

FORTY-NINTH DAY

Thursday, March 30, 1978

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Stephen Ansden of the Moanalua Community Church, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Aki, Carroll, Kihano and Ushijima, who were excused.

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

On motion by Representative Yuen, seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Forty-Eighth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 196 to 296) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 196) returning House Concurrent Resolution No. 143, which was adopted by the Senate on March 28, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 197) returning House Bill No. 1893-78, which passed Third Reading in the Senate on March 28, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1893-78, 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. 1893-78, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 198) returning House Concurrent Resolution No. 144, which was adopted by the Senate on March 29, 1978, was placed on file.

A communication from the Senate

(Sen. Com. No. 199) returning House Bill No. 49, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 49, HD 1, 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. 49, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 200) returning House Bill No. 139, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 139, HD 1, 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. 139, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 201) returning House Bill No. 227, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 227, 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. 227, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 202) returning House Bill No. 263, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 263, 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. 263, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 203) returning House Bill No. 425, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 425, HD 1, 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. 425, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 204) returning House Bill No. 429, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 429, 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. 429, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 205) returning House Bill No. 450, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 450, HD 1, 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. 450, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 206) returning House Bill No. 491, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 491, HD 2, 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. 491, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 207) returning

House Bill No. 514, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 514, 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. 514, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 208) returning House Bill No. 559, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 559, 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. 559, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 209) returning House Bill No. 592, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 592, 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. 592, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 210) returning House Bill No. 617, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 617, 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. 617, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 211) returning House Bill No. 630, HD 2, which passed Third Reading in the Senate on March

29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 630, HD 2, 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. 630, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 212) returning House Bill No. 819, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 819, 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. 819, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 213) returning House Bill No. 992, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 992, 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. 992, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 214) returning House Bill No. 1075, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1075, HD 1, 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. 1075, HD 1, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 215) returning House Bill No. 1473, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1473, 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. 1473, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 216) returning House Bill No. 1688, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1688, HD 1, 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. 1688, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 217) returning House Bill No. 1770-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1770-78, HD 1, 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. 1770-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 218) returning House Bill No. 1771-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1771-78, 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. 1771-78, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 219) returning House Bill No. 1779-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1779-78, HD 1, 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. 1779-78, HD 1, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 220) returning House Bill No. 1803-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1803-78, HD 2, 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. 1803-78, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 221) returning House Bill No. 1815-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1815-78, HD 1, 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. 1815-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 222) returning House Bill No. 1822-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1822-78, HD 2, 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. 1822-78, HD 2, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 223) returning House Bill No. 1838-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B.

No. 1838-78, HD 2, 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. 1838-78, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 224) returning House Bill No. 1870-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1870-78, HD 1, 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. 1870-78, HD 1, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 225) returning House Bill No. 1876-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1876-78, 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. 1876-78, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 226) returning House Bill No. 1879-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1879-78, HD 1, 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. 1879-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 227) returning House Bill No. 1884-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1884-78, 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. 1884-78, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 228) returning House Bill No. 1885-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1885-78, HD 2, 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. 1885-78, HD 2, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 229) returning House Bill No. 1889-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1889-78, HD 2, 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. 1889-78, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 230) returning House Bill No. 1911-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1911-78, HD 1, 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. 1911-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 231) returning House Bill No. 1917-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1917-78, 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. 1917-78, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 232) returning House Bill No. 1920-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1920-78, 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. 1920-78, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 233) returning House Bill No. 1934-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1934-78, 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. 1934-78, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 234) returning House Bill No. 1937-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1937-78, HD 1, 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. 1937-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 235) returning House Bill No. 1938-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1938-78, HD 1, 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. 1938-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 236) returning House Bill No. 1939-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1939-78, HD 1, 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. 1939-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 237) returning House Bill No. 1960-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1960-78, HD 1, 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. 1960-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 238) returning House Bill No. 1987-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1987-78, HD 1, 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. 1987-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 239) returning House Bill 1994-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 1994-78, 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. 1994-78, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 240) returning House Bill No. 2054-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2054-78, HD 1, 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. 2054-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 241) returning House Bill No. 2085-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2085-78, HD 1, 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. 2085-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 242) returning House Bill No. 2087-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2087-78, HD 1, 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. 2087-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 243) returning House Bill No. 2094-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2094-78, 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. 2094-78, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 244) returning House Bill No. 2095-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2095-78, HD 1, 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. 2095-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 245) returning House Bill No. 2100-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2100-78, 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. 2100-78, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 246) returning House Bill No. 2102-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2102-78, HD 2, 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. 2102-78, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 247) returning House Bill No. 2118-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2118-78, HD 1, 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. 2118-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 248) returning House Bill No. 2164-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2164-78, HD 1, 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. 2164-78, HD 1, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 249) returning House Bill No. 2170-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2170-78, HD 2, 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. 2170-78, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 250) returning House Bill No. 2173-78, HD 3, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2173-78, HD 3, 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. 2173-78, HD 3, SD 3, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 251) returning House Bill No. 2185-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2185-78, HD 2, 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. 2185-78, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 252) returning House Bill No. 2239-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2239-78, HD 2, 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. 2239-78, HD 2, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 253) returning House Bill No. 2248-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2248-78, 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. 2248-78, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 254) returning House Bill No. 2293-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2293-78, HD 2, 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. 2293-78, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 255) returning House Bill No. 2312-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2312-78, HD 1, 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. 2312-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 256) returning House Bill No. 2318-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2318-78, 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. 2318-78, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 257) returning House Bill No. 2319-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2319-78, HD 1, 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. 2319-78, HD 1, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 258) returning House Bill No. 2601-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2601-78, HD 1, 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. 2601-78, HD 1, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 259) returning House Bill No. 2611-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2611-78, HD 1, 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. 2611-78, HD 1, SD 1,

were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 260) returning House Bill No. 2618-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2618-78, HD 1, 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. 2618-78, HD 1, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 261) returning House Bill No. 2687-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2687-78, HD 1, 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. 2687-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 262) returning House Bill No. 2689-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2689-78, HD 1, 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. 2689-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 263) returning House Bill No. 2727-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2727-78, HD 1, 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. 2727-78, HD 1, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 264) returning House Bill No. 2728-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2728-78, HD 2, 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. 2728-78, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 265) returning House Bill No. 2729-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2729-78, HD 2, 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. 2729-78, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 266) returning House Bill No. 2764-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2764-78, HD 2, 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. 2764-78, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 267) returning House Bill No. 2765-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2765-78, HD 1, 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. 2765-78, HD 1, SD 1,

were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 268) returning House Bill No. 2756-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2756-78, 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. 2756-78, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 269) returning House Bill No. 2379-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2379-78, HD 1, 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. 2379-78, HD 1, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 270) returning House Bill No. 2390-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2390-78, HD 1, 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. 2390-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 271) returning House Bill No. 2403-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2403-78, HD 1, 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. 2403-

78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 272) returning House Bill No. 2447-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2447-78, HD 1, 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. 2447-78, HD 1, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 273) returning House Bill No. 2462-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2462-78, HD 2, 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. 2462-78, HD 2, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 274) returning House Bill No. 2465-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2465-78, HD 1, 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. 2465-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 275) returning House Bill No. 2480-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2480-78, HD 1, 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. 2480-78, HD 1, SD 1, were made available to the members

of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 276) returning House Bill No. 2496-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2496-78, HD 1, 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. 2496-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 277) returning House Bill No. 2499-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2499-78, HD 1, 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. 2499-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 278) returning House Bill No. 2545-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2545-78, HD 2, 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. 2545-78, HD 2, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 279) returning House Bill No. 2816-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2816-78, HD 1, 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. 2816-78, HD 1, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 280) returning House Bill No. 2827-78, HD 2, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2827-78, HD 2, 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. 2827-78, HD 2, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 281) returning House Bill No. 2850-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2850-78, HD 1, 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. 2850-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 282) returning House Bill No. 2860-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2860-78, HD 1, 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. 2860-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 283) returning House Bill No. 2893-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2893-78, HD 1, 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. 2893-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate

(Sen. Com. No. 284) returning House Bill No. 2894-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2894-78, HD 1, 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. 2894-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 285) returning House Bill No. 2895-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2895-78, HD 1, 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. 2895-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 286) returning House Bill No. 2934-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2934-78, HD 1, 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. 2934-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 287) returning House Bill No. 2937-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2937-78, HD 1, 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. 2937-78, HD 1, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 288) returning House Bill No. 2936-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 2936-78, HD 1, 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. 2936-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 289) returning House Bill No. 3011-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 3011-78, HD 1, 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. 3011-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 290) returning House Bill No. 3012-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 3012-78, HD 1, 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. 3012-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 291) returning House Bill No. 3033-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 3033-78, HD 1, 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. 3033-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 292) returning House

Bill No. 3039-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 3039-78, HD 1, 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. 3039-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 293) returning House Bill No. 3045-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 3045-78, HD 1, 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. 3045-78, HD 1, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 294) returning House Bill No. 3046-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 3046-78, 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. 3046-78, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate (Sen. Com. No. 295) returning House Bill No. 3049-78, HD 1, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 3049-78, HD 1, 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. 3049-78, HD 1, SD 2, were made available to the members of the House at 11:00 o'clock a.m.

A communication from the Senate

(Sen. Com. No. 296) returning House Bill No. 3060-78, which passed Third Reading in the Senate on March 29, 1978, in an amended form, was placed on file.

By unanimous consent, H.B. No. 3060-78, 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. 3060-78, SD 1, were made available to the members of the House at 11:00 o'clock a.m.

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

Representative Sutton introduced Stan Hastings and Dan Machado from Renton, Washington, and Kai Nelson of Honolulu.

Representative Morioka introduced a group from the Kaimuki Ward of the L.D.S. Sunday School: Lyla Morioka, Elder Gatley, Elder Meredith, Ms. Linda Yamanaka and Hema Aladini.

Scott Yonesaki, Sina Arakaki, Karyn Braun, Michelle Alo and Kalei Moniz, who are members of the Royal Elementary School student council, were introduced by Representative Blair. They were accompanied by their counselor, Ms. Marilyn Kobata.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

House Concurrent Resolution No. 103 was re-referred to the Committee on Public Employment and Government Operations, then to the Committee on Finance.

SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii and carried, the rules were suspended for the purpose of allowing the members to offer resolutions.

INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 625) congratulating the 1978 Junior Achievement Outstanding Young Businessman and Businesswoman was jointly offered by Representatives Say, Abercrombie, Ajifu, Aki, Baker, Caldito, Campbell, Cayetano, Cobb, Dods, Fong, Inaba, Kawakami, Kiyabu, Kondo, Kunimura, Lunasco, Machida,

Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Ueoka, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Mina, seconded by Representative Lunasco and carried, H.R. No. 625 was adopted.

Representative Say then introduced Lori Ozaki, the Outstanding Young Businesswoman, and Wendell Ching, the Outstanding Young Businessman, who were presented with red carnation leis and certified copies of the resolution by Representatives Takamura and Narvaes, respectively.

At 11:14 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:20 o'clock a.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 802-78 on S.B. No. 1627-78 (Deferred from March 29, 1978):

By unanimous consent, action was deferred for one day.

S.B. No. 2620-78, SD 2 on Third Reading (Deferred from March 29, 1978):

By unanimous consent, action was deferred for one day.

STANDING COMMITTEE REPORTS

Representatives D. Yamada and Say, for the Committees on Consumer Protection and Commerce and Culture and the Arts, presented a joint report (Stand. Com. Rep. No. 868-78) recommending that H.R. No. 458 be referred to the Committee on Legislative Management.

On motion by Representative D. Yamada, seconded by Representative Say and carried, the report of the Committees was adopted and H.R. No. 458, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE SALE OF HAWAIIAN ARTIFACTS", was referred to the Committee on Legislative Management.

Representatives Kawakami and Say, for the Committees on Water,

Land Use, Development and Hawaiian Homes and Culture and the Arts, presented a joint report (Stand. Com. Rep. No. 869-78) recommending that H.R. No. 373 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Say and carried, the report of the Committees was adopted and H.R. No. 373, entitled: "HOUSE RESOLUTION REQUESTING THE STATE OF HAWAII TO ACQUIRE THROUGH LAND EXCHANGE THE OCEAN-FRONT PARCEL OF MAHAIULA IN KONA, HAWAII FOR THE PURPOSES OF PUBLIC RECREATION AND HISTORIC PRESERVATION", was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 870-78) recommending that H.R. No. 397 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.R. No. 397, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF WATER SYSTEMS IN THE HAKALAU AREA", was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 871-78) recommending that H.R. No. 467 be adopted.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.R. No. 467, entitled: "HOUSE RESOLUTION REQUESTING THE PROVISION OF ADDITIONAL FEDERAL RESOURCES TO STRENGTHEN FEDERAL AGRICULTURAL RELATED INSPECTION REQUIREMENTS AT SELECTED MAJOR AIRPORTS IN THE STATE OF HAWAII", was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 872-78) recommending that H.C.R. No. 92 be adopted.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PROVISION OF ADDITIONAL FEDERAL RESOURCES TO STRENGTHEN FEDERAL AGRICULTURE RELATED INSPECTION REQUIREMENTS AT SELECTED MAJOR AIRPORTS IN THE STATE OF HAWAII", was adopted.

Representatives Cayetano and Kawakami, for the Committees on Energy and Transportation and Water, Land Use, Development and Hawaiian Homes, presented a joint report (Stand. Com. Rep. No. 873-78) recommending that H.R. No. 428, as amended in HD 1, be adopted.

On motion by Representative Cayetano, seconded by Representative Kawakami and carried, the report of the Committees was adopted and H.R. No. 428, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN INVESTIGATION AND REPORT ON THE STATE'S PLANS TO RELOCATE BUSINESSES WHICH LEASE LANDS FROM THE STATE AT SAND ISLAND", was adopted.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 874-78) recommending that H.C.R. No. 55, as amended in HD 1, be adopted.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.C.R. No. 55, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO ADDRESS AND SEEK SOLUTIONS TO THE DISPOSAL OF PLASTIC WASTE", was adopted.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 875-78) recommending that S.C.R. No. 11, SD 1, be adopted.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and S.C.R. No. 11, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO REFRAIN FROM FURTHER FEDERAL PREEMPTION OF THE REGULATION OF PUBLIC UTILITIES IN THE STATE OF HAWAII", was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 876-78) recommending that H.C.R. No. 110 be adopted.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE

MANAGEMENT OF FISH IN THE HAWAIIAN ARCHIPELAGO", was adopted.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 877-78) recommending that H.R. No. 272, as amended in HD 1, be adopted.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.R. No. 272, HD 1, entitled: "HOUSE RESOLUTION REQUESTING FEDERAL HEALTH SCREENING MEASURES FOR RETURNING U.S. CITIZENS", was adopted.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 878-78) recommending that H.R. No. 500 be referred to the Committee on Legislative Management.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.R. No. 500, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF CONVEYANCE OF TITLE AND FORECLOSURE PROBLEMS ASSOCIATED WITH AGREEMENTS OF SALE", was referred to the Committee on Legislative Management.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 879-78) informing the House that House Resolution Nos. 613 to 616 and House Standing Committee Report Nos. 862-78 to 866-78 have been printed and distributed.

On motion by Representative Lunasco, seconded by Representative Morioka and carried, the report of the Committee was adopted.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 626 to 627) were read by the clerk and were disposed of as follows:

A resolution (H.R. No. 626) congratulating the Mililani High School girls and boys tennis teams for winning the OIA West titles was jointly offered by Representatives Kihano, Aki, Blair, Caldito, Cobb, Evans, Garcia, Ikeda, Kamalii, Kawakami, Machida, Medeiros, Morioka, Naito, Peters, Poepoe, Say, Segawa, Shito, Stanley, Takamine, Uechi, Uwayne, D. Yamada and Yuen.

On motion by Representative Shito,

seconded by Representative Mizuguchi and carried, H.R. No. 626 was adopted.

A resolution (H.R. No. 627) commending Tom Dancer on his effort to support the Hawaii Heart Association was jointly offered by Representatives Poepoe, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Ikeda, Inaba, Kawakami, Kihano, Kondo, Kunimura, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada and Yuen.

On motion by Representative Poepoe, seconded by Representative Say and carried, H.R. No. 627 was adopted.

SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii 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

S.B. No. 1658-78, SD 2:

On motion by Representative D. Yamada, seconded by Representative

Cobb, S.B. No. 1658-78, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", having been read throughout, passed Third Reading by a vote of 45 ayes, with Representatives Abercrombie, Aki, Carroll, Kihano, Kunimura and Ushijima being excused.

The Chair directed the Clerk to note that S.B. No. 1658-78, SD 2, had passed Third Reading at 11:26 o'clock a.m.

At 11:26 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:40 o'clock a.m., the Chair announced:

"The Chair would also like to remind all members, especially the chairmen, to review your Supplemental Calendar #1 over this weekend and be prepared to give notice of your intention to agree or disagree, so that we can appoint conferees, if necessary, to let your conference committees get going to resolve the differences."

ADJOURNMENT

At 11:43 o'clock a.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, Friday, March 31, 1978.

FIFTIETH DAY

Friday, March 31, 1978

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, convened at 11:00 o'clock a.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by the Reverend John Butler of Cathedral of Our Lady of Peace, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Aki, Garcia, Kondo, Nakamura, Narvaes, Ushijima, Wakatsuki and D. Yamada, who were excused.

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

On motion by Representative Yuen, seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Forty-Ninth Day was approved.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 100 to 102) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 100) transmitting, for introduction, a concurrent resolution relating to a functional plan for housing, in accordance with Chapter 225, Hawaii Revised Statutes (Act 170, SLH 1977), was placed on file.

A message from the Governor (Gov. Msg. No. 101) transmitting "State Tourism Study: Findings and Recommendations", and the proposed House Concurrent Resolution relating to a State Tourism Plan: A ten-year Master Plan for tourism growth in the State of Hawaii, was placed on file.

A message from the Governor (Gov. Msg. No. 102) informing the House that on March 29, 1978, he signed the following bill into law:

House Bill No. 1802 as Act 4, entitled: "RELATING TO THE WAGE AND HOUR LAW",

was placed on file.

DEPARTMENTAL COMMUNICATION

A communication from (Rev.) Darrow L. Kanakanui Aiona, Chairperson (Dept. Com. No. 16) acknowledging receipt of a copy of House Resolution No. 391, which was adopted by the House of Representatives of the Ninth Legislature, Regular Session of 1978, was read by the Clerk and was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 297 to 306) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 297) transmitting Senate Concurrent Resolution No. 82, relating to an intercollegiate post-season football bowl game for Hawaii, which was adopted by the Senate on March 29, 1978, was placed on file.

By unanimous consent, further action on S.C.R. No. 82 was deferred until Monday, April 3, 1978.

A communication from the Senate (Sen. Com. No. 298) informing the House that the amendments proposed by the House to Senate Bill No. 1773-78, SD 2, were agreed to by the Senate, and said bill, as thus amended, passed Final Reading in the Senate on March 29, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 299) transmitting Senate Concurrent Resolution No. 60, SD 1, requesting the State Department of Transportation, the State Department of Land and Natural Resources and the counties to develop jogging trails throughout the State, which was adopted by the Senate on March 30, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 300) transmitting Senate Concurrent Resolution No. 67, requesting Hawaii's congressional delegation to persuade Congress to appropriate funds for the Clean Water Act of 1977, which was adopted by the Senate on March 30, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 301) transmitting Senate Concurrent Resolution No. 78, SD 1, relating to horizontal property regimes, which was adopted by the Senate on March 30, 1978, was placed on file.

By unanimous consent, further action on S.C.R. Nos. 60, SD 1; 67; and 78, SD 1, was deferred until Monday, April 3, 1978.

A communication from the Senate (Sen. Com. No. 302) returning House Concurrent Resolution No. 145, which was adopted by the Senate on March 30, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 303) returning House Bill No. 2592-78, HD 1, which passed Third Reading in the Senate on March 30, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 304) returning House Bill No. 2593-78, HD 1, which passed Third Reading in the Senate on March 30, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 305) returning House Bill No. 2793-78, HD 1, which passed Third Reading in the Senate on March 30, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 306) returning House Bill No. 2942-78, which passed Third Reading in the Senate on March 30, 1978, was placed on file.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 17 to 23) were read by the Clerk and were disposed of as follows:

A communication from Morris K. Udall, Member of Congress (Misc. Com. No. 17) acknowledging receipt of House Resolution No. 1907, relating to the Hawaiian Islands National Wildlife Refuge wilderness proposal, was placed on file.

A communication from the Honorable Spark Matsunaga, United States Senator (Misc. Com. No. 18) acknowledging receipt of House Resolution No. 42, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 19) acknowledging receipt of House Resolution No. 104, resolving that the State agencies and Hawaii's Congressional delegation assist the sugar industry with its problems in meeting the standards of the U.S. Environmental Protection

Agency, was placed on file.

A communication from Bob Bergland, Secretary, Department of Agriculture (Misc. Com. No. 20) acknowledging receipt of a copy of House Resolution No. 362, extending congratulations to the University of Hawaii's Cooperative Extension Service program on their fiftieth anniversary, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 21) acknowledging receipt of House Resolution No. 42, was placed on file.

A communication from the Honorable Spark Matsunaga, United States Senator (Misc. Com. No. 22) acknowledging receipt of House Resolution No. 67, was placed on file.

A communication from Eiler C. Ravnholt, Administrative Assistant to Senator Daniel K. Inouye (Misc. Com. No. 23) acknowledging receipt of a certified copy of House Resolution No. 123, was placed on file.

At this time, Representative Kiyabu introduced to the members of the House an up and coming artist, Shelly Medeiros, who is a first grader at Aliiolani School. She was accompanied by her parents, Mr. and Mrs. Norman Medeiros.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

H.R. No. 34 was re-referred to the Committee on Water, Land Use, Development and Hawaiian Homes, then to the Committee on Housing, then to the Committee on Legislative Management.

At 11:06 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:09 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Abercrombie, Kondo, Nakamura, Narvaes and D. Yamada.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 802-78 on S.B. No. 1627-78 (Deferred from March 30, 1978):

Representative Suwa requested

that action be deferred until April 11, 1978, and the Chair, noting that there were no objections, so ordered.

S.B. No. 2620-78, SD 2 (Deferred from March 30, 1978):

Representative Suwa requested that action be deferred until April 11, 1978, and the Chair, noting that there were no objections, so ordered.

STANDING COMMITTEE REPORTS

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 880-78) recommending that H.R. No. 258, as amended in HD 1, be referred jointly to the Committees on Higher Education and Education.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.R. No. 258, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF EDUCATION TO CONDUCT A FEASIBILITY STUDY CONCERNING THE INCLUSION OF A HEALTH EDUCATION COURSE OR PROGRAM AS A MANDATORY REQUIREMENT IN THE ELEMENTARY AND SECONDARY TEACHER PREPARATION PROGRAM", was referred jointly to the Committees on Higher Education and Education.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 881-78) recommending that H.R. No. 200, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and H.R. No. 200, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING A STATE FUND FOR EMPLOYEE-RELATED INSURANCE BENEFIT PROGRAMS", was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 882-78) recommending that H.R. No. 286, as amended in HD 1, be referred to the Committee on Energy and Transportation.

On motion by Representative Kawakami, seconded by Representative Caldito

and carried, the report of the Committee was adopted and H.R. No. 286, HD 1, entitled: "HOUSE RESOLUTION URGING EXPEDIENCY IN THE DECISION REGARDING ACCESS THOROUGHFARE POSSIBILITIES TO THE HOOMALUHIA PARK BY THE UNITED STATES CORPS OF ENGINEERS, STATE DEPARTMENT OF TRANSPORTATION, CITY AND COUNTY DEPARTMENT OF TRANSPORTATION SERVICES, AND THE DEPARTMENT OF PARKS AND RECREATION", was referred to the Committee on Energy and Transportation.

Representatives Kawakami and Uechi, for the Committees on Water, Land Use, Development and Hawaiian Homes and Agriculture, presented a joint report (Stand. Com. Rep. No. 883-78) recommending that H.C.R. No. 105, be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and H.C.R. No. 105, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROCEED WITH THE DEVELOPMENT OF AN AGRICULTURAL PARK IN WAIMANALO, OAHU", was referred to the Committee on Finance.

Representatives Kawakami and Uechi, for the Committees on Water, Land Use, Development and Hawaiian Homes and Agriculture, presented a joint report (Stand. Com. Rep. No. 884-78) recommending that H.R. No. 508 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and H.R. No. 508, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROCEED WITH THE DEVELOPMENT OF AN AGRICULTURAL PARK IN WAIMANALO, OAHU", was referred to the Committee on Finance.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 885-78) informing the House that House Resolution Nos. 617 to 624, House Concurrent Resolution Nos. 144 and 145, and Standing Committee Report Nos. 868-78 to 878-78, have been printed and distributed.

On motion by Representative Kunimura, seconded by Representative Lunasco and carried, the report of the Committee was adopted.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 628 to 639) and concurrent resolution (H.C.R. No. 146) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 628) recognizing the 4-H Leaders Federation of Hawaii was jointly offered by Representatives Cobb, Abercrombie, Ajifu, Caldito, Cayetano, Evans, Fong, Kamalii, Kihano, Kiyabu, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Morioka, Naito, Nakamura, Narvaes, Peters, Say, Takamine, Takamura, Toguchi, Ueoka, D. Yamada and K. Yamada.

On motion by Representative Cobb, seconded by Representative Kunimura and carried, H.R. No. 628 was adopted.

Representative Cobb, prior to introducing the 4-H leaders, stated:

"Mr. Speaker, there are very few activities for American youth better known than the 4-H program of the Cooperative Extension Service. Just to mention 4-H reminds us of the familiar motto - head, heart, hands and health - and those four words really tell us what 4-H is all about. As an American invention, this program began early in the twentieth century when it was intended primarily for farm youth. It introduced them to improved farming and homemaking methods and encouraged close rapport between the home and the school. Today, the 4-H program extends to urban youth as well.

Hawaii became a participant of 4-H activities in 1953 under the leadership of Miss Mabel Green, and with the stimulus of a \$10,000 grant from the Insular Division of the U.S. Experiment Station of the U.S. Department of Agriculture, about three hundred boys were engaged in dairying, gardening and the raising of poultry and rabbits. Nearly an equal number of girls pursued food preparation and clothes making.

The 4-H clubs usually met at rural schools at the end of the regular class day. Today, their activities are far more diversified as well as contemporary.

Over the years since then, outstanding leadership for the 4-H program in Hawaii has been provided by such respected figures as Dr. Y.

Baron Goto, Mr. John Stroman, Mr. James Shigeta, and the incumbent State 4-H Leader, Dr. Joe Waterson. They have been ably assisted by a highly competent staff personnel, some of whom are with us today. Special mention must also be made of the vital role of the volunteer leaders in today's 4-H program.

They are holding their annual conference in Honolulu this weekend and concurrently observing the 25th Anniversary of the founding of the Organized 4-H Leaders Federation of Hawaii. Working with County Extension staff people and advisory groups, the volunteer leaders made the program the exemplary success that it is today. We are fortunate to have many of them with us today.

4-H leaders see their future with continued work with the youth of our State with more emphasis on family participation in the program and the involvement of more people as it expands. It would be difficult to assemble a group who would contribute more to Hawaii's young people and thus the future of our State, and this contingent of 4-H leaders, volunteers and staff are with us today. I am confident that I speak for each member of this body in expressing to them our highest appreciation.

Thank you."

Representative Cobb then introduced 30 delegates from Hawaii and Maui who were seated in the gallery. Representative Cobb then introduced the following persons who were seated on the floor: Dr. Joe Waterson, State 4-H Leader; Mrs. Betty Shimabukuro, Assistant 4-H Leader; Mrs. Dorothy Haisuka, President of the 4-H Federation State Leaders; and Mrs. Esther Kang, Secretary of the 4-H Federation State Leaders.

Representatives Larsen, Dods, Ikeda, Kiyabu, Naito, Say, Morioka, K. Yamada, Ueoka, Suwa, Segawa, Kondo, Inaba, Machida, Takamine, Uechi, Inaba and Cobb then presented the honorees with leis and certified copies of the resolution.

Representative Kunimura then rose and remarked:

"May I describe to those who have not lived in Hawaii for a long time that this scene reminds me of the arrival of the Japanese ship with the picture brides and all the ones going out there to look for their mate by photograph."

At this time, the Clerk read House

Resolution No. 511, congratulating Albert Minn and Aulea Swim Club on their national swimming status, which was adopted by the House of Representatives, Regular Session of 1978, on March 17, 1978.

Representative Medeiros then introduced the recipient of the resolution, Mr. Albert Minn, "a name which is a household word in every family as he has done so much for the youth on the Windward side." Accompanying Mr. Minn were his wife, Shirley, and daughter, Melee.

Representative Medeiros then asked the members of the swimming team and their parents, who were seated in the gallery, to rise and be recognized.

Representative Evans then presented a lei to the honoree; a lei was given to Mrs. Minn by Representative Poepoe; and Representative Yuen presented Melee with a lei. A certified copy of the resolution was presented to Mr. Minn by Representative Medeiros.

A resolution (H.R. No. 629) congratulating Andy Ganigan upon winning the North American Boxing Federation Lightweight Championship was jointly offered by Representatives Cayetano, Kihano, Shito, Abercrombie, Ajifu, Caldito, Campbell, Carroll, Cobb, Dods, Evans, Garcia, Inaba, Kawakami, Kiyabu, Lunasco, Machida, Mina, Morioka, Naito, Nakamura, Narvaes, Say, Segawa, Stanley, Sutton, Takamine, Takamura, Toguchi, Uechi, Ueoka, Uwaine and K. Yamada.

Representative Cayetano moved that H.R. No. 629 be adopted, seconded by Representative Shito.

Representative Cayetano then rose to speak in favor of the resolution, stating:

"Mr. Speaker, when I first met Andy - this was about 1972 - I was a young lawyer just out of law school with lots of time and very few cases, so I was asked to interview him for a community newspaper. That was my first and last venture into journalism. In any event, I was struck, not only by the boxing skills and prowess of Andy - I predicted at that time that he would become an outstanding professional which he has - but I was also struck by Andy Ganigan, the person - the human being - because I felt, at that time, that he was a very humble person, very unassuming. His rise since then has been remarkable. From an outstanding amateur, one of Hawaii's great amateur champs, he is today the North American Boxing Federation

Lightweight Champion.

Last Tuesday, Mr. Speaker, I went to the Blaisdell Auditorium to watch Andy wrest the title away from Vicente Salvador and I believe, when I looked around in the audience, half of the members of this House were there, and it was one of the great fights, I believe, in many years in Hawaii's great history of boxing.

It is my pleasure, Mr. Speaker, to co-sponsor this resolution, along with yourself and Representative Shito and many others because I believe Andy will be a great champion one day. I predict he will win the lightweight championship of the world. Just wait a while, Andy - about one year, you know. I also believe that he is a fine example for our young people to follow.

In that context, I would like to urge all of the members of this House to support this resolution.

Thank you."

Representative Abercrombie then rose to speak in favor of the resolution, stating:

"I just wanted to indicate that I am sure Mr. Ganigan will be overjoyed to learn that I have challenged Harry Kabicoff to the North American biggest mouth boxing championship that is going to be settled in a fight to the finish somewhere in the near future."

The Chair remarked:

"I am sure you will win, Representative Abercrombie."

Representative Kunimura then rose to speak in favor of the resolution, stating:

"Mr. Speaker, I feel that I should not mention the manager of the gentleman, Mr. Salvador. He was a good fighter, but the gentleman with the manager of this big fighter made me stop, pause and pray several times. I read his interview and I pray that our finest of citizen and the finest of the master of the ring, Andy, not be short-changed with a decision but a decisive win at that fight, and I am glad that the good Lord provided that. Nobody can dispute the victory of that fight because it was not a decision. It was a clean-cut win and Andy certainly deserves that kind of blessing because he is such a humble man.

I urge all members of this House to vote with a loud voice of 'aye' for this resolution."

Representative Medeiros then rose

and spoke in favor of the resolution, stating:

"As a former boxer, former boxing trainer, former coach, and a former professional judge and referee, and a former boxing commissioner, I can speak with authority on the qualifications of the recipient this morning with us.

Mr. Speaker, Andy possesses everything that a champion should possess. He is a good fighter on offense as well as defense, and we will have a world champion here in the State of Hawaii in the next year. I can predict that, and Andy, again, will make the State of Hawaii the boxing bed of this world. We, at one time, possessed that title and we have lost it over the number of years in the past, and I am sure we will regain that again.

Thank you very much."

The motion was put by the Chair and carried, and H.R. No. 629 was unanimously adopted.

At this time, Representative Cayetano introduced to the members of the House the honoree, Mr. Andy Ganigan, his wife, Peony, and their two children; and Mr. Larry Ichinose, "a man who, I think, has been a very responsible person in the field of boxing here in Hawaii. He has managed and taken care of many boxers, many of whom have come from the Philippines, and he has done an outstanding job, not only in terms of managing them, but also looking after their future."

Red carnation leis were presented to the honoree by Representative Stanley; to Mrs. Ganigan by Representative Shito; to Mr. Ichinose by Representative Naito; and candy leis to the children by Representative Kunimura.

Representative Cayetano then presented Mr. Ganigan with a certified copy of the resolution and Representative Medeiros presented Mr. Ichinose with a certified copy of the resolution.

At this time, Representative Kunimura introduced Ms. Cassie Welsh, who started the Women's Center on Kauai, to the members of the House.

Representative Abercrombie then introduced two students from the University of Hawaii, Kathy and Marie.

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

of the Chair, for the purpose of meeting the honored guests.

Upon reconvening at 11:50 o'clock a.m., the Chair directed the Clerk to note the presence of Representative Garcia.

A resolution (H.R. No. 630) congratulating Mr. and Mrs. Isaac A. Poe, Sr., Mr. and Mrs. Hughes Ebinger, and Mr. and Mrs. Theodore William of Kauai on receiving the Governor's Sixth Annual Beautification Awards was jointly offered by Representatives Kawakami, Abercrombie, Aki, Baker, Blair, Caldito, Campbell, Cobb, Dods, Fong, Garcia, Ikeda, Inaba, Kihano, Kondo, Kunimura, Lunasco, Machida, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Kawakami, seconded by Representative D. Yamada and carried, H.R. No. 630 was adopted.

A resolution (H.R. No. 631) congratulating Mr. and Mrs. Paul Iopa, Senior, on their First Place Award of the Governor's Sixth Annual Beautification Contest, Hilo District was jointly offered by Representatives K. Yamada, Segawa and Takamine.

On motion by Representative K. Yamada, seconded by Representative Takamine and carried, H.R. No. 631 was adopted.

A resolution (H.R. No. 632) congratulating Mr. and Mrs. Henry Macomber on their award of the Governor's Sixth Annual Beautification Contest, Hilo District was jointly offered by Representatives K. Yamada, Segawa and Takamine.

On motion by Representative K. Yamada, seconded by Representative Takamine and carried, H.R. No. 632 was adopted.

A resolution (H.R. No. 633) congratulating Mr. and Mrs. Abraham Makaio on their award of the Governor's Sixth Annual Beautification Contest, Hilo District was jointly offered by Representatives K. Yamada, Segawa and Takamine.

On motion by Representative K. Yamada, seconded by Representative Takamine and carried, H.R. No. 633 was adopted.

A resolution (H.R. No. 634) congratulating the Kaneohe Outdoor Circle was jointly offered by Representatives

Evans, Ajifu, Aki, Caldito, Carroll, Cayetano, Cobb, Dods, Fong, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Larsen, Lunasco, Machida, Medeiros, Mina, Morioka, Naito, Narvaes, Poepoe, Say, Segawa, Shito, Sutton, Takamine, Takamura, Toguchi, Ueoka, Uwaine, D. Yamada, K. Yamada and Yuen.

On motion by Representative Evans, seconded by Representative Ajifu and carried, H.R. No. 634 was adopted.

A resolution (H.R. No. 635) honoring Peter Jhun for his dedicated service to the young people of Palolo by serving as Boxing Director at the Palolo Recreation Center was jointly offered by Representatives Morioka, Abercrombie, Ajifu, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Naito, Narvaes, Peters, Say, Segawa, Shito, Stanley, Sutton, Takamine, Takamura, Toguchi, Uechi, Ueoka, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Morioka, seconded by Representative Say and carried, H.R. No. 635 was adopted.

A resolution (H.R. No. 636) congratulating the winners in the "Da Best of Jarrett" art exhibition was jointly offered by Representatives Morioka, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Dods, Evans, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Naito, Narvaes, Peters, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Morioka, seconded by Representative Say and carried, H.R. No. 636 was adopted.

A resolution (H.R. No. 637) recognizing the observance of National Secretaries Week, April 23 to 29, 1978 was jointly offered by Representatives Poepoe, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Ikeda, Inaba, Kawakami, Kihano, Kiyabu, Kondo, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Say, Segawa, Shito, Sutton, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada, K. Yamada and Yuen.

On motion by Representative Poepoe,

seconded by Representative Medeiros and carried, H.R. No. 637 was adopted.

A resolution (H.R. No. 638) expressing deepest sympathy to the family of Eddie Aikau was jointly offered by Representatives Kamalii, Poepoe, Caldito, Say, Peters, Yuen, Abercrombie, Ajifu, Aki, Campbell, Cayetano, Dods, Evans, Inaba, Kawakami, Kiyabu, Larsen, Lunasco, Machida, Medeiros, Mina, Morioka, Segawa, Shito, Stanley, Sutton, Takamine, Takamura, Toguchi and K. Yamada.

On motion by Representative Kamalii, seconded by Representative Poepoe and carried, H.R. No. 638 was adopted by a rising vote.

A resolution (H.R. No. 639) commending the Hawaii Division of the Kiwanis International for their outstanding service to Hawaii and its people was jointly offered by Representatives Ikeda, Baker, Campbell, Dods, Evans, Larsen, Machida, Medeiros, Narvaes, Poepoe, Sutton and Uwaine.

On motion by Representative Ikeda, seconded by Representative Takamine and carried, H.R. No. 639 was adopted.

A concurrent resolution (H.C.R. No. 146) recognizing the 4-H Leaders Federation of Hawaii was jointly offered by Representatives Cobb, Abercrombie, Ajifu, Caldito, Cayetano, Dods, Evans, Fong, Kamalii, Kihano, Kiyabu, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Morioka, Naito, Nakamura, Narvaes, Peters, Say, Takamine, Takamura, Toguchi, Ueoka, D. Yamada and K. Yamada.

On motion by Representative Cobb, seconded by Representative Kunimura and carried, H.C.R. No. 146 was adopted.

SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii and carried, the rules were suspended for the purpose of taking up bills on Final Reading on the basis of a modified consent calendar.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 1893-78, as amended by the Senate, was taken from the Clerk's desk.

Representative Takamine moved that the House agree to the amendments

proposed by the Senate to H.B. No. 1893-78, seconded by Representative Stanley.

Representative Takamine then explained the Senate amendment, stating:

"The Senate, from line 13 up on this bill, took out one quotation mark. Our House attorney says that the Revisor of Statutes will be able to put it back."

At 11:59 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:01 o'clock p.m., Representative Abercrombie rose and asked whether or not the Chairman of the Committee would yield to a question, to which Representative Takamine replied in the affirmative.

Representative Abercrombie asked:

"Does this bill, with the Senate draft, now bring the question of residency into the situation, in terms of unemployed individuals, in a way which is similar to or counter to the original House position?"

Representative Takamine replied:

"Mr. Speaker, this is a typographical amendment. It does not change the intent of the bill."

Representative Abercrombie then said:

"Then, Mr. Speaker, I would like to speak against it."

At 12:02 o'clock p.m., on request by Representative Kunimura, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:05 o'clock p.m., the Chair recognized Representative Abercrombie and he stated:

"Thank you, Mr. Speaker.

I want to urge the 'no' vote on the amendment because this would force the issue into conference, and inasmuch as this does not essentially change the position of the House, you know, with those of us who wish to see that that be pursued further, I believe that a 'no' vote would be in order for those who would like to see that occur."

The motion to agree to the amendment was put by the Chair and carried,

with Representatives Abercrombie, Ajifu, Baker, Campbell, Carroll, Evans, Ikeda, Kamalii and Sutton voting no.

