-74** as Act 139, **House Bill No. 2750-74** as Act 140, **House Bill No. 2796-74** as Act 141, **House Bill No. 2810-74** as Act 142, **House Bill No. 2862-74** as Act 143 and **House Bill No. 2981-74** as Act 144.

Gov. Mess. No. 93 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the

House that he signed the following bills on June 4, 1974: **Senate Bill No. 1791-74** as Act 145, **House Bill No. 27** as Act 146, **House Bill No. 676** as Act 147, **House Bill No. 2467-74** as Act 148, **House Bill No. 2799-74** as Act 149, **Senate Bill No. 1844-74** as Act 150, **House Bill No. 144** as Act 151, **House Bill No. 2193-74** as Act 152, **House Bill No. 2297-74** as Act 153, **House Bill No. 2506-74** as Act 154, **House Bill No. 2617-74** as Act 155, **House Bill No. 2635-74** as Act 156 and **House Bill No. 2928-74** as Act 157.

Gov. Mess. No. 94 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the House that he signed the following bills on June 6, 1974: **Senate Bill No. 1871-74** as Act 158, **Senate Bill No. 1944-74** as Act 159, **Senate Bill No. 463** as Act 160, **Senate Bill No. 1536-74** as Act 161, **Senate Bill No. 2095-74** as Act 162, **House Bill No. 465** as Act 163, **House Bill No. 2241-74** as Act 164, **House Bill No. 2263-74** as Act 165, **House Bill No. 2264-74** as Act 166, **House Bill No. 2941-74** as Act 167, **House Bill No. 2480-74** as Act 168 and **House Bill No. 2784-74** as Act 169.

Gov. Mess. No. 95 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the House that he signed the following bills on June 7, 1974: **House Bill No. 2254-74** as Act 170, **Senate Bill No. 10** as Act 171, **House Bill No. 2188-74** as Act 172, **House Bill No. 2253-74** as Act 173, **House Bill No. 2255-74** as Act 174, **House Bill No. 2256-74** as Act 175, **House Bill No. 2626-74** as Act 176, **House Bill No. 2841-74** as Act 177, **House Bill No. 2688-74** as Act 178, **House Bill No. 92** as Act 179, **House Bill No. 2888-74** as Act 180 and **Senate Bill No. 180** as Act 181; on June 10, 1974 he signed **House Bill No. 2352-74** as Act 182, **House Bill No. 3092-74** as Act 183, **Senate Bill No. 1409-74** as Act 184, **Senate Bill No. 323** as Act 185, **House Bill No. 390** as Act 186, **House Bill No. 498** as Act 187, **House Bill No. 1378** as Act 188, **Senate Bill No. 2024-74** as Act 189, **House Bill No. 2271-74** as Act 190, **House Bill No. 1387** as Act 191, **House Bill No. 2137-74** as Act 192, **House Bill No. 1548** as Act 193, **House Bill No. 2261-74** as Act 194, **Senate Bill No. 2067-74** as Act 195, **Senate Bill No. 1422-74** as Act 196, **House Bill No. 2720-74** as Act 197, **Senate Bill No. 1734-74** as Act 198, **Senate Bill No. 1731-74** as Act 199, **House Bill No. 2704-74** as Act 200, **House Bill No. 2075-74** as Act 201, **Senate Bill No. 1832-74** as Act 202, **House Bill No. 2375-74** as Act 203, **House Bill No. 2080-74** as Act 204 and **House Bill No. 2485-74** as Act 205 and on June 12, 1974 he signed **House Bill No. 2378-74** as Act 206, **Senate Bill No. 1766-74** as Act 207, **Senate Bill No. 1829-74** as Act 208, **Senate Bill No. 1658-74** as Act 209, **Senate Bill No. 14** as Act 210, **House Bill No. 3018-74** as Act 211, **House Bill No. 2915-74** as Act 212, **Senate Bill No. 1451-74** as Act 213, **House Bill No. 2843-74** as Act 214, **Senate Bill No. 1747-74** as Act 215, **House Bill No. 2062-74** as Act 216 and **House Bill No. 2731-74** as Act 217.

Gov. Mess. No. 96 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the House that he signed the following bills on June 13, 1974: **House Bill No. 2374-74** as Act 218, **House Bill No. 3095-74** as Act 219, **Senate Bill No. 748** as Act 220, **Senate Bill No. 1860-74** as Act 221, **House Bill No. 2440-74** as Act 222, **House Bill No. 1931** as Act 223, **House Bill No. 3005-74** as Act 224 and **Senate Bill No. 4** as Act 225; and on June 14, 1974 he signed **House Bill No. 2491-74** as Act 226, **House Bill No. 2329-74** as Act 227, **House Bill No. 2747-74** as Act 228, **House Bill No. 2709-74** as Act 229, **House Bill No. 2482-74** as Act 230, **House Bill No. 2425-74** as Act 231, **House Bill No. 2859-74** as Act 232, **House Bill No. 135** as Act 233, **Senate Bill No. 1963-74** as Act 234, **House Bill No. 2376-74** as Act 235, **House Bill No. 3097-74** as Act 236, **Senate Bill No. 1391-74** as Act 237, **House Bill No. 2995-74** as Act 238, **House Bill No. 2997-74** as Act 239, **House Bill No. 2363-74** as Act 240, **House Bill No. 2197-74** as Act 241 and **House Bill No. 2756-74** as Act 242.