At 12:08 o'clock p.m., on request by Representative Kunimura, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:13 o'clock p.m.

Representative Takamine moved that H.B. No. 1893-78, SD 1, having been read throughout, pass Final Reading, seconded by Representative Stanley.

Representative Abercrombie then rose to speak against the bill, stating:

"Mr. Speaker, I think that if you will refer to House Bill No. 1893-78, SD 1, it states at the bottom, 'Unemployed individual means an individual who is a resident of the State of Hawaii', and that is the underlying portion. It seems to me that the unemployed individual means somebody who is without work. That is who it should be for and that we should not distinguish between residence in this particular instance and the people of the State of Hawaii, as the right to work in that sense would be able to get a job where residency requirements involved does fundamental violence to the conception of the Constitution, and I think, most closely adheres to the Constitution.

Therefore, because that phrase, 'resident of the State', rather than simply being people living in the State of Hawaii, I would urge that it be rejected."

Representative Sutton then rose to speak against the bill, stating:

"Mr. Speaker, I would like to address the attention of the body to the subject relating to unemployment. The subject matter, the title: 'A Bill for an Act relating to unemployment.'

We have a basic concept that the title shall embrace the body and the title is a constitutional inhibition. We have violated that constitutional inhibition by defining unemployment with a subsidiary and unrelated factor. Where we engage in this type of statutory bill passing, we could be challenged subsequently for a violation of the title concept in our Constitution.

We have here, 'unemployed individual means . . .' It should say, one who is without a job is able, is available,

and is seeking full-time employment.

All of a sudden, we insert something totally irrelevant and try to change the body so it does not conform to the title. Were we to continue this type of statutory change, we might find ourselves with something that would not, in any way, shape or manner, conform to the Constitution and be held unconstitutional.

Therefore, I would ask my colleagues to vote against this particular bill."

Representative Ikeda then rose and stated:

"Mr. Speaker, I spoke against this bill when it passed the House on Third Reading. I would like to request that those remarks be incorporated in the Journal by reference."

The Chair, noting that there were no objections, "so ordered."

At this time, Representative Abercrombie rose and requested a roll call vote on this measure.

Representative Peters then rose and stated:

"Mr. Speaker, I spoke in favor of this measure and I would like to have my comments incorporated by reference."

The Chair, noting that there were no objections, "so ordered."

Roll call having been requested, the motion was put by the Chair and carried, and H.B. No. 1893-78, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT", having been read throughout, passed Final Reading by a vote of 33 ayes to 12 noes, with Representatives Abercrombie, Ajifu, Baker, Campbell, Carroll, Cayetano, Evans, Ikeda, Kamalii, Sutton, Uwaine and Garcia voting no, and Representatives Larsen, Lunasco, Naito, Uechi, Ueoka, Ushijima and Wakatsuki being excused.

The Chair directed the Clerk to note that H.B. No. 1893-78 had passed Final Reading at 12:17 o'clock p.m.

By unanimous consent, H.B. No. 2293-78, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Blair, seconded by Representative Yuen

and carried, the House disagreed to the amendments proposed by the Senate to House Bill No. 2293-78, HD 2, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Blair, Chairman; Larsen, Lunasco and Poepoe were appointed as Managers on the part of the House at such conference.

By unanimous consent, H.B. No. 2166-78, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Cayetano, seconded by Representative Takamura and carried, the House disagreed to the amendments proposed by the Senate to House Bill No. 2166-78, HD 2, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Cayetano, Chairman; Dods, Say and Medeiros were appointed as Managers on the part of the House at such conference.

By unanimous consent, H.B. No. 1987-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the House disagreed to the amendments proposed by the Senate to House Bill No. 1987-78, HD 1, and requested a conference on the subject matter of said amendments.

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

By unanimous consent, H.B. No. 2054-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the House disagreed to the amendments proposed by the Senate to House Bill No. 2054-78, HD 1, and requested a conference on the subject matter of said amendments.

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

By unanimous consent, H.B. No. 2618-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Nakamura

and carried, the House disagreed to the amendments proposed by the Senate to House Bill No. 2618-78, HD 1, and requested a conference on the subject matter of said amendments.

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

At this time, Representative Mizuguchi gave notice that he will be agreeing to the Senate amendments to House Bill No. 196 on Monday, April 3, 1978, stating:

"The Senate amendment to this particular bill stipulates inclusion of an appeals procedure for educational officers. This bill relates to classification of DOE teachers and educational officers."

Representative Mizuguchi then gave notice that he will be agreeing to the Senate amendments to House Bill No. 610, HD 2, on Monday, April 3, 1978, stating:

"The Senate amendment removes all references to elementary schools so that all schools can partake in these particular provisions.

Thank you."

ADJOURNMENT

At 12:26 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned to 11:00 o'clock a.m. on Monday, April 3, 1978, by a rising vote, in memory of the late Eddie Aikau.

FIFTY-FIRST DAY

Monday, April 3, 1978

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend William Smith of the Waialae Baptist Church, after which the Roll was called showing all members present with the exception of Representative Naito, who was excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Fiftieth Day.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Fiftieth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 307 to 317) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 307) transmitting Senate Concurrent Resolution No. 125 congratulating Alfred Benjamin Souza, Jr., for being inducted into the University of San Francisco Hall of Fame which was adopted by the Senate on March 31, 1978, was placed on file.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, S.C.R. No. 125 was adopted.

A communication from the Senate (Sen. Com. No. 308) transmitting Senate Concurrent Resolution No. 126 in recognition of Tamotsu "Tamo" Kubota, nurseryman, upon his retirement which was adopted by the Senate on March 31, 1978, was placed on file.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, S.C.R. No. 126 was adopted.

A communication from the Senate (Sen. Com. No. 309) transmitting Senate Concurrent Resolution No. 127 recognizing the twenty-fifth

anniversary of the teaching of Ki and Aikido in the West by Professor Koichi Tohei which was adopted by the Senate on March 31, 1978, was placed on file.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, S.C.R. No. 127 was adopted.

A communication from the Senate (Sen. Com. No. 310) transmitting Senate Concurrent Resolution No. 73 requesting that the Congress of the United States reduce the base flood standard of the National Flood Insurance Act from 100 years to 50 years which was adopted by the Senate on March 31, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 311) transmitting Senate Concurrent Resolution No. 84, SD 1, requesting a review of the air pollution control regulations which was adopted by the Senate on March 31, 1978, was placed on file.

By unanimous consent, action on S.C.R. Nos. 73 and 84, SD 1, was deferred until tomorrow, April 4, 1978.

A communication from the Senate (Sen. Com. No. 312) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 389, SD 1, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Young, Chairman; Toyofuku 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. 313) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 782, SD 1, and that the conferees will be named by the President at a later date for the consideration of said amendments, 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. 314) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1950-78, SD 1, and had requested a conference on the subject matter of said amendments, in consequence of

which Senators Young, Chairman; Toyofuku 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. 315) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 2005-78, SD 1, and had requested a conference on the subject matter of said amendments, in consequence of which Senators F. Wong, Chairman; R. Wong and Soares 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. 316) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 2114-78, and had requested a conference on the subject matter of said amendments, in consequence of which Senators Hara, Chairman; Yim and Anderson 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. 317) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1998-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators King, Chairman; Hulten and George 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 Blair, Chairman; Kawakami, Toguchi and Carroll as Managers on the part of the House at such conference.

At this time, Representative Garcia introduced forty-five students from Nimitz Elementary School, who were accompanied by their teachers, Sharon Oshiro and Mavis Hiuchi.

At 11:08 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:09 o'clock a.m.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following Senate Concurrent Resolutions were disposed of as follows:

<u>S.C.R. Nos.</u>	<u>Referred to:</u>
60	Committee on Water, Land Use, Development and Hawaiian Homes, then to the Committee on Energy and Transportation, then to the Committee on Finance
67	Jointly to the Committees on Ecology and Environment and Water, Land Use, Development and Hawaiian Homes
78	Committee on Consumer Protection and Commerce, then to the Committee on Finance
82	Committee on Higher Education

COMMITTEE REASSIGNMENT

House Concurrent Resolution No. 82 was re-referred jointly to the Committees on State General Planning and Energy and Transportation, then to the Committee on Finance.

SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii and carried, the rules were suspended for the purpose of offering resolutions for action.

INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 640) extending congratulations to Mrs. Piilani C. Desha, President, the National Federation of Business and Professional Women's Clubs was jointly offered by Representatives Evans, Kamalii, Naito, Ikeda, Stanley, Segawa, K. Yamada, Abercrombie, Ajifu, Aki, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Fong, Inaba, Kihano, Kiyabu, Larsen, Lunasco, Machida, Medeiros, Mina, Morioka, Narvaes, Peters, Poepoe, Say, Shito, Sutton, Takamine, Takamura, Toguchi, Ueoka, Uwayne, D. Yamada and Yuen, and was read by the Clerk.

On motion by Representative Evans, seconded by Representative Kamalii and carried, H.R. No. 640 was adopted.

Representative Evans then introduced Diane Logsdon, president of the Hawaii Federation of Business and Professional Women, who was seated in the gallery; Marge Kealanahale, president of the Aloha Chapter of Business and Professional Women; Lillian Kruse, sister of the honoree; and the honoree, Mrs. Piilani Desha, president, National Federation of Business and Professional Women's Clubs.

Representative Segawa presented the honoree with a ginger and maile lei and Representative K. Yamada presented her with a certified copy of the resolution, while Representative Evans presented the others with copies of the resolution.

At 11:16 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:23 o'clock a.m.

STANDING COMMITTEE REPORTS

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 886-78) recommending that H.R. No. 380 be referred to the Committee on Judiciary.

Representative Stanley moved that the report of the Committee be adopted and that H.R. No. 380 be referred to the Committee on Judiciary, seconded by Representative Uwaine.

Representative Sutton then rose to speak in favor of the resolution, stating:

"Mr. Speaker, this has long been a very difficult problem for me to try to solve because in my area we have two large church denominations that have tried to find a solution to this problem. I, myself, recognize the conflict between freedom of religion and the basic right of a check-off or any way for the dues to be paid to a union that is the collective bargaining agent.

I feel that this resolution is very much in order. I realize the great difficulty of their task. I wish them

well on the solution and would ask that all of my fellow legislators and yourself, Mr. Speaker, vote in favor of this resolution."

Representative Abercrombie, upon being recognized, stated:

"I signed this committee report with reservation and I would like to speak for the resolution and cite those reservations.

Mr. Speaker, the reason I want to cite this reservation is so that the committee to follow will have it in mind.

If you will address yourself to the third paragraph, last sentence of the third paragraph: 'Thus, there is a conflict between the religious beliefs of a minority of employees and the statutorily conferred right of unions to receive compensation for the services they provide to non-union members.' I do not believe that there is a conflict between these religious beliefs and the statutorily conferred right of the unions to receive compensation. There is an argument that there is, that the committee report states that such a conflict exists. I believe it does not reflect my view in the least.

I do not object, on the other hand, to some kind of study consideration of the question. Obviously, the question should be considered so that rights can be balanced.

With that comment, I would ask that it be passed."

The motion was put by the Chair and carried and the report of the Committee was adopted and H.R. No. 380, entitled: "HOUSE RESOLUTION REQUESTING CONSIDERATION OF THE QUESTION OF RELIGIOUS FREEDOM AS IT RELATES TO SERVICE FEES TO UNIONS", was referred to the Committee on Judiciary.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 887-78) recommending that H.C.R. No. 103 be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.C.R. No. 103, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE STUDY OF CHAPTER 88, HAWAII REVISED STATUTES, ON THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 888-78) recommending that H.C.R. No. 46, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.C.R. No. 46, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO CREATE MORE PUBLIC SERVICE EMPLOYMENT", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 889-78) recommending that H.R. No. 420, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.R. No. 420, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE IMPACT OF A RAISING OF THE MANDATORY RETIREMENT AGE FOR PUBLIC EMPLOYMENT IN HAWAII", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 890-78) recommending that H.R. No. 29 be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Uwaine and carried, the report of the Committee was adopted and H.R. No. 29, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE STUDY ON CONTINUED PARTICIPATION IN SOCIAL SECURITY BY MEMBERS OF THE EMPLOYEES' RETIREMENT SYSTEM", was referred to the Committee on Finance.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 891-78) informing the House that House Resolution Nos. 625 to 627 and House Standing Committee Report Nos. 880-78 to 884-78 have been printed and distributed.

On motion by Representative Kunimura, seconded by Representative Lunasco and carried, the report of the Committee was adopted.

SPECIAL COMMITTEE REPORT

Representative Ushijima, for the majority of the House Committee on Higher Education, in conjunction with the Senate Committee on Higher Education conducted an interim review of the University of Hawaii's athletic program with special attention to its financial aspects and sources of funding, presented a report (Spec. Com. Rep. No. 12).

By unanimous consent, Spec. Com. Rep. No. 12 was received and placed on file.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 641 to 646) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 641) congratulating the boys 11 and under team from the McCully Recreation Center Youth Basketball League was jointly offered by Representatives Uwaine, Takamura, Abercrombie, Aki, Baker, Blair, Carroll, Evans, Fong, Mina, Mizuguchi, Nakamura, Narvaes, Poepoe, Say, Segawa, Stanley, Sutton, Takamine, Ueoka and K. Yamada.

On motion by Representative Uwaine, seconded by Representative Takamura and carried, H.R. No. 641 was adopted.

A resolution (H.R. No. 642) congratulating the boys 14 and under team from the McCully Recreation Center Youth Basketball League was jointly offered by Representatives Uwaine, Takamura, Abercrombie, Aki, Baker, Blair, Carroll, Evans, Fong, Mina, Mizuguchi, Nakamura, Narvaes, Poepoe, Say, Segawa, Stanley, Sutton, Takamine, Ueoka and K. Yamada.

On motion by Representative Uwaine, seconded by Representative Takamura and carried, H.R. No. 642 was adopted.

A resolution (H.R. No. 643) congratulating the Island Lady basketball team of Waimanalo for their recent victory in the Parks and Recreation championship game was jointly offered by Representatives Yuen, Ajifu, Aki, Blair, Caldito, Carroll, Garcia, Inaba, Kiyabu, Kondo, Larsen, Lunasco, Machida, Medeiros, Nakamura, Narvaes, Poepoe, Say, Segawa, Shito, Stanley, Takamine, Toguchi, Ueoka, Ushijima, Uwaine and K. Yamada.

On motion by Representative Yuen, seconded by Representative Toguchi and carried, H.R. No. 643 was adopted.

A resolution (H.R. No. 644) congratulating the winners of the Governor's Sixth Annual Beautification Contest, Waimea District, was jointly offered by Representatives Inaba, Aki, Baker, Blair, Caldito, Carroll, Cayetano, Dods, Evans, Fong, Ikeda, Kawakami, Kiyabu, Kunimura, Medeiros, Mina, Mizuguchi, Morioka, Naito, Narvaes, Peters, Say, Segawa, Shito, Stanley, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Uwaine, K. Yamada and Yuen.

On motion by Representative Inaba, seconded by Representative Segawa and carried, H.R. No. 644 was adopted.

A resolution (H.R. No. 645) commending Joe C. Harper, first citizen of Kahaluu, Oahu, for his dedication and outstanding service to the community was jointly offered by Representatives Toguchi, Ajifu, Aki, Blair, Caldito, Campbell, Cayetano, Cobb, Dods, Evans, Fong, Inaba, Kawakami, Kunimura, Lunasco, Machida, Mina, Mizuguchi, Morioka, Naito, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Uechi, Ueoka, Uwaine, D. Yamada, K. Yamada and Yuen.

On motion by Representative Toguchi, seconded by Representative Caldito and carried, H.R. No. 645 was adopted.

A resolution (H.R. No. 646) congratulating the Kamehameha Schools for the memorable 56th Annual Song Contest was jointly offered by Representatives Say, Ajifu, Aki, Baker, Caldito, Campbell, Cayetano, Cobb, Dods, Fong, Inaba, Kamalii, Kawakami, Kiyabu, Kondo, Kunimura, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Say, seconded by Representative Lunasco and carried, H.R. No. 646 was adopted.

At 11:31 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:48 o'clock a.m., Representative Dods introduced sixty-two second and third grade students from Haihaione Elementary School and their teacher, Ms. Arlene Okamoto.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 1876-78, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1876-78 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. 1879-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1879-78, HD 1, and requested a conference on the subject matter of said amendments.

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

By unanimous consent, H.B. No. 1885-78, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1885-78, HD 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.

By unanimous consent, H.B. No. 2095-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2095-78, HD 1, and requested a conference on the subject matter of said amendments.

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

At 11:51 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:52 o'clock a.m.

By unanimous consent, H.B. No. 2118-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2118-78, HD 1, and requested a conference on the subject matter of said amendments.

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

By unanimous consent, H.B. No. 2248-78, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Garcia, seconded by Representative Yuen and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2248-78 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 11:53 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:54 o'clock a.m.

By unanimous consent, H.B. No. 2312-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2312-78, HD 1, and requested a conference on the subject matter of said amendments.

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

By unanimous consent, H.B. No. 2319-78, HD 1, as amended

by the Senate, was taken from the Clerk's desk.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2319-78, HD 1, and requested a conference on the subject matter of said amendments.

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

By unanimous consent, H.B. No. 2687-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2687-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Garcia, Chairman; D. Yamada and Medeiros were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, H.B. No. 2764-78, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2764-78, HD 2, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Garcia, Chairman; Morioka and Medeiros were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, H.B. No. 1771-78, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Peters and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1771-78 and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman; Peters, Caldito, Jr., Dods, Inaba, Kunimura, Larsen, Lunasco,

Mina, Morioka, Nakamura, Narvaes and Sutton were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, H.B. No. 1779-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Peters and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1779-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman; Peters, Caldito, Jr., Dods, Inaba, Kunimura, Larsen, Lunasco, Mina, Morioka, Nakamura, Narvaes and Sutton were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, H.B. No. 3039-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Suwa, seconded by Representative Peters and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 3039-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Suwa, Chairman; Peters, Caldito, Jr., Dods, Inaba, Kunimura, Larsen, Lunasco, Mina, Morioka, Nakamura, Narvaes and Sutton were appointed as Managers on the part of the House for the consideration of said amendments.

At 11:56 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

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

By unanimous consent, H.B. No. 227, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 227 and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Ueoka, K. Yamada and Ikeda were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, H.B. No. 425, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 425, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Naito, Uwaine and Medeiros were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, H.B. No. 429, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 429 and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Baker, Uwaine and Fong were appointed as Managers on the part of the House for the consideration of said amendments.

By unanimous consent, H.B. No. 617, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 617, HD 1, and requested a conference on the subject matter of said amendments.

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

By unanimous consent, H.B. No. 992, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 992 and requested a conference

on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Suwa and Fong were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 1870-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1870-78, HD 1, and requested a conference on the subject matter of said amendments.

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

By unanimous consent, H.B. No. 1920-78, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1920-78 and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Blair, Ueoka and Ikeda were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 1937-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1937-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Blair, Uechi, K. Yamada and Ikeda were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 1938-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1938-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Blair, Uechi, K. Yamada and Ikeda were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 1939-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1939-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Blair, Uechi, K. Yamada and Ikeda were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 2085-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2085-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Nakamura, K. Yamada and Medeiros were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 2403-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2403-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Naito,

Ueoka and Medeiros were appointed as Managers on the part of the House for consideration of said amendments.

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

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

By unanimous consent, H.B. No. 2611-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2611-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Naito, Nakamura, Ueoka and Fong were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 2895-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2895-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Blair, Garcia, Nakamura and Fong were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 3046-78, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 3046-78 and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Baker, Uwayne and Medeiros were appointed as Managers on the part of the House

for consideration of said amendments.

By unanimous consent, H.B. No. 3049-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 3049-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Ueoka, K. Yamada and Ikeda were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 3060-78, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 3060-78 and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives D. Yamada, Chairman; Baker, Ueoka, Uwayne and Fong were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 490, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 490, HD 2, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Mizuguchi, Chairman; Abercrombie, Aki, Dods, Kawakami, Toguchi and Evans were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 491, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 491, HD 2, and requested

a conference on the subject matter of said amendments.

In accordance therewith, Representatives Mizuguchi, Chairman; Campbell, Mina, Say, Shito and Poepoe were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 1803-78, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Takamine, seconded by Representative Peters and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1803-78, HD 2, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Takamine, Chairman; Peters, Machida, Mina and Ikeda were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 1838-78, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Aki, seconded by Representative Baker and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1838-78, HD 2, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Aki, Chairman; K. Yamada, Baker, Cobb, Garcia, Shito, Ikeda, Medeiros and Sutton were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 2185-78, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Aki, seconded by Representative Baker and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2185-78, HD 2, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Aki, Chairman; Baker, Mina, Shito and Narvaes were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 514, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Cayetano, seconded by Representative Takamura and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 514 and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Cayetano, Chairman; Dods, Machida, Say and Medeiros were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 2102-78, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Cayetano, seconded by Representative Takamura and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2102-78, HD 2, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Cayetano, Chairman; Peters, Takamura, Mina, Say and Ikeda were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 2173-78, HD 3, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Kiyabu, seconded by Representative Mina and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2173-78, HD 3, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Kiyabu, Chairman; Abercrombie, Cayetano, Dods, Kunimura, Machida, Mina, Mizuguchi, Peters, Suwa, Ikeda and Medeiros were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 1075, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Ushijima, seconded by Representative Abercrombie and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1075, HD 1, and requested a conference on the subject matter of said amendments.

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

By unanimous consent, H.B. No. 2827-78, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Segawa, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2827-78, HD 2, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Segawa, Chairman; Peters, Campbell, Machida, Mizuguchi, Shito, Poepoe and Sutton were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 3011-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Segawa, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 3011-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Segawa, Chairman; Shito, Ueoka, Ushijima and Sutton were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 3012-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Segawa, seconded by Representative Shito and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 3012-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Segawa, Chairman; Aki, Shito and Sutton were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 559, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Stanley, seconded by Representative Uwayne and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 559 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. 819, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Stanley, seconded by Representative Uwayne and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 819 and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Stanley, Chairman; Kunimura, Suwa, Uwayne and Medeiros were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 2850-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Say, seconded by Representative Stanley and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2850-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Say, Chairman; Toguchi, Ushijima and Poepoe were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 2239-78, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2239-78, HD 2, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Garcia, Chairman; Blair, Takamura, Ueoka, Fong and Medeiros were appointed as Managers on the part of the House for consideration of said amendments.

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

The House of Representatives reconvened at 12:17 o'clock p.m.

By unanimous consent, H.B. No. 139, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Machida, seconded by Representative Dods and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 139, HD 1, and requested a conference on the subject matter of said amendments.

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

By unanimous consent, H.B. No. 2170-78, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2170-78, HD 2, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Kawakami, Chairman; Caldito, Morioka and Poepoe were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 2689-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2689-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Kawakami, Chairman; Inaba, Larsen and Carroll were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 2756-78, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2756-78 and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Kawakami, Chairman; Lunasco, Uechi and Fong were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 1987-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 1987-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Shito, Chairman; Aki, Nakamura, Segawa, Ueoka and Narvaes were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 2054-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2054-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Shito, Chairman; Aki, Nakamura, Segawa, Ueoka and Narvaes were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 2618-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the House disagreed to the amendments proposed by the Senate to H.B. No. 2618-78, HD 1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Shito, Chairman; Aki, Nakamura, Segawa, Suwa, Ueoka and Ikeda were appointed as Managers on the part of the House for consideration of said amendments.

By unanimous consent, H.B. No. 196, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 196, and H.B. No. 196, as amended, having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Sutton voting no, and Representative Naito being excused.

By unanimous consent, H.B. No. 610, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 610, and H.B. No. 610, as amended, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Naito being excused.

The Chair directed the Clerk to note that H.B. No. 196, SD 2, had passed Final Reading at 12:22 o'clock p.m., and 610, HD 2, SD 1, at 12:23 o'clock p.m.

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

Upon reconvening at 12:39 o'clock p.m., Representative Kondo announced:

"I just wanted to make it very clear

to the members here that those intentions to agree were just that. There was no motion on the floor. That means that the committee has the right to change their mind.

I would also suggest that the chairmen get in touch with me when they intend to actually make the motion, at least twenty-four hours before, so that we may have a caucus."

On a point of information, Representative Abercrombie asked:

"Mr. Speaker, would you ask the Majority Leader if he also desires that the committee chairmen get in touch with their committee members before they get in touch with him?"

The Chair replied:

"I believe that's understood by all committee chairmen."

The Chair then made the following announcement:

"The Chair, at this time, would like to waive the forty-eight hour notice, applicable to all committees from now to the end of the session, regarding your notices for hearings."

At 12:43 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:45 o'clock p.m.

ADJOURNMENT

At 12:45 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, Tuesday, April 4, 1978.

FIFTY-SECOND DAY

Tuesday, April 4, 1978

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, convened at 11:00 o'clock a.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by Reverend Roy G. Sapp of the First Assembly of God, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Blair, Caldito, Kiyabu, Kondo, Kunimura, Larsen, Takamura, Uechi, Wakatsuki and D. Yamada, who were excused.

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

On motion by Representative Yuen, seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Fifty-First Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 318 to 336) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 318) transmitting Senate Concurrent Resolution No. 74, SD 1, requesting the Council of Housing and the Construction Industry to examine the economic impact of the restrictions and requirements of the National Flood Insurance Act in the State of Hawaii, which was adopted by the Senate on April 3, 1978, was placed on file.

By unanimous consent, further action on S.C.R. No. 74, SD 1, was deferred until tomorrow, April 5, 1978.

A communication from the Senate (Sen. Com. No. 319) returning House Concurrent Resolution No. 146, which was adopted by the Senate on April 3, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 320) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 782, SD 1, and had requested a conference

on the subject matter thereof, in consequence of which Senators O'Connor, Chairman; Taira and George were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 321) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 893, SD 2, and had requested a conference on the subject matter thereof, in consequence of which Senators R. Wong, Chairman; O'Connor and Anderson were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 322) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1622-78, SD 1, and had requested a conference on the subject matter thereof, in consequence of which Senators R. Wong, Chairman; Nishimura and Soares were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 323) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1643-78, and had requested a conference on the subject matter thereof, in consequence of which Senators Nishimura, Chairman; Chong and Saiki were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 324) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1752-78, and had requested a conference on the subject matter thereof, in consequence of which Senators Chong, Chairman; R. Wong and Saiki were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 325) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1811-78, SD 2, and had requested a conference on the subject matter thereof, in consequence of which Senators R. Wong, Chairman;

O'Connor, Kuroda and Soares were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 326) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1820-78, SD 2, and had requested a conference on the subject matter thereof, in consequence of which Senators Nishimura, Chairman; O'Connor, Chong, Ching, Hara, Kawasaki, Taira, Takitani, F. Wong, George, Leopold and Saiki were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 327) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 1855-78, SD 1, and had requested a conference on the subject matter thereof, in consequence of which Senators O'Connor, Chairman; Ching and George were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 328) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 2202-78, SD 1, and had requested a conference on the subject matter thereof, in consequence of which Senators R. Wong, Chairman; Yamasaki, Hara, Hulten, King, Kuroda, O'Connor, Toyofuku, Yim, Young, Anderson, Henderson and Soares were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 329) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 2332-78, SD 1, and had requested a conference on the subject matter thereof, in consequence of which Senators R. Wong, Chairman; O'Connor and Anderson were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 330) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 2386-78, SD 2, and had requested a conference on the subject matter thereof, in consequence of which Senators R.

Wong, Chairman; Chong and Saiki were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 331) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 2436-78, and had requested a conference on the subject matter thereof, in consequence of which Senators King, Chairman; Chong and Soares were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 332) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 2464-78, SD 2, and had requested a conference on the subject matter thereof, in consequence of which Senators O'Connor, Chairman; Ching and George were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 333) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 2523-78, SD 2, and had requested a conference on the subject matter thereof, in consequence of which Senators Nishimura, Chairman; Kuroda, Chong and George were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 334) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 2581-78, SD 2, and had requested a conference on the subject matter thereof, in consequence of which Senators Nishimura, Chairman; Chong, Takitani and Leopold were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate (Sen. Com. No. 335) informing the House that the Senate had disagreed to the amendments proposed by the House to Senate Bill No. 2595-78, SD 1, and had requested a conference on the subject matter thereof, in consequence of which Senators Nishimura, Chairman; O'Connor, Ching and Saiki were appointed as Managers on the part of the Senate at such conference, was placed on file.

A communication from the Senate

(Sen. Com. No. 336) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2293-78, HD 2, and the request for a conference on the subject matter of said amendments, Senators King, Chairman; Hulten and George were appointed as Managers on the part of the Senate at such conference, was placed on file.

At 11:05 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:07 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Abercrombie, Blair, Kiyabu, Kunimura, Larsen, Takamura and Uechi.

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

Representative Fong introduced 27 fourth grade students from Punahou School. They were accompanied by their teacher, Mrs. Bendix.

Representative Mina introduced 80 fifth grade students from Likelike Elementary School. They were accompanied by their teachers, Mrs. Evangeline Inouye, Mrs. Constance Wong, Mrs. Yoshiko Okamoto and Mrs. Gwen Ishimitsu, and parents, Mrs. Elena Salvador, Mrs. Electeria Espirito and Mrs. Doris Au.

SUSPENSION OF RULES

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

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 647 to 649) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 647) congratulating and recognizing the 1977 Miss Hawaii, Miss Elizabeth Frances Kawaikikilani Lee (Libby Lee) and the Miss Hawaii Scholarship Pageant was jointly offered by Representatives Uechi, Wakatsuki, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito,

Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Ueoka, Ushijima, Uwaine, D. Yamada, K. Yamada and Yuen.

On motion by Representative Uechi, seconded by Representative Inaba and carried, H.R. No. 647 was adopted.

At this time, Representative Uechi introduced the honoree, Miss Libby Lee, her mother, Mrs. Lee, and sister, Nani, to the members of the House.

Representative Inaba then presented the honoree with a red carnation lei and a certified copy of the resolution was presented by Representative Uechi.

The Chair then appointed Representatives Uechi, Yuen, Kamalii, Ajifu and Peters to escort Miss Lee to the rostrum, whereupon she addressed the members of the House:

"Mr. Speaker, I would just like to say that it is an honor being Miss Hawaii and representing the State of Hawaii. As Miss Hawaii, I have had the opportunity to represent the State of Hawaii in the proudest form and I have also had the opportunity to travel throughout the Orient, the mainland United States, Australia and, of course, Hawaii. I look forward to the rest of my year with complete optimism for the future.

Thank you."

A resolution (H.R. No. 648) honoring Robert M. "Bobby" Lee, Executive Secretary, Hawaii State Boxing Commission, upon his retirement and expressing best wishes for a successful and happy retirement was jointly offered by Representatives Uechi, Medeiros, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Ueoka, Ushijima, Uwaine, D. Yamada, K. Yamada, Yuen and Wakatsuki.

On motion by Representative Uechi, seconded by Representative Medeiros and carried, H.R. No. 648 was adopted.

A resolution (H.R. No. 649) congratulating and commending the Hale Naua III-Society of Hawaiian Artists was jointly offered by Representatives Peters, Caldito, Inaba, Kamalii, Kihano,

Kiyabu, Lunasco, Mizuguchi, Narvaes, Stanley, Takamura, K. Yamada, Yuen and Wakatsuki.

On motion by Representative Peters, seconded by Representative Yuen and carried, H.R. No. 649 was adopted.

Representative Peters then rose and stated:

"Mr. Speaker, Hale Naua III-Society consists of about one hundred members who contribute to every aspect of fine arts and the history of Hawaii and the culture of Hawaiians. I know a number of weeks ago, we have heard some resolutions indicating the demise of many of our Kapunas who have passed away. There is a growing concern amongst many Hawaiians throughout the State that some of the culture is deteriorating - is being permanently lost, as a consequence.

I am personally happy to note that many young Hawaiians in Hawaii and elsewhere are doing their utmost to cultivate and to nurture, to crystalize these practices and make it on-going, as a consequence, assist many of us, not only in this process, but in our everyday life, spend a little more time to be cognizant to many of the fine arts, of the beautiful things the Hawaiians have contributed to this world.

Certainly, it is my honor to introduce these gentlemen and women, who are doing such a beautiful job."

Representative Peters then introduced the following persons: Sister Ipo Nihipali, Brother Duncan Ka'ohuoka'ala Seto, Brother Philip G. Naone, David P. Parker, Joseph Makaeha Momoa, Joseph Hau'oli Dowson, Sr., Imaikalani Kalehele, Dutch Kohonomoku Mossman, and Brother Rocky Kaiouliokahihikolo Jensen who established the Society, Lucia Jensen, his wife, and Brother Joseph Nelson.

Representatives Evans, Ikeda, Kamalii, Naito and Stanley then presented leis to the honorees and certified copies of the resolution were presented by Representatives Aki, Peters and Yuen.

At this time, the Clerk read H.C.R. No. 97, commending the Keehi Lagoon Memorial Management Committee of the Disabled American Veterans, Department of Hawaii, for its outstanding accomplishment in completing the

third phase of the Memorial project, which was adopted by the House of Representatives on March 15, 1978.

Representative Kunimura proceeded to introduce the honorees, stating:

"This resolution has already been adopted, but I think it is every day that we should think about, not only tomorrow, but about yesterday, to reflect the many good things about America. Today, with your permission, Mr. Speaker, we have with us the representatives of this great organization. Of course, they would be a great organization, but they cannot physically be here with us, and those are the people who gave the supreme sacrifice, but my comrades here this morning are the second group of people who gave almost the supreme sacrifice. These are the people who represent the veterans who gave part of their body, maybe a limb, two limbs, eyes, health. They are not the warmongers and they are not the genie group because, today, practically every organization come and say, give me this and I shall do this; I shall build this; I want to do this; but this organization - the Disabled American Veterans - is a very unique organization. It has given already and given more than most any other American, or group of Americans, but they are still continuing to give. This is the giving organization because this project started twenty years ago and started even earlier in the very early stages of joining, and this organization has not asked the Legislature of the State of Hawaii, or the City and County of Honolulu, or the counties of the neighbor islands for a single penny for this project and yet, if we look around, some of our colleagues have already enjoyed several times the benefit of their hard labor because the rental charged for the use of the facilities for fund raisers and get-togethers is almost nominal, and may I, with your permission, Mr. Speaker, honor the Disabled American Veterans organization."

Representative Kunimura then introduced the following persons to the members of the House: Mr. Ed Tamanaha, Project Chairman; Mr. Joe Keliikoa, Department Commander, DAV, Hawaii, and husband of Germaine who works in the Vice Speaker's office; and General Valentine A. Siefermann.

Leis were presented to the honorees by Representatives Ikeda, Kamalii and Stanley and certified copies of the resolution were presented by Representative Peters.

At 11:35 o'clock a.m., the Chair declared

a recess, subject to the call of the Chair, for the purpose of meeting the honored guests.

Upon reconvening at 11:50 o'clock a.m., the Speaker assumed the rostrum.

The Chair then directed the Clerk to note the presence of Representatives Caldito, Kondo and D. Yamada.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 73 and 84) were disposed of as follows:

S.C.R. Nos. Referred to:

73 Committee on Water,
Land Use, Development and Hawaiian
Homes, then to the Committee on
Housing

84 Jointly to the Committees
on Ecology and Environment and
Health, then to the Committee on
Finance

STANDING COMMITTEE REPORTS

Representatives Takamine and Stanley, for the Committees on Employment Opportunities and Labor Relations and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 892-78) recommending that H.R. No. 53, as amended in HD 1, be adopted.

On motion by Representative Takamine, seconded by Representative Stanley and carried, the joint report of the Committees was adopted and H.R. No. 53, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN INCREASE IN CETA APPROPRIATIONS AND GREATER FLEXIBILITY IN DETERMINATION OF ELIGIBILITY REQUIREMENTS", was adopted.

Representatives Takamine and Stanley, for the Committees on Employment Opportunities and Labor Relations and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 893-78) recommending that H.C.R. No. 4, as amended in HD 1, be adopted.

On motion by Representative Takamine, seconded by Representative Stanley and carried, the joint report of the Committees was adopted and H.C.R. No. 4, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INCREASE

IN CETA APPROPRIATIONS AND GREATER FLEXIBILITY IN DETERMINATION OF ELIGIBILITY REQUIREMENTS", was adopted.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 894-78) recommending that H.R. No. 128 be adopted.

On motion by Representative Say, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.R. No. 128, entitled: "HOUSE RESOLUTION REQUESTING ADDITIONAL SUPPORT FOR THE STATE ARCHIVES", was adopted.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 895-78) recommending that H.C.R. No. 35 be adopted.

On motion by Representative Say, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ADDITIONAL SUPPORT FOR THE STATE ARCHIVES", was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 896-78) recommending that H.R. No. 324, HD 1, be adopted.

On motion by Representative Kawakami, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 324, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO TRANSFER THE TITLE OWNERSHIP OF THE LAND AND BUILDING IN MAILE, OAHU, POPULARLY KNOWN AS THE 'VOICE OF AMERICA' LAND, OVER TO THE STATE OF HAWAII FOR USE BY ITS SENIOR CITIZENS", was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 897-78) recommending that H.C.R. No. 66, HD 1, be adopted.

On motion by Representative Kawakami, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.C.R. No. 66, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO TRANSFER THE TITLE OWNERSHIP OF THE LAND AND BUILDING IN MAILE, OAHU, POPULARLY

KNOWN AS THE 'VOICE OF AMERICA' LAND, OVER TO THE STATE OF HAWAII FOR USE BY ITS SENIOR CITIZENS", was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 898-78) recommending that H.R. No. 501, as amended in HD 1, be adopted.

On motion by Representative Kawakami, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 501, HD 1, entitled: "HOUSE RESOLUTION URGING THE MAYOR AND THE CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU AND THE GOVERNOR OF HAWAII TO EXPEDITE THE TRANSFER OF A 32-ACRE STATE PARCEL AT THE CORNER OF KOMO MAI DRIVE AND KAAHUMANU DRIVE TO THE CITY AND COUNTY OF HONOLULU FOR A DISTRICT PARK", was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 899-78) recommending that H.R. No. 405, as amended in HD 1, be adopted.

On motion by Representative Kawakami, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 405, HD 1, entitled: "HOUSE RESOLUTION REQUESTING ACTION ON FLOODING PROBLEMS IN THE KAPULENA-KUKUI-HAELE AREAS ON THE ISLAND OF HAWAII", was adopted.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 900-78) recommending that H.R. No. 205 be adopted.

Representative Segawa moved that the report of the Committee be adopted and H.R. No. 205 be adopted, seconded by Representative Shito.

Representative Abercrombie then rose to speak in favor of the resolution, stating:

"Mr. Speaker, the resolution is entitled, 'House Resolution designating April, 1978 as Cancer Control Month'. Ordinarily, Mr. Speaker, we tend to take some of these things for granted. I have, in the past, even though I had connections with the Cancer Control Center at the University of Hawaii, and as you may know and other members may know, the Cancer Control Center is one of eleven centers throughout

the United States that are doing the chief cancer research in the United States at this moment.

This very morning, my father was operated on again for the second time in little over a month and for the implementation of a new device in a fight against cancer in his coronary artery.

The reason I bring this to your attention on the floor is that these kinds of things are going on now. The kinds of things that would have been impossible, even up to as nearly as a year ago, had it not been for the on-going research that has been done in the area of cancer. This is the kind of battle, the kind of fight, if you will, that it is worthy of the House to be involved in, and it may be with the continued dedicated efforts of people like Dr. Lawrence Piette and Dr. Fred Greenwood at the Cancer Research Center here, and all their colleagues here in the State of Hawaii and others throughout the nation, that this disease which is, as it has been indicated, a ravaging disease, one which we have been unable to cope with throughout our recorded history, may indeed come under control and may indeed provide an opportunity for our citizens to be able to live out their lives without the fears and the pains that are associated with it.

So, with this most highly in my mind at this moment, I urge that we pass this resolution, and that we most certainly support the efforts of the people who are devoting their professional lives and, in many instances, their volunteer hours to the fight against cancer.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No. 205, entitled: "HOUSE RESOLUTION DESIGNATING APRIL, 1978 AS CANCER CONTROL MONTH", was adopted.

Representative Naito, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 901-78) recommending that H.R. No. 431 be adopted.