Gov. Mess. No. 97 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the House that he signed the following bills on June 15, 1974: **Senate Bill No. 1245** as Act 243, **House Bill No. 104** as Act 244, **Senate Bill No. 965** as Act 245, **House Bill No. 2067-74** as Act 246, **House Bill No. 2547-74** as Act 247, **Senate Bill No. 1397-74** as Act 248, **House Bill No. 2065-74** as Act 249 and **House Bill No. 2860-74** as Act 250.

Gov. Mess. No. 98 from George R. Ariyoshi, Acting Governor, State of Hawaii, informing the House that he signed the following bills on June 17, 1974: **Senate Bill No. 459** as Act 251, **Senate Bill No. 218** as Act 252, **House Bill No. 2999-74** as Act 253, **House Bill No. 2300-74** as Act 254 and **House Bill No. 521** as Act 255.

Gov. Mess. No. 99 from George R. Ariyoshi, Acting Governor, State of Hawaii, transmitting a report of the Hawaii Public Employment Relations Board activities.

Gov. Mess. No. 100 from George R. Ariyoshi, Acting Governor, State of Hawaii, transmitting copies of a report prepared by the Hawaii Housing Authority, Department of Social Services and Housing pursuant to Section 356-26, Hawaii Revised Statutes.

Gov. Msg. No. 101 returning **House Bill No. 2584-74** without his approval, together with his statement of objections relating to the measure which reads:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

May 30, 1974

STATEMENT OF OBJECTIONS
TO **HOUSE BILL NO. 2584-74**

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to section 17 of Article III of the

Constitution of the State of Hawaii, I am returning herewith, without my approval, **House Bill No. 2584-74**, entitled 'A Bill for an Act Relating to District Court Judges.'

House Bill No. 2584-74 would increase from eight to eleven the number of District court judges in the First Circuit (Honolulu) to keep pace with the increasing number of cases filed with the District Court in that circuit.

However, the legislature has also passed **Senate Bill No. 1789-74** which is practically identical to **House Bill No. 2584-74**. Since I have already signed **Senate Bill No. 1789-74** into law, **House Bill No. 2584-74** is not necessary and approval thereof would serve no useful purpose.

For the foregoing reasons, I am returning **House Bill No. 2584-74** without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

"PROCLAMATION

WHEREAS, under section 17 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **House Bill No. 2584-74**, entitled 'A Bill for an Act Relating to District Court Judges', passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, **House Bill No. 2584-74** is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **House Bill No. 2584-74** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 30th day of May, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

Gov. Msg. No. 102 returning **House Bill No. 220** without his approval, together with his

statement of objections relating to the measure which reads:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

May 31, 1974

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 220

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, **House Bill No. 220**, entitled 'A Bill for an Act Relating to the Hawaii Employment Relations Act.'

House Bill No. 220 proposes to amend the Hawaii Employment Relations Act by shortening from ten to five days the period of notice required to be given to parties before any hearing may be held by the court in the review of any decision of the Hawaii Employment Relations Board.

Under existing law, any decision of the Hawaii Employment Relations Board is subject to judicial review by the circuit court by filing a notice of appeal within thirty days. After ten days' written notice has been given to the parties, a hearing on the record may be held by the court.

House Bill No. 220 as originally submitted to the Legislature would have prohibited judicial review of any decision of the Hawaii Employment Relations Board regarding matters relating to representation, as distinguished from unfair labor practice, cases. That proposal, which is consistent with the practice and procedure before the National Labor Relations Board, was submitted in order to avoid delays in representation cases where time is a crucial factor.

However, **House Bill No. 220**, as passed by the Legislature, simply shortens the period of advance notice the parties are entitled to, prior to the hearing on appeal. But the mere shortening of the notice period to hear arguments on the appeal before the circuit court does little to resolve the real problem of delays resulting from judicial review in representation proceedings.

For the foregoing reasons, I am returning **House Bill No. 220** without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

"PROCLAMATION

WHEREAS, under section 17 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **House Bill No. 220**, entitled 'A Bill for an Act Relating to the Hawaii Employment Relations Act', passed by the legislature, was presented to the acting governor within the aforementioned period; and

WHEREAS, **House Bill No. 220** is unacceptable to the Acting Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **House Bill No. 220** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 31st day of May, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

Gov. Msg. No. 103 transmitting his statement of objections to **Senate Bill No. 17** which he has returned to the Senate without his approval and which reads:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 3, 1974

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 17

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, **Senate Bill No. 17**, entitled 'A Bill for an Act Relating to the Board of Paroles and Pardons.'

Senate Bill No. 17 would reconstitute the board of paroles and pardons as a professional board, with a full-time chairman and two other members who would serve on a part-time basis, in order 'to provide a more effective and effi-

cient means to achieve the dual and inseparable purposes of parole, the protection of society on the one hand and the rehabilitation of the offender on the other'. The bill provides that the members of the board, to be known as the paroling authority, shall be nominated by a panel composed of the chief justice of the Hawaii Supreme Court, the director of social services, the president of the Hawaii correctional association, the president of the Hawaii Bar Association and others. The governor would make appointments pursuant to Section 26-34, HRS. The members are to be appointed 'on the basis of their qualifications to make decisions that will be compatible with the welfare of the community and of individual offenders and the circumstances under which offenses were committed.' The bill also sets forth the responsibilities and functions of the paroling authority.

It is noted that **Senate Bill No. 17** takes effect upon approval. Although the transition provision provides that the paroling authority shall succeed to the powers and duties of the old board of paroles and pardons, that the employees of the board of paroles and pardons shall be transferred to the paroling authority, and that all records, equipment, supplies and other property acquired or held by the old board of paroles and pardons shall be transferred to the paroling authority, there is no provision that continues the old board until the new paroling authority has been duly constituted. This omission raises a serious question regarding the status of the old board and whether said board can continue to function until members of the paroling authority have been nominated by the panel and appointed by the Governor. I feel that the work of the board of paroles and pardons is too important to be jeopardized by any question relating to the board's legal status.

Moreover, the legislative intent in providing for a 'professional board' to deal with the problems of paroles and pardons may be commendable, but it is doubtful whether a board with a full-time chairman and two part-time members would really accomplish the objectives desired. The weakness here is that the part-time members may be simply rubber-stamping the decisions of the full-time chairman.

Furthermore, it is possible that there are other alternatives in handling the problems of paroles and pardons, one of them being, perhaps, that the Department of Social Services and Housing should undertake that function, rather than a board. Because of such possibilities, it is my belief that the Department of Social Services and Housing should be given an opportunity to further study the problem before the change proposed by this bill is enacted into law.

For the foregoing reasons, I am returning **Senate Bill No. 17** without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

"PROCLAMATION

WHEREAS, under section 17 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **Senate Bill No. 17**, entitled 'A Bill for an Act Relating to the Board of Paroles and Pardons', passed by the legislature, was presented to the Acting Governor within the aforementioned period; and

WHEREAS, **Senate Bill No. 17** is unacceptable to the Acting Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **Senate Bill No. 17** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 3rd day of June, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

Gov. Msg. No. 104 transmitting his statement of objections to **Senate Bill No. 599** which he has returned to the Senate without his approval and which reads:

"STATE OF HAWAII EXECUTIVE CHAMBERS

June 3, 1974

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 599

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, **Senate Bill No. 599**, entitled 'A Bill for an Act Relating to Public Assistance for Medical Care.'

Senate Bill No. 599 would establish a flat dollar amount of assets which may be retained by a family (regardless of the size of the family) and still allow it to qualify for public assistance for medical care. I have been advised, however,

that a Federal regulation, 45 CFR 248.3(c) (1) (iv), requires that the amount of assets which may be retained by a family must be allowed to increase with the increase in the number of individuals in a family. The bill therefore conflicts with the Federal regulation and its passage could result in the loss of Federal funds by the State of Hawaii for medical assistance.

For the foregoing reasons, I am returning **Senate Bill No. 599** without my approval.

However, I believe the purpose of the bill to allow a certain amount of liquid assets to be retained in qualifying for medical assistance has merit. Therefore, I have instructed the Department of Social Services and Housing to prepare necessary legislation for introduction during the next legislative session which embodies the basic intent of **Senate Bill No. 599** but which would not be in conflict with Federal requirements.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

"PROCLAMATION

WHEREAS, under section 17 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **Senate Bill No. 599**, entitled 'A Bill for an Act Relating to Public Assistance for Medical Care', passed by the legislature, was presented to the Acting Governor within the aforementioned period; and

WHEREAS, **Senate Bill No. 599** is unacceptable to the Acting Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **Senate Bill No. 599** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 3rd day of June, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

Gov. Msg. No. 105 transmitting his statement of objections to **Senate Bill No. 964** which he has returned to the Senate without his approval and which reads:

"STATE OF HAWAII EXECUTIVE CHAMBERS

June 3, 1974

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 964

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to Section 17, Article III of the Constitution of the State of Hawaii, I am returning herewith without my approval, **Senate Bill No. 964**, entitled 'A Bill for an Act Relating to State Parks, Recreation Areas and Historic Objects and Sites and the Establishment of a State Park Ranger Corps.'

The purpose of this bill is to establish a state park ranger corps within the Department of Land and Natural Resources (DLNR) to serve primarily as the enforcement body of the State Parks, Outdoor Recreation and Historic Site Division. This corps would serve as the division's police force responsible for the protection and conservation of recreational, archaeological and historical areas under its jurisdiction.

The Department of Land and Natural Resources presently exercises control over state parks, forestry and fish and game functions. Each division enforces the laws, rules and regulations pertaining to its division or area of jurisdiction.

However, the Department of Land and Natural Resources is now working on a plan to administratively reorganize the law enforcement bodies within the department into one unit to enforce all of the laws relating to the Department of Land and Natural Resources.

The creation of another body of enforcement officers authorized to enforce the laws governing recreational, archaeological and historic areas that are under the jurisdiction of the Department of Land and Natural Resources would hamper, rather than enhance efforts to develop a unified law enforcement capability for the Department of Land and Natural Resources.

For the foregoing reasons, I am returning **Senate Bill No. 964** without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

“PROCLAMATION

WHEREAS, under section 17 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **Senate Bill No. 964**, entitled ‘A Bill for an Act Relating to State Parks, Recreation Areas and Historic Objects and Sites and the Establishment of a State Park Ranger Corps’, passed by the legislature, was presented to the Acting Governor within the aforementioned period; and

WHEREAS, **Senate Bill No. 964** is unacceptable to the Acting Governor of the State of Hawaii:

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **Senate Bill No. 964** with my objections thereon to the legislature as provided by said Section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 3rd day of June, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii”

Gov. Msg. No. 106 transmitting his statement of objections to **Senate Bill No. 1408-74** which he has returned to the Senate without his approval and which reads:

“STATE OF HAWAII EXECUTIVE CHAMBERS

June 3, 1974

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1408-74

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, **Senate Bill No. 1408-74**, entitled ‘A Bill for an Act Relating to the Establishment of Research and Development Industry Coordinator.’