On motion by Representative Naito, seconded by Representative Ueoka and carried, the report of the Committee was adopted and H.R. No. 431, entitled: "HOUSE RESOLUTION RELATING TO THE CARE OF INMATES", was adopted.

Representative Toguchi, for the Committee on Ocean and Marine Resources,

presented a report (Stand. Com. Rep. No. 902-78) recommending that H.R. No. 422 be adopted.

On motion by Representative Toguchi, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 422, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A PUBLIC HEARING TO DETERMINE THE NEED FOR REGULATIONS LIMITING THE TYPES OF FISHING IN KAHALUU BAY, KONA, HAWAII", was adopted:

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 903-78) recommending that H.R. No. 435, as amended in HD 1, be adopted.

Representative Ushijima moved that the report of the Committee be adopted and H.R. No. 435, HD 1, be adopted, seconded by Representative Abercrombie.

Representative Campbell then rose to speak in favor of the resolution, stating:

"I think it was February 3rd last year that the far-sighted and competent Chairman of the Higher Education Committee appointed a subcommittee, pursuant to House Resolution 373, concerning course numbering procedures at the community colleges in the University of Hawaii system. The Higher Education Committee Chairman was kind enough to make me Chairman of this very important committee to the future of higher education in our State.

Mr. Speaker, the subcommittee set out to examine problems related to policies and procedures for course numbering and the transferability of credits at the community colleges of the University of Hawaii system. More specifically, the subcommittee addressed itself to the existence of standards, consistency, conformance and input in course numbering which will adversely affect many students in some of our community colleges, particularly if they plan to transfer to a bachelor's program at the University of Hawaii, Manoa Campus, or transfer to a mainland college.

Another finding was that course equivalency project did not have satisfactory faculty and program student input and at Kapiolani Community College the course numbers of the

Legal Aid Program were originally slated to be reduced below 100. And then, the Allied Health Program, and this was also at Kapiolani, the proposal was to reduce the course numbers below 100, and this created a considerable negative reaction from the faculty and the students.

Mr. Speaker, at Leeward, the Legal Assistance Program was considered in jeopardy because of the lowering of course numbers and, of course, that has been solved since the Committee had its hearing up there. The College of Education at the University of Hawaii, Manoa Campus, accepts all courses from the community college whether those course numbers are below 100 or not.

Of course, our last finding was that the University of Hawaii, Hilo Campus, and the West Oahu College, will accept the two year associate degrees from the community colleges towards a bachelor's degree.

Now, based on these findings, the subcommittee made several recommendations, some of which were accepted, but problems related to articulation still remain.

This resolution certainly strongly supports it because it is a legislative extension of the work undertaken by the subcommittee on Higher Education dealing with this problem. Now, in spite of my strong support for the resolution, I do have one minor reservation. A statement in the Committee Report reads as follows: 'This report is to be prepared in consultation with students or, at a minimum, include their reaction.'

Now, Mr. Speaker, one of the problems that we uncovered during our subcommittee hearings was the lack of faculty and student input. It seems as though the resolution will assure that we get faculty input, but there are some questions as to whether or not adequate input from students will be accomplished unless we eliminate the bracket that reads 'or at a minimum include their reaction.'

Mr. Speaker, if the legislative intent of this resolution is translated into meaningful action by the University, we will see in the very near future an improved, cohesive and effective University system in the State of Hawaii.

Thank you very much."

Representative Abercrombie was recognized and he stated:

"I rise to speak in favor of this resolution with reservation.

Mr. Speaker, as Vice Chairman of the Committee, I want to indicate that the remarks just delivered by Representative Campbell are entirely in order and reflect the subcommittee's work entirely. The sad thing about it is that the Higher Education Committee has found itself, within the last year, and most certainly this year, seemingly doing more and more administrative work of the University of Hawaii. I wasn't aware when I was elected to the Legislature that I was simultaneously, and other members of the Committee, being forced to become ex officio administrators of the University.

Now, the Higher Education Committee has been criticized for interfering with the operations of the University of Hawaii, especially in the press. Now, as I have articulated on the floor of this House and on other occasions in public, it is probably a compliment to be criticized by the editorial staff of the Star-Bulletin inasmuch as they constitute one of the towering monuments to ignorance in the State of Hawaii. If you find yourself on the short end of their analysis, the chances are that you are doing something at least remotely correctly. However, while that may satisfy my sense of fairness, and perhaps satisfy my sense of having accomplished something, that is to say, to be criticized by the Star-Bulletin, that is a personal situation and does not aid and assist the individual student whose interests are at the heart of all of the activities of the Higher Education Committee in the House of Representatives.

This resolution is a key resolution in the resolving of the problem which should have been handled by all the high priced bureaucrats in the University quite some time ago. The direction for it was given by the subcommittee headed by Representative Campbell, under Representative Ushijima. We indicated to them all that needed to be done and now, we have to do it again, and we have to do it again on a even more precise basis based on information developed by ourselves.

This articulation business simply means you go to school and get credit and go to another school and receive the same kind of credit in the same school system that are paid for out of dollars that are appropriated by this House. Now, you think that would be automatic, but you can't imagine the difficulties that are involved - they are so difficult. Rather than presenting us with a plan for this

articulation - this capacity to transfer - the Higher Education Committee has had to suffer through hours and hours of testimony telling us why it hasn't been done, how difficult it will be to get it done, and why, in all probability, it won't get done unless the vigilante committee of the House Higher Education. . . I shouldn't say the vigilante committee in this instance, the House Higher Education Committee tries to come riding to the rescue. That's not our function. We are to be catalytic. We are to be facilitators. We are not supposed to be administrators, but we find ourselves in this position this day, and the reason I am taking this time of the body and the reason that the previous speaker was detailing for the body the work that we have done there is that your constituents are suffering from the fact that they have no clear idea as to whether or not the courses that are taken in the community colleges will be credited towards any other degree or activity they may pursue within the University system. That may seem like an absolute impossible situation for you to believe. At this stage in 1978, after all we have spent, after all we've done, that would be the case. It is, however, the case. Therefore, in urging you to pass this resolution, I hope that you will pay particular attention should some students give you a ring or get in touch with you in some fashion, in respect of your grades. The problem is, in fact, a real one.

The last point about the reservation is that if you will address your attention to page 2, Mr. Speaker, the various points of support - the fourth one - about half way through the paragraph, states as follows: "The fourth addresses itself to the formation of a "University of Hawaii Academic Affairs Council" which will include representatives from all the various undergraduate units of the system."

Mr. Speaker, that Council has no money. This process of communication with the various campuses is going to cost us money. That was admitted by the President, and I want to indicate, for the record, for those who did not have the opportunity to be at the hearing, that the University has promised that from its funds, as presently appropriated from the Legislature and allocated by the Governor, that it will fully support financially the efforts necessary to accomplish the goals of this articulation with this Academic Council, and if that means that the President will have to dip into funds for contingency purposes or whatever, that this will be done. I want that in the record

because it may be that, at some point in the future, there may be a question; perhaps, for people on the neighbor islands, if at any time there is a question that representation of interested and appropriate individuals, whether from community colleges on Oahu or on the neighboring islands is involved, that it should be made clear that the Committee put forward this resolution with the complete assurance from the President of the University, that this Council will be facilitated in every way that it will accomplish this goal.

Thank you."

Representative Takamura then rose to speak in favor of the resolution, stating:

"I don't want to repeat some of the comments made by the previous speakers because I think they covered problems quite accurately, but I do want to point out that this is not a new problem that the Legislature has tried to address, and it is something that has been ongoing for many years now, and I think what is hopeful is that at least there seems to be some kind of organized approach that is being reached in resolving this problem. I think it is important for us to express our support for that approach and hope that the University can resolve this problem at long last within their own system.

However, I think we should point out that so serious is this problem that in other states such as the State of California, by legislative action, the government has moved to resolve the articulation problem within the campuses, and now, I don't think this is the approach that we would like to see happen here in Hawaii. I think it is indicative of the kind of action that is demanded if a system doesn't work out its problems within its own confines so we should all look at this as something that we would like to see succeed and the previous speaker mentioned that we would like to send a clear message to the Administration that we would like to see them support this effort as much as possible.

Thank you."

At 12:10 o'clock p.m., on request by Representative Sutton, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:15 o'clock p.m., the motion was put by the Chair and carried, and the report of the Committee was adopted and H.R. No.

435, HD 1, entitled: "HOUSE RESOLUTION EXPRESSING THE SUPPORT OF THE HAWAII STATE HOUSE OF REPRESENTATIVES FOR DEVELOPMENT OF A FAIR, FIRM, WORKABLE, AND CLEAR ARTICULATION POLICY FOR THE UNIVERSITY OF HAWAII SYSTEM", was adopted.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 904-78) recommending that H.C.R. No. 87, as amended in HD 1, be adopted.

On motion by Representative Ushijima, seconded by Representative Abercrombie and carried, the report of the Committee was adopted and H.C.R. No. 87, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE SUPPORT OF THE HAWAII STATE LEGISLATURE FOR DEVELOPMENT OF A FAIR, FIRM, WORKABLE, AND CLEAR ARTICULATION POLICY FOR THE UNIVERSITY OF HAWAII SYSTEM", was adopted.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 905-78) recommending that H.R. No. 545 be referred to the Committee on Housing.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.R. No. 545, entitled: "HOUSE RESOLUTION RELATING TO A STUDY OF RESIDENTIAL LEASEHOLD MULTI-FAMILY DWELLINGS", was referred to the Committee on Housing.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 906-78) recommending that H.R. No. 581, as amended in HD 1, be referred to the Committee on Energy and Transportation.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.R. No. 581, HD 1, entitled: "HOUSE RESOLUTION REQUESTING DISCUSSION OF POSSIBLE SOLUTIONS TO CONCERNS REGARDING INTERISLAND SURFACE TRANSPORTATION", was referred to the Committee on Energy and Transportation.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 907-78) recommending that H.R. No. 415 be referred to the Committee on Legislative Management.

On motion by Representative D. Yamada, seconded by Representative

Cobb and carried, the report of the Committee was adopted and H.R. No. 415, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INTERIM COMMITTEE RELATING TO FINANCIAL INSTITUTION", was referred to the Committee on Legislative Management.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 908-78) recommending that H.R. No. 606 be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.R. No. 606, entitled: "HOUSE RESOLUTION COMMENDING THE PROBLEM OF UNSOLICITED COMMERCIAL TELEPHONE CALLS TO THE PUBLIC UTILITIES COMMISSION", was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 909-78) recommending that H.R. No. 406 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 406, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE DEVELOPMENT OF A PARK AT ONOMEA BAY", was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 910-78) recommending that H.R. No. 464, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 464, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY FOR A BEACH PARK ADJACENT TO COCONUT ISLAND, HILO BAY, HAWAII", was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 911-78) recommending that H.R. No. 540, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 540, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DESIGNATION OF CERTAIN GOVERNMENT LANDS IN THE KAKAAKO DISTRICT, OAHU, (FORT ARMSTRONG-KEWALO PENINSULA) FOR USE AS A WATERFRONT PARK AND EARLY DEVELOPMENT OF SAID PARK", was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 912-78) recommending that H.C.R. No. 118, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.C.R. No. 118, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DESIGNATION OF CERTAIN GOVERNMENT LANDS IN THE KAKAAKO DISTRICT, OAHU, (FORT ARMSTRONG-KEWALO PENINSULA) FOR USE AS A WATERFRONT PARK AND EARLY DEVELOPMENT OF SAID PARK", was referred to the Committee on Finance.

Representatives Toguchi and Blair, for the Committees on Ocean and Marine Resources and Ecology and Environment, presented a joint report (Stand. Com. Rep. No. 913-78) recommending that H.R. No. 384, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Kamalii, seconded by Representative Blair and carried, the joint report of the Committees was adopted and H.R. No. 384, HD 1, entitled: "HOUSE RESOLUTION CONDEMNING THE UNNECESSARY SLAUGHTER OF DOLPHINS AND REQUESTING THE UNITED STATES DEPARTMENT OF STATE TO TAKE APPROPRIATE ACTION", was referred to the Committee on Judiciary.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 914-78) recommending that H.R. No. 514 be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.R. No. 514, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH UNIFORM STANDARDS AND PROCEDURES TO IDENTIFY GIFTED

AND TALENTED STUDENTS WITHIN THE PUBLIC SCHOOLS AND TO PROVIDE PROGRAMS FOR SUCH STUDENTS", was referred to the Committee on Finance.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 915-78) recommending that H.R. No. 236 be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.R. No. 236, entitled: "HOUSE RESOLUTION URGING INCREASED SUPPORT FOR THE DEPARTMENT OF EDUCATION'S GIRLS ATHLETIC PROGRAM", was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 916-78) recommending that H.R. No. 536 be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.R. No. 536, entitled: "HOUSE RESOLUTION RELATING TO THE HAWAII INSURANCE LAW", was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 917-78) recommending that H.C.R. No. 116 be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.C.R. No. 116, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE HAWAII INSURANCE LAW", was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 918-78) recommending that H.R. No. 211 be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Cobb and carried, the report of the Committee was adopted and H.R. No. 211, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE RIGHTS AND DUTIES OF LANDLORDS AND TENANTS", was referred to the Committee on Finance, with Representative Abercrombie voting no.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 919-78) informing the House that House Resolution Nos. 628 to 639, House Concurrent Resolution No. 146, Standing Committee Report Nos. 886-78 to 890-78, and Conference Committee Report No. 12, have been printed and distributed.

On motion by Representative Kunimura, seconded by Representative Lunasco and carried, the report of the Committee was adopted.

At this time, Representative Say introduced 20 Kam School students (sophomores) in the American Problems Class. They were accompanied by their teacher, Mrs. Virginia Beal.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 650 to 654) and concurrent resolution (H.C.R. No. 147) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 650) congratulating the Aiea Orioles on winning the 1978 Aiea-American Little League Championship was jointly offered by Representatives Mizuguchi, Wakatsuki, Uechi, Abercrombie, Blair, Caldito, Campbell, Cayetano, Dods, Ikeda, Inaba, Kiyabu, Larsen, Lunasco, Machida, Medeiros, Mina, Morioka, Narvaes, Poepoe, Say, Segawa, Sutton, Takamine, Takamura, Ueoka, Uwayne, D. Yamada and K. Yamada.

On motion by Representative Mizuguchi, seconded by Representative Uechi and carried, H.R. No. 650 was adopted.

A resolution (H.R. No. 651) congratulating Minosuke Hanabusa for receiving "The Sixth Class Order of the Sacred Treasure" from the Emperor of Japan was jointly offered by Representatives Aki, Peters, Abercrombie, Caldito, Cayetano, Cobb, Dods, Ikeda, Inaba, Kiyabu, Lunasco, Machida, Medeiros, Morioka, Narvaes, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Toguchi, Uechi, Ueoka, Ushijima, Uwayne and D. Yamada.

On motion by Representative Aki, seconded by Representative Peters and carried, H.R. No. 651 was adopted.

A resolution (H.R. No. 652) expressing mahalo (thank you) to state legislative leaders who have rallied to support efforts to obtain emergency oil reserves for Hawaii was jointly offered by Represen-

tatives Campbell, Wakatsuki, Abercrombie, Ajifu, Aki, Blair, Caldito, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Kamalii, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada, and Yuen.

On motion by Representative Campbell, seconded by Representative Kihano and carried, H.R. No. 652 was adopted.

Representative Campbell then rose and stated:

"Mr. Speaker, since this resolution was introduced, additional state legislative leaders and the United States Congressmen have expressed concern for Hawaii's need for emergency oil storage. The total now reads nineteen United States Senators and Congressmen, thirteen Speakers of the House, and thirteen Presidents of the Senate of twenty-two states in the nation.

The strongly worded telegrams and letters to the President of the United States in the interest of Hawaii, in my judgment, is an indicia that there is aloha for the State of Hawaii across the sea. Congressman Hefel put it this way: 'Your effort to contact state legislators around the nation about the importance of oil for our State is producing results. A number of Congressmen have contacted me asking about the oil issue and by working together, we are building an awareness among members from around the nation - an awareness that could be extremely valuable in the future.'

Senator Sparky Matsunaga made the following comment: 'I commend the effort in mobilizing support among state legislators from throughout the nation which has resulted in numerous letters to the President and to Secretary Schlesinger.'

Senator Dan Inouye and Congressman Akaka have also expressed similar views.

Mr. Speaker and members of this House, it is my hope that this modestly worded resolution will adequately express our appreciation to the state legislative leaders for that precedent-shattering support to Hawaii's oil needs, so I urge the support of the resolution.

Thank you."

Representative Cayetano then rose to speak in favor of the resolution, stating:

"First, I want to acknowledge my gratitude to Representative Campbell for his very great efforts in making legislators around the country aware of Hawaii's unique energy problems. The resolution, I think, is highly appropriate and many of these state legislators took the time out to, not only express their concerns to Representative Campbell, but also to Congress, so with that short remark, I would like to urge my colleagues to support the resolution."

Representative Sutton then rose to speak in favor of the resolution, stating:

"Mr. Speaker, I do wish to start off by commending our own State Representative Charles Campbell. I almost said Senator Campbell, but I retract that.

I had the privilege of going out to Pearl Harbor a week ago with the joint committee and we had the head of our Finance Committee, our own Jack Suwa, with us and, at that time, we asked the Commander-in-Chief of the Pacific, Maurice Weisner, why was it that he wasn't helping us get a strategic oil reserve because it was just as much his interest as a citizenry of this State, and he said, 'I am'. And then, we pointed out that Public Law 64 says that for any non-contiguous areas, they should have their oil reserves and this was a violation of the Public Law because we certainly are non-contiguous, Mr. Speaker. In fact, we are the only non-contiguous part of the United States that is a state. Of course, Alaska does not adjoin the United States. You have to go through Canada, but it still is contiguous to the continental part of the United States.

We have oil reserves allocated to us 7,000 and 12,000 miles away. Now, Mr. Speaker, that is very poor logistics. I think we all recall waiting in line - 1974 - to get our tanks filled up, maybe at four in the morning. At six, you got a tankful, and I think we all recognize how dependent this State is upon fossil oil and, therefore, it is incumbent upon us, not just to contact the various states, not just to contact Commander-in-Chief James Carter, but to get our message through by way of Maurice Weisner which Representative Jack Suwa and I have done."

Representative Kihano then rose and requested that his statement in support of the resolution be inserted into the Journal, and the Chair, noting that there were no objections, so ordered.

Representative Kihano's remarks are as follows:

"Mr. Speaker, it is gratifying indeed when elected leaders all over the nation can work together on a problem of our State's concern. It is even rarer to find leaders from states other than the one suffering from the problem even concerned about things occurring outside of their own state boundaries.

However, Hawaii's position, in regards to its energy supply, is so precarious and so fraught with the potential to cause dire hardships on the people of this State, that members of state legislatures and Congressional delegates throughout the country have actively taken up Hawaii's cause as their own. As it should be evident to the Federal government, it became evident to people like Alaska's Speaker of the House, Hugh Malone, and Massachusetts' Senate President, Kevin Harrington, that the Federal Energy Administration strategic petroleum reserve plan needs to be amended to allow for the storage of at least ten million barrels of oil in Hawaii in case of emergencies.

Mr. Speaker, the efforts expended on our behalf by those mentioned in this resolution, I am sure, will go a long way toward insuring our eventual success in this battle for what is only our fair share of security."

Representative Kamalii then rose and requested that her statement, in support of the resolution, be entered into the Journal, and the Chair, noting that there were no objections, so ordered.

Representative Kamalii's remarks are as follows:

"Mr. Speaker, members of the House, it is unusual for the people of this State to acknowledge the 'aloha spirit' which exists in other parts of this nation. This resolution, however, is that acknowledgement.

Hawaii is the only island state in the union. We are also the most isolated spot on earth - a fact we tend to forget because of the links forged by air, sea, and satellite

communications.

Without the importation of and availability of petroleum supplies, we are crippled, and many of our links with the rest of the world are severely curtailed. Until we are less dependent on oil, whether through the development of geothermal power, some form of hydro-electric generator, or a conversion to solar sources, the only natural fuel found in the islands is kiawe wood.

Mr. Speaker, it is more than appropriate that we officially thank all of those who have expressed their concern for our situation. It is an 'aloha' which we can return."

A resolution (H.R. No. 653) honoring William K.C. "Bill" Fung upon his retirement and commending him for his many years of dedicated public service was jointly offered by Representatives Peters, Dods, Ikeda, Abercrombie, Aki, Campbell, Cayetano, Cobb, Larsen, Machida, Mina, Mizuguchi, Nakamura, Segawa, Shito, Sutton, Suwa, Takamine, Takamura, Ushijima, Uwaine, D. Yamada, K. Yamada and Yuen.

On motion by Representative Campbell, seconded by Representative Kihano and carried, H.R. No. 653 was adopted.

A resolution (H.R. No. 654) honoring Billy Kauai and expressing condolences to his family was jointly offered by Representatives Naito, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Cayetano, Cobb, Dods, Evans, Fong, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Nakamura, Narvaes, Peters, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamura, Toguchi, Uechi, Ueoka, Ushijima, K. Yamada and Yuen.

On motion by Representative Naito, seconded by Representative Yuen and carried, H.R. No. 654 was adopted by a rising vote.

A concurrent resolution (H.C.R. No. 147) expressing mahalo (thank you) to state legislative leaders who have rallied to support efforts to obtain emergency oil reserves for Hawaii was jointly offered by Representatives Campbell, Wakatsuki, Abercrombie, Ajifu, Aki, Blair, Caldito, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kamalii, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito,

Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada and Yuen.

On motion by Representative Campbell, seconded by Representative Kihano and carried, H.C.R. No. 147 was adopted.

At 12:30 o'clock p.m., on request by Representative Stanley, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:35 o'clock p.m.

COMMITTEE REASSIGNMENT

H.R. No. 34 was re-referred to the Committee on Housing, then to the Committee on Legislative Management.

APPOINTMENT OF CONFERENCE COMMITTEES

In accordance with the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1876-78, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Garcia, Chairman; K. Yamada, Ueoka and Ikeda 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 in H.B. No. 1879-78, HD 1, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Garcia, Chairman; Nakamura, Uwaine and Medeiros 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 in H.B. No. 1885-78, HD 2, SD 2, and the request for a conference on the subject matter of said amendments, Representatives Garcia, Chairman; K. Yamada, Blair, Nakamura, Uechi, Morioka and Ikeda 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 in H.B. No. 2095-78, HD 1, SD 1, and the request for a conference on the

subject matter of said amendments, Representatives Garcia, Chairman; Cobb, Ueoka, Nakamura and Ikeda 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 in H.B. No. 2118-78, HD 1, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Garcia, Chairman; K. Yamada, Nakamura, Ueoka and Ikeda 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 in H.B. No. 2312-78, HD 1, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Garcia, Chairman; K. Yamada, Ueoka and Ikeda 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 in H.B. No. 2319-78, HD 1, SD 2, and the request for a conference on the subject matter of said amendments, Representatives Garcia, Chairman; Lunasco, Blair, Cobb and Medeiros 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 in H.B. No. 2764-78, HD 2, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Garcia and Morioka, Co-Chairmen, and Medeiros 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 in H.B. No. 2850-78, HD 1, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Say, Chairman; Toguchi, Ushijima 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 in S.B. No. 1820-78, SD 2, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Stanley and Garcia, Co-Chairmen; Cayetano, Kunimura, Uwaine, D. Yamada, Fong and Ikeda were appointed as Managers on the part of the House at such conference.

At 1:05 o'clock p.m., the Chair

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

The House of Representatives reconvened at 1:10 o'clock p.m.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2114-78, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Mizuguchi, Chairman; Stanley, Kiyabu, Machida, Mina, Segawa, Uwaine, Ikeda 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 in S.B. No. 2523-78, SD 2, HD 2, and the request for a conference on the subject matter of said amendments, Representatives Machida, Chairman; Blair, Dods, Mizuguchi, D. Yamada and Medeiros were appointed as Managers on the part of the House at such conference.

At 1:14 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:20 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Representative D. Yamada moved

that the House reconsider its action taken on April 3, 1978, in disagreeing to the amendments proposed by the Senate in H.B. No. 617, HD 1, SD 1, seconded by Representative Cobb and carried.

Representative D. Yamada then gave notice of his intent to agree to the amendments proposed by the Senate in H.B. No. 617, HD 1, SD 1.

Representative D. Yamada moved that the House reconsider its action taken on April 3, 1978, in disagreeing to the amendments proposed by the Senate in H.B. No. 1870-78, HD 1, SD 2, seconded by Representative Cobb and carried.

Representative D. Yamada then gave notice of his intent to agree to the amendments proposed by the Senate in H.B. No. 1870-78, HD 1, SD 2.

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

The House of Representatives reconvened at 1:30 o'clock p.m.

ADJOURNMENT

At 1:31 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned to 11:00 o'clock a.m. tomorrow, Wednesday, April 5, 1978, by a rising vote, in memory of the late Billy Kauai.

FIFTY-THIRD DAY

Wednesday, April 5, 1978

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Paul Versleuse of the Faith Baptist Church, after which the Roll was called showing all members present with the exception of Representative Naito, who was excused.

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

On motion by Representative Yuen, seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Second Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 337 to 395) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 337) transmitting Senate Concurrent Resolution No. 128 congratulating Edward L. Kamae for his many contributions to Hawaiian music, the people and the State of Hawaii and the world which was adopted by the Senate on April 4, 1978, was placed on file.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, S.C.R. No. 128 was adopted.

A communication from the Senate (Sen. Com. No. 338) transmitting Senate Concurrent Resolution No. 24 affirming support for a comprehensive State family planning program which was adopted by the Senate on April 4, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 339) transmitting Senate Concurrent Resolution No. 92, SD 1, supporting the Department of Health in revising Chapter 37A water quality standards which was adopted by the Senate on April 4, 1978, was placed on file.

A communication from the Senate

(Sen. Com. No. 340) transmitting Senate Concurrent Resolution No. 99 requesting the development of a current general plan for the continuing restoration of the Iolani Palace complex which was adopted by the Senate on April 4, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 341) transmitting Senate Concurrent Resolution No. 103 requesting the Board of Land and Natural Resources to report on the quantity and quality of water resources in the State of Hawaii which was adopted by the Senate on April 4, 1978, was placed on file.

By unanimous consent, further action on S.C.R. Nos. 24; 92, SD 1; 99; and 103 was deferred until tomorrow, April 6, 1978.

A communication from the Senate (Sen. Com. No. 342) informing the House that Senator Patsy Young had also been appointed as a Manager on the part of the Senate at the conference on Senate Bill No. 2581-78, SD 2, HD 1, was placed on file.

A communication from the Senate (Sen. Com. No. 343) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 139, HD 1, and the request for a conference on the subject matter of said amendments, Senators F. Wong, Chairman; Hulten and Soares 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. 344) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 227, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; O'Connor, Ching, F. Wong and Leopold had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Ueoka, K. Yamada and Ikeda were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 345) informing the House that pursuant to the disagreement

of the House to the amendments proposed by the Senate to House Bill No. 425, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; Taira and Saiki had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Naito, Uwayne and Medeiros were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 346) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 429, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; Taira and Saiki had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Baker, Uwayne and Fong were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 347) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 490, HD 2, and the request for a conference on the subject matter of said amendments, Senators Hara, Chairman; Yim 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. 348) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 491, HD 2, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; O'Connor, Hara and Saiki 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. 349) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 514, and the request for a conference on the subject matter of said amendments, Senators R.

Wong, Chairman; O'Connor 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. 350) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 559, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Toyofuku 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. 351) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 617, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; O'Connor and Leopold 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. 352) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 819, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Toyofuku and Soares 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. 353) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 992, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Yim, Toyofuku and Anderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives Suwa and D. Yamada, Co-Chairmen; and Fong were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 354) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1075, HD 1, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Ching, Kuroda, Takitani and Soares 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. 355) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1771-78, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; O'Connor and Soares 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. 356) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1779-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Nishimura, Yamasaki, Hara, Hulten, King, Kuroda, O'Connor, Toyofuku, Yim, Young, Anderson, Henderson and Soares 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. 357) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1803-78, HD 2, and the request for a conference on the subject matter of said amendments, Senators R. Wong, 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. 358) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1838-78, HD 2, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; O'Connor and Leopold 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. 359) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1870-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; Young, 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. 360) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1876-78, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; O'Connor and George 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. 361) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1879-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; O'Connor, Taira and George 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. 362) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1885-78, HD 2, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Nishimura and Soares 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. 363) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1920-78, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; Taira, Takitani, Hara and George had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Chairman; Blair, Cobb, Ueoka and Ikeda were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 364) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1937-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Taira, Chairman; Takitani and Anderson had been appointed as Managers on the part of the Senate

at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Chairman; Blair, Uechi, K. Yamada and Ikeda were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 365) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1938-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Taira, Chairman; Takitani and Anderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Chairman; Blair, Uechi, K. Yamada and Ikeda were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 366) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1939-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Taira, Chairman, Takitani and Anderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Chairman; Blair, Uechi, K. Yamada and Ikeda were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 367) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 1987-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Young, Chairman; Yim and George 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. 368) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2054-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Young, Chairman; Nishimura 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. 369) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2085-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; Taira, Kawasaki and Saiki had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Nakamura, K. Yamada and Medeiros were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 370) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2095-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; Chong and George 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. 371) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2102-78, HD 2, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; O'Connor 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. 372) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2118-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; O'Connor, Ching and Leopold 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. 373) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2170-78, HD 2, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Young, Yim and Soares 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. 374) informing the House that pursuant to the disagreement of the House to the amendments proposed by

the Senate to House Bill No. 2173-78, HD 3, and the request for a conference on the subject matter of said amendments, Senators F. Wong, Chairman; King, Hulten, Hara, Yamasaki, Henderson and Saiki 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. 375) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2185-78, HD 2, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Toyofuku 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. 376) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2239-78, HD 2, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Kawasaki, Nishimura 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. 377) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2248-78, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; Hulten, Taira, Takitani and Saiki 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. 378) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2312-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; O'Connor and Leopold 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. 379) informing the House that pursuant to the disagreement of the House to the amendments

proposed by the Senate to House Bill No. 2319-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; Hulten and George 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. 2403-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; Young and Henderson had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Naito, Ueoka and Medeiros were appointed as Managers on the part of the House at such conference.

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. 2611-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; O'Connor, Ching, F. Wong and Leopold had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Naito, Nakamura, Ueoka and Fong were appointed as Managers on the part of the House at such conference.

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. 2618-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Young 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. 383) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2687-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; Chong and Leopold 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. 2689-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators F. Wong, Chairman; Hulten and Saiki 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. 2756-78, and the request for a conference on the subject matter of said amendments, Senators F. Wong, Chairman; Hulten and Soares 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. 2764-78, HD 2, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Nishimura 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. 387) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2827-78, HD 2, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Hara, Chong, Toyofuku 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. 388) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2850-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Hara, Chairman; Yim 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. 389) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 2895-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; Kuroda,

Ching and George had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Chairman; Blair, Cobb, Garcia, Nakamura and Fong were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 390) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 3011-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Chong, Chairman; R. Wong 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. 391) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 3012-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Chong, Chairman; R. Wong 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. 392) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 3039-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Yamasaki, Hara, Hulten, King, Kuroda, O'Connor, Toyofuku, Yim, Young, Anderson, Henderson and Soares 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. 393) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 3046-78, and the request for a conference on the subject matter of said amendments, Senators R. Wong, Chairman; Nishimura and Soares had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Chairman; Baker, Cobb, Uwaine and Medeiros were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 394) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 3049-78, HD 1, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; Hulten and George had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Chairman; Cobb, Ueoka, K. Yamada and Ikeda were appointed as Managers on the part of the House at such conference.

A communication from the Senate (Sen. Com. No. 395) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 3060-78, and the request for a conference on the subject matter of said amendments, Senators Nishimura, Chairman; Chong and Saiki had been appointed as Managers on the part of the Senate at such conference, was placed on file.

In accordance therewith, Representatives D. Yamada, Chairman; Baker, Ueoka, Uwayne and Fong were appointed as Managers on the part of the House at such conference.

At this time, Representative Inaba introduced 110 8th grade students from Kealakehe School in Kona. "They're here on a five-day educational tour and they've come here this morning to observe the Legislature in action." They were accompanied by their teachers: Mr. Will Murakami, Ms. Susan Akau, Ms. Susan Hayashi, Mrs. Bonnie Stein, Mr. Roy Otaguro, and chaperone, Mr. Steve Gardner.

ORDER OF THE DAY

DEFERRED RESOLUTION

Senate Concurrent Resolution No. 74 was referred to the Committee on Water, Land Use, Development and Hawaiian Homes, then to the Committee on Housing, then to the Committee on Finance.

COMMITTEE REASSIGNMENT

House Resolution No. 216 was referred to the Committee on Ocean and Marine Resources only.

SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii and carried, the rules were suspended for the consideration of a certain resolution.

INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 655) congratulating Shigeru S.K. Oda upon receipt of the Fifth Class Order of the Sacred Treasure from the Emperor of Japan was jointly offered by Representatives Segawa, Abercrombie, Ajifu, Aki, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kawakami, Kihano, Kiyabu, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Uwayne, D. Yamada, K. Yamada, Yuen and Wakatsuki.

On motion by Representative Segawa, seconded by Representative Inaba and carried, H.R. No. 655 was adopted.

Representative Segawa then rose "to say a few words in addition to the resolution", stating:

"Mr. Speaker and members of this august body, Mr. Oda is a gentleman from the old tradition of quiet fortitude, of having his actions speak for themselves.

I have known Mr. Oda for many years as a respected and honored member of our community and island, not only because of his accomplishments in his profession, but also because of his gentle ways and charisma.

I have also had the pleasure of being acquainted with all of his children, and I believe it is to his credit that all of his children have inherited much of his characteristics of gentleness and charisma, with his enterprising characteristic of business.

I only regret that his wife, Tsuruyo, is not here with us. But, I'm sure she would have been proud to have him honored in such a way."

At this time, Representative Segawa introduced the honoree, Mr. Shigeru S. K. Oda, and the following members of his family: son, Russell Oda, architect; daughter, Candy Arita; and grandson, Cole Sadamoto.

Representative Ikeda presented Mr. Oda with a red carnation lei and Representative K. Yamada presented the honoree with a certified copy of the resolution.

At 11:16 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:25 o'clock a.m.

STANDING COMMITTEE REPORTS

Representative D. Yamada, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 920-78) recommending that H.R. No. 597, as amended in HD 1, be referred to the Committee on Public Assistance and Human Services.

On motion by Representative Cobb, seconded by Representative K. Yamada and carried, the report of the majority of the Committee was adopted and H.R. No. 597, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE MOTOR VEHICLE INSURANCE COMMISSIONER INVESTIGATE THE POSSIBILITY OF PROVIDING FREE BUS SERVICE TO PUBLIC ASSISTANCE RECIPIENTS", was referred to the Committee on Public Assistance and Human Services.

Representative Cayetano, for the majority of the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 921-78) recommending that H.R. No. 592, as amended in HD 1, be referred to the Committee on Finance.

Representative Cayetano moved that the report of the majority of the Committee be adopted and that H.R. No. 592, HD 1, be referred to the Committee on Finance, seconded by Representative Takamura.

Representative Cayetano then rose to speak in favor of the resolution, stating:

"Mr. Speaker, this resolution, as amended, will be referred to Finance. However, for the record and for the benefit of the members of the Finance Committee with whom I will not have the benefit to discuss this resolution personally, I would like to make some remarks on behalf of the resolution.

This resolution urges the State House of Representatives withdraw its support for the Honolulu Area Rapid Transit system otherwise known as HART.

Under our law, counties have sole responsibility for the development and operation of mass transit systems within their jurisdictions. Hence, ordinarily the HART system should be fully funded and operated by the City and County of Honolulu if it is ever built.

However, Mr. Speaker, approximately four years ago, in 1975, because of the enormous cost of the system, the City and County of Honolulu asked the Legislature to make a commitment to fund one-half of the local share of the construction cost for HART. At that time, the estimated construction cost was \$582 million. At that time, the City told the Legislature - at least he told members of my Committee - that it was imperative the State make a financial commitment to HART; that the failure to make such a commitment may result in the loss of millions of dollars of federal funds. We were also told that if such a commitment was made, construction under the system could begin in late 1976 or early 1977.

And so, Mr. Speaker, acting and relying on information provided to us by the City and its consultants, and acting under the impression that it was imperative that we take some action, the Legislature adopted Senate Concurrent Resolution No. 135, House Draft 1, which expressed its support for a fourteen mile fixed guideway system running from the Kahala Mall to the Aloha Stadium. In a separate appropriation measure, we appropriated \$6 million for mass transit.

Today, both the \$6 million previously appropriated and the Senate Concurrent Resolution are still on the books. We have done nothing since 1975 to show that we have either reservations or that we have changed our minds about HART.

After these 1975 commitments, the Committee on Energy and Transportation began receiving information which raised serious questions about HART. And for the past four sessions, we have subjected the HART system through intensive re-evaluation. This re-evaluation included repeated visits to mainland cities with fixed guideway systems, repeated in numerous committee hearings, culminating with a two-day seminar sponsored by the Legislature and the auditor's office which was held early this session. That is the kind of effort we have put into re-evaluating HART, and it is time that we take a position.

Now, there are many reasons why I believe this House should withdraw its support for HART. Let me offer a few examples: First, our State is in a weak fiscal condition. We know now, after receiving testimony from the director of Budget and Finance that the State cannot issue more than a \$150 to \$170 million in bonds annually without jeopardizing its bond credit rating. Presently our State's bond credit rating is a low AA. Issuance of additional bonds may result in it being lowered to an A rating.

We also know, from the hearings, that the State debt totals nearly \$1.3 billion and that there is an additional \$1 billion which have already been appropriated for schools, highways, parks and other projects.

Aileen Anderson, the director of B and F, testified that if the State issued bonds for the construction of HART, those bonds would not be added to the ceiling, the \$150 million issued each year, but they would rather displace bonds which could have been issued for other priority projects, because it is not in the State's best interest to issue the additional bonds. Hence, we should ask ourselves which projects would we postpone or cancel so that we can help the City build HART.

Another reason is the high cost of HART. In 1975 the cost was estimated at \$582 million for a 14-mile system. Today the cost is estimated at \$730 million for the same 14-mile system. The cost per mile, according to the City, is only \$52 million per mile. Our investigation - when I say our, I mean the Committee's investigation - reveals that this figure is highly optimistic. In Atlanta, for example, the fixed guideway system was built at a cost of \$74 million per mile. In Baltimore, their fixed guideway system was built at a cost of \$90 million per mile. I ask the members here, does anyone expect that Hawaii, where houses, the construction cost of houses is approximately 30% higher than on the mainland, whether we can build a fixed guideway system cheaper than they have in the cities of Atlanta and Baltimore? I think the answer itself is evident.

Also, there have been major revisions, or major changes, in the employment projects which were used to justify HART. The consultant, in justifying HART, used a figure of 924,000 people on Oahu by 1995, and an employment force of 518,000. Now, the latter, the employment force, is the most

single important determinant of traffic congestion. You don't have to be an engineer to realize this. All you have to do is look out the window of your car during peak hour traffic and you notice the people going to work and compare the same when you're coming home from the capitol at midnight.

The most recent projections from DPED indicate that there will be 20% less employment than we had expected. The figure now is not 518,000 for 1995, but only 417,000. For years, at least since 1975, we have asked the City consultants to take this into account, and they have not. They have refused.

Now, let me consider another reason why we should withdraw support for HART. There are some major engineering revisions being planned which we never considered when we made a commitment in 1975. For example, today, the State Department of Transportation and the Federal Highway Administration have informed us that the City will not be able to use the two lanes at the Kahala Mall H-1 Freeway section for HART. As an alternative and because of the DOT's decision, the City is now considering two alternatives which significantly alters the HART route that we okayed in 1975. The first would be to build a two-mile subway tunnel under Waialae Avenue. The City says that this will cost approximately \$60 million per mile, or a total of \$120 million. This figure seems highly optimistic when you compare it to the previous figures that I mentioned for mainland cities. The other alternative is to consider building an 8-mile instead of a 14-mile system. This, most people agree, will be the worst of all segments, for the 8-mile system will not be serving what HART was originally supposed to do.