Senate Bill No. 1408-74 establishes the position of research and development industry coordinator in the office of the governor. How-

ever, the functions and duties assigned to the coordinator are quite similar to the objectives of the Research and Development and Industry Promotion Program administered by the Department of Planning and Economic Development. (Chapter 213, Hawaii Revised Statutes) Accordingly, **Senate Bill No. 1408-74** would only be duplicative of an on-going program provided for by the Hawaii Revised Statutes and would serve no useful purpose.

For the foregoing reasons, I am returning **Senate Bill No. 1408-74** without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii”

“PROCLAMATION

WHEREAS, under section 17 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **Senate Bill No. 1408-74**, entitled ‘A Bill for an Act Relating to the Establishment of Research and Development Industry Coordinator,’ passed by the legislature, was presented to the Acting Governor within the aforementioned period; and

WHEREAS, **Senate Bill No. 1408-74** is unacceptable to the Acting Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **Senate Bill No. 1408-74** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 3rd day of June, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii”

Gov. Msg. No. 107 transmitting his statement of objections to **Senate Bill No. 1673-74** which he has returned to the Senate without his approval and which reads:

“STATE OF HAWAII EXECUTIVE CHAMBERS

June 3, 1974

**STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 1673-74**

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to Section 17, Article III of the Constitution of the State of Hawaii, I am returning herewith without my approval, **Senate Bill No. 1673-74**, entitled 'A Bill for an Act Relating to Fish and Game.'

The purpose of this bill is to authorize the State to pay for uniforms for volunteer deputy fish and game wardens.

It is noted, however, that the Department of Land and Natural Resources has under consideration a proposal to place their law enforcement personnel under a single unit. If that proposal is finalized, then the present uniform for deputy fish and game wardens may no longer be appropriate.

Moreover, while the cost of providing uniforms under this bill may not be significant, subsequent costs may become substantial because this bill may be setting a precedent to provide uniforms for other volunteer personnel of the State and counties. If this should happen, the State and the counties will in the future be forced to expend large and increasing sums of money to provide uniforms for such volunteer personnel.

For the foregoing reasons, I am returning **Senate Bill No. 1673-74** without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

"PROCLAMATION

WHEREAS, under Section 17 of Article III of the Constitution of the State of Hawaii the governor is required to give notice, by a proclamation, of his disapproval of any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **Senate Bill No. 1673-74**, entitled 'A Bill for an Act Relating to Fish and Game,' passed by the legislature, was presented to the acting governor within the aforementioned period; and

WHEREAS, **Senate Bill No. 1673-74** is unacceptable to the Acting Governor of the State of Hawaii;

NOW, THEREFORE, I, **GEORGE R. ARIYOSHI**, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **Senate Bill No. 1673-74** with my objections thereon to the legislature as provided by said Section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 3rd day of June, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

Gov. Msg. No. 108 transmitting his statement of objections to **Senate Bill No. 2197-74** which he has returned to the Senate without his approval and which reads:

**"STATE OF HAWAII
EXECUTIVE CHAMBERS**

June 3, 1974

**STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 2197-74**

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, **Senate Bill No. 2197-74**, entitled 'A Bill for an Act Relating to the Horizontal Property Act.'

Senate Bill No. 2197-74 seeks to clarify practices and definitions of the Horizontal Property Act (Chapter 514, Hawaii Revised Statutes) and to provide for the new concept of 'time sharing' with reference to condominiums.

This bill adds to the statutes the new concept of 'time sharing' which is becoming popular in resort-recreation areas. This concept involves the purchase or lease of a condominium unit by more than one owner. Each owner holds sequential title to the unit for specific time periods within the year. This bill amends the laws to provide for this form of ownership, and to specify the tax, mortgage and other liabilities of each owner which are limited to only the time period in which he holds title.

The concept of 'time sharing' ownership is relatively new to the State. However, the practice of more than one person joining together in 'partnership' to purchase or lease land or property is not new. In such cases, a tenancy in common is created and all of the 'partners' are tenants in common, and each one is jointly and severally liable for the tax, mortgage and other

liens held on the property in case of default by any one 'partner.' This bill applies the 'time sharing' concept specifically to condominium units and limits the liability of each owner only to the period to which he holds title. In case of default, only the 'time sharing unit' owned by the person in default can be sold to meet the outstanding liens. Each 'unit' is considered as a separate piece of property.

This limiting of the liability of each 'time sharing unit' owner will make these 'units' more attractive and more marketable and lead to a great expansion of the resort-recreation condominium market in the State.

In addition, 'time sharing' by fragmenting ownership into periods of time of one month, two weeks, etc., will lessen the initial investment burden to individuals thereby expanding such a market to a great deal more people. For example, in the recent past, resort condominium developments have been sold as 'second homes' to purchasers who are able to afford a \$40,000 plus investment. 'Time sharing,' by splitting ownership into periods of two weeks or less will allow an individual to own a 'time sharing' unit at a cost of \$2,200 plus.

Because of the significant impact this concept of 'time sharing' will have on this State, there are several critical policy questions which merit further study before this 'time-sharing' concept becomes enacted.

- 1) How will 'time sharing' affect the existing tourist industry in the State of Hawaii? It seems clear that condominium units marketed under 'time sharing' would present some direct competition to most resort hotels. By offering a fee or leasehold interest in a condominium unit for an investment of \$2,000 plus yearly assessments (estimated to be \$200), such units may have great appeal to potential hotel users. Further, those users drawn away from hotels to condominiums would not be those traveling in group or packaged tours, but rather, the independent affluent tourist who may decide, under 'time sharing' to purchase or lease a 'second home' in Hawaii.
- 2) What is the potential impact of 'time sharing' on State tax revenues? If the premise that 'time sharing' has some impact on the hotel industry is acceptable, the State may realize a loss of revenue via the excise tax due to possible defection of regular annual customers from hotels to condominium developments. The State's loss would be the counties' gain in the form of real property tax assessments. Further, what should be the potential revenue loss to the State should a room or tourist tax be instituted in the future?
- 3) What will be the impact of 'time sharing' upon the construction industry? The con-

version of 'time sharing' from a concurrent tenancy in common to an independent severable property interest would seem to encourage the development of resort condominiums as a result of an expanded market.

Because of the higher profits realized in condominium developments (maximum land utilization and minimal land costs) 'time sharing' may act as a deterrent to the construction of low and moderate residential units.

- 4) What are the administrative costs to be borne by the State? Under existing statute, each deed must be duly filed and registered with the Bureau of Conveyances. Since the concept of 'time sharing' provides that a condominium unit is an independent property interest and not a concurrent undivided interest, an inordinate workload would be placed upon the Bureau especially since their processes are not computerized. For example, one condominium unit may possibly be subdivided into 24 independent interests over the period of one year (two week periods with one month for maintenance) thus necessitating 24 separate registrations.

The State Department of Taxation may have similar problems with an inordinate amount of work in the assessment and collection of real property taxes as regards these 'time sharing' units.

Because no existing statute prohibits more than one person from owning a condominium unit or any one parcel of land, 'time sharing' may become a common practice in Hawaii without the sanction of this measure. Although the measure is primarily aimed at condominium owners and is designed to protect each owner, the above-mentioned concerns merit further study before 'time sharing' is recognized and sanctioned by statute.

For the foregoing reasons, I am returning Senate Bill No. 2197-74 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

"PROCLAMATION"

WHEREAS, under section 17 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **Senate Bill No. 2197-74**, entitled 'A Bill for an Act Relating to the Horizontal Property Act,' passed by the legislature, was presented to the Acting Governor within the aforementioned period; and

WHEREAS, **Senate Bill No. 2197-74** is unacceptable to the Acting Governor of the State of Hawaii;

NOW, THEREFORE, I, **GEORGE R. ARIYOSHI**, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **Senate Bill No. 2197-74** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 3rd day of June, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

Gov. Msg. No. 109 returning **House Bill No. 692** without his approval, together with his statement of objections relating to the measure which reads:

**"STATE OF HAWAII
EXECUTIVE CHAMBERS**

June 3, 1974

**STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 692**

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith without my approval, **House Bill No. 692**, entitled 'A Bill for an Act Relating to the Employment of Noncertificated Personnel.'

The purpose of this bill is to preclude the Department of Education from requiring teaching experience as a prerequisite for the issuance of any professional administrator's certificate. Under current practice, all certificated personnel of the Department are required to have teaching qualifications, except in certain circumstances where the person involved may be deemed qualified for a professional administrator's certificate, if he has sufficient work experience in his area of specialization. This bill would remove the certification requirements relating to teaching experience for all professional administrators.

House Bill No. 692 appears to be unnecessary. In light of the Department's present practice

whereby persons without teaching experience may hold an Educational Officer's position and a professional administrator's certificate by virtue of specialized work experience, the end sought by this bill is already achieved.

Further, approval of this bill would nullify those provisions in HRS Section 76-16 which exempt from civil service all Department of Education certificated personnel and up to twenty noncertificated administrative, professional or technical personnel not engaged in instructional work. The bill would effectively remove the limitation of twenty non-instructional personnel by allowing all such personnel to become certificated. Although such an action may be warranted, the appropriate method of achieving it would be to seek exemption by amending HRS Section 76-16. This approach would insure proper and adequate review by the Department of Personnel Services of the need for exemption from civil service.

For the foregoing reasons, I am returning **House Bill No. 692** without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

"PROCLAMATION

WHEREAS, under section 17 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **House Bill No. 692**, entitled 'A Bill for an Act Relating to the Employment of Noncertificated Personnel', passed by the legislature, was presented to the Acting Governor within the aforementioned period; and

WHEREAS, **House Bill No. 692** is unacceptable to the Acting Governor of the State of Hawaii;

NOW, THEREFORE, I, **GEORGE R. ARIYOSHI**, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **House Bill No. 692** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 3rd day of June, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

Gov. Msg. No. 110 returning **House Bill No. 2056-74** without his approval, together with his statement of objections relating to the measure which reads:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 3, 1974

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2056-74

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, **House Bill No. 2056-74**, entitled 'A Bill for an Acting Relating to Hawaii Housing Authority.'

House Bill No. 2056-74 would allow the Farmers Home Administration and any other federal agency the same exemption from the Hawaii Housing Authority's repurchase rights as that conferred upon the Federal Housing Administration.

However, the legislature has also passed **Senate Bill No. 10** which makes a number of changes to Hawaii's housing laws, among which is the proposal to exempt the Farmers Home Administration and other federal agencies from the Hawaii Housing Authority's repurchase rights. Therefore **House Bill No. 2056-74** is not necessary and approval thereof would serve no useful purpose.