Now, let's look to the kind of planning and the lack of objectivity that has gone into the HART plan. I'm a bit concerned about the information and the data that we have received from the consultants, Mr. Speaker, because I believe, after looking at the way the studies have been done, that there is a major conflict of interest on the part of the consultants. And let me elaborate. The HART system studies have been done in several sections. We find now that the same consultant who was hired to do the preliminary engineering and evaluation was also hired to do the analysis of alternatives to the fixed guideway. We find that the same consultant was hired to do the environmental impact statement.

And the same consultant is hired to do the preliminary engineering design. We also note that the same consultant will be the leading candidate to manage the overall construction of the fixed guideway system - a job which will result in the consultant receiving an estimated \$41 million in fees if the project is approved. Those fees run anywhere from 5% to 6% of the total project. If the project goes up to \$800 million, you can figure it out, 5% or 6% of that. In my view, this kind of conflict of interest, and it is a major conflict of interest in my view, is not conducive to the kind of objectivity which is required to properly assess the pros and cons of a project of the magnitude of HART.

Let me state a few more examples about faulty planning. The HART people say that HART will carry 18,100 persons per hour during the peak hour in 1995. At that time, they expect Oahu to have a population of 924,000. In our visits to other cities and in our studies of the fixed guideway system, we find this projection, or this estimate, to be highly unrealistic. For example, Chicago, the Chicago system, where it serves a population of over 7 million, has a daily peak hour ridership of only 15,000 persons per hour; Philadelphia's Lindenwald system serves a population of 4.5 million and carries only 12,000 persons per hour; and yet the consultants are telling us that in 1995, Oahu, with only 924,000 persons for the entire island, will be carrying 18,100 persons per hour. In my view, Mr. Speaker, that is highly unrealistic.

I could go on and on, Mr. Speaker, but I will not. So, let me close by saying this, the argument has been made that we should await the completion of the environmental impact statement before taking a position on HART. The environmental impact statement originally scheduled to be completed this past March is now scheduled to be completed in November. Those who believe that the environmental impact statement, whatever it finds or whatever it comes up with, will make a difference to the City and County of Honolulu with respect to its stand on HART are living in a dream world.

Recently, the City paid over \$30,000 in hard-earned taxpayers' dollars to make a movie, which was shown on our local television stations, which promoted HART, the best answer to Honolulu's transportation problems. I ask all of you, when have you ever heard of such a step being taken for any other public works project? I

ask you also, how does the City know that HART is the best answer when the EIS has not even been completed? Why does the City ask the Legislature to wait for the EIS before making up its mind on HART when the City itself has already closed the door? The fact of the matter is, and most of you here know this is true, the EIS for any project is merely a proforma step. The City has made up its mind about HART no matter what the EIS finds.

And, finally, the City and all of the HART proponents, including the Chamber of Commerce, the Ore Development Conference, the Downtown Improvement Association, our two poorly informed newspaper editors, they all say that passage of this resolution will endanger federal funds for HART, that the resolution will be taken as evidence that the local government is divided over HART and, therefore, the federal government will not fund it. I leave you and the members of this House with this answer: If the federal government does not know by now that there is division of a HART in this State, then it has not been listening very carefully. Besides, what is wrong with telling the truth for a change?

Thank you."

Representative Kunimura, speaking in favor of the resolution, stated:

"Very seldom do we have three-in-one in the Legislature. I would like to say that I agree totally with the recommendation of this committee report and all the things that have been said on the floor of this House this morning by the chairman of this Committee, Committee on Energy and Transportation of the House. If I may, Mr. Speaker, it takes a brave man, who resides in the metropolitan area of this island, to set aside political aspirations and dare political retribution by supporting and standing and leading the fight against suicide recommended by the City administration by their insane recommendation. I cannot, in good conscience, at this time, but in the future it will be borne out, that there's something more than the eye can see, that it's beginning to smell, what the City administration is trying to propose. And I agree with the chairman, and he's a brave man; secondly, he's an honest man; and thirdly, a daring man. And this kind of three-in-one character very rarely do we see in the halls of the Legislature. I will follow him to almost the end of this earth as long as he leads me in this kind of honest endeavor to tear the kind of pressure put on

by the City administration to bend, bend our thinking so that we'd go along with this mad suicidal proposal, and I would like to have, with his permission, his words incorporated as my subscription to his recommendation.

And if I may add just a small bit. We have seen with our own eyes what the City administration had to do - never in the history of Hawaii has anyone taken it upon himself and used good taxpayers' dollars to demonstrate the kind of intimidation of the Legislature by crowding the streets of Honolulu with practically every bus they had, not only available but pulled out of routes, to show us and to show the people, to scare us and scare the people, that we should rush madly and insanely and follow this man who wants to be governor of this State.

I ask all the members to support the adoption of this committee report and the recommendations made by the chairman of the Energy and Transportation Committee of the House."

Speaking in favor of the resolution, Representative Takamura stated:

"Mr. Speaker, the action that we take here in passing this resolution and referring it to Finance should not be seen as an action against mass transit, which, I think, people will claim.

The title of the resolution, the body of the resolution, is quite specific. We are withdrawing our support for the Honolulu Area Rapid Transit as proposed PEEP I and PEEP II. And I think that was done deliberately to indicate our dissatisfaction and our concerns with regard to the specific proposal that HART represents, and that we feel that what is really needed at this time is for the City to go back to the drawing board and start all over and come back with a study that is done more objectively and a system that would be better suited for the needs of the people of Hawaii, in Honolulu.

And I think it should be made clear that our stance today is a stance in favor of better planning and for a workable mass transit system and not a guess mass transit system as a whole.

Thank you."

The Chair then stated:

"The Chair grants Representative Kunimura's request that the arguments presented by Representative Cayetano be incorporated as part of his arguments also."

Representative Cobb, upon being recognized, stated:

"Mr. Speaker, very briefly, I would like to make the same request and make one observation. It's become rather clear in process, that it took most of us on the committee a year or two years to make up our minds. And that is that many of the alternatives and many of the intermediary steps involved in mass transit are ignored with the HART proposal. In an effect, we are asked to make a quantum leap in the 20th century to the 23rd century in one full swoop. They're ignoring, not only the articulated buses, not only the reversible lanes, not only the flex time and staggered work hours, but a whole series of about fifteen, at least, alternatives that I've seen proposed. And I think all of this is telling us, this City, is not only to go back to the drawing boards but get a real objective analysis on the bus alternative. I agree totally with what Representative Takamura was saying. Thank you."

The Chair then stated:

"The Chair also grants Representative Cobb's request to incorporate Representative Cayetano's arguments as part of his argument."

Representative Larsen then rose to speak in favor of the resolution, stating:

"I also would like to commend the chairman of the Energy and Transportation Committee and the members for discussing this issue so thoroughly in public meetings and in various different meetings throughout the chambers here during the last fifty days.

I would also like to mention, Mr. Speaker, that we are subject to a lot of pressure from various forces, both pro and con. One of the things I keep coming up against in my own mind is, what does happen to the individuality of the people who drive to work every day in their own car, taking up one space for one person? I think this, again, is almost self-evident truth that as soon as this country, which is not too long from now, goes into

some kind of a gas rationing program, white card system, whereby each person who owns a car maybe gets 20 or 30 gallons a month and they can sell those little tickets to other people. But it would be a wide open federal system. We have to do this in order to balance our import-export with the oil countries of the world.

When this takes place, I'm convinced that there will be a lot more people car pooling than they are now. And once 20-25% of the people car pool, there will be no need for this mass transit which is built, as our highways are, to take care of one or two peak hours a day. I think this, underlying the whole issue of how much we should spend a day in anticipation that from now on people are going to be driving around every place they want in their own cars. It's a ridiculous set of circumstances.

That, plus as was mentioned by my colleague, this staggered work hours and other issues that have come up before the Department of Transportation, and which they have commented on in a positive manner.

I fully concur with the resolution and I feel that it will be very mandatory for the City administration, the State and all others to make thorough analysis of these distasteful types of issues that are going to be coming up to us and involve them in the equation which decides whether we should or should not go into mass transit.

Thank you."

Representative Abercrombie then rose to speak in favor of the resolution, stating:

"Mr. Speaker, I have contended with the chairman of this Committee for four years on the fixed guideway. I have opposed his position for four years. I have opposed his position in the course of my serving on his Committee in my second term. I have supported the fixed guideway system despite the fact, as I want to note again today, despite the fact that the editors of the STAR BULLETIN were in favor of it. I looked at it and still thought it had some merit. I thought the reasoning of some people were specious. I determined when I came on the Committee that I would do my level best, because my opinion was the opposite of the chairman's - to read everything I could, to consult with everyone I could, to determine whether or not the position I held was a reasonable one; not the correct

one, because I think circumstances like these, absolutes are, in terms of the certainty of one's position, are very difficult to arrive at. There is an absolute, however, in the effect. We cannot avoid the decision. That is absolute. Just as the session must end, just as the votes must be taken, just as elections are going to be held, just as payments must be made by certain dates and so on, there is an absoluteness in the tremendous impact of the project. No other project would have the significant ancillary effects of the fixed guideway.

The figures for those of us in this State are tantamount to the kind of thing that I imagine is dealt with in Washington sometimes when you're talking about hundreds of billions of dollars. For those of us in this State the consideration of a three quarter billion to one billion dollar project in our State probably takes on an order of magnitude even higher than those figures that I have just mentioned in relation to the Congress.

This project would have forever altered, not just the landscape physically of the island of Oahu, but would have altered forever the landscape, emotionally and mentally, of our entire outlook as to what kind of lives we would lead and what we would commit our children and our children's children to. It's that important. And that's why this resolution is not here lightly. This is not something just to be passed in order to be waved around at an election time for or against.

I might say that because of my deep feelings about this and because I favored the construction of the guideway, in principle, that I consulted also with the City people as often as I could. I don't think there is anyone in the room who has talked more or discussed at greater length, in more detail and with more of a motivation than I have, with the City administration. And I might point out when I say the City administration, I am referring to the City Council as well, because I can assure you that the Department of Transportation Services cannot do anything without the backing of the City Council. If that backing is withdrawn, that's the end of it. It can be proposed, but for all intents and purposes is moribund. The fact of the matter is that the Council still supports this situation as well, and I have discussed it with the chairman of the Council, also.

The reason I am going into this background is, is that I have signed my name on this report free and clear. I don't recall whether I seconded or made the motion now, because it was a big thing for me in my mind. I believe I seconded

the motion for this resolution in committee for passage. And I have told the people in the Department of Transportation Services of the City and I have told other people who have supported the fixed guideway and who have been supportive of me to the point, that I will no longer support it. And I will not do it because this time has passed. Whatever opportunities were there to build the guideway are not there now. Whatever reasons might have been sufficient to warrant my support or someone else's support, in my judgement, are no longer there. I believe that what we have now is a standing corpse, and this corpse is merely standing because it is being shored up by hope.

I do not wish to imply that the people who support it have done this against the interest of either constituents or the taxpayers, because I don't believe that to be the case. In this particular instance, where the political forces are involved, I believe that the differences of opinion, especially as those put forth by Mr. Hayashida, are made in honest appraisal. In other words, I believe that the support for the concept is genuine, but it is not to be. Some of the same people whom I sat with in the McCully-Moiliili area, for example, while this issue was discussed and while stations and preparations for the planning and final citizens' input into the documents, some of the same people who supported that, no longer do so. The one's who wanted to have the consideration made for them and was taken into account by the consultant, was put into the reports, those same people now, having considered the results at this point in time, have decided they can no longer support it. And they do so for good reasons. I cite that particular instance because I was at so many of those meetings. And I want to indicate that it's not a matter that someone has now changed their minds so it's the politically expedient thing to do to get in line with them. If I still considered that the guideway was a viable possibility at this stage, regardless, I would support it on the basis of it being in the public interest. It may have been in the public interest. As I say, I don't know. Those kind of absolutes are hard to come by. But it is not now. That is to say, the discussion any further in terms of its reality.

Everything has changed so much, Mr. Speaker, in relation to this

particular project. I supported the conception of the 23-mile fixed guideway provided that we had a State plan which recognized that we would have to have a certain kind of living, in a certain kind of way, with specific designations of urban and agricultural areas, certain densities, zoning situations, building circumstances, in Kakaako, the coordination of the University of Hawaii activity with other activities, State agency activities with private business - that all of this was explicit, not implicit, explicit in the idea, in the concept of the fixed guideway. And that if we truly meant to do this, and we were truly going to gear the State towards this kind of a concept and its implementation, that then, in fact, is what we had to do. It was one of the impetuses for me to run for office, because I wanted to be a part of that planning system so that whatever came down, I could stand and say, yes, I did it, or no, I didn't do it, and I did it for these reasons, or I didn't do it for those reasons, and I would have to stand by it. And so I've stood in this Committee, and it has bothered me for a long time, because there are friends, personal friendships are involved, this goes on and this is why a resolution like this is so vitally important to all of us on the floor, because those of us who disagree with one another in our political orientation on this floor, nonetheless, by the sheer exposure to one another and the problems that we have to deal with collectively, become friends with each other in some strange cosmic way, even when we find ourselves in disagreement with each other over and over and over again on the most fundamental of issues. I think that's what constitutes the real triumph of a democratic system, when the fundamental questions, the tough questions, are the ones upon which disagreement occurs, and when it's most vital to respect the integrity of the other person that's involved with it. And we have succeeded sometimes and sometimes not succeeded as well as we might - I'm using 'we' so I can avoid saying 'I' - but on this particular issue, that has not been the case.

Of course, it's a question of leadership. It's also a question of the members, in particular on the Committee as a whole, taking their work very seriously and then communicating to other members of this House with whom they are comfortable politically, with whom they are comfortable personally, and communicating as well with other members of this House, with members with whom they've had disagreement, with whom they are at odds and say, look, these are

the circumstances with the fixed guideway, and this is how it is being addressed in this resolution, and whatever reservations I have about some of the language in the resolution, and I have some, some of the comparisons with BART, some of the cost circumstances that come up. I think these are situations specific and they are not useful for the purposes involved. I don't think it is necessary to talk about faulty planning. I think the planning was and is now a reflection of the attitude that was involved, the attitude that was brought to bear in terms of the guideway. If it's faulty, it's because another conception is being brought to bear against that, and so it seems faulty. Internally, I don't believe that the people who put it forth thought it was faulty. All those things are immaterial at this point.

And so I want to conclude by reiterating why I think they are immaterial. I can no longer support the concept because the concept is not before us in any realistic form. I can no longer support the concept because the concept has been etenuated into a 14-mile and then into an 8-mile system. The 8-mile system is totally unrealistic. I can no longer support the concept because the situation that had to be worked out along the taking of the necessary lanes in the Hawaii Kai-Kahala area no longer exist and we are now faced with the burden of an additional planning circumstance with blasting through rocks in Kaimuki. Now, if anybody who remembers the building of the H-1 and all the experts they brought in who told us they knew all about Hawaiian rocks - I guess they were from Oakland or someplace like that - soon found out you had to remember to get all of the school kids out of the school room because the experts are blowing the windows out down in the schools.

These kinds of circumstance I cite, not facetiously, but to point out the real difficulties involved when you start tossing figures around like \$120 million and going two miles with the subway. It is my considered judgment, as a result of the experience of the building of the H-1, that to do so at this stage and to propose it at this stage does a complete disservice to the concept of the 23-mile guideway and has made it absolutely impossible to consider the concept realistically anymore.

And finally, no financial plan or scenario has been presented. No indications even of what the environmental impact statement would address in

terms of some of the concerns which those of us who supported the guideway have raised over and over and over again has come forward. I believe it has not come forward, not because of duplicity on the part of the Department of Transportation Services or dishonesty on their part, but because it is impossible for them to do it in any realistic fashion which they can defend at this point. Much as they wish to do it, they cannot. Much as they may desire, as I desire to have this whole thing completed within a kind of plan that was rational, that made good sense, that made sense to the taxpayers, it is no longer possible for me to believe that it can be done.

I regret not that the guideway will not be built. I never regret anything that might have been done and then would have been bad if we stuck to it, and stuck to it simply for reasons of pernicious politicking. I don't regret that at all. I regret the fact that we did not have a State plan sooner. I regret the fact that we did not have a Oahu general plan that could have been detailed enough, with sufficient political courage having been exercised in previous years, to have a presentation for a State plan that would have avoided this circumstance today.

My hope is that the State plan that we arrive at in conjunction with the input of the grassroots people from the Neighborhood Boards on Oahu and community organizations, to the various organizations and groups on the neighbor islands, through the County governments and into the functional plan, will allow us never again to have to face the circumstance of a tremendous capital investment with vast social and economic consequences, minus the benefits of a plan to which we have agreed to as a people.

Thank you."

Representative Kunimura then rose to speak in favor of the resolution, stating:

"Mr. Speaker, there will be people stirring the barrel of mess to let out the stink that we are wasting some \$5 million maybe. But I would rather waste \$5 million worth of good hard tax dollars than to shackle ourselves with some \$1 billion in the future. Maybe this is a good lesson. Without spending the \$5 million, we wouldn't have had the opportunity to be presented with the kinds of facts and choices to make. So, I'm in total agreement that the \$5 million or so spent was a good one.

Secondly, this resolution is very unique. This year, the people of the State of Hawaii will be selecting a person, the people's choice, to lead us again for the next four years. The person from the City is doing his darndest to get us to commit suicide with this fixed guideway. We have a gentleman in the Senate who's also looking for that one seat in the head of the government, and he's not doing anything. And I thank God that this State of Hawaii has a bicameral system, that at least this House is sober, sane and brave, that when we pass this resolution, that man who sits in the Senate had better do his business and get off the pot, because this is the one that's going to decide whether he has guts or not.

Thank you."

Representative Abercrombie, rising a second time to speak in favor of the resolution, stated:

"Mr. Speaker, there are political considerations involved in this. I understand that. What I've tried to do, and I want to re-emphasize it, is indicate that these decisions, for the most part, in terms of the people who made them, especially in the communities - this is where some of the money went, and I appreciate the comments of the previous speaker that the money was not ill-spent in that sense - when people are there at community meetings, working with people in the community, trying to ascertain their desires, to figure out what to do and what not to do, that is indeed money well spent. It may be more money being spent than people desire, but after all, as was pointed out, this is a project that might go to a billion dollars and it is well worth the effort.

The second thing that's involved inasmuch as individual candidates have been mentioned is that one of the candidates is a constituent of mine. And I want to emphasize that when it comes to elections, any politician in this State, regardless of whether he lives in my district or she lives in my district, is a constituent of mine and not vice versa. Naturally, I have discussed this with these people, and I think that the main emphasis here, and this is another reason why I support the resolution, is that at least one or both of my constituents - one of whom is the mayor of the City and County of Honolulu and the other is the chairman of the City Council - want a decision made one way or the other. If to go, they're for it. If

the answer is no go, then they're going to do something else. It's as simple as that. If this resolution has that effect, fine. But I think that it is essential that we understand that the desires of the other political entities, as I understand them in my conversations, is that a decision be made one way or the other. I think that's what we're doing with this resolution.

I also want to indicate that I believe that we made a big step forward with House Bill 158. Now, that bill was sent to the Senate and involved a hell of a big compromise on the part of the chairman and the committee in the House, compromise in the best sense of the word. That is to say, look, we have these concerns, we want to make sure that you address them, we're gonna address them in law. And the City administration testified in favor, reluctantly, but still in favor - yes or no, and the answer was yes. And when that bill went to the Senate, that bill still sits in the Senate. And the reason that this resolution is before us is because the reasonable, entirely reasonable expectations of this House, have been ignored in a bill that would have put into law the major concerns of the people here, even the people who wanted to kill it outright, right on the spot, were willing in this House to say, alright address these questions and we're willing to wait on your environmental impact statement, on perhaps your designing and so on. We're willing so long as you're willing in turn to address these concerns. Bill 158 sits in the Senate today. That's why this resolution is here today. We have no choice. So if the desire of the chairman of the Transportation Committee in the Senate is to have it both ways, that is to say, to be for something, and by sitting on the bill in effect kill it by shifting it back to this House, then I, for one, have no hesitation whatsoever in standing up and saying, fine, that's alright. I voted for the other bill because quite frankly that left me in the clear. When 158 passed, I was in the easy chair. It was easy for me. I didn't have to come to a decision. I could still lay back on the 23-mile. But when it sat there and this resolution came forward, I had to figure out well, am I gonna say yes or no. No choice. So that's what's being said now. That and that alone, that this House having made, giving an opportunity for the Legislature as a whole to postpone, if you will, the decision. The Senate has told us in no uncertain terms, no, it's gotta be made now. Now, they may mouth, they may articulate other premises and motivations, but that's what the effect is. They tossed it in chairman Cayetano's hands and said, oh yeah, well here, take it back and see what you got the guts to do.

This is soundly drafted. The intent is clear. And the consequences, in respect of the last speaker's remarks, are quite clear as well.

Thank you."

Representative Cayetano then rose "to add a few more remarks in support of the resolution and maybe clarify my earlier remarks", stating:

"This resolution, or approval of this resolution, should be taken completely devoid of any political consequences or meaning. The resolution should be adopted because it is time we took this kind of a position and it should be adopted because the facts support adopting this kind of a resolution."

Rising to speak in support of the resolution, Representative Nakamura stated:

"Mr. Speaker, many, many years ago, I was a member of the Mass Transit Subcommittee of the City Council. And at that time, I favored something like the fixed guideway system. But after participating, after being a witness to much discussion and debate about the pros and cons of a fixed guideway system, I'm convinced that the State of Hawaii and the City and County of Honolulu, even though the federal government is prepared to subsidize this system, the people of this State cannot afford this billion dollar toy. I look at it as a toy because it is not going to work.

I think this resolution, if adopted unanimously by this body, will show the City and County of Honolulu that this system is not going to be a viable one. And I think this will convince the City and County not to pursue this wasteful venture.

I would like to commend the chairman of the Energy and Transportation Committee of this House and all its members for all of the hard work that they have put into this controversial issue. To a large measure, my mind has been changed because of the workings of this Transportation Committee. I also attended the two-day seminar in Waikiki. And there also, I listened to all of the arguments, pro and con, and I came out of that seminar convinced that this fixed guideway system, although it's going to be a pretty hardware, a pretty toy, but it is not going to solve the transportation problems of this City and County of Honolulu."

The motion was put by the Chair and the report of the majority of the

Committee was adopted and H.R. No. 592, HD 1, entitled: "HOUSE RESOLUTION WITHDRAWING THE SUPPORT OF THE HAWAII STATE HOUSE OF REPRESENTATIVES FOR THE HONOLULU AREA RAPID TRANSIT (HART) AS PROPOSED IN PEEP I AND PEEP II", was referred to the Committee on Finance, with Representatives Baker, Garcia, Mina, Stanley and Sutton voting no.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 922-78) recommending that H.R. No. 578, as amended in HD 1, be adopted.

On motion by Representative Kawakami, seconded by Representative Dods and carried, the report of the Committee was adopted and H.R. No. 578, HD 1, entitled: "HOUSE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO ASSUME THE OPERATION AND MAINTENANCE OF THE HAWAII KAI SEWAGE TREATMENT PLANT AND RELATED SEWAGE SYSTEMS IN HAWAII KAI, OAHU", was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 923-78) recommending that S.C.R. No. 2, SD 1, be adopted.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and S.C.R. No. 2, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A CLOSER BOND BETWEEN ALASKA AND HAWAII TO FOSTER INTERACTIONS THAT WILL BE OF MUTUAL BENEFIT TO BOTH STATES", was adopted.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 924-78) recommending that H.R. No. 235, as amended in HD 1, be adopted.

Representative Mizuguchi moved that the report of the Committee be adopted and that H.R. No. 235, HD 1, be adopted, seconded by Representative Campbell.

Representative Campbell then rose to speak "briefly in favor of the resolution", stating:

"Mr. Speaker the purpose of this resolution is to request the Department of Education to seek federal funds for the continuation of the 'Follow Through' program.

Your Committee on Education found that 'Follow Through' is a comprehensive program encompassing staff development, health care, instruction, and parent involvement components. The Committee has learned that the Department of Education has submitted an application to the United States Department of Health, Education and Welfare for continued funding of this program for 1978-79. Therefore, our Committee feels that this body should express its strong support for this action and urge that the United States Department of Health, Education and Welfare act favorably on this matter.

Therefore, I urge the support of this entire body for this resolution.

Thank you."

The motion was put by the Chair and carried and the report of the Committee was adopted and H.R. No. 235, HD 1, entitled: "HOUSE RESOLUTION SEEKING FEDERAL FUNDS FOR THE 'FOLLOW THROUGH' PROGRAM", was adopted.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 925-78) recommending that H.C.R. No. 44, as amended in HD 1, be adopted.

On motion by Representative Say, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.C.R. No. 44, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE CONTINUATION OF THE 'FOLLOW THROUGH' PROGRAM", was adopted.

Representatives Aki and Mizuguchi, for the Committees on Youth and Elderly Affairs and Education, presented a joint report (Stand. Com. Rep. No. 926-78) recommending that H.R. No. 515 be adopted.

On motion by Representative Aki, seconded by Representative Mizuguchi and carried, the report of the Committees was adopted and H.R. No. 515, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM THE WEEK OF APRIL 16 THROUGH 23 AS HAWAII GIFTED AND TALENTED CHILDREN'S WEEK", was adopted.

Representatives Aki and Mizuguchi, for the Committees on Youth and Elderly Affairs and Education, presented a joint report (Stand. Com. Rep. No. 927-78) recommending that H.C.R. No. 106 be adopted.

On motion by Representative Aki, seconded by Representative Mizuguchi and carried, the report of the Committees was adopted and H.C.R. No. 106, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM THE WEEK OF APRIL 16 THROUGH 23 AS HAWAII GIFTED AND TALENTED CHILDREN'S WEEK", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 928-78) recommending that H.R. No. 269 be adopted.

Representative Suwa moved that the report of the Committee be adopted and that H.R. No. 269 be adopted, seconded by Representative Peters.

Representative Abercrombie, upon being recognized, asked:

"Will the chairman yield to a question in respect to the origin of the federal excise tax on telephone service?"

Representative Suwa replied:

"Yes, I will, Mr. Speaker."

Representative Abercrombie then asked:

"Mr. Speaker, would you ask the chairman whether this tax originated as a part of the revenue producing activities during the course of the war in Vietnam? Is this the tax that was put on during that time?"

Representative Takamura, upon being recognized, stated:

"Mr. Speaker, if Representative Suwa will yield, as the introducer of the resolution, I'll be glad to answer that question."

The Chair then asked:

"Representative Suwa, will you yield?"

Representative Suwa replied in the affirmative, thereby allowing Representative Takamura to state:

"Mr. Speaker, first of all, I think, I'll provide a little background. This tax was established way back in the 1930's. It was established then as a temporary tax. What has happened is that it has been extended by Congress for the past forty or fifty years. The last extension that this tax went through was specifically to help fund the war in Vietnam. So part of the thing that we're asking for is that this tax be repealed immediately: (1) because it is theoretically a temporary tax, and (2) because even though there is a termination date of 1981, you know, given the past long

history that Congress has taken this thing, I think it is wise at this time to put Congress on notice, or at least our delegates in Congress, that we would like to see action taken immediately. And if that doesn't happen, that at least the 1981 termination date doesn't be extended again."

Representative Abercrombie then rose and stated:

"Thank you, Mr. Speaker, that answers my question. May I rise to speak in favor of this resolution?"

Upon being directed to "proceed", Representative Abercrombie stated:

"Mr. Speaker, I have refused to pay this tax for a number of years, beginning in the middle of the 1960's until the conclusion of the hostilities in Vietnam. I refused to pay the tax and wrote to the Internal Revenue Service again and again, telling them I would not pay the tax and insisting that I be arrested for not paying the tax. I think if people don't pay their taxes, I think they ought to be arrested and tried. The Internal Revenue Service department would not do so. I engaged in some interesting correspondence with the machine and then I was actually able to engage in some correspondence with an individual. I engaged in some correspondence in which we had some philosophical discourse as to why the individual was in his job and what he thought the Constitution was about and what he felt how law-breakers oughta be treated. And inasmuch as I was breaking the law, it seemed to me that it was reasonable to be arrested and tried for breaking the law. However, the federal government, in this particular instance, does not choose to arrest people who do not pay the tax. What they do is they hunt around until they can find some place that you've put your money - in a bank, generally, or some other institution - and they steal it from you. They go in and take it. And the banks give it to them, presumably to keep the Internal Revenue Service from coming in and looking at the bankers.

In a certain sense it is comic opera that insist to the government that you refuse to obey what it asked you or tells you what you must do in law and announce to them, you know. This is the strange part, most robbers, you know, are content to attempt to do it with stealth. They do not want to have their pictures taken or do not want to allow anybody to know that they're doing it, and they get

arrested. However, if you announce that you're going to do it and do it to the government, why, they tend then, in turn, to become robbers and stealthily sneak in and steal your money. Now, I didn't have too much money on me at the time, in those times - I had not achieved the financial heights that I have arrived at today - but at the time, for me, it was a considerable amount. As a matter of fact, much of it went to pay rent in Representative Sutton's house up in Manoa Valley. So having paid that, I had a little left over and I certainly didn't want to part with any more than I had to. But my point in all this is that this tax and this whole federal excise tax telephone system points up another situation about the capacity for the Internal Revenue Service department to work its will on individuals in this country virtually without recourse to the individual.

As I say, in one sense it is amusing, but in another sense these people have such absolute control over your destiny that they don't have to even justify to you what they're doing under any circumstances.

This should be repealed. There's no question of that because it's the kind of the thing that at least was voted on here. I think our gasoline tax, we finally made it permanent and stopped fooling around, you know you voted yes, you voted no, and that's the end of that, at least it was honest. This has been dishonest from the beginning. It's most especially dishonest because it points up that the Internal Revenue Service is unwilling to face issues brought by citizens in respect of taxation except in a repressive way, except in a totalitarian way, except in a dictatorial fashion that is more reminiscent of countries that do not have the democratic process - those who are totalitarian in their orientation.

Somewhere along the line the Internal Revenue Service has got to be brought to heel so that citizens of this country need not stand in fear of the Internal Revenue Service and that citizens of this country may bring the Internal Revenue Service to the point of accountability just as you and I in this Legislature and the citizenry as a whole are brought to accountability by the Internal Revenue Service. And I invite them to look over my meager income at any time they wish to determine whether I'm some kind of a thief in the night. The only thieves I know about are the ones who went into my bank account and stole my money instead of facing up to their duties in the Internal Revenue

Service department. I think his name is Wolf, which is particularly appropriate."

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

Upon reconvening at 12:26 o'clock p.m., the motion was put by the Chair and carried and the report of the Committee was adopted and H.R. No. 269, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION AND THE FEDERAL INTERNAL REVENUE SERVICE TO WORK FOR THE IMMEDIATE REPEAL OF THE FEDERAL EXCISE TAX ON TELEPHONE SERVICE", was adopted.

At this time, Representative Kiyabu introduced 41 students from St. Patrick's School in Kaimuki. They were accompanied by their teacher, Mr. Vance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 929-78) recommending that H.R. No. 595, as amended in HD 1, be adopted.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.R. No. 595, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE 1978 CONSTITUTIONAL CONVENTION TO REVIEW PARTICULAR ISSUES IN TAXATION AND FINANCE", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 930-78) recommending that H.R. No. 466 be adopted.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.R. No. 466, entitled: "HOUSE RESOLUTION EXPRESSING LEGISLATIVE ENDORSEMENT FOR THE ESTABLISHMENT AND OPERATION OF A MASS FRUIT FLY REARING LABORATORY ON OAHU FOR RESEARCH RELATING TO THE ERADICATION OF FRUIT FLIES AND IMPLEMENTATION OF AN ERADICATION PROGRAM", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 931-78) recommending that H.C.R. No. 93 be adopted.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE ENDORSEMENT

FOR THE ESTABLISHMENT AND OPERATION OF A MASS FRUIT FLY REARING LABORATORY ON OAHU FOR RESEARCH RELATING TO THE ERADICATION OF FRUIT FLIES AND IMPLEMENTATION OF AN ERADICATION PROGRAM", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 932-78) recommending that H.R. No. 437 be adopted.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.R. No. 437, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND DEPARTMENT OF BUDGET AND FINANCE TO STUDY AND PROPOSE THE ESTABLISHMENT OF A STATE ECONOMIC PLANNING SYSTEM", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 933-78) recommending that H.C.R. No. 88 be adopted.

On motion by Representative Suwa, seconded by Representative Peters and carried, the report of the Committee was adopted and H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT AND DEPARTMENT OF BUDGET AND FINANCE TO STUDY AND PROPOSE THE ESTABLISHMENT OF A STATE ECONOMIC PLANNING SYSTEM", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 934-78) recommending that H.R. No. 471 be adopted.

By unanimous consent, action was deferred for one day.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 935-78) recommending that H.C.R. No. 95 be adopted.

By unanimous consent, action was deferred for one day.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 936-78) recommending that H.R. No. 487 be referred to the Committee on Consumer Protection and Commerce.

Representative Kiyabu moved that the report of the Committee be adopted and that H.R. No. 487 be referred to the Committee on Consumer Protection

and Commerce, seconded by Representative Campbell.

Representative Campbell then rose to speak in favor of H.R. No. 487 and H.C.R. No. 98, stating:

"Mr. Speaker, the purpose of this resolution is to request television broadcasters in the State of Hawaii to adopt and adhere to policies of programming which will improve the quality of children's television and advertising thereon, consistent with the National Association of Broadcasters' Television Code, and with particular regard to the impact of such advertising on the nutrition of our children.

Mr. Speaker, one of the most powerful influences on the life and behavior of our children is television. If we are going to improve the nutritional habits of Hawaii's children in any appreciable manner, we must have the cooperation of the television industry.

Therefore, Mr. Speaker, I urge my colleagues to vote in favor of this resolution."

The motion was put by the Chair and carried and the report of the Committee was adopted and H.R. No. 487, entitled: "HOUSE RESOLUTION URGING ADOPTION OF NATIONAL ASSOCIATION OF BROADCASTERS POLICIES, PARTICULARLY WITH REGARD TO CHILDREN'S TELEVISION AND NUTRITION", was referred to the Committee on Consumer Protection and Commerce.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 937-78) recommending that H.C.R. No. 98 be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Kiyabu, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.C.R. No. 98, entitled: "HOUSE CONCURRENT RESOLUTION URGING ADOPTION OF NATIONAL ASSOCIATION OF BROADCASTERS POLICIES, PARTICULARLY WITH REGARD TO CHILDREN'S TELEVISION AND NUTRITION", was referred to the Committee on Consumer Protection and Commerce.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 938-78) recommending

that H.R. No. 338, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Caldito, seconded by Representative Toguchi and carried, the report of the Committee was adopted and H.R. No. 338, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF PRESENT STATUTES AND REGULATIONS CONCERNING THE USE OF GILL NETS", was referred to the Committee on Finance.

Representatives Segawa, Baker and Aki, for the Committees on Health, Public Assistance and Human Services and Youth and Elderly Affairs, presented a joint report (Stand. Com. Rep. No. 939-78) recommending that H.R. No. 570 be referred to the Committee on Legislative Management.

On motion by Representative Segawa, seconded by Representative Baker and carried, the report of the Committees was adopted and H.R. No. 570, entitled: "HOUSE RESOLUTION REQUESTING REVIEW OF FUNDING CRITERIA FOR PRIVATE HEALTH CARE AGENCIES", was referred to the Committee on Legislative Management.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 940-78) recommending that H.R. No. 571 be referred to the Committee on Legislative Management.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.R. No. 571, entitled: "HOUSE RESOLUTION REQUESTING REVIEW OF THE MANAGEMENT AND OPERATIONS OF THE COUNTY/STATE HOSPITAL SYSTEM", was referred to the Committee on Legislative Management.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 941-78) recommending that H.C.R. No. 136 be referred to the Committee on Legislative Management.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.C.R. No. 136, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REVIEW OF THE MANAGEMENT AND OPERATIONS OF THE COUNTY/STATE HOSPITAL SYSTEM", was referred to the Committee on Legislative Management.

Representative Segawa, for the

Committee on Health, presented a report (Stand. Com. Rep. No. 942-78) recommending that H.R. No. 522, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.R. No. 522, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF HEALTH DEVELOP RECOMMENDATIONS FOR THE IMPLEMENTATION OF A STATE-WIDE MANDATORY SANITATION TRAINING COURSE AND CERTIFICATION PROGRAM", was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 943-78) recommending that H.R. No. 434, as amended in HD 1, be referred to the Committee on Education.

Representative Segawa moved that the report of the Committee be adopted and that H.R. No. 434, HD 1, be referred to the Committee on Education, seconded by Representative Shito.

Representative Cobb then rose and stated:

"Mr. Speaker, just one brief observation in favor of the resolution, that hopefully this will be done as soon as possible, because it is difficult to count the number of lives that could be saved with this Heimlich Maneuver or procedure as it is practiced. I personally witnessed such a case several months ago and I would hope that every restaurant, even without the resolution would comply with it. Thank you."

The motion was put by the Chair and carried and the report of the Committee was adopted and H.R. No. 434, HD 1, entitled: "HOUSE RESOLUTION REQUESTING ALL FOOD ESTABLISHMENT AND SCHOOL CAFETERIAS TO POST INSTRUCTIONS ON THE HEIMLICH MANEUVER", was referred to the Committee on Education.

Representatives Stanley and Cayetano, for the Committees on Public Employment and Government Operations and Energy and Transportation, presented a joint report (Stand. Com. Rep. No. 944-78) recommending that S.C.R. No. 65, SD 1, as amended in HD 1, be referred to the Committee on Water, Land Use, Development

and Hawaiian Homes.

On motion by Representative Stanley, seconded by Representative Cayetano and carried, the report of the Committees was adopted and S.C.R. No. 65, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF TRANSFERRING THE REAL PROPERTY ACQUISITION FUNCTION OF THE DEPARTMENT OF TRANSPORTATION TO EITHER THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES OR THE DEPARTMENT OF LAND AND NATURAL RESOURCES", was referred to the Committee on Water, Land Use, Development and Hawaiian Homes.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 945-78) recommending that H.R. No. 535 be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.R. No. 535, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY OF THE ESTABLISHMENT OF A HAWAII CAREER EXECUTIVE SERVICE AND MANAGEMENT COMPENSATION PLAN", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 946-78) recommending that H.C.R. No. 115 be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF THE ESTABLISHMENT OF A HAWAII CAREER EXECUTIVE SERVICE AND MANAGEMENT COMPENSATION PLAN", was referred to the Committee on Finance.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 947-78) recommending that H.R. No. 414 be referred to the Committee on Finance.

Representative Stanley moved that the report of the Committee be adopted and that H.R. No. 414 be referred to the Committee on Finance, seconded by Representative Takamine.

Representative Abercrombie then rose to speak in favor of the resolution, stating:

"Mr. Speaker, I direct your attention - speaking briefly about it for those who may not have it before them, that this concerns the feasibility study for State hiring of retirees from within the patient labor force to work at the Kalaupapa Settlement without having the retirees relinquish their pensions or other benefits - to the third paragraph: 'Testimony heard by your Committee indicated that the Department of Health has depended upon the availability of a patient labor force to perform many of the maintenance and service functions required at Kalaupapa Settlement. However, due to the treatment of newly discovered leprosy cases on an out-patient basis, the number of patient residents at Kalaupapa is decreasing'. As the isolation adds to the difficulty of recruiting non-patient employees, the most practical solution indicated here would be tapping the manpower available among the retired people at Kalaupapa.

Mr. Speaker, the reason I cite that is if you will think for a moment about the arguments that have been made by the Department of Health to this moment, I am pleased to see this resolution before us, because we have out-patient treatment and this is one of the basis for the Department of Health indicating that we may do this in Kalaupapa. Isn't it strange then that the Department of Health, at the same time on the island of Oahu, wants to take leprosy patients and install them in a concrete box up at Leahi, which has the misnomer now of being called a hospital? It may have been a hospital at one time, but it is no longer that, not even in the least.

The Department of Health, it's hypocrisy, it's bad management, it's disservice to the public in this State is of an order of magnitude that can scarcely be imagined. The mendacity, the avoidance of honest answers in other circumstances might be incredible. The circumstances make it less incredible now when you consider that the Department of Health leadership does not serve the people of Hawaii but very, very special interests. And these special interests are being revealed more and more every day.

In this particular instance, I think that it's a good thing to do

because the people there are desirous of it and deserve it. After all, it should be made quite clear to the people of this State, to the people of the nation, that leprosy patients are not charity cases. They are patients and that only. The overwhelming majority of them are out-patients, just as you or I might be for any particular disease or medical problem we might have. They have earned their way all their lives. They have never asked for anything other than basic consideration for the circumstances around their disease which they cannot help. And there they have asked only for the minimum, only that which is necessary to keep them functioning as human beings and taxpayers in this State. These people are deserving in every respect because they have given in every respect - hard work, dedication, and much of it in public employment in this State.

Therefore, I recommend that this report on the resolution be looked at by the membership here very closely and that we pass the resolution with the indication in the record that the Department of Health has once again put itself on record in such a manner that it is impossible for anyone to believe that its continued insistence in utilizing this concrete box at Leahi in any way, shape or form addresses itself to the real needs and concerns of the leprosy patients in this State, and in any way, shape or form is in the interest of the tax paying public, including those patients in this State."

Representative Segawa then rose to speak in favor of the resolution, stating:

"Mr. Speaker, I would like to take exception to some of the remarks made by the previous speaker.

While the Department of Health has been responsible for many of the decisions regarding our Hansen's disease patients, I believe this body, as legislators, have had a part in some of those decisions being made in the way it has been. I believe this resolution addresses some of the problems pertaining to the settlement at Kalaupapa wherein it is difficult to obtain labor and help from the citizens who feel they are not too familiar with this disease.

And for the record, Mr. Speaker, while some residents have been transferred to Leahi, there are five residents who are considered residents. And out of these five residents, three of them are blind, I believe four of them are confined to a wheelchair. The

other patients who have been asked to use Leahi are transient patients from Kalaupapa Settlement who come to Honolulu for various other medical needs and treatments. And these others, who number 12 to 15 at any given time, reside at Kalaupapa and come out here for other treatment. And so, I would like to inform this body that while there have been some patients and residents moved to Leahi Hospital at this time, these are patients who are mostly in need of medical treatment and care that can be provided at Leahi Hospital.

And so with that, I would ask all members to vote for this resolution."

At 12:40 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:55 o'clock p.m., Representative Abercrombie, upon being recognized, stated:

"Mr. Speaker, I would like to rise again and speak in favor of the resolution, and in the interest of clarification indicate, should there be any question about it, my remarks obviously are my own and that implication that the House agrees with my remarks when it votes 'aye' or 'nay' on a resolution, this one or any other, is of course not warranted.

However, I do want it on the record in terms of my support of this resolution, individually, that any time that we find the Department of Health admitting that the people are on an out-patient basis, who are involved in the Hansen's disease program, that it is to the advantage of the public to learn that. Because, in my estimation in the circumstances under which the Kalaupapa people may have to come to Oahu, it indicates, without a doubt in my mind, that another solution than the one that is now under way is in order. I hope that that clarifies the circumstance.

In addition, I would like to say that of the residents who are here and unable to be in the patient labor force or who are unable over there at Kalaupapa to be in the patient labor force, I think it is very, very important that we treat these people on an individual basis when it comes to possible hospitalization and not treat leprosy patients who had their disease arrested as some separate category of medical patients, but rather those who need the services that anyone else with the ancillary diseases that the patients now have

would require.

Thank you."

The motion was put by the Chair and carried and the report of the Committee was adopted and H.R. No. 414, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH IN CONSULTATION WITH THE STATE RETIREMENT SYSTEM TO CONDUCT A FEASIBILITY STUDY CONCERNING THE STATE HIRING OF RETIREES FROM THE PATIENT LABOR FORCE TO WORK AT KALAUPAPA SETTLEMENT WITHOUT HAVING THE RETIREES RELINQUISH THEIR PENSIONS OR OTHER BENEFITS", was referred to the Committee on Finance.

Representative Shito, for the majority of the Committee on Housing, presented a report (Stand. Com. Rep. No. 948-78) recommending that H.R. No. 34, as amended in HD 2, be referred to the Committee on Legislative Management.

Representative Shito moved that the report of the majority of the Committee be adopted and that H.R. No. 34, HD 2, be referred to the Committee on Legislative Management, seconded by Representative Nakamura.

Representative Campbell then rose to speak in favor of the resolution, stating:

"The purpose of the resolution, as amended, 'is to request the various counties to reevaluate their duties under Section 46-60, Hawaii Revised Statutes, so as to ensure that the park dedication statute is being implemented equitably and efficiently in each county in the State.'

Mr. Speaker, the Legislature, some eight years ago, strongly felt that sufficient parks and recreational facilities should be provided for newly developing residential areas. The Legislature's feelings were expressed in a mandate to the counties that they adopt legislation making it mandatory and that subdividers dedicate land, money, or a combination of the two for the development of parks and playground facilities.

Now, while it may not have been explicitly stated, it was strongly implied that new residential subdivisions should benefit from recreational areas set up by the park dedication legislation enacted by the counties. Now, Mr. Speaker, I strongly support this resolution because, in my judgment, it carries out the watchdog responsibility of this Legislature related to mandating that counties provide park and recreational

facilities for our people.

Probably the most tragic example of neglect when it comes to park and recreational facilities for a growing population is in the area where I live, that is Salt Lake. Mr. Speaker, this is one of the most densely populated areas in the State which does not have adequate parks. It is my hope that this resolution might do something in the way of urging action this year so that this problem can be solved.

So I urge my colleagues to support the resolution."

The motion was put by the Chair and carried and the report of the majority of the Committee was adopted and H.R. No. 34, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE HOUSE COMMITTEE ON WATER, LAND USE, DEVELOPMENT AND HAWAIIAN HOMES TO REVIEW THE PARK DEDICATION STATUTE, THE COUNTY PARK DEDICATION ORDINANCES, AND THE RULES AND REGULATIONS IMPLEMENTING THE COUNTY PARK DEDICATION ORDINANCES", was referred to the Committee on Legislative Management, with Representative Sutton voting no.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 949-78) recommending that H.R. No. 108, as amended in HD 1, be referred to the Committee on Health.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.R. No. 108, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN INVESTIGATION ON HOW WELL THE INDIVIDUAL EDUCATION PROGRAM IN HAWAII'S PUBLIC SCHOOLS IS MEETING THE REQUIREMENTS OF THE FEDERAL GOVERNMENT", was referred to the Committee on Health.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 950-78) recommending that H.R. No. 552 be referred to the Committee on Finance.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.R. No. 552, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO MAKE A REPORT ON THE STATUS OF THE ADULT EDUCATION PROGRAM", was referred to the Committee on Finance.

Representatives Blair and Kawakami, for the Committees on Ecology and

Environment and Water, Land Use, Development and Hawaiian Homes, presented a joint report (Stand. Com. Rep. No. 951-78) recommending that H.R. No. 353, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Blair, seconded by Representative Kawakami and carried, the report of the Committees was adopted and H.R. No. 353, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO PREPARE A REPORT ON THE ECONOMIC IMPACT ON THE STATE OF HAWAII OF DEPOSIT-AND-RETURN LEGISLATION", was referred to the Committee on Finance.

Representatives Blair and Kawakami, for the Committees on Ecology and Environment and Water, Land Use, Development and Hawaiian Homes, presented a joint report (Stand. Com. Rep. No. 952-78) recommending that H.C.R. No. 72, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Blair, seconded by Representative Kawakami and carried, the report of the Committees was adopted and H.C.R. No. 72, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO PREPARE A REPORT ON THE ECONOMIC IMPACT ON THE STATE OF HAWAII OF DEPOSIT-AND-RETURN LEGISLATION", was referred to the Committee on Finance.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 953-78) informing the House that House Resolution Nos. 640 to 646 and Standing Committee Report Nos. 892-78 to 918-78 have been printed and distributed.

On motion by Representative Lunasco, seconded by Representative Peters and carried, the report of the Committee was adopted.

SPECIAL COMMITTEE REPORT

Representative Yuen, for the Ad Hoc Committee on Kaho'olawe and Similar Hawaiian Concerns, appointed by Speaker James Wakatsuki and directed to conduct a comprehensive review of the Kaho'olawe situation, presented a report (Spec. Com. Rep. No. 13).

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

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 656 to 660) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 656) congratulating the Waimanalo Keikis on their outstanding musical achievements was jointly offered by Representatives Yuen, Ajifu, Caldito, Campbell, Carroll, Cayetano, Evans, Garcia, Inaba, Kihano, Kondo, Lunasco, Medeiros, Mina, Morioka, Say, Segawa, Stanley, Takamine, Uechi, Ueoka and D. Yamada.

On motion by Representative Yuen, seconded by Representative Caldito and carried, H.R. No. 656 was adopted.

A resolution (H.R. No. 657) congratulating Mr. and Mrs. Edward Alves, Mr. James W. N. Kamaka, and Mr. and Mrs. George R. Kekona of Maui on receiving the Governor's Sixth Annual Beautification awards of Hawaiian Home Lands was jointly offered by Representatives Machida, Abercrombie, Aki, Baker, Blair, Caldito, Campbell, Cayetano, Dods, Ikeda, Inaba, Kiyabu, Kondo, Larsen, Lunasco, Medeiros, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwayne, D. Yamada and K. Yamada.

On motion by Representative Machida, seconded by Representative Caldito and carried, H.R. No. 657 was adopted.

A resolution (H.R. No. 658) recognizing Mary K. Robinson for her contributions to the people of Hawai'i and extending 'Best Wishes' on her semi-retirement was jointly offered by Representatives Kamalii, Yuen, Abercrombie, Ajifu, Aki, Caldito, Campbell, Cayetano, Dods, Evans, Inaba, Kawakami, Kihano, Kiyabu, Larsen, Lunasco, Machida, Medeiros, Mina, Morioka, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Takamine, Takamura, Toguchi, Uechi and K. Yamada.

On motion by Representative Kamalii, seconded by Representative Yuen and carried, H.R. No. 658 was adopted.

A resolution (H.R. No. 659) commending the Deaf Action Group and its newly elected officers was jointly offered by Representatives Stanley,

Abercrombie, Aki, Baker, Blair, Cayetano, Cobb, Dods, Inaba, Kihano, Kiyabu, Lunasco, Machida, Morioka, Peters, Say, Shito, Suwa, Takamura, Toguchi, Ueoka, Uwayne and K. Yamada.

On motion by Representative Stanley, seconded by Representative Kiyabu and carried, H.R. No. 659 was adopted.

A resolution (H.R. No. 660) commending and congratulating Abraham Piianaia on his appointment as coordinator of the Hawaiian Studies Program, University of Hawaii, was jointly offered by Representatives Say, Ajifu, Aki, Baker, Caldito, Campbell, Cayetano, Cobb, Dods, Fong, Inaba, Kawakami, Kiyabu, Kunimura, Lunasco, Machida, Mina, Mizuguchi, Morioka, Naito, Nakamura, Peters, Poepoe, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Uwayne, D. Yamada and K. Yamada.

On motion by Representative Say, seconded by Representative Shito and carried, H.R. No. 660 was adopted.

At 1:04 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:34 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii and carried, the rules were suspended for the purpose of reconsidering action taken on certain bills.

RECONSIDERATION OF ACTION TAKEN

Representative Yuen moved that the House reconsider its actions taken on House Bill Nos. 559, SD 1; 1075, HD 1, SD 2; and 1771-78, SD 1, seconded by Representative Kamalii.

Representative Dods then rose to speak in favor of the motion, stating:

"Mr. Speaker, I find it extremely difficult to even rise to speak on the disappointment that we have to take this kind of an action. But I agree with the House position that the House is following the State Constitution, especially Article III, Sections 15 and 16, on how bills are enacted into law.

I'm disappointed that the Senate would pull something like this, by

changing the title and substance of bills in a very underhanded way, showing that they have no substance on that side by not passing any bills, either by killing it outright or by trying to hide the original intent by passing over this type of legislation to the House. And I think the House should take a strong stand on telling them that they tried to do this type of thing and the House will not accept it.

Thank you very much."

Representative Kunimura then rose "to support the motion before this House", by stating:

"We have gone through a long period in the history of this State and also the Territory about piggy-backing, sunshine and all the things that make for this body and the other body, plus the rotunda, a more open forum so the people and the citizens of this State can see, feel and understand what is going on in their government because we are, Mr. Speaker, under the Constitution of the State of Hawaii, truly the policymaking body for this State.

Now, we have attained the type of openness and adopted rules in this House to make piggy-backing outlawed forever. Now what the Senate has done, Mr. Speaker, is not piggy-backing, it's putting the pig pen, and that's even worse than putting the pig on our back. We should stand, once and for all, to tell them that we will not stand for this kind of nonsense.

There's a constitutional prohibition against putting more than one subject in a bill. It was the intent, when I served in the constitutional convention, the reason for that. The reason that in 1950 they also considered that - one title with one subject - because it would be almost impossible, like the Congress of the United States still practice pig penism, because they can throw anything on any bill as a rider. As a student, many years ago in high school, I learned that the Congress acts in that manner.

I resisted the change in the rules of this House because I'm a human being and I like to be comfortable. But after piggy-backing was outlawed, I subscribed to it and then I insisted on enforcement of anti-piggy-backing in this House.

Mr. Speaker, maybe we ought to suspend the rules of this House,

or the procedure, and allow one substantive resolution to be adopted by this House, addressing the constitutional convention that's going to meet the latter part of the year, to consider the subject of prohibiting loading the pig pen in the State of Hawaii in the consideration of any bills.

Therefore, I request a unanimous support for this motion before this House."

Speaking in favor, Representative Sutton stated:

"Mr. Speaker, as you know, I have already litigated this, and a motion to dismiss was denied. In that litigation, it was the pension and pay raise bill. It finally went up to the Supreme Court and what constitutes obiter dictum. Because it was obiter dictum, it was not relevant to the prime issue. But the court said that these houses cannot engage in logrolling.

Subsequently, you, Mr. Speaker, initiated a change in our House rules. This change in our House rules have not been adopted by the Senate. But the Constitution is an inhibition for their actions, and it clearly says that there will be one subject and this one subject will embrace the body of the bill. To amend the subject is to make logrolling possible, and our own Supreme Court has strongly ruled that this cannot and should not and must not be done.

So, I would like to join the distinguished representative from Kauai in asking all of you to give this a unanimous vote of 'aye'."

The Chair, at this time, stated:

"For the record, the Chair would like to inform my good representative from Nuuanu that the Chair and all members of this House initiated reform."

Representative Kunimura, on a point of information, asked:

"Was I referred to as an extinguished member of this House? It sounded like extinguished."

Representative Sutton replied:

"Distinguished, sir."

Representative Kunimura then stated:

"Thank you, Mr. Speaker.

While we're at the subject, maybe this House ought to, the Judiciary Committee, consider that we shall forbid, once and for all, using Latin and court language

on the floor of this House, because there are so few lawyers and they'd be talking secret or whispering."

Representative Garcia then rose and stated:

"I believe that's a very good suggestion and would like to follow through on it. I would also like to define the word 'pig penism' later also."

The Chair then stated:

"The Chair is of the opinion that there are 51 attorneys here."

Representative Kunimura then rose and stated:

"You know, Mr. Speaker, as a member of the Bar, you know, and I never saw you frequent the bars around Kapiolani Boulevard, but, nevertheless, as a practitioner of law, you refer to yourselves as a practitioner before the Bar and officer of the court.

Now, as I can count, there are only a few lawyers here. The rest of us are guardhouse attorneys. So, please don't include us in that rare profession that enjoy, for some people who practice before the Bar of the State of Hawaii, that has a rare license to steal. The guardhouse attorneys do not have that privilege."

The Chair then stated:

"The Chair stands corrected. There are very many, many sidewalk lawyers."

Representative Takamura then rose to speak in favor of the motion, stating:

"I think that it is unfortunate that the Senators apparently feel free to bend the rules whenever it suits their whim to accomplish whatever purpose they seek to accomplish. I think it is particularly unfortunate in this case, because I think they are hurting a lot of people. I know that the intent, especially of H.B. Nos. 1075 and 1771-78, were intended to help National Guardsmen. And particularly in 1771-78, there is a long overdue relief that we wanted to be made available to the residents of the Hawaii Kai area. I feel that it is unfortunate that all of these people will be made to suffer because of the actions taken by the Senate on these bills."

Representative Kunimura, upon being recognized, stated:

"I believe this is our strongest case why we should have a bicameral

legislature rather than a unicameral legislature."

Representative Cobb then rose and stated:

"Mr. Speaker I rise to speak with some degree of reluctance in favor of the motion, and in doing so, want to clarify for the record that it is not a matter of constitutional authority yet, because the Constitution, as I have read it so far, does not specify specifically that a title of a bill may not be changed. It does address the question of one title, one subject. And in that connection, I think there are several bills before this House that would be of doubtful constitutional validity, particularly one that a hearing is going to be held on tonight as to whether or not there is now embraced more than one subject in that bill. But I want to clarify that my support of this motion is based on the House policy that is being articulated on the floor here today not to accept a bill with a title change, and that policy as yet not embraced as a matter of constitutional law, although perhaps, hopefully, it will be when this next con con meets, and that we're reflecting not only for today but for future sessions the House policy on the prohibition of the title change of any bill."

The motion was put by the Chair and carried and the House reconsidered its action taken on House Bill Nos. 559, SD 1; 1075, HD 1, SD 2; and 1771-78, SD 1.

At 1:45 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:50 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii and carried, the rules were suspended for the purpose of taking up bills on Final Reading on the basis of a modified consent calendar.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 2465-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

Representative D. Yamada moved that the House agree to the amendments

proposed by the Senate to H.B. No. 2465-78, HD 1, and H.B. No. 2465-78, HD 1, as amended, having been read throughout, pass Final Reading, seconded by Representative Cobb.

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

"In an island state such as Hawaii, this problem of survivorship is particularly acute. Here, we have a great number of families who not only live close together but we also have many couples who work together in family businesses.

House Bill No. 2465-78, HD 1, SD 1, will help protect such family businesses in the case of franchise rights for the surviving spouse or adult children of gas station operators.

Mr. Speaker, I would guess that perhaps half of the gasoline stations in this State are run by husband and wife teams who work side by side building the business and developing good will among their customers.

I know of several families personally who conduct their gasoline businesses in this manner, and they find that it works quite well since this is a highly competitive type of operation. And very often wives carry on in their husband's absence and do so very competently. Many of these wives also manage all the bookkeeping chores of the operation.

What concerns me and what probably brought this bill into being is the fact that, at the present time, when the franchise dealer - the husband - dies, the franchise reverts back to the oil company. This leaves the wife and family with no immediate means of support since they were dependent upon the operation of the gas station. This is grossly unfair.

This bill will correct this inequity by giving the surviving spouse or the dealer's surviving adult children the right to succeed the decedent's interest in the franchise agreement.

But it also protects the interests of the oil companies by specifically requiring that the right to succeed be predicated upon the active participation and qualification to run the dealership.

This bill is eminently fair and I urge all to vote aye.

Thank you."

The motion was put by the Chair and carried, and H.B. No. 2465-78,

HD 1, as amended, passed Final Reading by a vote of 50 ayes, with Representative Naito being excused.

The Chair directed the Clerk to note that H.B. No. 2465-78, HD 1, SD 1, had passed Final Reading at 1:53 o'clock p.m.

By unanimous consent, H.B. No. 2447-78, HD 1, as amended by the Senate, was taken from the Clerk's desk.

Representative Segawa moved that the House agree to the amendments proposed by the Senate to H.B. No. 2447-78, HD 1, and H.B. No. 2447-78, HD 1, as amended, having been read throughout, pass Final Reading, seconded by Representative Shito.

Representative Abercrombie, upon being recognized, stated:

"Mr. Speaker, I have confidence in the chairman in respect of this bill, although if you read through it, I think those of us who are not pharmacists - we have discussed lawyers today in practicing before the Bar, and I am quite ready to agree that many people do need more practice in that respect - but aside from Representative Evan's husband, I don't believe there's any pharmacists that are available on the floor.

What I object to, Mr. Speaker, is this, not the changes necessarily, they're probably well taken in the testimony as such, I resent committee reports which come over to me and my staff and say your committee has amended this bill for technical reasons, without affecting any of the substantive provisions wherein. Now, I have just had a lesson in at least three bills about technicalities. I've just had a lesson about not changing any of the substantive provisions of something by virtue of doing this. And I don't think this is a proper committee report. The substance may be there, but I've seen this in other bills, too. And my inclination is to vote against it, such circumstances, because I don't like that unless the technicalities are explained. If something is only a technical thing, it shouldn't take a helluva lot of time and effort on the committee report to say what it is. And it isn't there. What it is, is an invitation to hunt for it when we get it on our desks. And if you can't happen to grab a hold of the chairman or somebody on that committee who knows what it is, you don't know what it's all about. You gotta give it to your staff or you sit down yourself, and you look through the stuff over there, I doubt if anybody, you take a look at page 7, you run down that

and then you start looking at the stuff that's been substituted afterwards. You don't know what it is. So, if we want to accept committee reports like this, and then, you know, agree, I suppose we can. In this particular instance, because I simply haven't been able to research, I gotta rely on the representation made to us. And anytime the Senate sends such a report, I think it ought to be rejected by the committee, or some kind of an effort be made to force these people to say what the hell a technical reason is. If something is technical, write it down.

So, I'll speak in favor of this, but with reservations that these people do sloppy work. Now, I keep hearing stuff about bicameralism and so on. Well, maybe bicameralism is a good idea, but it's not a good idea when you have people that can't even build a pig pen on the other side."

Representative Segawa, upon being recognized, stated:

"Mr. Speaker, just to clarify the bill so that everybody is clear. The technical changes actually refers to a portion in the House Draft which was included in the House Draft and it should not have been included because it is already in our statute, and the staff did not realize and look at the amendment to the statute. So, the House Draft had this portion and the Senate deleted that portion. It has nothing to do with the technical terms whatsoever."

The motion was put by the Chair and carried and H.B. No. 2447-78, HD 1, as amended, passed Final Reading by a vote of 50 ayes, with Representative Naito being excused.

The Chair directed the Clerk to note that H.B. No. 2447-78, HD 1, SD 2, had passed Final Reading at 1:59 o'clock p.m.

APPOINTMENT OF CONFERENCE COMMITTEES

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1643-78, and the request for a conference on the subject matter of said amendments, Representatives Segawa, Chairman; Baker, Campbell and Narvae 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. 1855-78, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Garcia, Chairman; Blair, Cobb, Naito, K. Yamada and Medeiros were appointed as Managers on the part of the House at such conference.

At 2:00 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:01 o'clock p.m.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2595-78, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Garcia, Chairman; Blair, Uwaine, K. Yamada 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. 893, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Peters and Sutton 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. 2202-78, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Caldito, Dods, Inaba, Kunimura, Larsen, Lunasco, Mina, Morioka, Peters, Takamura, Narvae and Sutton were appointed as Managers on the part of the House at such conference.

At 2:05 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:07 o'clock p.m.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2332-78, SD 1, and the request for a conference on the subject matter of said amendments, Representatives D. Yamada, Chairman; Uechi, Ueoka, K. Yamada and Ikeda 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. 2581-78, SD 2, and the request for a conference on the subject matter of said amendments, Representatives D. Yamada, Chairman; Blair, Ueoka, Uwaine and Ikeda 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. 1950-78, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Shito, Chairman; Campbell, Ueoka, Ushijima and Narvaes were appointed as Managers on the part of the House at such conference.

At 2:12 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:15 o'clock p.m.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 389, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Shito, Chairman; Aki, Larsen, Ueoka, Ushijima and Sutton 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. 782, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Cayetano, Chairman; Abercrombie, Blair, Cobb, Dods, Takamura and Evans 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. 1811-78, SD 2, and the request for a conference on the subject matter of said amendments, Representatives Cayetano, Chairman; Cobb, Kiyabu, Kunimura, Uwaine and Ikeda 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. 2464-78, SD 2, and the request for a conference on the subject matter of said amendments, Representatives Blair, Chairman; Caldito, Larsen and Fong were appointed as Managers on the part of the House at such conference.

At 2:31 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:34 o'clock p.m.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No.

2436-78, and the request for a conference on the subject matter of said amendments, Representatives Blair, Chairman; Caldito, Larsen and Poepoe were appointed as Managers on the part of the House at such conference.

At 2:37 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:47 o'clock p.m.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1622-78, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Suwa, Chairman; Kunimura and Narvaes were appointed as Managers on the part of the Senate at such conference.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 1752-78, and the request for a conference on the subject matter of said amendments, Representatives Segawa and Peters, Co-Chairmen; Aki, Nakamura and Narvaes were appointed as Managers on the part of the House at such conference.

At 2:51 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:54 o'clock p.m.

In accordance with the disagreeing vote of the Senate to the amendments proposed by the House to S.B. No. 2386-78, SD 2, and the request for a conference on the subject matter of said amendments, Representatives Segawa and Peters, Co-Chairmen; Aki, Nakamura and Narvaes were appointed as Managers on the part of the House at such conference.

MISCELLANEOUS BUSINESS

On motion by Representative Yuen, seconded by Representative Kamalii and carried, the House returned House Bill Nos. 559, SD 1; 1075, HD 1, SD 2; and 1771-78, SD 1, which the Senate had changed the titles thereto.

At this time, the Chair discharged the Managers on the part of the House on H.B. No. 1771-78, SD 1.

The Chair then made the following announcement:

"The Chair would like to remind all members on conference committees to make yourselves available around the capitol at all hours. If you are going to leave, please notify your conference chairman."

At this time, birthday greetings were extended to Representative Sutton.

ADJOURNMENT

At 3:05 o'clock p.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned until 8:30 o'clock a.m. tomorrow, Thursday, April 6, 1978, in honor of Representative Sutton's birthday.

FIFTY-FOURTH DAY

Thursday, April 6, 1978

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, convened at 8:30 o'clock a.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by Reverend Warren Studer of Christ Church Uniting Disciples and Presbyterians, after which the Roll was called showing all members present with the exception of Representatives Abercrombie, Blair, Cobb, Garcia, Naito, Poepoe, Segawa, Wakatsuki and D. Yamada, who were excused.

At 8:35 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:40 o'clock a.m.

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

On motion by Representative Yuen, seconded by Representative Kamalii and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Third Day was approved.

DEPARTMENTAL COMMUNICATION

A communication from Douglas S. Yamamura, Chancellor, University of Hawaii (Dept. Com. No. 17) acknowledging receipt of a certified copy of House Resolution No. 612, commending the Junior League of Honolulu and the University of Hawaii for holding a conference on "The Family in Hawaii", was read by the Clerk and was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 396 to 432) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 396) informing the House that the President had discharged the Managers on the part of the Senate to House Bill No. 617, HD 1, SD 1, on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 397) informing the

House that the President had discharged the Managers on the part of the Senate to House Bill No. 1870-78, HD 1, SD 2, on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 398) informing the House that the amendments proposed by the House to Senate Bill No. 36, SD 1, were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 399) informing the House that the amendments proposed by the House to Senate Bill No. 71, SD 3, were agreed to by the Senate, and said bill, as thus amended (HD 2), passed Final Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 400) informing the House that the amendments proposed by the House to Senate Bill No. 113, SD 1, were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 401) informing the House that the amendments proposed by the House to Senate Bill No. 271, SD 1, were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 402) informing the House that the amendments proposed by the House to Senate Bill No. 380, SD 2, were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 403) informing the House that the amendments proposed by the House to Senate Bill No. 518 were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 404) informing the House that the amendments proposed by the House to Senate Bill No. 1342 were agreed to by the Senate, and said bill, as thus amended (HD 2), passed Final Reading in the Senate

by the House to Senate Bill No. 2480-78, SD 1, were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 421) informing the House that the amendments proposed by the House to Senate Bill No. 2559-78 were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 422) informing the House that the amendments proposed by the House to Senate Bill No. 2567-78, SD 1, were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 423) informing the House that the amendments proposed by the House to Senate Bill No. 2609-78, SD 1, were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 424) informing the House that the amendments proposed by the House to Senate Bill No. 2616-78 were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 425) informing the House that the amendments proposed by the House to Senate Bill No. 2617-78, SD 1, were agreed to by the Senate, and said bill, as thus amended (HD 1), passed Final Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 426) transmitting Senate Concurrent Resolution No. 129, urging the selection of Hawaii as the site for the 1983 Lions International Convention, which was adopted by the Senate on April 5, 1978, was placed on file.

On motion by Representative Yuen, seconded by Representative Kamalii and carried, S.C.R. No. 129 was adopted.

A communication from the Senate (Sen. Com. No. 427) transmitting Senate Concurrent Resolution No. 71, relating to the report on the final compensation plan and the cost thereof,

which was adopted by the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 428) transmitting Senate Concurrent Resolution No. 81, requesting increased Federal aid for immigrant health services, which was adopted by the Senate on April 5, 1978, was placed on file.

By unanimous consent, further action on S.C.R. Nos. 71 and 81 was deferred until tomorrow, April 7, 1978.

A communication from the Senate (Sen. Com. No. 429) returning House Concurrent Resolution No. 147, which was adopted by the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 430) returning House Bill No. 1932-78, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER LAW", which passed Third Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 431) returning House Bill No. 1954-78, entitled: "A BILL FOR AN ACT RELATING TO LABOR STANDARDS FOR THE REGISTRATION OF APPRENTICESHIP PROGRAMS", which passed Third Reading in the Senate on April 5, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 432) returning House Bill No. 2165-78, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PURCHASE BY A PUBLIC UTILITY OF GEOTHERMAL ENERGY", which passed Third Reading in the Senate on April 5, 1978, was placed on file.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 24 to 29) were read by the Clerk and were disposed of as follows:

A communication from Manuel D. Plotkin, Director, Bureau of the Census, United States Department of Commerce (Misc. Com. No. 24) acknowledging receipt of House Resolution No. 76, requesting Congress to reinstate the category "Part-Hawaiian" in the race item for the 1980 census, was placed on file.

A communication from the Honorable Thomas P. O'Neil, Jr., The Speaker, U.S. House of Representatives (Misc. Com. No. 25) acknowledging receipt of House Resolution No. 372, was placed on file.

A communication from the Honorable Spark Matsunaga, United States Senator (Misc. Com. No. 26) acknowledging receipt of House Resolution No. 76, requesting Congress to reinstate the category "Part-Hawaiian" in the race item for the 1980 census, was placed on file.

A communication from Shannon P. Cockett, Legislative Assistant to Senator Daniel K. Inouye (Misc. Com. No. 27) acknowledging receipt of a copy of House Resolution No. 119, relating to the management of fish in the Hawaiian archipelago, was placed on file.

A communication from the Honorable Elmer F. Cravalho, Mayor, County of Maui (Misc. Com. No. 28) acknowledging receipt of a copy of House Resolution No. 41, relating to the reduction of housing costs through increased density allowances, was placed on file.

A communication from Laurie A. Loomis, Legislative Assistant to Senator Daniel K. Inouye (Misc. Com. No. 29) acknowledging receipt of a copy of House Resolution No. 67, was placed on file.

At this time, Representative Kiyabu introduced Gerald Yana, a senior legislative intern, assigned to his office.

SUSPENSION OF RULES

On motion by Representative Yuen, seconded by Representative Kamalii and carried, the rules were suspended for the purpose of permitting a member to offer a resolution.

INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 661) congratulating Zoe Ann Roach on her selection as Miss Leeward Oahu 1978 and congratulating her court was jointly offered by Representatives Aki, Blair, Caldito, Campbell, Cayetano, Dods, Inaba, Kawakami, Kihano, Kiyabu, Lunasco, Machida, Mina, Mizuguchi, Morioka, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada and K. Yamada and was read by the Clerk.

On motion by Representative Aki, seconded by Representative Peters and carried, H.R. No. 661 was adopted.

At this time, Representative Aki

rose and stated:

"Mr. Speaker, this past Saturday, Representative Calvin Say and I had the pleasure of attending the Miss Leeward Scholarship Pageant at the Leeward Community College, and we not only had the pleasure of attending the Pageant, but we were given the privilege of presenting the trophies to the ten finalists, and also the Queen and her court.

I would like to say, at this time, that this Pageant has become one of the social highlights in the Leeward community. This Pageant is a preliminary to the Miss Hawaii contest and now, the Queen will represent the Leeward community in the upcoming Pageant.

I would also like to add, at this time, that the members of the Leeward Junior Chamber of Commerce - I believe the President is here - Mr. Chester Obara - did an excellent job and, I think, they should be commended."

Representative Aki then introduced the Queen and her court to the members of the House, as follows: Zoe Ann Roach, Queen; Rose Marie Leinaala Gomes, First Runner-up and Miss Congeniality; Laurie Anne Chattleton, Second Runner-up; and Jeanne Mercado, Miss Popularity. Accompanying the honorees was Mr. Chester Obara, President of the Leeward Oahu Jaycees.

Leis were presented to Miss Roach by Representative Cayetano; to Miss Gomes by Representative Peters; to Ms. Chattleton by Representative Shito; and to Ms. Mercado by Representative Lunasco.

Representatives Nakamura and Aki presented the honorees with certified copies of the resolution.

Representative Kunimura then rose and remarked:

"I now understand why the leadership of this House yesterday decided to call the session at 8:30 in the morning. This is the true test of, I believe, true beauty and getting up so early and coming down here at 8:30 and looking so beautiful as you do - guarantee Miss Hawaii."

At 8:50 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, for the purpose of meeting the honored guests.

Upon reconvening at 8:57 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Cobb, Poepoe and Segawa.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following Senate Concurrent Resolutions were disposed of as follows:

S.C.R. Nos. Referred to:

- 24 Committee on Health,
 then to the Committee on Finance
- 92 Jointly to the Committees
 on Ecology and Environment and
 Water, Land Use, Development
 and Hawaiian Homes
- 99 Jointly to the Committees
 on Culture and the Arts and Water,
 Land Use, Development and Hawaiian
 Homes, then to the Committee on
 Finance
- 103 Jointly to the Committees
 on Water, Land Use, Development
 and Hawaiian Homes and Ecology
 and Environment, then to the Committee
 on Finance

COMMITTEE REASSIGNMENT

The following House Concurrent Resolution (H.C.R. No. 133) was disposed of as follows:

H.C.R. No. Referred to:

- 133 Committee on Water,
 Land Use, Development and Hawaiian
 Homes

UNFINISHED BUSINESS

Stand. Com. Rep. No. 934-78 on
H.R. No. 471 (Deferred from April
5, 1978):

On motion by Representative Suwa,
seconded by Representative Peters
and carried, Stand. Com. Rep. No.
934-78 and H.R. No. 471 were recommitted
to the Committee on Finance "for minor
changes."

Stand. Com. Rep. No. 935-78 on
H.C.R. No. 95 (Deferred from April
5, 1978):

On motion by Representative Suwa,
seconded by Representative Peters
and carried, Stand. Com. Rep. No.
935-78 and H.C.R. No. 95 were recommitted
to the Committee on Finance "for minor
changes."

STANDING COMMITTEE REPORTS

Representative Garcia, for the Committee
on Judiciary, presented a report (Stand.
Com. Rep. No. 954-78) recommending
that H.R. No. 156 be referred to the
Committee on Finance.

On motion by Representative Garcia,
seconded by Representative K. Yamada
and carried, the report of the Committee
was adopted and H.R. No. 156, entitled:
"HOUSE RESOLUTION REQUESTING EVALU-
ATION OF THE LAWS RELATING TO SPOUSE
ABUSE", was referred to the Committee
on Finance.

Representative Garcia, for the Committee
on Judiciary, presented a report (Stand.
Com. Rep. No. 955-78) recommending
that H.R. No. 74 be referred to the Commit-
tee on Finance.

On motion by Representative Garcia,
seconded by Representative K. Yamada
and carried, the report of the Committee
was adopted and H.R. No. 74, entitled:
"HOUSE RESOLUTION REQUESTING THE
JUDICIARY TO REPORT ON ITS ACTIVITIES
RELATING TO GUARDIANSHIP MATTERS",
was referred to the Committee on Finance.

Representative Garcia, for the Committee
on Judiciary, presented a report (Stand.
Com. Rep. No. 956-78) recommending
that H.R. No. 497 be referred to the
Committee on Legislative Management.

On motion by Representative Garcia,
seconded by Representative K. Yamada
and carried, the report of the Committee
was adopted and H.R. No. 497, entitled:
"HOUSE RESOLUTION PROVIDING FOR
THE OPERATION OF A COMMITTEE TO
STUDY GOVERNMENTAL TORT LIABILITY
DURING THE INTERIM BETWEEN THE
ADJOURNMENT OF THE REGULAR SESSION
OF 1978 AND THE CONVENING OF THE
REGULAR SESSION OF 1979", was referred
to the Committee on Legislative Management.

Representative Garcia, for the Committee
on Judiciary, presented a report (Stand.
Com. Rep. No. 957-78) recommending
that H.R. No. 505, as amended in HD
1, be referred to the Committee on Employ-
ment Opportunities and Labor Relations.

On motion by Representative Garcia,
seconded by Representative K. Yamada
and carried, the report of the Committee
was adopted and H.R. No. 505, HD 1,
entitled: "HOUSE RESOLUTION REQUESTING
A FEASIBILITY STUDY ON UNEMPLOYMENT
AND DISABILITY BENEFITS TO CRIME
VICTIMS", was referred to the Committee
on Employment Opportunities and Labor
Relations, with Representative Ajifu
voting no.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 958-78) recommending that H.R. No. 545 be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.R. No. 545, entitled: "HOUSE RESOLUTION RELATING TO A STUDY OF RESIDENTIAL LEASEHOLD MULTI-FAMILY DWELLINGS", was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 959-78) recommending that H.R. No. 539, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.R. No. 539, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A DETAILED REPORT OF MULTI-PURPOSE SENIOR CENTERS AND PROGRAMS ON OAHU", was referred to the Committee on Legislative Management.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 960-78) recommending that H.C.R. No. 117, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.C.R. No. 117, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A DETAILED REPORT OF MULTI-PURPOSE SENIOR CENTERS AND PROGRAMS ON OAHU", was referred to the Committee on Legislative Management.

Representatives Say and Kawakami, for the Committees on Culture and the Arts and Water, Land Use, Development and Hawaiian Homes, presented a joint report (Stand. Com. Rep. No. 961-78) recommending that H.R. No. 506 be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Kawakami and carried, the joint report of the Committees was adopted and H.R. No. 506, entitled: "HOUSE RESOLUTION REQUESTING THE

GOVERNOR OF HAWAII TO ESTABLISH A WASHINGTON PLACE OVERSIGHT COMMITTEE", was referred to the Committee on Finance.

Representatives Say and Kawakami, for the Committees on Culture and the Arts and Water, Land Use, Development and Hawaiian Homes, presented a joint report (Stand. Com. Rep. No. 962-78) recommending that H.C.R. No. 114 be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Kawakami and carried, the joint report of the Committees was adopted and H.C.R. No. 114, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A CURRENT GENERAL PLAN FOR THE CONTINUING RESTORATION OF THE IOLANI PALACE COMPLEX", was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 963-78) recommending that H.R. No. 591, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.R. No. 591, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT FROM THE FOUNDATION ON CULTURE AND THE ARTS RECOMMENDING A BUDGETARY PROCEDURE AND SELECTION CRITERIA FOR THE ACQUISITION OF HAWAIIAN ARTIFACTS", was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 964-78) recommending that H.R. No. 530 be referred to the Committee on Legislative Management.

On motion by Representative Ushijima, seconded by Representative Abercombie and carried, the report of the Committee was adopted and H.R. No. 530, entitled: "HOUSE RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE UNIVERSITY OF HAWAII SYSTEM", was referred to the Committee on Legislative Management, with Representative Sutton voting no.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 965-78) recommending that H.C.R. No. 112 be referred to the Committee on Legislative Management.

On motion by Representative Ushijima, seconded by Representative Abercrombie and carried, the report of the Committee was adopted and H.C.R. No. 112, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE UNIVERSITY OF HAWAII SYSTEM", was referred to the Committee on Legislative Management, with Representative Sutton voting no.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 966-78) recommending that H.R. No. 569 be adopted.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.R. No. 569, entitled: "HOUSE RESOLUTION PROCLAIMING THE MONTH OF MAY 1978, AS MENTAL HEALTH MONTH IN HAWAII", was adopted.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 967-78) recommending that H.C.R. No. 20 be adopted.