For the foregoing reasons, I am returning **House Bill No. 2056-74** without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

"PROCLAMATION

WHEREAS, under section 17 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **House Bill No. 2056-74**, entitled 'A Bill for an Act Relating to Hawaii Housing Authority,' passed by the legislature, was presented by the legislature, was presented to the Acting Governor within the aforementioned period; and

WHEREAS, **House Bill No. 2056-74** is unac-

ceptable to the Acting Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **House Bill No. 2056-74** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 3rd day of June, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

Gov. Msg. No. 111 returning **House Bill No. 2428-74** without his approval, together with his statement of objections relating to the measure which reads:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 3, 1974

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 2428-74

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, **House Bill No. 2428-74**, entitled 'A Bill for an Act Relating to the Administration of General Assistance to Needy Persons.'

House Bill No. 2428-74 would increase State expenditures for general assistance by making more liberal the requirements which must be met by a physically fit person to secure assistance. The present statute, HRS 346-71, requires all physically fit persons as a condition by receiving general assistance, to actively and diligently seek gainful employment, to take whatever steps may be reasonably necessary in order to obtain such employment and to accept such employment when offered.

House Bill No. 2428-74 provides that the Department must provide general assistance to physically fit persons who are either unemployed for reasons other than voluntary separation without good cause or for misconduct and actively and diligently seeking gainful employment or have exhausted all benefits under the Unemployment Compensation Act (if any) and have registered and are available for work as required by the Unemployment Compensation

Law. The bill is very specific in providing that an applicant may qualify under either of the above sets of conditions. It is therefore even more liberal than the present law which at least requires all physically fit persons as a condition of receiving general assistance to actively and diligently seek gainful employment, take steps to secure such employment and accept such employment when offered. These restrictions are not present for all applicants under **House Bill No. 2428-74**.

For the foregoing reasons, I am returning **House Bill No. 2428-74** without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

"PROCLAMATION

WHEREAS, under section 17 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **House Bill No. 2428-74**, entitled 'A Bill for an Act Relating to the Administration of General Assistance to Needy Persons,' passed by the legislature, was presented to the Acting Governor within the aforementioned period; and

WHEREAS, **House Bill No. 2428-74** is unacceptable to the Acting Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **House Bill No. 2428-74** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 3rd day of June, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

Gov. Msg. No. 112 returning **House Bill No. 2484-74** without his approval, together with his statement of objections relating to the measure which reads:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 3, 1974

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2484-74

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, **House Bill No. 2484-74**, entitled 'A Bill for an Act Relating to Abandoned Vehicles.'

House Bill No. 2484-74 amends Section 290-12, HRS, relating to abandoned vehicles, to provide that the fact a person is the last registered and legal owner of record shall be prima facie evidence that he is the person who intentionally and knowingly left the abandoned vehicle on any public or private property.

However, the reference to the 'last registered and legal owner of record' is ambiguous. It is noted that the 'registered owner' and the 'legal owner' of a vehicle is not always one and the same. In many instances a financial institution may be the 'legal owner,' while the purchaser (borrower) would be the 'registered owner.' There is uncertainty as to whether **House Bill No. 2484-74** applies to the situation where the 'legal owner' or the 'registered owner' are not the same. Assuming **House Bill No. 2484-74** does apply to that situation, there is a further question as to whether the 'legal owner' or the 'registered owner,' or both, would be held responsible for any abandoned vehicle.

As above noted, this bill amends Section 290-12, HRS, which makes the abandonment of vehicles a misdemeanor. However, this bill is ambiguous as to who would be held responsible for such abandonment. I believe that any statute imposing criminal sanctions should be clear and unambiguous, not only as to the actions proscribed, but also as to the parties affected.

For the foregoing reasons, I am returning **House Bill No. 2484-74** without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

"PROCLAMATION

WHEREAS, under section 17 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **House Bill No. 2484-74**, entitled 'A Bill for an Act Relating to Abandoned Vehicles,' passed by the legislature, was presented to the Acting Governor within the aforementioned period; and

WHEREAS, **House Bill No. 2484-74** is unacceptable to the Acting Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **House Bill No. 2484-74** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 3rd day of June, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

Gov. Msg. No. 113 returning **House Bill No. 2864-74** without his approval, together with his statement of objections relating to the measure which reads:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 3, 1974

STATEMENT OF OBJECTIONS
TO **HOUSE BILL NO. 2864-74**

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, **House Bill No. 2864-74**, entitled 'A Bill for an Act Relating to Civil Service and Exemptions.'

House Bill No. 2864-74 proposes to extend the total period of temporary employment which may be exempted from civil service, from six months to a period not in excess of one year.

However, it is noted that the Legislature has also passed **House Bill No. 2750-74** which, in addition to granting civil service status to certain employees, also seeks to extend the period of temporary employment that may be exempted from civil service, from six months to a period not in excess of one year. Since I have already signed **House Bill No. 2750-74** into law, **House Bill No. 2864-74** is not necessary and approval thereof would serve no useful purpose.