On motion by Representative Segawa, seconded by Representative Shito and carried, the report of the Committee was adopted and H.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION AFFIRMING SUPPORT FOR A COMPREHENSIVE STATE FAMILY PLANNING PROGRAM", was adopted.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 968-78) recommending that H.C.R. No. 17, HD 1, be adopted.

Representative Kunimura requested that action be deferred until the end of the calendar, and the Chair, noting that there were no objections, so ordered.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 969-78) recommending that H.C.R. No. 39, HD 1, be adopted.

Representative Kunimura requested that action be deferred until the end of the calendar, and the Chair, noting that there were no objections, so ordered.

Representatives Mizuguchi and Ushijima, for the Committees on Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 970-78) recommending that H.R. No. 532 be adopted.

On motion by Representative Ushijima, seconded by Representative Campbell and carried, the joint report of the Committees was adopted and H.R. No. 532, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF HEALTH, EDUCATION AND WELFARE TO CONTINUE SUPPORT OF THE UNIVERSITY OF HAWAII TEACHER CORPS IN-SERVICE TRAINING PROGRAM IN THE 13TH CYCLE TEACHER CORPS PROJECT-1978", was adopted.

Representatives Mizuguchi and Ushijima, for the Committees on Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 971-78) recommending that H.C.R. No. 113 be adopted.

On motion by Representative Ushijima, seconded by Representative Campbell and carried, the joint report of the Committees was adopted and H.C.R. No. 113, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF HEALTH, EDUCATION AND WELFARE TO CONTINUE SUPPORT OF THE UNIVERSITY OF HAWAII TEACHER CORPS IN-SERVICE TRAINING PROGRAM IN THE 13TH CYCLE TEACHER CORPS PROJECT-1978", was adopted.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 972-78) recommending that H.C.R. No. 123 be adopted.

On motion by Representative Aki, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION SETTING ASIDE ONE DAY OF THE YEAR TO HONOR GRANDPARENTS", was adopted.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 973-78) recommending that H.C.R. No. 67, as amended in HD 1, be adopted.

On motion by Representative Takamine, seconded by Representative Peters and carried, the report of the Committee was adopted and H.C.R. No. 67, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION CALLING FOR EMPLOYEES AND EMPLOYERS IN THE CONSTRUCTION COMPANY TO ESTABLISH COMMON EXPIRATION DATES IN CONTRACTS", was adopted, with Representatives Cayetano and Sutton voting no.

Representative Blair, for the Committee on Ecology and Environment, presented a report (Stand. Com. Rep. No. 974-78) recommending that H.R. No. 413,

as amended in HD 1, be adopted.

On motion by Representative Larsen, seconded by Representative Yuen and carried, the report of the Committee was adopted and H.R. No. 413, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO AMEND THE RULE WHICH PROHIBITS THE OPERATION OF A MOTOR VEHICLE'S ENGINE WHILE IT IS STATIONARY", was adopted, with Representative Ajifu voting no.

Representatives Blair and Cayetano, for the Committees on Ecology and Environment and Energy and Transportation, presented a joint report (Stand. Com. Rep. No. 975-78) recommending that H.R. No. 331 be adopted.

On motion by Representative Larsen, seconded by Representative Cayetano and carried, the joint report of the Committees was adopted and H.R. No. 331, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR S.1820, THE 'NATURAL DIVERSITY ACT' ", was adopted.

Representatives Blair and Cayetano, for the Committees on Ecology and Environment and Energy and Transportation, presented a joint report (Stand. Com. Rep. No. 976-78) recommending that H.C.R. No. 69 be adopted.

On motion by Representative Larsen, seconded by Representative Cayetano and carried, the joint report of the Committees was adopted and H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR S.1820, THE 'NATURAL DIVERSITY ACT' ", was adopted.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 977-78) recommending that H.R. No. 517, as amended in HD 1, be adopted.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.R. No. 517, HD 1, entitled: "HOUSE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO ASSUME RESPONSIBILITY FOR THE OPERATION AND MAINTENANCE OF THE VARIOUS NON-PUBLIC SEWAGE TREATMENT PLANTS AND RELATED SEWAGE SYSTEMS IN THE EWA BEACH, OAHU, AREA", was adopted.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 978-78) informing the House that

House Resolution Nos. 647 to 654, House Concurrent Resolution No. 147, Standing Committee Report Nos. 920-78 to 952-78, and Special Committee Report No. 13, have been printed and distributed.

On motion by Representative Kunimura, seconded by Representative Lunasco and carried, the report of the Committee was adopted.

At 9:05 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 9:11 o'clock a.m., the Speaker assumed the rostrum.

The Chair then directed the Clerk to note the presence of Representative D. Yamada.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 662 and 663) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 662) congratulating the 1978 Kahuku High School Golf Team was jointly offered by Representatives Lunasco, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwayne, D. Yamada, K. Yamada, Yuen and Wakatsuki.

On motion by Representative Lunasco, seconded by Representative Nakamura and carried, H.R. No. 662 was adopted.

A resolution (H.R. No. 663) recognizing "Public Schools Week" (April 24 through 28) and urging all of the people of Hawaii to support the teachers, administrators, staff of the public schools in their efforts to "build tomorrow today" through education of our children was jointly offered by Representatives Mizuguchi, Aki, Blair, Caldito, Campbell, Dods, Ikeda, Inaba, Kiyabu, Lunasco, Machida, Medeiros, Mina, Nakamura, Poepoe, Say, Shito, Stanley, Sutton, Takamine, Takamura, Uechi, Ueoka and Uwayne.

On motion by Representative Mizuguchi, seconded by Representative Kiyabu and carried, H.R. No. 663 was adopted.

At 9:14 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives
reconvened at 9:15 o'clock a.m.

RECONSIDERATION OF ACTION TAKEN

Representative Aki moved that the House reconsider its action taken earlier in adopting Stand. Com. Rep. No. 959-78 and referring H.R. No. 539, HD 1, to the Committee on Legislative Management, seconded by Representative Campbell and carried.

Representative Kunimura then waived the referral of H.R. No. 539, HD 1, to the Committee on Legislative Management, seconded by Representative Lunasco and carried.

Representative Aki then explained the reconsideration, stating:

"This Committee Report asked the Honolulu Area Agency on Aging to come up with their priorities for State senior centers. At our public hearing, they agreed to do such a report and according to the plans on State policy on senior centers, they are supposed to do this, and they will come up with the plans as soon as possible."

Representative Aki moved that H.R. No. 539, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A DETAILED REPORT OF MULTI-PURPOSE SENIOR CENTERS AND PROGRAMS ON OAHU", be adopted, seconded by Representative Campbell and carried.

Representative Aki moved that the House reconsider its action taken earlier in adopting Stand. Com. Rep. No. 960-78 and referring H.C.R. No. 117, HD 1, to the Committee on Legislative Management, seconded by Representative Campbell and carried.

Representative Kunimura then waived the referral of H.C.R. No. 117, HD 1, to the Committee on Legislative Management, seconded by Representative Lunasco and carried.

Representative Aki then moved that H.C.R. No. 117, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A DETAILED REPORT OF MULTI-PURPOSE SENIOR CENTERS AND PROGRAMS ON OAHU", be adopted, seconded by Representative Campbell and carried.

DEFERRED MATTERS FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 968-78 on
H.C.R. No. 17, HD 1:

Representative Kunimura moved that the report of the Committee be adopted and H.C.R. No. 17, HD 1, be adopted, seconded by Representative Lunasco.

Representative Abercrombie then rose to speak against the concurrent resolution, stating:

"Mr. Speaker, when we passed this out of the State General Planning Committee to be referred to Legislative Management, I had hoped that some modifications might be made, but inasmuch as they have not, I would like to draw the members attention to elements of the concurrent resolution which I do not believe are in the best interest of the people of Hawaii and, in justification, why I seek its defeat.

If you will refer to the second 'Whereas. . .' in the concurrent resolution, you will find that the previous justification, in respect of residence and then new residence - 'New residences not defined in the concurrent resolution. . .'. This takes us one step further beyond the difficulties that we have had this year defining residency at all and now, we are going to have a category called 'New Residence.'

Inasmuch as the activity that is cited in the resolution concerns the expenditures of public funds for public services and facilities, the idea of residency per se will not meet the circumstances involved there. It is not a question of determining residency, as such, which we have struggled with in the Legislature for sometime now, but in respect of public services and facilities where there is a long-term payment in respect of debt interest and so on, going over years and years and years.

This resolution, should it pass, leaves wide open that even if one establishes residency, one then becomes a new resident on top of it, and the implication quite clear here is that new residents may be taxed in some different fashion for some time to come. It is not the intent, in respect of that - it is not spelled out at all in this resolution. Instead, it says, it is possible that this precedent, therefore, to tuition differentials in universities. It states that it is possible that this precedent

may permit heavier State taxes on newly arrived residents until they have helped pay for pre-existing facilities and have been fully assimilated into the community.

Now, the last statement is a rather incredible thing. Not only do you have to be a resident, then you are going to be categorized as a new resident and then you must be fully assimilated into the community. Now, I don't know if we are going to take a vote on assimilation or not, but this is the kind of implication that is involved.

Now, again, I don't question the motivation behind the resolution, in respect of residency and the problem of paying for things and that kind of thing, but it shows us once again the absolute quicksand that we involve ourselves in constitutionally. . . just in terms of the basic values we espouse in the United States when we try to differentiate this residency situation, and in this particular instance, we have just put ourselves, in my estimation, into an impossible dilemma.

The 'Whereas', as I say again, it is possible that this precedent may permit heavier State taxes on newly arrived residents until they have helped pay for pre-existing facilities and have been fully assimilated into the community. Let's go to the only justification that is given here - the differential tuition in universities. The University, as you know, in respect of residency, has been exempted in terms of hiring people. Does this mean that we will have a new residency category for students, but not a new residency category for professors so that the students will pay higher taxes but the professors who are earning more money will not? You see, this is the kind of bad thinking that goes into this thing. It is the kind of no thinking that goes into it because we have an idea that we want to pursue; we have a goal we want to reach and then we seize upon anything that, on the surface, looks like it might take us there and don't do the hard thinking behind it that is necessary to present something that is worthy to be voted for.

Again, it is not the question of motivation. It is a question as to whether the means, once it is put down on paper in black and white, is actually going to take us towards the goal that is being sought and in this particular instance, it is

sloppy thinking. It is moving too fast. It is rife with contradictions. It doesn't do us the kind of good, for one thing, and when I say that, it doesn't do us the kind of good; that is to say, if we are trying to convince people of the necessity of this kind of approach; that is to say, concentration on residency in terms of problems that we may have with growth management. It undercuts such a case to utilize such shaky terminology and to throw phrases like 'new residents' and 'being fully assimilated into the community', or other, in such a fashion.

The next 'Whereas' says: '...judicial precedent requires that any impact fee assessment be for costs related to the specific growth under consideration, not for general revenue expenditures unrelated to new growth, nor for the sole purpose of interfering with the free movement of U.S. citizens;'. . . Let's take the University as an example again because that is the one that is cited. How does one then deal with new athletic facilities, say, on the University of Hawaii campus, because we would be bringing people in who would be new residents if we give them scholarships, for example, to come to the University to play football, or basketball, or volleyball, or what have you - would the athletes then be exempted under the new residency situation and the assimilation for others that the students who come from say, Montana, to another program in graduate research at the University not be exempted under this situation? It really doesn't make sense. Not only does it not make sense, but the impact is paradox, at the very least, that to pass this really would leave us in a position of having just near the end of this session, recreate it all over again the controversies which, I think, that we have come to a conclusion already in respect of residency. Right or wrong, we passed our bills. They are now going to come into the court of public opinion and perhaps the courts for judicial litigation and so we have had our fights; we have had our votes - our ayes and nays - and so that's ended.

At this stage, to bring in an entirely new category - a new level, a new border, or residency contradictions and extractions, I think, are out of order for the House at this time and, therefore, I urge that the resolution be defeated."

In rebuttal, Representative Kunimura stated:

"Mr. Speaker, this is a concurrent resolution. It has no effect of law, but I

believe that an august body like ours here should avail ourselves with all the information available and have our agency, or support agency, investigate for us because, so often, we have legislated in the area of the vacuum - vacuum of knowledge - and I hope that this concurrent resolution will help to allay or set aside the kinds of fears that we have had on several occasions, not knowing whether it was right or wrong; what is the cost implication; what is the statutory ramification for adopting any legislation in this area. This is totally new.

If this was a bill to be enacted into law, I would have serious reservations, but I know the future legislators will be faced with the problem of making decisions in this particular area, and I feel that it is our duty and responsibility to have some intelligence, some very carefully studied opinion - not by individuals, not by small organizations or large organizations, but individual independent organization like the Legislative Reference Bureau to set up at least some benchmarks as to what will happen if we do certain things and for this reason, I urge all the members to vote for this resolution."

Representative Cayetano then rose to speak in support of the resolution, stating:

"I share the same concerns as the Representative from Manoa on the language used in the resolution, in particular, the one 'Whereas' clause relating to the newly arrived residents and assimilation into the community. However, the question of residency and the question of State laws regarding residency have concerned me only in areas where our courts have stated, or have ruled, that the State has no business imposing residency requirements such as jobs - public jobs - and also public assistance.

I see this resolution as being broader and looking into all phases of public facilities and the uses thereof. For example, I am not opposed to residency requirement for tuition, and I have also fought for residency requirements for non-essential items or programs such as the small boat harbor. In those areas, residency requirements are justified.

However, only in the area where our courts have ruled am I opposed to the imposition of any kind of obstacle or new taxes on residents

coming into the State. I don't think we can close our eyes to what this resolution is asking for - whether it is to study and identify the cost of growth or to explore methods for the distribution of these costs among future residents.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 17, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO IDENTIFY THE COSTS OF GROWTH AND EXPLORE METHODS FOR EQUITABLY DISTRIBUTING THESE COSTS AMONG PRESENT AND FUTURE RESIDENTS", was adopted, with Representatives Abercrombie, Baker, Evans and Sutton voting no.

Stand. Com. Rep. No. 969-78 on H.C.R. No. 39, HD 1:

Representative Kunimura moved that the report of the Committee be adopted and H.C.R. No. 39, HD 1, be adopted, seconded by Representative Lunasco.

Representative Carroll then rose to speak in favor of the resolution, stating:

"Mr. Speaker, I think this resolution is extremely timely considering the fact that there is a Federal audit going on at this time. I think, for too many years, we have, as members of the House, the Representatives, at least, gone on the assumption that everything is well at the Legal Aid Society. I think this resolution addresses some very obvious problems that are occurring there. I think it is clear, in talking to the Acting Director and reading inter-office memorandum of other persons at Legal Aid, that their attitude towards the Legislature is that we can essentially 'go fly a kite', and I think that it is very timely that this particular audit be made. The attitude there seems to be that they are going to do their thing their way and if you don't like it, then you can forget about it.

Now, I think that we can do this kind of a study. We can get the information that is needed to rectify problems that exist there without going into the necessity of eliminating or cutting down on the funds over there.

I would like to compliment the Judiciary Committee for acting so rapidly in this particular area and urge that all vote 'aye'.

Thank you."

Representative Garcia then rose and

stated:

"Mr. Speaker, speaking in favor of the resolution, I would like to make just one point on this.

In our discussions and hearings that we have had relating to Legal Aid, including the budget, there were several assurances that were given by Legal Aid relating to the release of the audit, and assurances that the reports would be made available to the Legislature prior to the ending of session. I would like to state for the record that this hasn't taken place as of yet. I hope to receive the report by early next week so that we can at least evaluate what has been done so far as far as the correcting of the deficiencies that were mentioned earlier in the hearings. I would hope that Legal Aid has gotten the message by now, but apparently, they haven't."

Representative Sutton then rose and asked for a conflict ruling stating that his son, Ike Sutton, Jr., has been a director of Legal Aid Society for the past five years.

The Chair ruled, "no conflict."

Representative Cobb was recognized and he stated:

"Mr. Speaker, if the reports forthcoming, as mentioned by the Judiciary Chairman, are not received by next week, I would like to request that the Committee meet for the purpose of subpoenaing those reports.

Sitting as a member of the Committee, I do recall very clearly that commitment given by Legal Aid, and I am speaking in favor of the resolution, and I think we have a right to that kind of information because of the monies provided, as well as the commitment made, and, hopefully, it should be delivered by the early part of next week."

Representative Peters then rose to speak in favor of the resolution, stating:

"Mr. Speaker, I concur with the observations made by some of my colleagues. We do have a right and responsibility when State funds are earmarked for whatever purpose, especially in this area here. We have a right to go in and conduct an audit. It seems, however, by way of some observations made by certain colleagues, that they would like to make the decision now and forego the audit. I don't necessarily agree that a special committee hearing should be called for by way of getting

this kind of thing done. It seems rather presumptuous.

I would also like to add, Mr. Speaker, that Legal Aid was established primarily because many lawyers throughout this State just didn't want to give their time to assist people who can least afford legal services. Perhaps, some of the lawyers from the House can assist in this area."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 39, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE LEGAL AID SOCIETY OF HAWAII", was adopted, with Representative Sutton voting no.

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

Representative Lunasco introduced 35 eighth grade students from Wahiawa Intermediate School. They were accompanied by their teachers, Mrs. Endo and Mrs. Omizu.

Representative Say introduced 35 high school students (U.S. History class) from Kamehameha Schools. They were accompanied by their teacher, Miss Virginia Beal. Also in the class was Steven Poepoe, stepson of Representative Poepoe.

SUSPENSION OF RULES

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

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 2545-78, HD 2, as amended by the Senate, was taken from the Clerk's desk.

Representative K. Yamada moved that the House agree to the amendments proposed by the Senate in H.B. No. 2545-78, HD 2, SD 2, seconded by Representative Suwa.

Representative Sutton then rose and said:

"Mr. Speaker, I wish to disagree

with the agreement."

The Chair asked Representative Sutton to "present your argument", whereupon Representative Sutton stated:

"Mr. Speaker, bus is a very important thing for our school children to get to school and we should have more flexibility in handling something of this nature because we are trying to throw one fishnet over the entire State, and we are not accomplishing the flexibility that we should have in having a contractual relationship of this nature. I recognize that the equipment that the bus driver has to have must be amortized over a ten-year period. I recognize that the individual entrepreneur contractor makes an enormous investment for himself, but I do feel that we have to consider different situations in different localities, and I don't believe that we have addressed our attention to this problem.

I would give as an example the fact that some buses are under a union contract and those union contracts have increases because the word for a union labor leader is always the word 'more'. He must get more for his drivers. Therefore, you have a contract which freezes the basic remuneration for that bus group and yet, their cost has gone up because of labor, also materials, also overhead, and I feel that we should recommit this, re-study it, and try to work out something more flexible that does not include the rural and urban areas together.

Thank you very much."

Representative Ueoka then rose and asked for a conflict ruling inasmuch as he represents bus owners on Maui.

The Chair ruled, "no conflict."

Representative Dods then rose and asked for a conflict ruling, saying that his cousin owns a bus company.

The Chair ruled, "no conflict."

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

Upon reconvening at 9:43 o'clock a.m., the motion to agree to the Senate amendments in H.B. No. 2545-78, HD 2, SD 2, was put by the Chair and carried, with Representatives Abercrombie, Baker, Campbell, Cayetano,

Cobb, Evans, Fong, Narvaes, Shito, Sutton, Toguchi and Uwaine voting no.

Representative K. Yamada then moved that H.B. No. 2545-78, HD 2, SD 2, having been read throughout, pass Final Reading, seconded by Representative Suwa.

Representative Campbell then rose to speak against the bill, stating:

"Mr. Speaker, when this bill came before your Committee on Education for a public hearing, some very hard questions were put to the Department of Education and to the Department of Accounting and General Services concerning student safety practices carried on by the bus companies that transport youngsters. Some of us wanted to know why DAGS and the Department of Education permitted certain school bus safety standards required by the United States Department of Transportation to be violated. The impression was left that these were temporary conditions and that they would be remedied.

The Committee on Education amended the bill to strengthen the safety provision and the amendment reads as follows: 'The State hereby authorized to impose additional provisions onto the contract between the State and the contractor as deemed necessary for the safety of the school bus passengers.'

Now, Mr. Speaker, I have some reservations about the amendment because it is somewhat vague, but I was assured that this new provision would take care of my concerns so I signed the Committee Report and voted for the bill. This was weeks ago. But, today, I am convinced that the safety amendment added by the Education Committee is inadequate to insure the safety of our school children who ride our buses.

Now, Mr. Speaker, in order to make this short, let me simply indicate the reasons why I think this body should vote this bill down. The first one is this: The taxpayer is spending millions of dollars to provide safe transportation for our school children. Now, this bill does not offer adequate guarantees that this safety transportation would be accomplished.

Number two. Oahu deserves bus safety standards equal to the high standards practiced on the neighbor islands and this bill falls short in this respect.

Number three. School buses transporting our school children should meet safety standards set by the United States Department of Transportation. This bill does not mandate that those Department of

Transportation standards be met.

The last reason I think this House ought to vote the bill down is that this bill passed the Senate Education Committee with one-half of the members of that Committee signing the Standing Committee Report with reservations and that included the Vice Chairman. This bill went to the Senate Judiciary Committee. The track record there was even worse. Ten of the twelve members of that Committee signed the Standing Committee Report with reservations or 'I do not concur.'. Now, this included the Chairman and the Vice Chairman of the Committee.

Now, Mr. Speaker, the substantial number of reservations about this bill on the part of so many members of the Senate Committee who heard testimony on this measure indicates to us that we should exercise serious caution as we think about this controversial issue.

Now, if the Senate did not have the courage or the determination to vote this bill down, then it seems to me that it becomes the responsibility of this House to exercise the kind of statesmanship and leadership necessary to face this issue and vote this bill down.

Thank you."

Representative Evans then rose to speak against the passage of the measure, stating:

"Mr. Speaker, this bill would extend the existing school bus contract by as much as four years. In doing so, it would extend the use of older buses with very little, if any, provision for upgrading them.

The national standards for school bus safety are contained in Highway Safety Program 17 administered by the United States Department of Transportation. School buses on the neighbor islands meet these standards but many school buses on Oahu do not. Buses on Oahu carry more children and yet, buses on Oahu appear to have lower standards.

Amendments to the bill have allowed the extended contract to include certain safety provisions; namely, the application of signs and visual signals prescribed in HRS 291C-95. While this makes the bill less blatantly offensive to our good ethics, these safety provisions are far short of what is to be written into a new contract. The extended contract would still leave the buses

on Oahu short of Federal safety regulations under Standard 17, the Standard which includes requirements such as yellow colored school buses with specific identification, certain kinds of lights, and no standees. Standard 17 is not mandatory but strongly recommended.

A good faith agreement was established in 1972 by the Federal government and the State. However, I believe we are stretching the good faith agreement in 1978.

Full compliance should also be made regarding the Department of Education's Rule 48 which pertains to student transportation. Standees in buses are easily thrown down and injured by sudden movements of the bus and it makes it harder for the bus driver to control the students during the bus ride.

I recently wrote DAGS about the problems of the standees, especially in the Leeward area, and the reply I received from DAGS - they said that in the Pearl City area, buses that have a 49-passenger capacity are currently carrying 60 to 65 on each trip. They went on to say, 'Standees in our buses servicing the intermediate and high schools exist throughout Oahu because of budgetary restrictions.' I believe it is the DOE's, DAGS' and the Legislature's responsibility to insure that 'no' standee policy.

It is not hard to see why the opposition to this bill has grown as it has moved through the Legislature and as the truth about its real effect comes to light. Indeed, in the last Senate Committee that reviewed this bill, only three of the twelve members signed the Committee Report free and clear in favor of it, and it left the Senate on a fourteen to ten vote.

What reason is there for passing this bill?

The rationale given by the bus companies involved is that they need the extension of the contracts to give their buses more service life and thus to insure a better return on their investments in the buses. Surely, as prudent businessmen, they must have taken the investment factors into account when they signed the initial contracts which, at that time, gave them a maximum of six years. In 1976, the Legislature bailed them out for maximum two year extensions. I voted 'yes' on the bill.

Granting extensions to contracts must cease. It is not the solution to the problem. The question of whether school buses should be used after they are ten years old has been raised. Neither does Standard

17 or Rule 48 require a bus to be less than ten years old. A consultant to the DOE, several years ago, recommended this. The significance of this is that any bus more than ten years old was built when the manufacturer's safety standards were much lower. These older buses never had to meet the Federal Motor Vehicle Safety Standard promulgated in 1968 by the National Highway Safety Administration.

If we are to allow the bus contracts to be extended, we must then determine whether buses older than ten years old would be allowed. If it is to be allowed, mandatory requirements must be imposed upon requiring the contractors to install a second system of brakes or spring type brakes. This would cost approximately \$300 to \$400 per bus. We know that nationally, there have been tragic school bus accidents involving faulty brake systems. As far as I am concerned, any bus contractor not then complying with the requirements would lose the contract. It is within the purview of DAGS to impose this.

It is important to look at the rationale for the bus contract extension that was given in 1966. The Committee Report for that bill which became Act 195 stated: 'In addition, by permitting this flexibility and contract negotiations for extensions, the Department of Accounting and General Services will be able to standardize existing contracts by letting them run out than extending them until that time when they can all be negotiated at once.' In this manner, the State will benefit from more competitive bidding for the various routes. Rather than opening the contract to competitive bidding, this bill extends the interests of a few bus companies who want more even though this goes against the specific intent of the first extension in 1976.

Because the extension of contract has a five percent limit on cost increases, the bus companies involved say that this bill would save the State money more than open competitive bidding would. They also cite in their testimony such momentous cost savings as not having to advertise for the open competitive bidding. As I am for open competitive bidding, I am opposed to the creation of a monopoly by any bus company. I do not wish to see a small hard-working bus company go under. However, I am also opposed to any thoughts of collusion to ice a larger mainland-owned bus company out of business. It seems apparent that because of the existing policy within the governmental agencies responsible for school bus

contracts, a huge monster has emerged.

I believe that this bill should not be passed on Final Reading and that a full investigation should be conducted as to the existing practices. There still remains many unanswered questions.

I urge your defeat of this bill."

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

"Mr. Speaker, I care less who has this contract, and so do the parents. What the parents are really after is how much safety will be afforded to their children in transporting them from their homes to school and from school back to their homes, and this is the area I am concerned with.

This bill tells and makes it law that upon negotiating this contract, provisions must be implemented into the contract where these safety factors must be installed to the buses and this is what we are after.

Mr. Speaker, I speak with experience for we have had a very nasty accident some four years ago in my district and much had to do with the safety factors of the bus. I introduced legislation very similar to this and I am very happy, finally, something is being done about it.

Thank you, Mr. Speaker."

Representative Sutton then rose to speak against the bill, stating:

"Mr. Speaker, I think we all recall the terrifying case that happened in the state of California where a busload of children went off a bridge and there were no survivors except the bus driver.

Mr. Speaker, we are talking in terms of safety. We are addressing our minds to safety. But you and I, as law students, studied this act of the late Senator Sherman to have competition in our economy; to have competitive bidding; to get rid of monopoly. Theodore Roosevelt started that with his great anti-trust actions.

This particular body has addressed itself to the concept of open bidding three times during this session and have all favored it. We have seen it as a part of the platform of both the Democratic and Republican platforms - open bidding.

Now, Mr. Speaker, as you know, it was a beautiful love song called, 'Three Little Words.' Well, in this bill, it's just 'three little words', but these little words are very damaging.

Let me address your attention, Mr. Speaker, to line 5: 'This contract may be extended for . . . ' deleted is 'one' and put in is 'two'. . . two years, by mutual agreement. Then we come down, if you will, Mr. Speaker, to line 11: 'If the original contract between the State and the private contractor already includes an option, then this provision shall be applicable.' So, we go into four years. They have been in six years, they go to four and you got a ten year - ten years extension - and we are freezing that old poorly equipped, poorly maintained ten year old equipment and putting our children on these very, very difficult highways - most difficult highways in the world. We have the highest accident ratio of any place in the civilized world here, and what do we want to do? We say our school children's safety is not that important. Let's play ball and freeze in those people who have these contracts; violate the basic concept of the Sherman Act and the little Sherman Act which we adopted here in 1964.

Now, Mr. Speaker, we are up against a very serious consideration because, Mr. Speaker, what we have here is probably more vital than anything. We spend millions of dollars on education; we're the only state in the world; we're the only state in the United States of America that has one comprehensive school system. They have school districts everywhere else, but here, we have a statewide school system, and one of the big concepts brought out by your own Jack Burns, Governor of this State, was let's have the school at Laupahoehoe just as good as the school at Roosevelt. That was his basic concept and he followed it through.

When we come to the next step of getting these children to school, what do we do? We say, let them ride on ten year old buses. Give that fellow an extension - give him a two-year extension - no competitive bidding; put them on the poorest buses that they can find, but make sure that that fellow is frozen into his contract. We are disregarding the basic concept enunciated by your own Jack Burns. We are breaching the basic concepts of this body, of the Sherman Act's concept of competitive bidding. Mr. Speaker, two gross violations and I feel that I have gotten some adherence - people like Ben Cayetano - they must be coming along with me. Ben, let's have a 'no' vote.

Thank you."

Representative Cayetano then rose

and stated:

"Mr. Speaker, just a short rebuttal. He is trying to get even with me because of my present yesterday."

Representative Lunasco was recognized and he stated:

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

I think I had the privilege, as a youngster growing up, Mr. Speaker, to be afforded the opportunity of working with a bus company - my mom's. She ran a transportation service that handled school kids.

Mr. Speaker, if all of us would think about the costs in operations of a bus company, you know, what this bill is doing is really trying to protect the small businessmen. Unfortunately, depending on what side of the fence you are on on this bill, you will make all kinds of allegations to justify why you're against it. Really, Mr. Speaker, if we really and truly feel that the independent businessmen or these small contractors, should be protected, as far as the cost of providing the equipment or maintaining the equipment and I think some kind of law or regulation should be made to protect those interests.

Mr. Speaker, one of the previous speakers used as an example a policy enacted by the Federal government about standees. Mr. Speaker, as a legislative body, we criticized the DOE and the Board of Education all day, but if you truly feel that those are the kinds of things that we want to see - safety and no standing policies - and I think, as a legislative body, we have the right to appropriate the money in the budget over and beyond what the Board of Education and the Department of Education presented to us here, but unfortunately, I did not see that, but I assumed everything is alright until this bill came before us. So I say again, if we really want to see safety in our buses or our transportation system, then let's put our money where our mouth is and not talk about it."

Representative K. Yamada then rose to speak in favor of the bill, stating:

"Mr. Speaker, before this bill was introduced, we met with a number of governmental agencies, including the Department of Accounting and General Services and the Department of Education. Our discussion, Mr. Speaker, at that time, was the question of safety. Safety has been our paramount concern as it is and must be, but that is not the real issue here, Mr. Speaker.

The bus life, according to the Department of Education, is ten years, so safety is not the question on this bill. This bill permits the extension up to the life of the buses but we go beyond that. We strengthen that by this Senate amendment. We permit certain amendments to the contractor to impose safety requirements.

Furthermore, Mr. Speaker, in our previous discussion with the different agencies involved, we came to the conclusion that existing rules and regulations of the Department of Accounting and General Services and the Department of Education has sufficient teeth in it to impose the safety requirements, and we are also talking about, Mr. Speaker, the PUC inspections which are carried on in the various counties. These are the safety factors that underlie this particular bill but is not an issue within this bill itself, Mr. Speaker, because the life of the contract and the life of the bus is ten years and that is what we are talking about.

One of the previous speakers also referred to the question of open bidding. We are not destroying open bidding. If you look at the amendment to this bill, the amendment is discretionary within the State. It is discretionary on the basis of what would be in the best interest of the State, Mr. Speaker. If the State felt that because of the operation of the bus company that safety is a question and they should not extend the contract, then they have the prerogative of doing it and if safety is a question or a questionable one, then they can impose additional requirements within the amendment to the contract itself. So again, Mr. Speaker, we are not destroying open bidding. We are leaving it discretionary. Where it is in the best interest of the State, this amendment would permit it."

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

"I had an open mind until I heard the gentleman from Nuuanu. If you recall his statement against agreement to the amendment, it doesn't sound exactly the same as his debate against this bill because in one instance, his argument was the differential in operational costs because one company is unionized and again, the argument against Final Reading of this bill, that is absent and very emotional and almost a motherhood or more important than motherhood issue, safety of the child. I would like to know what the gentleman is really talking about -

open free competition and yet taking into consideration union problems and union high costs because of union labor and safety of the children and for that reason, Mr. Speaker, I cannot see the consistency in the debate against this bill and I am going to vote 'aye' for this bill, and I request support - full support - for this bill."

Representative Abercrombie then rose to speak against the bill, stating:

"I voted for this bill the last time on the basis that it would take care of the concerns. By coincidence, I happen to. . . I was not a member of Transportation Committee at that time - I was last time, but I happen to, by coincidence, witness conversations and arguments about it, and I listened to them, and I voted for it, and since then, the idea was to end it. That would be the last time. Now it comes up over again and what bothers me here is this constant reference to safety - that the amendments bring in safety. So, I went over all the stuff and since that time, I thought, well, why don't I go talk to the drivers because they are the ones that actually have to deal with it and so I talked with some drivers, all of whom will remain anonymous and the drivers told me that the PUC inspections are a joke. The drivers told me that the brake situation dealing with brakes and all kinds of functioning with the buses are a joke; that some companies do it, others don't; some are so grossly negligent in terms of giving a damn about safety that they wanted to discuss it with me as to what they could do. They are afraid about losing their jobs. They don't think that the DOE gives a damn one way or the other, but the DOE is so remote that to raise anything would leave them totally alone. This is not new. Many workers throughout history have found themselves in circumstances in which, while the individual wanted to indicate they felt that something was wrong, weren't quite sure how to do it; weren't sure who to go to, and then the people that they saw in immediate control didn't seem to care about it at all, so they felt they were up against the wall and that's what convinced me on this.

We can pass bills from morning until night and I don't think we are going to be able to take a bill and show it to the mother and father of some child who is laying in the ditch, and I am not bringing that up as some kind of sensationalism. That's the fact of the matter that some of this doesn't work. Now, that is what

we are supposed to be doing here and that's what we finalize. You can make the arguments about extension and not extension and putting people in and out of business. Those are important things and I have discussed that with people that are involved in the bus companies here and said, okay, I'm going to go back and look over all the stuff that I had up to this point and I have discussed it in detail with my staff. I put one person on my staff to look into the exclusion of other things until we had the whole business down and went over it all over again. Then when we had the input of the drivers, that convinced me more because the drivers are the ones that actually have the responsibility, and I just want to indicate to this House that there are drivers in this State who are worried about what's going to happen with the buses that they drive. Now, if the drivers are worried, I am worried.

Now, I don't know that by not passing this bill is going to insure that those drivers are going to be any better off or that the buses are going to improve sufficiently quickly, or their operations sufficiently quickly, to guarantee that there is not going to be some kind of an accident but I do know this - that if the bill is defeated, at least we will then put into process, in our responsible legislative way, put into the bidding mill, if you will, if the new contracts which can address the problems that the drivers brought to my attention and let's just hope we are able to last until then so when push comes to shove and as I have said so often on the floor of this House, and lot of us are not experts. . . I know at least one of us has driven buses and knows the problems that are involved and I am sure that everyone here is operating on good faith too on that, so when push comes to shove in my mind now and I have to rely on people who are closest to us; that people who are closest to it are not the people who have been lobbying me for this contract. It's the people who have come to me and told me that they drive the buses and that they are worried about it. If they are worried about it, I am worried about it. That is why, I think, we should defeat the bill."

Representative Evans, in rebuttal, stated:

"Mr. Speaker, first of all, I would like to say that since 1969, way before I got here, I have been fighting for school bus safety and have extensive

testimony to prove that. Also, we skirt the issue of the 1976 legislative intent - we seem to forget what we said in 1976.

One of the speakers who was speaking for the bill said that he could care less who gets the contract. I believe that is the main thrust of the bill. This bill does not address safety requirements that are necessary. I believe this to be a smoke screen for the main intent.

We talk about serious accidents. I have witnessed a serious accident where a seven year old child who was injured, was seriously brain damaged, and was admitted to Waimano Home where he is today.

Activating lamps will not necessarily occur in business and residential areas and I suggest that those who are not sure about that check the City and County ordinance pertaining to this.

Further, it was said that this bill protects small business operators. What is a small business operator? I don't want to see anybody go out of business either. I also don't want to see collusion of small bus companies or a monopoly of a large bus company.

The no standees clause will cost us about \$400,000 to \$500,000 and DAGS has repeatedly said how much this would cost.

The speaker from the Big Island talked about the PUC inspections and those are doubtful. He also talked about discretionary rather than open bidding. I have in my possession the complete stat on what each bus company gets per route and much of it is very doubtful as to how the justification is met, and I suggest that we all do our homework.

What happens at the end of the extension if we grant them an extension? Do they then come in for another extension and we then again abdicate our responsibility as legislators? I want school bus safety as much as anybody else, but I don't want to promote this kind of thing at the cost of school bus safety when we are really not addressing that."

Representative Say then rose to speak against the bill, stating:

"Mr. Speaker, one of the basic questions that I have always tried to ask myself is the question of the school bus contract extension, and I am very sorry I voted

for it in the Education Committee, but I am here this morning to speak against this measure.

According to the provisions of this bill, if this school bus contract between the State and a private contractor may now be extended up to four years by mutual agreement, the bill, whether intended or not, violates the intent of the bidding laws of our State by not encouraging open and fair competitive practices. While I can realize and appreciate the capital investment concerns of bus contractors, it should be noted that these same concerns exist for not only those presently on the inter-state contract. By allowing such a measure, we give lesser value to the safety of our children which are equated with the quality of service in this instance.

I suggest that this bus contract extension be negotiated annually to assure compliance with both Federal and State bus safety standards. If a contractor has met the terms of our safety provisions, then that contractor need not worry about its contract.

Mr. Speaker, I have here before me the Standing Committee Report of 1976 in regards to House Bill No. 3129-76, HD 1. I have read through some of the Committee Reports and it is interesting to note that the purpose of this bill in 1976 was to allow the State and private contractors to negotiate an extension to the bus contract on an annual basis, such negotiation not to exceed a period of two years. At the bottom part is a statement I would like to read to this body also: 'This bill is not intended to circumvent the bidding laws of the State, but merely to alleviate some of the problems faced by bus contractors in this particular situation.'

I brought out this statement for question at the informal hearing we conducted, I believe on Monday or Tuesday in the Education hearing, that I am all for the local contractors to the extent that what makes up the local contractors - a contractor making in excess of two million dollars? Well, I also talked about... what about the mama-san and papa-san bus contractors? It was interesting to note about some of the fees that were negotiated in these contractual agreements. There was a wide discrepancy between those who have these bus contract agreements also, that the highest one went up to \$157 and the lowest to \$76 per day.

I brought up the question to the

Majority Leader this morning about... if it takes the bus contractor one hour or a hour and a half to and from the destination point, why is there a vast discrepancy between these different contractors who are involved in these agreements. Some of the answers I got was that maybe they make more stops, but the question is, if it takes one hour or one hour and a half to pick up students from his or her home to school and that's it - if that is the case, I think the mama-san and papa-san bus contractors are getting ripped off because they are the very small ones who are making maybe \$25,000 to \$30,000 in their contractual agreement.

At this time, I would like to urge all of my fellow colleagues to vote against this measure and not on the measure of safety because the safety standards are already in, but a question of private enterprise and free open competitive bidding.

Thank you."

Representative Lunasco then rose and stated:

"Mr. Speaker, let me make an additional comment and maybe put the members' mind at rest.

Mr. Speaker, whether we like it or not, whether we defeat this bill or not, it is not going to improve the safety standards on the buses today. Mr. Speaker, we have a mechanism in our State which is the PUC. They should be doing their job and if they are not, I think it is, you know, our duty to go and find out why they are not doing their jobs. So whether we pass this bill or not, Mr. Speaker, it is not going to improve the safety of the buses unless we take a stand and go to see the PUC and DAGS who issue the contract and make it, you know, clear that we want these safety standards addressed and complied to so, you know, in closing, I would just say, you know, I would urge all the members to vote in favor of this bill."

Representative Nakamura was recognized and he spoke in favor of the bill, stating:

"A previous speaker mentioned something about a gentleman by the name of Sherman. Is he the gentleman that charged through Atlanta and burned it down to the ground?

Mr. Speaker, open bidding - open competitive bidding - is not going to insure safety. There is no way that open competitive bidding will guarantee safety for our children. On the contrary, negotiated contracts, I believe, will

make the vendor much more responsible in this area of safety.

Another point, Mr. Speaker. There are many hundreds of drivers who are employed as a result of the existing bus contract - many hundreds. They have been doing a good job. I have not heard of any single complaint about the bus contract service. For this one reason alone, I am in favor of continuing the existing bus contracts. I would not like to subject all these hundreds of drivers who are employed today to the risk of losing their jobs."

Representative Cobb was recognized and he stated:

"Mr. Speaker, I had not intended to speak, but I am going to make a few brief observations against the measure based on some of the remarks I have heard.

About eighteen years ago, I had the privilege of campaigning in the state of West Virginia. I could not understand, at that time, why the citizens of West Virginia would allow an office such as Governor or United States Senator to go by default, either to the incumbent, or to whoever was designated by the Party Central Committee in Charleston, but they would spend hours, days, even weeks, fighting over who would be the bus driver, who would be the custodian, who would be responsible for school guard crossings, the so-called menial jobs, and the emphasis is on the last word - it is jobs. It is something that is right in the community and considered close to home.

Two years ago, when we passed this measure, I recall quite clearly, based on some of the remarks made on the floor as well as discussions in caucus, the emphasis on open competitive bidding, and we were, in effect, just granting an additional two years, but that would be it. Now, we are not only in the position of granting an additional two years, we are going four possible years. I couldn't understand all of the arguments with the heat and the energy and the passion that was being generated on the matter of school bus contracts, and I am not sure I have a total understanding of the situation now.

Mr. Speaker, there is something very disturbing. It troubles me that we say we are going to increase the efficiency and the safety of buses by not having - emphasis, not having, open competitive bidding, that the parties may, among themselves, agree

to a two year extension of the contract even though there may be. . . I am not saying it is, but there may be a potential bidder who could comply more quickly, more readily, with the safety requirements for schedules, or both, at a lower cost.

This is the quandry I am in and it is taking me a long time to decide on it and I am, even now, not sure of the position because I have heard so many conflicting reports. When I listened to the debate on this measure in the Senate, I was told that 'the big guys would eat up the little guys'. When I listened to some of the remarks being made here, not necessarily on the floor, but in various discussions that have taken place on this bill, exactly the opposite was obtained - the little guys need this to protect themselves.

So, it really comes down, Mr. Speaker, to a philosophical question: Do we want to have open bids, openly awarded contracts for our buses or don't we? If we don't, then we are taking a step, with this measure, in that direction, and I think that's what bothers me, that the more we can let the sunshine in on the process, the more concerns I have heard raised by bus drivers and the Representative from Manoa is not the only person who has been approached by bus drivers, the better the process is going to be, and I have yet to understand how we can achieve an increase in safety or in standards by mutual consent as opposed to public bidding.

Thank you."

Representative Campbell, in rebuttal, stated:

"I think, Mr. Speaker, that some of the speakers who are in favor of the bill have stated that the defeat of this bill would not affect the safety of the buses. I strongly disagree with that position. I feel that if this bill is defeated that the Department of Education, DAGS and PUC will get the message, and that message would be that this Legislature will not tolerate buses that transport our kids being substandard.

Therefore, I urge all of my colleagues to vote no."

At this time, Representative Kamalii rose and requested a roll call vote on this measure.

Representative Peters then rose and stated:

"Mr. Speaker, I rise to speak in favor of the measure. In doing so, while there may have been some comments by way

of sensationalizing safety and other kinds of concerns, I think the State has always maintained the posture of providing the mechanism to insure that children are transported from one area to another, and to and from school, in a safe manner.

One of my colleagues stated that the PUC inspection of the buses is a joke. I don't consider that a joke; that is, if nothing is done if, in fact, that is the case. The PUC is certainly, in my mind, breaking the law if they are not, in fact, doing their job to the fullest.

I would like to raise another concern if I may. Mr. Speaker, we have a number of children riding MTL buses too. You are talking about some of the standards that you now find in the so-called letter. . . it is called the Standard 17. The buses cannot exceed the age limit of ten years. Then, there may be some very real questions - very hard questions - that the City and County would have to address while transporting our children to wherever they want to go. Certainly, that standard should not be applied to only private contractors and not to MTL because they are a transporting entity as well. You and I, you know, I own what I call a chugga-lugga - you know, old car, very old as a matter of fact, but I would be happy to place that up against any 1977 Cadillac or whatever, in terms of its operations, so age of the bus has nothing to do with it. Certainly, I would expect that if MTL felt that their buses, which I know darn well exceed the ten year limit, in terms of age, was unsafe, they wouldn't have it on the roads. . . "

At this point, Representative Evans interrupted on a point of order and stated:

"The discussion here, within the bill, is not MTL buses. They are school buses operated in contract with the State with small individual bus companies. It is not with MTL, and I wish the speaker would refrain from that and stick to the subject."

The Chair then said:

"The Chair does not recognize your point of order. I believe the Chair has been very liberal in reference to debates."

The Chair then directed Representative Peters to "proceed", whereupon Representative Peters continued his remarks, stating:

"Thank you, Mr. Speaker.

I think the point I was trying to raise is that we are talking about - when you get down to the practicalities, some kind of vehicle that transports children to and from school, and whether my sister from across the way understands it or not, MTL does, in fact, participate in that kind of endeavor. Okay? In their case, however, it is monopoly because, obviously, they don't open up their buses for competitive bidding. They operate it themselves.

The proviso here seems to me is very clear and extends contracts by way of mutual agreement and DAGS sits down with the respective contractors - they all know the performances of those buses. They all know what the contractors are capable of providing by way of safety vehicles. If they don't, they are in trouble. They are in real trouble and if mutual agreement cannot be reached, then obviously, the open competitive bidding takes place.

What I also like about the bill which obviously has not been there before by way of present statutes is that the contract shall also include other provisions as may be deemed necessary by the State for the safety of school bus passengers. This is the first time it is on the record. It is law if it is passed. It is very clear to me. It didn't say 'may'; it said 'shall', and that was basically what brother Medeiros was talking about - you are locking them in. That, to me, and for those of my colleagues who were talking about safety, if you really mean it, this is vitally important.

Thank you very much, Mr. Speaker."

At 10:35 o'clock a.m., on request by Representative Uwaine, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 10:37 o'clock a.m., the Chair directed the Clerk to note the presence of Representative Blair.

Roll call having been requested, the motion was put by the Chair and carried, and H.B. No. 2545-78, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUS CONTRACTS", having been read throughout, passed Final Reading by a vote of 29 ayes to 20 noes, with Representatives Abercrombie, Ajifu, Aki, Baker, Blair, Campbell, Carroll, Cayetano, Cobb, Evans, Fong, Kamalii, Narvaes, Say, Shito, Suttón, Takamura, Toguchi, Uwaine and Yuen

voting no, and Representatives Garcia and Naito being excused.

The Chair directed the Clerk to note that H.B. No. 2545-78 had passed Final Reading at 10:40 o'clock a.m.

At this time, Representative Suwa rose and gave notice of his intention to agree to the Senate amendments in the following bills: H.B. No. 450, HD 1, SD 1, and H.B. No. 592, SD 1.

Representative Say then gave notice of his intention to agree to the Senate amendments in the following bills: H.B. No. 2496-78, HD 1, SD 1, and H.B. No. 2601-78, HD 1, SD 2.

At 10:42 o'clock a.m., on request by Representative Stanley, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 10:50 o'clock a.m., Representative Narvaez introduced ten students (Juniors and Seniors) from Damien High School. They were accompanied by their teacher, Miss Amy Kimura.

Representative Cayetano then gave notice of his intention to agree to the Senate amendments in the following bills: H.B. No. 2169-78, HD 2, SD 1; H.B. No. 2934-78, HD 1, SD 1; H.B. No. 2936-78, HD 1, SD 1, and H.B. No. 2937-78, HD 1, SD 2.

Representative Kamalii, at this time, moved to recall Senate Bill No. 331, relating to obscenity, from the Judiciary Committee, seconded by Representative Ajifu.

At 10:52 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:03 o'clock a.m., the Chair stated:

"The motion before the House is to recall Senate Bill No. 331 to this body. The Chair would like to caution all members that debate or discussion on the motion should not go into the merits of the bill but on the merits of the recall."

The Chair then recognized Representative Kamalii and she stated:

"Mr. Speaker, this motion of recall is to remind my colleagues to ask them

to recall in their minds as well, their legislative responsibility to the citizens of Hawaii. The people of this State have charged us to carefully consider and publicly decide those issues which affect their daily lives and the future of their children. Too often, we make these decisions without regard for the good opinion of the electorate. It is my belief that on a controversial issue, the voter is willing and almost eager to show the respect implicit in his vote by rewarding acts of courage and the display of conscience. That is why we are elected.

This Senate Bill may not be an extreme example of the courage which I am urging my fellow members of this House to exhibit, but it is symbolic and symptomatic. The revised criteria for determining obscenity contained in Senate Bill 331, as we all know, is already being mentioned for possible inclusion during Conference Committee consideration. This is irresponsible. The well known power of a Conference Committee mechanism is its ability to become the third House of the Legislature and is a fundamental definition of our cowardness. The riders which magically occur in conference are executed without public knowledge, without a hearing, and with closed door. . ."

Representative D. Yamada interrupted on a point of order and stated:

"I don't see how what happens or how the subject of conference committee is relevant to the issue of whether we recall the bill or not."

The Chair said:

"The Chair upholds your point of order. Representative Kamalii, will you. . ."

Representative Kamalii interrupted and stated:

"Mr. Speaker, it is relevant because if we don't vote to report this bill out, that is exactly what is going to happen to it."

Representative D. Yamada, on a point of order, then said:

"Mr. Speaker, I think the Chair has already ruled."

The Chair then said:

"Representative Kamalii the Chair has ruled. The reference to conference committee is not relevant and germane."

Representative Kamalii continued her remarks, stating:

"Where were you this session, Mr. Speaker? I shall refresh your memory. We Republicans and a few Democrats sought to conduct the House hearing on capital punishment. We were successful, in essence, because the Judiciary Committee did conduct a public hearing of the issue. It was due process which we sought to maintain. The public accepted the verdict of the Committee to defeat the measure and this action is now part of their record and open to public discussion or political discussion. Free and open debate, Mr. Speaker, is far more precious than any one measure and it was that treasure which was guarded. I never confused the process with the outcome. It never seemed likely that the Judiciary Committee would recommend the package of that bill, that was essential to our, or at least my, conception of the democratic process that such a hearing be conducted.

By my motion today, I am asking for that same procedural guarantee. If this body does not wish to abet the mechanizations of the conference committee to encourage its potential abuse of power, then it is vital that we debate and consider all bills which are controversial.

Further, Senate Bill 331 speaks to the same point which I have been making. It establishes the formula for the community determination of obscenity. It provides a process, a sensitive and effective method to linking obscenity with changing public standards. It does not map out a strategy for the assault of the freedom of speech. .
."

At this point, Representative Yuen interrupted on a point of order and stated:

"Mr. Speaker, I believe she is discussing the substantive matter of the bill in question. I would suggest that she confine her discussion again to the question of whether or not this bill ought to be recalled."

The Chair said:

"With that in mind, Representative Kamalii, proceed."

Representative Kamalii continued her remarks, stating:

"Mr. Speaker, well, I'll tell you something. Half of these - my colleagues here - I wonder if they know what Senate Bill 331 is and how can they, you know. . .just play fair. I have a few more paragraphs, and I think

we can get down to the voting.

This bill does not map out strategy for the assault on freedom of speech or for victory of the cultural barbarians over artistic integrity. This bill is an expression of brutality necessary to the democratic process, and as elected officials, we would also be saying to the community - we respect your characteristics of conscience. We believe in our ability to show courage and we will abide by what you decide.

This is very, very serious, and I wish that all of you, and I know how sacred it is to yank a bill out of committee, but I think it is important that we bring these bills before the Committee of the Whole for a vote and everyone vote 'aye' or 'nay'. That is all I am asking.

Thank you."

Representative Garcia then rose to speak against the yank of this particular measure, stating:

"Mr. Speaker, I would like to, first of all, before I proceed with the arguments against this particular procedure, to ask a question to the previous speaker about this bill. The question is: Who were the defendants involved in the U.S. Supreme Court decision, and who were the defendants involved in the State of Hawaii Supreme Court decision?"

The Chair asked:

"Representative Garcia, are you rising on a point of information for this bill?"

Representative Garcia answered:

"That is correct, Mr. Speaker, to ask a question."

The Chair asked Representative Kamalii if she would yield to the question and she asked:

"Aren't we getting into the substance now? If we are, that's fine with me."

The Chair replied:

"I believe it is relevant and germane to pursue his arguments against the motion. If you wish to yield. . ."

Representative Kamalii interrupted and said, "I refuse."

Representative Garcia then said:

"Mr. Speaker, the point that I want to clarify on this is she accused several members of the House of not knowing what is in the bill, and yet, I doubt

whether or not she herself knows who the defendants are in this particular case.

Mr. Speaker, I have been called.
."

Representative Carroll interrupted on a point of order and stated:

"One point is that my microphone doesn't work even as yet, and the other point, Mr. Speaker, is that I think that personal comments about what one Representative may or may not know are not proper at this time."

The Chair remarked:

"I believe the reference was made to the previous speaker which is appropriate and pertinent. The Chair rules you out of order, Representative Carroll."

The Chair then asked Representative Garcia to proceed, whereupon he stated:

"I would just like to show that that is the comment that she herself made on the floor and I was replying to that.

Mr. Speaker, my actions on this bill have been vary varied in the community. People have called me a black guard; they have called me obstinate; they said I was very closed minded; they said I was a dirty old man. Mr. Speaker, I am not old. I have also been accused of having a conflict of interest. Seriously, Mr. Speaker, on this bill, there is absolutely no truth that I have any interest in any porno shop in Hawaii. In fact, the closest that I have ever been connected with pornography has been my association with Representative Dennis Yamada.

All kidding aside, Mr. Speaker, we, in the Judiciary Committee, held a hearing on this bill last year. At that time, the Committee agreed that because of the pending State Supreme Court opinion, we felt that we should hold off any action on Senate Bill 331. In October and November of 1977, the State Supreme Court ruled on the constitutionality of the current statutes and since then, I would like to remind the previous speaker, the Honolulu Police Department has been cracking down on these porno shops and have over fifty cases pending before the courts on the prosecution of the shops based on the current statutes. I cannot see why the Legislature should have to act on this bill as a Committee of the Whole when these cases are all pending before the courts

under the current statutes.

Now, Mr. Speaker, it is a little early for any kind of July 4th speech, especially the one that was preceded by me. Today is April 6th, not July 4th. An issue like this can become very polarized. A lot of people like to think of this as a motherhood issue, but the Committee did consider the ramifications of this bill last year. We even discussed at length some of the arguments relating to pornography on several resolutions that were introduced by various members of this body.

Mr. Speaker, I believe that a very deliberate campaign was started on this particular issue, and I am not going to blame anyone because this is how the democratic process works. But I think that the action that the Committee took last year is the proper action. I am not going to dispute the fact that her rights as a legislator to yank this bill should not be given. On the contrary, Mr. Speaker, I believe that the legislative process has worked as far as this bill is concerned. We have heard a lot of testimony about pornography. We've seen a lot of discussion on the part of the community relating to pornography. In fact, we have several bills pending relating to peripheral areas concerning pornography. We are currently scheduling a meeting that will deal with the use of minors under the age of eighteen or sixteen in the making of pornographic films.

I just don't believe that, at this time, it would be proper for this body to consider Senate Bill 331 on the floor as a Committee of the Whole, as the previous speaker would like to suggest. I believe the Judiciary Committee has done its homework. If, in the future, Mr. Speaker, the cases that are being taken to trial by the prosecutor's office should fail because of the inadequacy of the current statutes, then I say, fine - let's look at how it works and perhaps reconsider the action that was taken. But I believe that it would be premature for this body to act on this bill prior to the disposition of these cases, and for that reason, I would like to request that the members of this House vote against the yank of this particular measure.

Thank you."

The Chair stated:

"The Chair would like to remind all the members that the motion is to bring the bill to the floor of the House and thereafter, the House takes further action. It does not mean that the motion automatically resolves this House in a Committee of the Whole."

Representative Carroll then rose to speak in favor of the motion, stating:

"Mr. Speaker, it is indeed an unusual technique that we are following here today, but I think that it is most important to note that the blind following of procedures under the guise of following procedural due process as a technique to strangle bills, legislative ideas, proposed legislation whose time has come and possibly on its way out through this concept of holding things up in Committee, I think, is a quicksand sort of an idea to suggest that because there is legal action pending, that the Legislature is somehow stopped from acting.

In the area of pornography, and I say this only with reference to the concept of bringing this measure before the House, it is true, as the Judiciary Committee Chairman has pointed out, this is an area that certainly has controversial overtones, and it is also true that the current statutes that we have seem to be going along reasonably well. But the purpose of this particular motion, Mr. Speaker, is to allow the members to vote on a bill which everyone here has had a chance to consider, and assuming that we have the votes to bring this measure down here this day to, in effect, allow the public to see what this bill is and possibly allow it to become law, we are willing here, as has been stated time and time again, to take chances constitutionally with such protected areas as residency, and yet, with this one which goes to the very crux of, you might say, the fiber of our community, we are willing to let it sit.

I think that nothing will be lost by bringing this matter here for a vote. Presuming that it could become law, a great benefit may be had to the community.

For those reasons, I urge that we vote in favor of this motion."

Representative Sutton then rose to speak in favor of the motion, stating:

"I shall proceed, very carefully watching the scope that you have laid down. Now, if we read the House Rules, Rule 12 on page 9, it says: 'Committee on Judiciary, whose scope shall be those programs relating to courts, crime prevention and control, criminal code revisions,

the rules of the House, judicial and legal questions, constitutional matters, programs of the Attorney General and of the Judiciary.

We have before us a recall of Senate Bill No. 331, relating to obscenity, and in that we have the average person applying contemporary community standards. Now, in *Mellow vs. California*, the United States Supreme Court said for us to define the community standards. How better, Mr. Speaker, than for all of these magnificent legislators to vote for the motion for recall presented by Representative Kinau Boyd Kamalii.

Thank you."

Representative Kamalii then rose and stated:

"I do realize that the Chairman of the Judiciary Committee had discussed this with his Committee last year, and he has stated that the laws that we have on the books that the present law has now been ruled constitutional, but it did not rule and it could not, on whether the law is weak, and in my opinion, the law is weak.

I think all of us realize that pornography is a very serious problem in this State. It is in Waikiki to the point of. . . I can't find the word to describe it, but it is creeping into every one of your districts, and if we have a weak law - and so we have over fifty cases now in the courts because the Police Department is doing such a fantastic job of bringing this to the attention of we legislators - that we do have a problem. Why must we wait to give them the tools to win in court? Why don't we now conform to the Constitution which the U.S. Supreme Court has given the guidelines to. This is all what this bill is - it is strengthening our law.

We talk about other bills in this House about pornography - child pornography and so on. This only will help strengthen all of the pornography bills that we have in this House with this definition in Senate Bill No. 331.

That is all I have to say."

Representative Garcia, in rebuttal, stated:

"Mr. Speaker, I find it hard to believe that the previous speaker would ask for the tools to win in court on an issue like this. If that is the rationale used, let me go to the extreme then in pointing out how ludicrous that particular argument is. Why not sponsor a bill so that the cases that the prosecutor takes to court -

all of these defendants are presumed guilty until proven innocent. If she wants to make it easier for the prosecutors to win in court, that is one alternative that we can explore.

Mr. Speaker, the purpose that the Judiciary Committee had in mind when it worked on this particular measure was to explore all the avenues. I think some of the statements made by the previous speakers have been very misleading.

The U.S. Supreme Court ruled that it left it optional to the states to adopt the new Supreme Court's statutes. The word is 'optional', not mandatory - optional. The State Supreme Court ruled on the constitutionality. The Honolulu Police Department is now currently enforcing those statutes and these cases are pending in court.

For these reasons, Mr. Speaker, I just cannot see why the previous speaker and others have tried to bring this particular area of concern to the floor for discussion and for vote.

Thank you."

Representative Takamura then rose on a point of information and asked:

"This is a question directed to the Minority Floor Leader. I am confused about one of her comments, and the question is: Does she have some kind of reliable information that there is going to be an attempt in the conference committee to pig-pen the substance of this bill on to another bill? That seems to be the implication that I got from some of her remarks so I was just wondering if she could clarify that."

The Chair replied:

"The Chair has ruled that the subject matter of the conference committee is not germane. Shall we proceed with the vote?"

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

"Earlier this session, we had the motion of recall predicated on the basis of a lack of a public hearing, the lack of an opportunity for members of the Judiciary Committee to vote, but as I recall, on this particular bill, we've had two hearings and two votes in the Committee in two successive years, and I would like to inquire of the movant then for the rationale of the recall when the Committee has already met, heard, and voted twice

on the measure in question?"

The Chair asked Representative Kamalii whether or not she would yield to the question and she replied:

"Mr. Speaker, the reason for the recall is that, last year, the Chairman of the Judiciary Committee said that he wanted to wait on this until the Supreme Court acted with their definition because it was ambiguous. Alright, now we have that ruling.

Now, it is my understanding, in talking to the members of the Judiciary Committee, that you really haven't taken a vote on whether you want this bill reported out - formally or informally. The bill has passed one reading. It can come to this body for a second reading, placed on the calendar for third. A companion bill also had a hearing in the House, so I'm saying that if the Judiciary Committee had a full hearing on this on whether to report the bill out, I would like to know where it was held."

Representative Kamalii then requested a roll call vote on the recall of Senate Bill No. 331.

The Chair asked for a show of hands.

Representative Ajifu then rose and stated:

"I just wanted to inform you that you must determine a one-third vote. You must take a counting vote, Mr. Speaker. A voice vote will not determine that determination so we are asking that in the process of determining the one-third vote, that roll call be taken."

The Chair remarked:

"The Chair, I believe, has the ability to determine whether there is sufficient votes for the roll call."

At 11:30 o'clock a.m., on request by Representative Kamalii, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:34 o'clock a.m.

The Chair, at this time, requested members in favor of the roll call vote to rise, and upon failure of a sufficient number, in accordance with the Rules of the House, ruled that the request for roll call failed.

At 11:35 o'clock a.m., on request by Representative Kamalii, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:37 o'clock a.m.

The motion to recall Senate Bill No. 331 from the Judiciary Committee was put by the Chair and failed to carry.

Representative Sutton then rose and stated:

"Mr. Speaker, I am referring to page 31 of the House Rules. It is called 'Part X. Voting. Voting. . .!'"

The Chair interrupted and stated:

"Representative Sutton, the Chair does not recognize you for that purpose."

Representative Sutton replied:

"It is a point of order, sir. A point of order until such time as explained as a right to be presented to you as the Chairman. Just on a point of order, it says here: 'Any member may rise on a point of order at any time.' I am rising on a point of order."

The Chair then said:

"There is nothing before the House."

At 11:38 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:39 o'clock a.m., the Chair stated:

"The Chair appreciates Representative Sutton's understanding."

APPOINTMENT OF CONFERENCE COMMITTEES

In accordance with the disagreeing vote of the House to the amendments proposed by the Senate in House Bill No. 819, SD 1, and the request for a conference on the subject matter of said amendments, Representatives Stanley, Chairman; Kunimura, Suwa, Uwayne and Medeiros 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 in House Bill

No. 2248-78, SD 2, and the request for a conference on the subject matter of said amendments, Representatives Garcia, Chairman; Blair, Cobb, Nakamura, Uechi, Uwayne, D. Yamada, K. Yamada, Fong and Medeiros 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 in House Bill No. 282778, HD 2, SD 2, and the request for a conference on the subject matter of said amendments, Representatives Peters and Segawa, CoChairmen; Campbell, Machida, Mizuguchi, Shito, Poepoe and Sutton 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 in Senate Bill No. 200578, SD 1, HD 1, and the request for a conference on the subject matter of said amendments, Representatives Uechi, Chairman; Caldito, Inaba, K. Yamada and Poepoe were appointed as Managers on the part of the House at such conference.

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

The House of Representatives reconvened at 11:41 o'clock a.m.

DEFERRED RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 71 and 81) were disposed of as follows:

<u>S.C.R. Nos.</u>	<u>Referred to:</u>
71	Jointly to the Committees on Public Employment and Government Operations and Finance
81	Jointly to the Committees on Health and Public Assistance and Human Services

Representative Toguchi then rose and gave notice of his intention to agree to the Senate amendments proposed in House Bill No. 2100-78, SD 1.

At this time, Representative Cobb introduced Miss Kathleen Tigg, Executive Director of the American Legislative Exchange Council, to the members of the House.

At 11:46 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:48 o'clock a.m.

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned to 8:30 o'clock a.m. tomorrow, Friday, April 7, 1978.

FIFTY-FIFTH DAY

Friday, April 7, 1978

The House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1978, convened at 8:30 o'clock a.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by the Reverend Mark E. Guerin, Director of Family Life, Catholic Diocese, after which the Roll was called showing all members present with the exception of Representative Naito, who was excused.

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

On motion by Representative Yuen, seconded by Representative Kamalii 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. 433 to 443a) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 433) returning House Concurrent Resolution No. 43, which was adopted by the Senate on April 6, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 434) returning House Concurrent Resolution No. 106, which was adopted by the Senate on April 6, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 435) transmitting Senate Concurrent Resolution No. 32, SD 2, relating to priority directions which was adopted by the Senate on April 6, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 436) transmitting Senate Concurrent Resolution No. 88 expressing support for the continuance of the Act IV education programs for children of native Hawaiians which was adopted by the Senate on April 6, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 437) transmitting Senate Concurrent Resolution No. 91, SD 1, relating to actions required

by public agencies and private industry to enhance Hawaii's potential role in the manganese nodule industry which was adopted by the Senate on April 6, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 438) transmitting Senate Concurrent Resolution No. 97 requesting a review of the possible transfer of certain State parks to County jurisdiction by executive order which was adopted by the Senate on April 6, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 439) transmitting Senate Concurrent Resolution No. 98, SD 1, requesting the City and County of Honolulu to change the title of Health Department to reflect its present function of ambulance services and medical examinations which was adopted by the Senate on April 6, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 440) transmitting Senate Concurrent Resolution No. 100, SD 1, requesting the Marine Affairs Coordinator to develop a comprehensive marine education plan which was adopted by the Senate on April 6, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 441) transmitting Senate Concurrent Resolution No. 113, SD 1, expressing legislative support for the development of a manganese nodule processing industry for Hawaii which was adopted by the Senate on April 6, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 442) transmitting Senate Concurrent Resolution No. 114, SD 1, relating to compensation of secretarial classes within the State civil service which was adopted by the Senate on April 6, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 443) transmitting Senate Concurrent Resolution No. 117, SD 1, requesting the creation of a manganese nodule task force to work to enhance Hawaii's selection as a site for a manganese nodule processing plant which was adopted by the Senate on April 6, 1978, was placed on file.

A communication from the Senate (Sen. Com. No. 443a) returning House Bill Nos. 559, SD 1; 1075, HD 1, SD 2; and 1771-78, SD 1, was placed

on file.

At 8:35 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 8:40 o'clock a.m., the following introductions were made to the members of the House:

Representative Ueoka introduced Dr. and Mrs. Henry L. Richter from Arcadia, California.

Twenty-two senior citizens from the island of Hawaii were introduced by Representative Suwa.

Representative Peters introduced Francis Kauhane and Walter Ritte.

ORDER OF THE DAY

SUSPENSION OF RULES

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

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 664 to 666) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 664) acknowledging and recognizing the prestige and caliber of the Hawaii International Powerlifting championships was jointly offered by Representatives Cobb, Aki, Baker, Campbell, Carroll, Cayetano, Dods, Evans, Fong, Garcia, Ikeda, Inaba, Kamalii, Lunasco, Mina, Nakamura, Poepoe, Shito, Sutton, Takamura, Toguchi and K. Yamada.

On motion by Representative Cobb, seconded by Representative Dods and carried, H.R. No. 664 was adopted.

Representative Cobb then introduced Mr. Dick Berk, Mr. Bill Nelson and Mr. Bernard, all of whom are instrumental in the organization of the powerlifting competitions here in Hawaii. They were presented with red carnation leis by Representatives Kamalii, Stanley and Ikeda, and Representative Cobb presented them with certified copies of the resolution.

A resolution (H.R. No. 665) commending the winners of the 1978 "Ability Counts" survey contest and the president's

committee on employment of the handicapped poster contest was jointly offered by Representatives Garcia, Ajifu, Baker, Campbell, Evans, Narvaes, Sutton and Toguchi.

On motion by Representative Garcia, seconded by Representative Yuen and carried, H.R. No. 665 was adopted.

Representative Garcia then made the following introductions: Winners of the 1978 "Ability Counts" Survey Contest - Diane Lin, First Place, Farrington High School; Lori Sorayama, Second Place, Farrington High School; Donna Lee, Third Place, Farrington High School; Esther Chung, Fourth Place, Farrington High School; Larrice Tsutsumi, Fifth Place, Farrington High School; 1978 PCEH Poster Contest winner - Alex Wong of Kalaheo High School; teachers - Mrs. Ellen Uyehara of Farrington High School and Mr. Ted Uratani of Kalaheo High School; principals - Mrs. Rose Marie Warriner of Kalaheo High School and Dr. Herman Alzawa of Farrington High School; Mr. A. Van Horn Diamond who was representing the AFL-CIO; and Mr. Robert J. Jarvis, Department Junior Vice Commander of the Disabled American Veterans. The latter two were sponsors of the contests.

The winners were presented with leis by Representatives Evans, Larsen, Sutton, Narvaes and Mina, and Representative Garcia presented them with certified copies of the resolution.

At 9:02 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, to meet and greet our invited guests.

Upon reconvening at 9:25 o'clock a.m., Representative Medeiros introduced 90 students from Kailua Elementary School. They were accompanied by Mrs. Beverly Jermaine.

A resolution (H.R. No. 666) commending Mr. Bruce Dunnell, Waianae High School music teacher, for his work in the Waianae community was jointly offered by Representatives Peters, Aki, Caldito, Cobb, Dods, Kihano, Kunimura, Machida, Morioka, Takamine, Uechi and Yuen.

On motion by Representative Peters, seconded by Representative Aki and carried, H.R. No. 666 was adopted.

Representative Peters then introduced the honoree, who is the choral director of Waianae High School, and members of the choral group seated in the gallery.

At 9:33 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:37 o'clock a.m.

STANDING COMMITTEE REPORTS

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 979-78) recommending that H.R. No. 202, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.R. No. 202, HD 2, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ESTABLISH CHILD CARE FACILITIES AND PROGRAMS FOR THE UNIVERSITY OF HAWAII SYSTEM", was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 980-78) recommending that H.R. No. 567 be referred to the Committee on Housing.

Representative Caldito moved that the report of the Committee be adopted and that H.R. No. 567 be referred to the Committee on Housing, seconded by Representative Yuen.

Representative Campbell then rose and stated:

"Mr. Speaker, I made some remarks in favor of House Resolution No. 34 which I think is on a similar subject matter, and if it is agreeable to the Chair, I would like to have those remarks recorded in support of House Resolution No. 567."

The Chair, noting that there were no objections, "so ordered".

The motion was put by the Chair and carried and the report of the Committee was adopted and H.R. No. 567, entitled: "HOUSE RESOLUTION REQUESTING A REPORT ON THE IMPLEMENTATION OF COUNTY PARK DEDICATION ORDINANCES", was referred to the Committee on Housing.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 981-78) recommending that H.R. No. 544 be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee

was adopted and H.R. No. 544, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP A STATE LAND INVENTORY SYSTEM", was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 982-78) recommending that H.R. No. 495, as amended in HD 1, be referred jointly to the Committees on Judiciary and Consumer Protection and Commerce.

On motion by Representative Kawakami, seconded by Representative Caldito and carried, the report of the Committee was adopted and H.R. No. 495, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE INCORPORATION OF PROVISIONS IN ZONING AND OTHER APPROPRIATE ORDINANCES AND RULES TO PROTECT THE SUNRIGHTS OF PROPERTY OWNERS", was referred jointly to the Committees on Judiciary and Consumer Protection and Commerce.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 983-78) recommending that H.C.R. No. 50, as amended in HD 1, be adopted.

On motion by Representative Kunimura, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.C.R. No. 50, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT AN AUDIT OF THE REAL ESTATE COMMISSION", was adopted.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 984-78) recommending that H.R. No. 216, as amended in HD 1, be adopted.

On motion by Representative Toguchi, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 216, HD 1, entitled: "HOUSE RESOLUTION ESTABLISHING AN INTERIM SUB-COMMITTEE TO INVESTIGATE THE NEED FOR STATE LEGISLATION ADDRESSING THE PROTECTION OF CETACEANS", was adopted.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 985-78) recommending that H.R. No. 601 be adopted.

On motion by Representative Ueoka, seconded by Representative Say and

carried, the report of the Committee was adopted and H.R. No. 601, entitled: "HOUSE RESOLUTION REQUESTING THE ANNUAL NAMING OF A COMPOSER LAUREATE", was adopted.

Representatives Blair and Kawakami, for the Committees on Ecology and Environment and Water, Land Use, Development and Hawaiian Homes, presented a joint report (Stand. Com. Rep. No. 986-78) recommending that S.C.R. No. 67 be adopted.

On motion by Representative Blair, seconded by Representative Kawakami and carried, the report of the Committees was adopted and S.C.R. No. 67, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PERSUADE CONGRESS TO APPROPRIATE FUNDS FOR THE CLEAN WATER ACT OF 1977", was adopted.

Representative Mizuguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 987-78) recommending that H.R. No. 502 be adopted.

On motion by Representative Mizuguchi, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.R. No. 502, entitled: "HOUSE RESOLUTION REQUESTING THE COMMITTEE ON EDUCATION TO REVIEW THE EFFECTIVENESS OF THE PROJECT MANAGEMENT SYSTEM OF THE DEPARTMENT OF EDUCATION", was adopted.

Representatives Mizuguchi and Ushijima, for the Committees on Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 988-78) recommending that H.R. No. 177 be adopted.

Representative Mizuguchi moved that the report be adopted and that H.R. No. 177 be adopted.

Representative Campbell then rose to speak in favor of the resolution, stating:

"Mr. Speaker, the purpose of this resolution is to request the Committee on Education and the Committee on Higher Education to jointly review the adequacy of present support services provided by the College of Education to public schools throughout the State.

Mr. Speaker, our Committee has found that the College of Education

at the University of Hawaii constitutes a tremendous resource for in-service training program and technical assistance and the improvement of classroom instruction and should, therefore, be tapped by the Department of Education as a major service of support in these areas.

We further found that the cooperative efforts between the college and the Department of Education will afford teachers and administrators alike a continuing of training opportunities and, Mr. Speaker, we felt that this approach is long overdue and this resolution certainly may aid us in accomplishing something which should have been done a long time ago.

Therefore, I strongly urge support of the resolution.

Thank you."

The motion was put by the Chair and carried and the report of the Committees was adopted and H.R. No. 177, entitled: "HOUSE RESOLUTION REQUESTING THE COMMITTEE ON EDUCATION AND THE COMMITTEE ON HIGHER EDUCATION TO JOINTLY REVIEW THE ADEQUACY OF PRESENT SUPPORT SERVICES PROVIDED BY THE COLLEGE OF EDUCATION TO THE PUBLIC SCHOOLS THROUGHOUT THE STATE", was adopted.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 989-78) recommending that H.R. No. 523 be adopted.

On motion by Representative Ushijima, seconded by Representative Mizuguchi and carried, the report of the Committee was adopted and H.R. No. 523, entitled: "HOUSE RESOLUTION EXPRESSING LEGISLATIVE SUPPORT FOR THE HAWAII CAREER AND COLLEGE FAIR AND ENCOURAGING INCREASED PARTICIPATION BY PRIVATE BUSINESSES", was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 990-78) recommending that H.R. No. 590 be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.R. No. 590, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE AND ITS AD HOC COMMITTEE ON THE ANIMAL QUARANTINE STATION TO INVESTIGATE THE POSSIBILITY OF MILITARY ASSISTANCE TO THE HALAWA FACILITY", was referred to the Committee on Finance.

Representative Uechi, for the Committee

on Agriculture, presented a report (Stand. Com. Rep. No. 991-78) recommending that H.R. No. 524, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.R. No. 524, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE DEPARTMENT OF AGRICULTURE TO CREATE A SPECIAL LOGO TO IDENTIFY LOCALLY PRODUCED AGRICULTURAL COMMODITIES WHICH ARE CERTIFIED AS BEING OF HAWAIIAN ORIGIN", was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 992-78) recommending that H.C.R. No. 107, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the report of the Committee was adopted and H.C.R. No. 107, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF AGRICULTURE TO CREATE A SPECIAL LOGO TO IDENTIFY LOCALLY PRODUCED AGRICULTURAL COMMODITIES WHICH ARE CERTIFIED AS BEING OF HAWAIIAN ORIGIN", was referred to the Committee on Finance.

Representatives Uechi and Blair, for the Committees on Agriculture and Ecology and Environment, presented a joint report (Stand. Com. Rep. No. 993-78) recommending that H.R. No. 575, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Blair and carried, the report of the Committees was adopted and H.R. No. 575, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE AIR POLLUTION CONTROL REGULATIONS", was referred to the Committee on Finance.

Representatives Uechi and Kawakami, for the Committees on Agriculture and Water, Land Use, Development and Hawaiian Homes, presented a joint report (Stand. Com. Rep. No. 994-78) recommending that H.R. No. 485 be referred to the Committee on State General Planning.

On motion by Representative Uechi, seconded by Representative Kawakami and carried, the report of the Committees was adopted and H.R. No. 485, entitled:

"HOUSE RESOLUTION REQUESTING STATE AND COUNTY AGENCIES TO UTILIZE THE RECENTLY COMPLETED AGRICULTURAL LANDS CLASSIFICATION SYSTEM ENTITLED, 'AGRICULTURAL LANDS OF IMPORTANCE TO THE STATE OF HAWAII'", was referred to the Committee on State General Planning.

Representatives Uechi and Kawakami, for the Committees on Agriculture and Water, Land Use, Development and Hawaiian Homes, presented a joint report (Stand. Com. Rep. No. 995-78) recommending that H.C.R. No. 100 be referred to the Committee on State General Planning.

On motion by Representative Uechi, seconded by Representative Kawakami and carried, the report of the Committees was adopted and H.C.R. No. 100, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STATE AND COUNTY AGENCIES TO UTILIZE THE RECENTLY COMPLETED AGRICULTURAL LANDS CLASSIFICATION SYSTEM ENTITLED, 'AGRICULTURAL LANDS OF IMPORTANCE TO THE STATE OF HAWAII'", was referred to the Committee on State General Planning.

Representatives Uechi and Ushijima, for the Committees on Agriculture and Higher Education, presented a joint report (Stand. Com. Rep. No. 996-78) recommending that H.R. No. 486 be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Ushijima and carried, the report of the Committees was adopted and H.R. No. 486, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF INDEPENDENT SUGAR GROWERS", was referred to the Committee on Finance.

Representatives Uechi and Ushijima, for the Committees on Agriculture and Higher Education, presented a joint report (Stand. Com. Rep. No. 997-78) recommending that H.C.R. No. 99 be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Ushijima and carried, the report of the Committees was adopted and H.C.R. No. 99, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF INDEPENDENT SUGAR GROWERS", was referred to the Committee on Finance.

Representatives Uechi and Ushijima, for the Committees on Agriculture and Higher Education, presented a joint report (Stand. Com. Rep. No. 998-78) recommending that H.R. No. 460, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Uechi,

seconded by Representative Ushijima and carried, the report of the Committees was adopted and H.R. No. 460, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY CONCERNING A MULTI-PURPOSE SLAUGHTERHOUSE COMPLEX FOR OAHU", was referred to the Committee on Finance.