For the foregoing reasons, I am returning **House Bill No. 2864-74** without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

"PROCLAMATION

WHEREAS, under section 17 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **House Bill No. 2864-74**, entitled 'A Bill for an Act Relating to Civil Service and Exemptions,' passed by the legislature, was presented to the Acting Governor within the aforementioned period; and

WHEREAS, **House Bill No. 2864-74** is unacceptable to the Acting Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **House Bill No. 2864-74** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 3rd day of June, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

Gov. Msg. No. 114 returning **House Bill No. 2865-74** without his approval, together with his statement of objections relating to the measure which reads:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 3, 1974

STATEMENT OF OBJECTIONS
TO **HOUSE BILL NO. 2865-74**

Honorable Members
Seventh Legislature
State of Hawaii

Pursuant to section 17 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, **House**

Bill No. 2865-74, entitled 'A Bill for an Act Relating to Public Officers and Employees.'

House Bill No. 2865-74 was introduced as an Administration measure and in its original form simply amended Section 76-35, HRS, relating to intragovernmental transfers of civil service employees. The bill as finally enacted by the Legislature, in addition to amending Section 76-35, places security investigators of the Attorney General's office in civil service and adds a new section to Chapter 79 to provide that a public employee who leaves government service, upon subsequent reemployment within a period of three years, shall be credited with the sick leave he had accumulated at the termination of his previous employment.

The proposal to permit the crediting of accumulated sick leave upon reemployment raises certain questions. To begin with, the bill refers to 'public employees' and 'including teachers, education officers and cafeteria workers.' Under this wording, it is possible that 'officers' may not be entitled to the benefits granted to 'employees'. Moreover, the subject of sick leave is a negotiable item under collective bargaining. Therefore, the crediting of sick leave upon reemployment by legislative action would be contrary to the collective bargaining process and would in effect undermine the principle of collective bargaining.

For the foregoing reasons, I am returning **House Bill No. 2865-74** without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

"PROCLAMATION

WHEREAS, under section 17 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, **House Bill No. 2865-74**, entitled 'A Bill for an Act Relating to Public Officers and Employees,' passed by the legislature, was presented to the Acting Governor within the aforementioned period; and

WHEREAS **House Bill No. 2865-74** is unacceptable to the Acting Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Acting Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of section 17 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return **House Bill No. 2865-74** with my objections to the legislature as provided by said section 17 of Article III of the Constitution.

DONE at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 3rd day of June, 1974.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Acting Governor of Hawaii"

**DEPARTMENTAL COMMUNICATIONS RECEIVED
AFTER THE ADJOURNMENT OF THE
LEGISLATURE SINE DIE**

Dept. Com. No. 14 from George S. Adachi, Vice Chairman, Board of Education, State of Hawaii, acknowledging receipt of **House Concurrent Resolution No. 18** and **House Resolution No. 154**.

Dept. Com. No. 15 from Paul Durham, Director of Athletics, Office of Intercollegiate Athletics, University of Hawaii, acknowledging receipt of **House Resolution No. 307** congratulating their new football coach Larry Price.

Dept. Com. No. 16 from Paul Durham, Director of Athletics, Office of Intercollegiate Athletics, University of Hawaii acknowledging receipt of **House Resolution No. 395** honoring Jeris White for his athletic accomplishments.

Dept. Com. No. 17 from Hiroshi Yamashita, Chairman, Board of Education, State of Hawaii, acknowledging receipt of **House Resolution Nos. 480** and **484**.

Dept. Com. No. 18 from Hiroshi Yamashita, Chairman, Board of Education, State of Hawaii acknowledging receipt of **House Resolution No. 407**.

Dept. Com. No. 19 from Hiroshi Yamashita, Chairman, Board of Education, State of Hawaii acknowledging receipt of **House Resolution No. 334**.

Dept. Com. No. 20 from George R. Ariyoshi, Acting Governor, State of Hawaii, transmitting a letter from The Right Reverend E. Lani Hanchett, Bishop of the Episcopal Church in Hawaii, regarding Mrs. Morris H. Wilson ("Auntie Bee"), coordinator of aging for the Episcopal Church in Hawaii, who attended the past session of the State Legislature as their observer.

Dept. Com. No. 21 from Hiroshi Yamashita, Chairman, Board of Education, State of Hawaii acknowledging receipt of **House Resolution No. 424**.

Dept. Com. No. 22 from Harlan Cleveland, President, University of Hawaii, on behalf of Dr. W. M. Armstrong, Chairman of the Board of Directors of the Canada-France-Hawaii Telescope Corporation, and his own personal appreciation for all the help given the University in setting up the development of the major telescope project on Mauna Kea for the advancement of scientific research here in the State of Hawaii.

**MISCELLANEOUS COMMUNICATIONS RECEIVED
AFTER THE ADJOURNMENT OF THE
LEGISLATURE SINE DIE**

Misc. Com. No. 44 from Frank F. Fasi, Mayor, City and County of Honolulu, acknowledging receipt of **House Resolution No. 137**, informing the House that the Department of Recreation of the City and County of Honolulu already has initiated a General Plan amendment application to change the Honolulu Stadium site to park.

Misc. Com. No. 45 from Tad T. Miura, County Clerk, County of Kauai, transmitting a copy of **Resolution No. 265** which was adopted by the Council of the County of Kauai, relative to **House Bill No. 2924-74**, relating to electric and gas companies.

Misc. Com. No. 46 from Kazu Hayashida, Director and Chief Engineer, Department of Public Works, City and County of Honolulu, acknowledging receipt of **House Resolution No. 66**, requesting the Counties to develop an abandoned auto program and informing the House that the City and County of Honolulu has had an abandoned vehicle program since 1969.

Misc. Com. No. 47 from Melvin Vittum, Engineer in Charge, Federal Communications Commission, acknowledging receipt of **House Resolution No. 359** asking Hawaii radio and television stations to donate time to the furtherance of energy conservation.

Misc. Com. No. 48 from Shunichi Kimura, Mayor, County of Hawaii, transmitting a "Report of Hawaii County on a Review of County Building Codes and Comprehensive Zoning Codes", as requested by **House Resolution No. 43, H. D. 1**, Seventh Legislature, 1974, State of Hawaii.

Misc. Com. No. 49 from Dorothy L. Devereux, expressing her appreciation and gratitude for the adoption of **House Resolution No. 476** congratulating her upon her appointment to the New Federal Council on Aging.

Misc. Com. No. 50 from George C. Villegas, Director, Department of Transportation Services, City and County of Honolulu, acknowledging receipt of **House Resolution No. 390** relating to free bus passes for disabled veterans.

Misc. Com. No. 51 from Eileen K. Lota, City Clerk, City and County of Honolulu, acknowledging receipt of **House Resolution No. 43**, requesting a Review of County Building Codes and Comprehensive Zoning Codes and informing the House that the communication was referred to the Administration for its review and report back to the Committee on Finance, Expenditures and Operations.

Misc. Com. No. 52 from Eileen K. Lota, City Clerk, City and County of Honolulu, transmitting a report from the Committee on Planning and Zoning in regard to **House Resolution No.**

137, requesting the City Council and the Planning Commission of the City and County of Honolulu to amend the General Plan and rezone the Honolulu Stadium site for park use only.

Misc. Com. No. 53 from E. Lani Hanchett, Bishop, The Episcopal Church in Hawaii, expressing his gratitude and thanks for the courtesies and aloha extended Mrs. Morris ("Auntie Bee"), coordinator of aging for the Episcopal Church, who attended the past session of the State Legislature as their observer.

Misc. Com. No. 54 from Francis Keala, Chief of Police, City and County of Honolulu, acknowledging receipt of **House Resolution No. 516** relating to the police service rendered during the recent legislative session.

Misc. Com. No. 55 from Tad T. Miura, County Clerk, County of Kauai, acknowledging receipt of **House Resolution No. 390**, relating to free bus passes for disabled veterans and referring it to the Council's Planning, Economic Development and Legislative Committee for study and report.

Misc. Com. No. 56 from Tad T. Miura, County Clerk, County of Kauai, acknowledging receipt of **House Resolution No. 66**, requesting the Counties to develop an abandoned auto program and referring it to the Council's Public Works and Parks & Recreation Committee for study and report.

Misc. Com. No. 57 from Frank F. Fasi, Mayor, City and County of Honolulu, acknowledging receipt of **House Resolution No. 339**, relating to the University of Hawaii School of Medicine.

Misc. Com. No. 58 from Patsy T. Mink, Member of Congress, acknowledging receipt of **House Concurrent Resolution No. 50**, requesting that the Federal Government grant assurances to the taro farmers of Hanalei, Kauai, that their leases be renewed and a copy of her letter to the Honorable Rogers C. B. Morton, Secretary of the Interior, in regard to this resolution.

Misc. Com. No. 59 from Eileen K. Lota, City Clerk, City and County of Honolulu, acknowledging receipt of **House Resolution No. 43**, and a report from Ernest T. Yuasa, Director and Building Superintendent, on the review of county building codes and comprehensive zoning codes.

Misc. Com. No. 60 from Shunichi Kimura, Mayor, County of Hawaii, acknowledging receipt of **House Resolution No. 390**, requesting free bus passes for disabled veterans.

Misc. Com. No. 61 from Hiram L. Fong, United States Senator, acknowledging receipt of **House Resolution No. 50**, requesting that the Federal Government grant assurances to the taro farmers

of Hanalei, Kauai, that their leases will be renewed and also informing the House that he wrote Rogers C. B. Morton, Secretary of Interior, requesting an investigation with a view to assisting the taro farmers with their lease problem.

Misc. Com. No. 62 from Patsy T. Mink, Member of Congress, transmitting a copy of a letter from Howard N. Larsen, Acting Associate Director, United States Department of Interior, relating to **House Concurrent Resolution No. 50**, which Representative Mink sent Secretary Morton concerning long-term leases after 1979, for taro farmers on Hanalei National Wildlife Refuge.

Misc. Com. No. 63 from Hiram L. Fong, United States Senator, acknowledging receipt of **House Resolution No. 476** congratulating Mrs. Dorothy Devereux upon her appointment to the Federal Council on Aging.

Misc. Com. No. 64 from Tad T. Miura, County Clerk, County of Kauai, transmitting a copy of **Resolution No. 289** which was adopted by the

Council of the County of Kauai relating to bus transportation for private school students.

Misc. Com. No. 65 from Tadashi Suzuki, County Clerk, County of Hawaii, transmitting **Resolution No. 239** adopted by the Council of the County of Hawaii expressing its deep concern for the continuation of the Sugar Act.

Misc. Com. No. 66 from Patsy T. Mink, Member of Congress, transmitting a letter from Curtis Bohlen, Acting Assistant Secretary for Fish and Wildlife and Parks, in regard to **House Concurrent Resolution No. 50**, which requested the Federal Government to grant assurances to the taro farmers of Hawaii that their leases on Hanalei National Wildlife Refuge would be renewed after they expire.

Misc. Com. No. 67 from Eileen K. Lota, City Clerk, City and County of Honolulu, transmitting **Resolution No. 147** adopted by the Council of the City and County of Honolulu in regard to Interstate Highway Routes.