Representatives Uechi and Ushijima, for the Committees on Agriculture and Higher Education, presented a joint report (Stand. Com. Rep. No. 999-78) recommending that H.C.R. No. 90, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Ushijima and carried, the report of the Committees was adopted and H.C.R. No. 90, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY CONCERNING A MULTI-PURPOSE SLAUGHTERHOUSE COMPLEX FOR OAHU", was referred to the Committee on Finance.

Representatives Segawa and Mizuguchi, for the majority of the Committees on Health and Education, presented a joint report (Stand. Com. Rep. No. 1000-78) recommending that H.R. No. 271, as amended in HD 1, be referred to the Committee on Finance.

Representative Segawa moved that the report of the majority of the Committees be adopted and that H.R. No. 271, HD 1, be referred to the Committee on Finance, seconded by Representative Mizuguchi.

Representative Campbell then rose to speak in favor of the resolution, stating:

"Mr. Speaker, the purpose of this resolution is to establish a health counseling pilot project in two public high schools, which will provide counseling, particularly in the areas of family planning and dealing with the problems of adolescent pregnancy.

Mr. Speaker, I urge support of this resolution, but I do have one minor reservation. I do not think that the resolution firmly insures that parents will be involved in this process. We require, by law, great responsibility on the part of our parents for their children, and all too often, we institute programs which make it possible for children to get counseling services without the consent of parents, and it is my hope, in urging support of this resolution, that emphasis will be placed on the total family unit when

it comes to family counseling.

Thank you."

The motion was put by the Chair and the report of the majority of the Committees was adopted and H.R. No. 271, HD 1, entitled: "HOUSE RESOLUTION RELATING TO A PILOT PROJECT ON HEALTH COUNSELING IN PUBLIC HIGH SCHOOLS", was referred to the Committee on Finance.

Representatives Segawa and Mizuguchi, for the Committees on Health and Education, presented a joint report (Stand. Com. Rep. No. 1001-78) recommending that H.R. No. 374, as amended in HD 1, be referred to the Committee on Finance.

Representative Segawa moved that the report of the Committees be adopted and that H.R. No. 374, HD 1, be referred to the Committee on Finance, seconded by Representative Mizuguchi.

Representative Sutton then rose to speak in favor of the resolution, stating:

"Mr. Speaker, we had testimony that came before our Health Committee that I think was the most impressive I have ever heard. One of the members of this Legislature gave testimony which indicated that all of us could be subject to this terrible distortion of the human spine and that if it is caught in time in children, it can be corrected without surgery and that braces can correct it so that a person is completely relieved. The sensitive ages are the ages these children are in - the intermediate and high school years.

This is a magnificent resolution and I want to commend a member of this legislative body who gave testimony before our Health Committee, which meant that we would immediately enact this into a resolution.

Thank you so much."

The motion was put by the Chair and carried and the report of the Committees was adopted and H.R. No. 374, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF ROUTINE SCOLIOSIS SCREENING IN HAWAII'S PUBLIC SCHOOLS", was referred to the Committee on Finance.

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

Representative Morioka introduced

19 representatives of the Palolo School Student Council. They were accompanied by their advisors, Mrs. Plans and Mrs. Kan.

Forty eighth grade students from Saint Patrick's School were introduced by Representative Kiyabu. They were accompanied by their teacher, Mrs. Andrea Au, and a parent, Mrs. Margaret Makaleno.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 1002-78) recommending that H.R. No. 559 be referred to the Committee on Legislative Management.

On motion by Representative Cayetano, seconded by Representative Takamura and carried, the report of the Committee was adopted and H.R. No. 559, entitled: "HOUSE RESOLUTION REQUESTING THE FORMATION OF AN INTERIM SUBCOMMITTEE TO INVESTIGATE AND REPORT ON MANAGEMENT PROCEDURES IN THE AIRPORT'S DIVISION OF THE DEPARTMENT OF TRANSPORTATION", was referred to the Committee on Legislative Management.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 1003-78) recommending that H.R. No. 582, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Cayetano, seconded by Representative Takamura and carried, the report of the Committee was adopted and H.R. No. 582, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF OPTIONS AVAILABLE TO THE STATE OF HAWAII TO ABATE AIRCRAFT NOISE", was referred to the Committee on Legislative Management.

Representative Cayetano, for the Committee on Energy and Transportation, presented a report (Stand. Com. Rep. No. 1004-78) recommending that H.R. No. 564 be referred to the Committee on Education.

On motion by Representative Cayetano, seconded by Representative Takamura and carried, the report of the Committee was adopted and H.R. No. 564, entitled: "HOUSE RESOLUTION REQUESTING AN ENERGY CONSERVATION POSTER CONTEST", was referred to the Committee on Education.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1005-78)

recommending that H.R. No. 73 be referred to the Committee on Legislative Management.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 73, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE USES OF CONFIDENTIAL COMMUNICATIONS", was referred to the Committee on Legislative Management.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1006-78) recommending that H.R. No. 576 be referred to the Committee on Finance.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 576, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE PAYMENT OF WITNESS EXPENSES IN CRIMINAL CASES", was referred to the Committee on Finance.

Representatives Toguchi and Blair, for the Committees on Ocean and Marine Resources and Ecology and Environment, presented a joint report (Stand. Com. Rep. No. 1007-78) recommending that H.R. No. 404, as amended in HD 1, be adopted.

On motion by Representative Toguchi, seconded by Representative Blair and carried, the report of the Committees was adopted and H.R. No. 404, HD 1, entitled: "HOUSE RESOLUTION REQUESTING SECRETARY JUANITA KREPS OF THE U.S. DEPARTMENT OF COMMERCE TO DENY RUSSIAN AND JAPANESE EFFORTS TO OBTAIN EXCEPTIONS TO THE 'MARINE MAMMAL PROTECTION ACT'", was adopted.

Representatives Toguchi and Blair, for the Committees on Ocean and Marine Resources and Ecology and Environment, presented a joint report (Stand. Com. Rep. No. 1008-78) recommending that H.C.R. No. 83, as amended in HD 1, be adopted.

On motion by Representative Toguchi, seconded by Representative Blair and carried, the report of the Committees was adopted and H.C.R. No. 83, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING SECRETARY JUANITA KREPS OF THE U.S. DEPARTMENT OF COMMERCE TO DENY RUSSIAN AND JAPANESE EFFORTS TO OBTAIN EXCEPTIONS TO THE 'MARINE MAMMAL PROTECTION ACT'", was adopted.

Representative Cayetano, for the Committee on Energy and Transportation,

presented a report (Stand. Com. Rep. No. 1009-78) recommending that H.C.R. No. 137 be adopted.

On motion by Representative Cayetano, seconded by Representative Takamura and carried, the report of the Committee was adopted and H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING SUN DAY IN HAWAII", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1010-78) recommending that H.R. No. 375, as amended in HD 2, be adopted.

Representative Lunasco moved that the report of the Committee be adopted and that H.R. No. 375, HD 2, be adopted, seconded by Representative Morioka.

Representative Takamura, speaking in favor of the resolution, stated:

"This resolution calls for the John Burns School of Medicine to include geriatric medicine in its curriculum. There is a definite need for more physicians and for other health care providers who are trained in geriatric medicine and who are sensitive to the special health needs of the elderly. Right now, people over 65 years of age comprise about 6.5% of Hawaii's population, and by the year 2000, that figure is expected to rise about 10%. These figures are especially significant since the expected life expectancy for residents of Hawaii is longer than any other state in the nation.

In the United States, persons 65 and over are heavy consumers of health services, and deserve practitioners who are trained to correctly diagnose and properly treat the illnesses which affect them. Fifty-four cents of every federal health dollar went to the care and treatment of the elderly in 1975. We have every right to expect that those providing that care receive special training in caring for the elderly.

The health problems of the elderly are unique. Many diseases which are rare in younger people are seen quite frequently in the aged. Moreover, it is a fundamental principle in geriatric medicine that disease present different symptoms in the aged, and sometimes there are no symptoms at all. For example, heart attacks in the elderly often cause no chest pain or other classic symptoms, and even appendicitis sometimes occurs without abdominal pain or fever. Diseases are usually more serious in the elderly, and are

often accompanied by complications.

The sad thing is that although a specialized body of knowledge in geriatrics already exists, this knowledge is not presented to medical students in any systematic way, in spite of the fact that several textbooks on geriatric medicine have been written. Even physicians agree that more training is essential. In 1976, the American Medical Association reported that 75% of practicing physicians feel they need additional training in the health problems of the elderly.

An even more basic problem is our attitudes toward the elderly. We expect them to be sick, because most of us do not understand the process of aging. What is worse is that medical students are not exposed to healthy senior citizens; they tend to see only the ill in the course of their training. As a result, many medical students are not sensitized to the right of the elderly to be healthy and to receive the best care possible - a right that they, like all of us, should enjoy.

Mr. Speaker, I just wanted to say a few words, I guess, to present some information, I think, of why I think this resolution is important, and also, I would like to point out that I believe that this resolution is one of the things that some of you have probably seen in the letters that some of the senior citizens have brought to your offices in support of senior citizen programs.

I would like to encourage everyone to vote 'aye' on this resolution."

Representative Larsen then rose on a point of information and asked:

"Mr. Speaker, a friend of mine, who is a doctor in the community and has practiced here for a long time, related this story to me just last night and I would like, with your indulgence, pass it on to the members of the House."

Directed by the Chair to "proceed", Representative Larsen continued, stating:

"He mentioned that one of his patients who has had some problem with hearing for a long period of time came to him one day and said, I have just invested in a \$1,500 hearing aid, and it is the most beautiful mechanism that I have ever seen, and he said the tone and the quality of the hearing of this machine that I have in my ear is excellent, and he said it was the best investment I have ever made. The doctor said: 'Well, that's fine. What kind is it?'

17:30."

The motion was put by the Chair and carried and the report of the Committee was adopted and H.R. No. 375, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE INCLUSION OF GERIATRIC MEDICINE IN THE CURRICULUM OF THE JOHN A. BURNS SCHOOL OF MEDICINE OF THE UNIVERSITY OF HAWAII", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1011-78) recommending that H.R. No. 536 be adopted.

On motion by Representative Lunasco, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.R. No. 536, entitled: "HOUSE RESOLUTION RELATING TO THE HAWAII INSURANCE LAW", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1012-78) recommending that H.C.R. No. 116 be adopted.

On motion by Representative Lunasco, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.C.R. No. 116, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE HAWAII INSURANCE LAW", was adopted.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1013-78) recommending that H.R. No. 92 be adopted.

Representative Garcia moved that the report of the Committee be adopted and that H.R. No. 92 be adopted, seconded by Representative K. Yamada.

Representative Sutton, upon being recognized, stated:

"Mr. Speaker, I wish to speak in favor of House Resolution No. 92 which recognizes native Filipino World War II veterans.

Mr. Speaker, I had the privilege of serving on the staff of Fleet Admiral Chester W. Nimitz. In 1944, we made a trip and we ran a particular census on this. This particular committee report has 125,000 native Filipinos. But at that time, we found it was closer to a quarter million, because this report does not include those that helped as guerillas on Mindanao and various other islands, and it made the landing of General of the Army, Douglas MacArthur, that much easier.

General MacArthur asked that these particular devoted members of the Filipino army, which had been mobilized by the United States Army, receive all the veteran benefits as if they were members of the U.S. Army. Somehow or other, it got lost in the shuffle.

I think it is a very appropriate memo and on behalf of my various friends of Filipino ancestry, I would like to say that I have a little Filipino blood in my heart.

Aloha."

The motion was put by the Chair and carried and the report of the Committee was adopted and H.R. No. 92, entitled: "HOUSE RESOLUTION RELATING TO THE RECOGNITION OF NATIVE FILIPINO WORLD WAR II VETERANS", was adopted.

At 9:59 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

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

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1014-78) recommending that H.R. No. 173, as amended in HD 1, be adopted.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 173, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF CHAPTER 704, HAWAII REVISED STATUTES, RELATING TO INSANITY LAWS", was adopted.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1015-78) recommending that H.R. No. 380 be adopted.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted, and notwithstanding the report of the Committee that H.R. No. 380 be adopted, H.R. No. 380, entitled: "HOUSE RESOLUTION REQUESTING CONSIDERATION OF THE QUESTION OF RELIGIOUS FREEDOM AS IT RELATES TO SERVICE FEES TO UNIONS", was referred to the Committee on Legislative Management.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1016-78) recommending that H.C.R. No. 126, as amended in HD 1, be adopted.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee

was adopted and H.C.R. No. 126, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN EDUCATIONAL PROGRAM WITHIN THE LEGAL SYSTEM WITH REGARD TO RAPE AND RAPE VICTIMS", was adopted.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1017-78) recommending that H.R. No. 603 be adopted.

On motion by Representative Ushijima, seconded by Representative Campbell and carried, the report of the Committee was adopted and H.R. No. 603, entitled: "HOUSE RESOLUTION RELATING TO AN INTERCOLLEGIATE FOOTBALL BOWL GAME FOR HAWAII", was adopted.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1018-78) recommending that S.C.R. No. 82 be adopted.

On motion by Representative Ushijima, seconded by Representative Campbell and carried, the report of the Committee was adopted and S.C.R. No. 82, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO AN INTERCOLLEGIATE POST-SEASON FOOTBALL BOWL GAME FOR HAWAII", was adopted.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1019-78) recommending that H.R. No. 529, as amended in HD 1, be adopted.

On motion by Representative Inaba, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.R. No. 529, HD 1, entitled: "HOUSE RESOLUTION RELATING TO ENCOURAGING RESEARCH IN TROPICAL AGRICULTURE IN HAWAII TO HELP ALLEVIATE WORLD HUNGER", was adopted.

Representatives Uechi and Kawakami, for the Committees on Agriculture and Water, Land Use, Development and Hawaiian Homes, presented a joint report (Stand. Com. Rep. No. 1020-78) recommending that H.C.R. No. 139 be adopted.

On motion by Representative Inaba, seconded by Representative Caldito and carried, the report of the Committees was adopted and H.C.R. No. 139, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY URGING PRESIDENT CARTER AND HAWAII'S CONGRESSIONAL DELEGATION TO PERMIT THE CONTINUANCE OF THE RESOURCE CONSERVATION

AND DEVELOPMENT AREAS PROGRAM AUTHORIZED UNDER PUBLIC LAW 87-703", was adopted.

Representatives Uechi and Kawakami, for the Committees on Agriculture and Water, Land Use, Development and Hawaiian Homes, presented a joint report (Stand. Com. Rep. No. 1021-78) recommending that H.R. No. 596 be adopted.

On motion by Representative Inaba, seconded by Representative Caldito and carried, the report of the Committees was adopted and H.R. No. 596, entitled: "HOUSE RESOLUTION RESPECTFULLY URGING PRESIDENT CARTER AND HAWAII'S CONGRESSIONAL DELEGATION TO PERMIT THE CONTINUANCE OF THE RESOURCE CONSERVATION AND DEVELOPMENT AREAS PROGRAM AUTHORIZED UNDER PUBLIC LAW 87-703", was adopted.

Representative Kawakami, for the majority of the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1022-78) recommending that H.R. No. 562 be adopted.

Representative Caldito moved that the report of the majority of the Committee be adopted and that H.R. No. 562 be adopted, seconded by Representative Morioka.

Representative Carroll then rose "to speak against House Resolution No. 562 and House Concurrent Resolution No. 133", stating:

"Mr. Speaker, the committee report here states that the purpose of the resolutions is to make urgent declarations that Hawaii oppose inclusion of a number of acres of fast land to the fringing reefs to the Leeward Islands into a National Wildlife Preservation System, and that the Hawaii Congressional delegation oppose legislation requesting such inclusion, doing everything in their power to permanently withdraw such legislation from consideration.

In the third paragraph of the committee report, it states that one of the reasons we are doing this is that 'these resources and potential uses are crucial to future diversification of the State's economy and recreational and aesthetic pursuits'. It goes on to say in the fourth paragraph that 'only upon objective resource information can judicious federal-state management plans be formulated for the rational use and preservation of the natural resources found therein'.

Now, Mr. Speaker, these two resolutions tie back to other legislation which have come out this session and in previous sessions, all of which is directed towards

the exploitation to commercial fishing in these islands. The tragic part of this is that the people who are moving this type of legislation are doing it with what I consider a great misunderstanding of what they are actually dealing with, and specifically, in opening these areas up, and that is essentially what we are doing here by trying to urge that the area not be placed into the National Wildlife Preservation System is to allow people who have the boats that can go up as far as Pearl and Hermes, Kure and so forth, and take the fish and shellfish that abound there, bring them back and sell them at whatever port they are able to sell them, and with the idea being, of course, that they would be sold here and thereby exploit these areas.

Mr. Speaker, I believe that this attempt can only lead to the inevitable destruction of the Hawaiian Islands as we now know them. Since the last century, these outer islands have been of great scientific interest because of the richness and variety of the wildlife that abound there. Since before the turn of the century, this area was well known to the hunters and fishermen as well. They slaughtered birds for feathers, they wiped out the oyster beds which abounded there, and finally, to protect these birds from extinction, the President, at that time, declared the area a wildlife refuge and it has pretty much stayed that way since. Now, he realized that these outer islands are part of an isolated and fragile ecosystem where life itself depends on maintaining a delicate natural balance, and we are not talking about President Kennedy or President Eisenhower, but President Theodore Roosevelt. He enabled these islands to remain largely the same in the past seven decades. The area is now of great value for scientific study and a valuable part of our natural heritage. The islands vary in size, altitude and vegetation and they support life forms which are known only in these areas, and it is now one of the most unique habitats in the entire world.

I am concerned because of the delicate nature of this area, and because of the great value it has, not only as a unique habitat which is a good catch word these days, but as a breeding ground that serves our entire island chain. We witnessed, those of us who dive and fish, the tremendous decline in the last twenty to thirty years of the green sea turtle. This area serves as a reserve to replenish stocks of such species as the green sea turtle, a food that we enjoy here;

the function that the populated main islands now cannot support. We do not see any breeding taking place on any of our seven major islands at this time.

This Legislature, in its wisdom, passed legislation allowing us to preserve the green sea turtle, to study its habitat, to find out what's happening, and slowly, it is regenerating. But if we pass this type of resolution, we are opening the door to the abuses in these breeding grounds. This could mean a serious blow to the continuation of the species which is not in danger here due to our foresight, so far, but is in danger elsewhere in the world. Now, this legislation can be devastating, not only in its direct effects, but also in the indirect results which are inevitable and every bit as devastating.

Now, commercial vessels in this area will mean landings on the islands. I cannot conceive that fishermen on sampans or the larger boats are going to see green sea turtles lying on the beach, sunning, and totally defenseless that are not going to go ashore and take some of those turtles. The attraction of the secluded island wilderness is too great for ordinary men, and by sheer numbers alone, we, even with our so-called permit fishing system, we can expect that there will be landings and we can expect that there will be enough landings to have impact in the sheltered environments.

I have spoken before about the impact of cigarettes. I don't think I mentioned the fact that the Laysan Island had rabbits introduced to it and was almost obliterated, not only the vegetation, but was almost torn out of the ocean because of the impact of the loss of that vegetation which was destroyed by the rabbits.

Now, between 1892 and 1904, man virtually denuded several of these islands because of his lack of concern, and because of his greed.

Now, these resolutions do not consider the possibility of abuse and nowhere does it express concern for the fate of the unique populations which exist in these habitats. Nowhere do they express understanding or interest in the relationship between the outer islands and the ecosystem of these islands. We have, in these resolutions and the other related bills, a myopic vision of riches just waiting to be harvested and they are there, and I have movies if anybody would care to see them, of the teaming fish that abound there, and it is a temptation to go there, and it is a temptation to take advantage of

this treasure chest that sits there. But, Mr. Speaker, this is a capital asset and it is not what we might term as, you know, our riches to be spent as we see fit. These amount to vehicles for exploitation; that is, these resolutions. They are blind to the problems and apparently insensitive to the consequences. Now, it will be said, and it has been said, that we can continue to protect these areas. But as of now, protection in these areas is mostly lip service as we have no current enforcement capability. We have one single agent and three inspectors for the entire Pacific area, ranging from Kure to the French Frigate Shoals. They have no boats or planes that are capable of doing that kind of job. They leave periodic inspection to Coast Guard overflight, so even if they are violations going on, if the waters are rough, the Coast Guard cannot go in there, in their aircraft, and make arrests. They might be able to make identification.

I see nothing of these concerns in the language before us, and I see that these remote areas are beyond our capability. They are not beyond the capability of the federal government. I think that if we allow these kinds of resolutions to pass, we are going to doom these outer islands, and I think that we have a very serious obligation to protect them.

I urge my fellow members of this House to move in this area very, very cautiously. We are only one year into a five-year tripartite study that is being conducted to determine the actual resource potential of this area. At the present time, Mr. Speaker, as I have said before, we are flying blind. We are rushing into commercial exploitation of the area, and this particular type of action carries us steadily back to the time when we were acting out of greed, we were acting in haste and ignorance until the results of our actions were very nearly irreversible.

We no longer live in an age when that type of action is acceptable or tolerable. In the case of the Leeward Islands, we can learn much from the past and that is not indicated in these resolutions. It says we do not know, but we do know, and we have the history.

I urge that this body reject these resolutions until a later time when we have fully considered all of the questions that are at hand, and I ask that we vote 'no' on this measure."

Representative Toguchi then rose and stated:

"Mr. Speaker, I was not planning to speak on this resolution, but I think the previous speaker . . . by the way, Mr. Speaker, I am speaking for this resolution.

I think, earlier in the session, we saw some related legislation and the previous speaker made reference to those measures. You know, he brought up the statement that we should move cautiously in this area, and I think this is the very reason why we are having this piece of measure here. What we are telling the federal government with this resolution is that we are telling them to move cautiously because if they are allowed to do what they are proposing, then they are planning to take a broad brush and close off more than 300,000 acres of fishing area in the Leeward Islands. I actually agree with them. Let's move cautiously, and this is what we are telling the federal government.

Now, he also mentioned exploitation. I don't look at it that way. We are looking for ways to regulate and manage that area because he did say that that area is now of high scientific value, and I agree. He also mentioned that is of high economic value, and I agree, and what we are looking for is a balance to that area.

I think we have seen many legislation coming from the federal government telling the State what to do, and I think this is another answer to the federal government that we are glad to use some of our resources. Now, the resources that we have in the Leeward Islands will, if used wisely and managed wisely, be of tremendous asset to the State.

Here, on one hand, we are trying to build up our fishing industry, and I would like to just ask a question to anybody, even to the previous speaker, what would happen to that industry if we cannot tap the resources in the Leeward Islands?

Now, when he talks about misunderstanding, well, I don't really know who's having that misunderstanding.

Now, we are also not talking about opening up the area to everybody. As I mentioned earlier, we talked about regulating and managing.

Now, as far as the Islands itself, I would like to repeat again, as I did in speaking for other legislation related to this matter, that we are not opening up the Islands. We are just telling the federal government, let's find

out more about our resources in the Leeward Islands; let's try to find out if we can balance the ecological concerns and also use some of the resources there to feed our people and to also help our industry here. So, I concur with his concerns about the ecosystem and the endangered species, but I think that there can be some kind of shared use there.

Now, in addition, I would just like to, in closing, make one comment on his statement that we are going to be opening up the area and that there will be quite a few people going there. I hope you all realize that we are having problems with our present fishing fleet in even going up to that area because of the fuel capacity, the refrigeration capability, and it is not an area where you take a recreational boat and stay a few hours. You know, it takes quite some time to get there and I don't think the things that he mentioned will come about just because we pass this resolution.

I urge all of you to support this resolution.

Thank you."

Speaking in favor of the resolution, Representative Kunimura stated:

"Mr. Speaker, I was not here when it started, but I can see the effects of what happened.

The Hawaiians said, 'Komo mai; use Pearl Harbor' and the Hawaiians lost, not Pearl Harbor, the Hawaiians lost the Hawaiian Islands, their kingdom.

While we were serving our stewardship . . . maybe, somebody is trying to tell me that I am speaking on the wrong side . . ."

Representative Carroll interrupted and said:

"Mr. Speaker, that is correct."

Representative Kunimura continued, stating:

"While we were serving our stewardship and apprenticeship as a Territory of this great United States, we never realized that the military came over here and took a lot of land, a lot of land that they don't even use today, and we are land poor. We are trying to put people on those wastelands where we don't use for agriculture or houselots, and every time we try something, we have the military to contend with. We have a big problem

at the Honolulu International Airport and we feel that it is more sensible for this State, instead of taking valuable land and putting up another general aviation airport, propose to the military that we have some joint use agreement of existing airfields and facilities that we would put up ourselves - not use the military's facilities and jeopardize the security and, again, it is a flat no.

On the Island of Hawaii, many years ago during the Territory, we gave up some land and said 'Komo mai' again, 'we like you, Department of Interior; put up a National Park'. It is good; I am not against it. But you know what happened, Mr. Speaker? It's a real solid tale and it's the truth - overpopulation because they refuse to permit our citizens of Hawaii to hunt goats. So, what happens? Overpopulation of goats, destruction of valuable indigenous timber, so what did the Department of Interior do to the National Park System? They got airplanes with machine guns and they herded the goats into the box canyon and slaughtered them and our people couldn't even use the meat. They said don't eat goat meat, use food stamps.

The people in Washington, Mr. Speaker, don't know the delicacy that some of our people enjoy goat meat. I don't eat goat meat, but some people do here and they should be given that right. No, you cannot violate the declared policy of the National Park System.

Again, we have in the National Park, up there in Volcano, the delicious ohelo berries. Okay, you can pick them up and you can eat them, but if you put it in a bag and take it home, the Park ranger would arrest you. And in this State, our citizens, if they are arrested in the National Park, have no recourse to face the State judicial system. No, they go before the U.S. Magistrate and you haven't got a chance.

The State of Hawaii, right now, we are pursuing because we are so energy deficient, geothermal energy, but we are precluded from entering the National Park area where there should be more abundant geothermal possibility, so we have to go further down the rift zone and try and exploit and drill a well near a residential area and we have complaints about air pollution, noise pollution, but if you do it way up there in the mountains where God, in his infinite wisdom, put these geothermal possibilities for us from the beginning so that we may . . . he knew someday we're going to have to use this type of energy, but we have somebody in between that is putting a bark on us.

This resolution, Mr. Speaker, is a correct one. Although I agree with the gentleman from Waikiki, I will not stand without putting up a fight if anybody tried to go out there and destroy, or even threaten the ecosystem there. Mr. Speaker, if we allow the President of the United States and the Congress to include this into what they call now National Wildlife Preservation, that's gone forever like Hawaii Ponoii.

This resolution only gives us an opportunity to do the necessary study and then when we find out that it would be best preserved under the federal government, then, at that time, we can make that determination. Right now, we are allowing ourselves again to be raped by the national government. We are just saying 'auwe, oh, the pilikia, no more chance'. We are a sovereign State today. We are not a Territory. We do not exist under the whims of the federal Congress. We have two Senators and two Representatives in Congress and we have the Supreme Court of the United States to protect our integrity. They cannot come right in, but you know the federal government always say, 'Hurry, that's ceded land; we have first crack at it'. If they want to show good faith, then give us back all the land and the State of Hawaii shall determine what is national defense and we are not unreasonable. But no, somehow, Washington relishes Hawaiians going up there with grass skirts and malo and begging. They don't need the whole Island of Kahoolawe, but under Executive Order, it was set aside so we can't even go there and pick opihis when we want to.

They pick Kaula Rock on Kauai and that's an integral part of Kauai County and they bombed the hell out of that rock. They don't give a damn about birds. We care. So, one part of the federal government go left and the other part go right. Why don't they put their money where the mouth is and declare that Hawaii, as a sovereign State, and historically, Mr. Speaker, Hawaii had its beginning with the Hawaiians. They knew; they didn't have to go to college. They didn't have to have their Ph.D. to know conservation and the value of conservation. Only now, we are now utilizing the kapu system like Waimanalo. . . I mean Hanauma Bay. We need more of those.

Why, why, you know, talk about breeding? Maybe, some of the turtles mated, but most of the sharks love

turtles. Most of them coming over from those islands get eaten up.

We need to set up preserves here, and I am against taking all of the fish there - even if you tried, you couldn't unless you use clorox, so what God gave us, we take enough and leave some for seed. That's what the Hawaiians said - konohiki. I am not going to allow the federal government, as long as I have one breath in my lungs, to let them come here now and take over. When the time comes and we feel that they can best serve the interest of, not only Hawaii, but the United States and the world, we say, Uncle Sam, you can do a better job and we'll ask you to take over. But this resolution is preserving time for us to make the necessary study so that we can make an intelligent decision rather than give up our birthright and surrender to the federal government.

Thank you, Mr. Speaker."

Representative Lunasco then rose and stated:

"Mr. Speaker, I rise to speak in favor of the resolution and rebut some of the comments made by one of my colleagues from Waikiki.

Mr. Speaker, without justification, the federal government blanket their taking of about 300,000 acres or so. Mr. Speaker, we already passed a bill including this area into the possession of the State of Hawaii. And basically, we did that for the purpose of management so that the Department of Land and Natural Resources could manage the area.

Mr. Speaker, one of the speakers mentioned about landings on the islands. Whether we like it or not, Mr. Speaker, it is presently taking place and it is controlled by the federal government. At no time will people be allowed to enter the land area within this area that is stated within the resolution.

Mr. Speaker, one of the biggest problems with managing this area is the enforcement provisions and I totally agree with the speaker from Waikiki, but even under the control of the federal government, Mr. Speaker, the enforcement of patrols are so infrequent that violations go on presently and, in fact, they mentioned that they caught two foreign boats in the jurisdictional waters of the Hawaiian Islands, or in this area in question, and yet, nothing could be done. One stayed put and the other took off, so it is a problem, Mr. Speaker, whether it is under the federal government or Hawaii.

Mr. Speaker, as far as the green sea turtles, as you know, we already passed a law that the Hawaiian green sea turtles are not allowed to be sold - presently, only for home consumption. So, I don't think that would be much of a problem.

Let me close by saying, Mr. Speaker, as far as the landings on the islands, I really don't think that whether it is under our control or the federal government, that it is going to stop it. One thing I want to say, Mr. Speaker, if it is under our jurisdiction, at least our natural marine resources would be affordable to the fishermen today. While I do agree that only a few will be fishing, personally, Mr. Speaker, if we look ahead, eventually all of our fishermen will have to have long-range boats, because the fish around the main islands, which is the eight islands around us, are so heavily fished that if they don't go out, our fishing industry will just die.

So, I hope that all of my colleagues will support this resolution."

Representative Carroll then rose in rebuttal, stating:

"Mr. Speaker, first of all, it has been mentioned that we are going to open these islands up for our fishermen, and if that were actually the case, I would still take the position that I do take.

The resolution, to begin with, addresses the fast land and the submerged reef lands and it is my concern with these particular areas that my comments were made and not with respect to our boats going into the waters of the French Frigate Islands. I think that there has to be some kind of a limit - three miles or five, nine, twelve - something that is far enough out to where the impact of the people being in the area is not going to affect the islands. That's number one.

Number two. As far as our own commercial fishing boats are concerned, there is only one that we have here now that I know of that can even range the island chain, which is approximately 2,200 miles long, catch fish, and bring them back here, and what I see coming up is the mainland operator who can come down here, incorporate, bring his boat in and operate out of here, and there is no way, with the freezing techniques that they have now, and with the capabilities that they have now, that we are going to tell somebody who comes in here with these types of boats that they are not going to

be able to get permits. If we are going to be prohibited by our U.S. Constitution from doing that on any kind of a regular basis, now I see that as a detrimental effect of this kind of a resolution. I feel, as I've said before, we don't have the knowledge to say how the reef relates to the Bentley crawlers and the free swimming fish and these kinds of things. We don't know the answers to these questions but what we do know is that these islands were almost wiped out.

Now, I agree, in fact I was a little startled to hear two Democratic members speaking so strongly in favor of state's rights. That's normally a Republican position, and I agree with the comments they make there. In this particular case, because of the tremendously sensitive nature of this area, and because of the fact that the wilderness preservation system can be protected by the Department of the Interior who do have the personnel and the equipment - both ships and planes - and people, and they are organized and they know how to do it, that these fast lands and the fringing reefs can be preserved, and that is all I am talking about, Mr. Speaker.

I am a staunch and almost a rabid advocate of extending commercial fishing in this State, but I do not see doing it at the expense of the entire State in fifty or a hundred or two hundred years from now.

Now, as far as the regulation and management are concerned, that is our concern and we can still protect our fishermen's interests; we can still be fishing in State waters and allow these islands to go under the Federal Wildlife Preservation program, so there is no problem there.

As far as the economic value, the economic value will last only so long as it is not tapped. As soon as we go into those areas and start hitting those reefs, they are going to go down much faster than these much larger islands have gone down, and we have only to go to Hanauma Bay, and we have only to go to Waikiki's Sans Souci where we see fish, turtle and lobster. In the last 25 years, some of us can well remember going down there and getting pretty good catches. In our own lifetime, we have seen it gone, disseminated, wiped out.

Now, why do we have to do this to the Leeward Islands? That's the question here. It is not a question of keeping federal people out and letting the State people in; it is not a question

of giving up our rights; it is not a question of whether we are going to pick opihi or not. These are kinds of arguments that do not go to the issue here. The issue here is, what is the impact of man on these islands and how can we best preserve them. There is no question that the federal government is going to allow anybody on there. They have assiduously maintained these free from the impact of man over the past seventy years, and I think that record stands very well because of their interest and because of that jurisdictional management of these areas that they are as rich as they are today. So I submit again, Mr. Speaker, and I certainly appreciate the comments of the chairman of Water, Lands, Fish and Oceanography, and I believe that . . . whatever the name of that committee, and I think that we share the concerns very much, but I think this is one area that we have to take a very long look of fifty, two hundred, five hundred year look down the road and make our decisions based on that.

For those reasons, I urge that we vote against this resolution."

Representative Toguchi, in rebuttal, stated:

"Mr. Speaker, I would like to suggest to the member from Waikiki that if he came to more meetings, he would find out what my committee's name is. I would like to make another point.

You know, he mentioned that the resolution is under the Republican Party platform. He said, why are the Democrats only picking it up now as far as the area we are talking about. I would like to remind him that much of the Executive Orders that gave up much of our land was done so under the Republican administrations, both at the federal and national levels."

At this point, Representative Kamalii interrupted on a point of order and stated:

"Mr. Speaker, let's get back to the resolution. I realize that this is all, you know . . . but let's stick to the resolution. Okay?"

Representative Toguchi continued, stating:

"Okay. I said what I wanted to say.

I hope many of you realize the seriousness . . . how serious this topic is. We are talking about the impact

of closing the area, okay, and much of the problems that we are faced with and other issues that were brought up today - what we are doing with some of the islands. We are trying to get back some of the uses of some of the other islands. This is exactly what we are talking about. Once we get the federal government to close off this area, we are going to be in the same predicament that we are presently in in some of the other federal areas that we are trying to gain access to. This is what we are talking about.

Now, the previous speaker mentioned, several times, that we don't know the answers. Well, if we don't know the answers, then why is the federal government really going ahead in trying to close off more than 300,000 acres?

So, in summary, I would just like to say that . . . I would just like to quote to you one paragraph from the committee report: 'No substantial documents support the Department of Interior's currently recognized boundaries of the refuge, nor does any substantial information exist which supports the need of designating the refuge a wilderness. Only upon objective resource information can judicious federal-state management plans be formulated for the rational use and preservation of the natural resources found therein'.

Again, I would like to highlight the rational use and preservation. Now, I would just like to cite one example. We have several reefs there that are submerged; there is no island above water; there is no vegetation; and all those areas will be included if that legislation is passed by the federal government.

So, again, I urge all of you to support this resolution.

Thank you."

Representative Kawakami then rose to speak in support of the resolution, stating:

"Mr. Speaker, it has come to our attention, during the course of this session, that in this Congress, there was a bill to create this Wildlife Preservation System in our Leeward Islands. Through the efforts of our fishing community, we were able to stop the federal legislation, and it would be redundant, at this point, to take action on such a resolution. We anticipate another bill that will be offered at the next Congress, and again we will run into the same kinds of problems.

A few years ago, as members of the Legislature, we were given the opportunity to participate in a tour of the Leeward Islands. The purpose of this tour was primarily to observe the ecosystem of the Leeward Islands to test the potential fishing grounds that are available in that area. I think the members were very impressed with what they saw and what the federal government has been doing as far as restricting humans on the fast lands of the Leeward Islands.

The potential for fishing, in their observation, is tremendous. This resource is available, and as far as developing or expanding our fishing industry in the State, this area, I think, will make it in getting an industry established here with new fishing techniques, new processing techniques, and new marketing techniques.

This session, our committee has been working on areas where we could expand our economic base for the State, and this is one area where it shows the greatest potential. We are not planning for the State to take over the Leeward Islands completely, but we would like to have a chance to at least have the opportunity to harvest some of the resources and to provide our industry - our fishing industry - with the opportunity of survival.

I appreciate the concerns of our representative from Waikiki. He, too, had the opportunity of visiting the Leeward Islands. It's just that he went on the wrong boat. All he saw and all he observed were from the viewpoint of conservationists, and I think there are always two sides of every coin, and I think it comes to a point where somewhere along the line down the road, we have to make a decision in order for our basic industry to survive. This area serves the greatest potential.

I have always been a strong opponent of the federal government infringing on our lands in the State. What has transpired before - the territorial days, the monarchy - we are presently going through a lot of heartaches, sufferings, internal strife, amongst the peoples of our State. At this point in time, we, here in the Legislature, should take a strong stand, and I think we can take care of our problems by ourselves. We can create our own wildlife refuges and protect our own natural resources.

With this, Mr. Speaker, I urge members of this House to support this resolution and make it known to our Congressional

delegation that we feel the State can take care of our own problems.

Thank you."

Representative Narvaes, speaking against the resolution, stated:

"Mr. Speaker, you know, I haven't been to visit this area. I wish I had. But I have talked to John, and by his speech, I am really impressed. Here is a man that wants to preserve an area. The federal government . . . seems they also want to preserve this 300,000 acres, too.

Mr. Speaker, I have to go by what I see around me. I have been accused by somebody on this floor one day about being too young, but maybe when I get a little older I'll understand things a little better. But, you know, in my 24 years I have seen a lot of things of Hawaii and I have seen the way our State has grown, and I am not satisfied with its growth. I am not satisfied with the way we have preserved Hawaii. You know, I go out on boats, I sail around Waikiki, and what do I see in the waters around here? I see a lot of crap in the water; I see a lot of human waste; I see what man has done to this State.

Today we are talking about preservation, which really does two things. There are really two philosophies that we are talking about today. In one philosophy is the philosophy of the people that people want to capitalize on an area. Mr. Speaker, I have a philosophy in which I would like to conserve things and I feel that the federal government has the resources and the very resources to do it, and I would like to leave the responsibility to conserve this area with the federal government because they got the Navy, they got the Department of the Interior if they use it and protect it properly. Perhaps we won't have the same kind of human waste over there that we have here in this State today in the waters around those islands - the Leeward Islands - like we have around here today.

Mr. Speaker, just the other day I sat down and talked to a friend of mine. He just came in from New Orleans and he had worked in some oil platforms, and on those oil platforms he learned a lot of things. He is a young man, too. When he saw how man treats the resources around him, it seems, because of man's nature, all man really cares about is the easiest way out. These people who have worked on these oil platforms in New Orleans and the Gulf of Mexico, they take human

waste, they take their garbage, they don't throw it away where it is supposed to be thrown away; they dispose of it right in the Bay. They just take it and dump it right outside. There are all kinds of other ways.

Anyway, Mr. Speaker, Representative Carroll here is trying to leave the protection of this area with the Department of Interior. As I read the committee report, the report says this: 'The purpose of this resolution is to make urgent declarations that Hawaii oppose inclusion of the 302,435 acres of the fast land to the fringing reefs of the Leeward Islands into a National Wildlife Preservation System, and that the Hawaii Congressional delegation oppose legislation requesting such inclusion, , doing everything in their power to permanently withdraw such legislation from consideration'.

I cannot agree with that. I would like to see the preservation of this area and I feel the best department to preserve this area would be the Department of the Interior.

Mr. Speaker, I hope every member would vote against this resolution."

The motion was put by the Chair and carried and the report of the majority of the Committee was adopted and H.R. No. 562, entitled: "HOUSE RESOLUTION RELATING TO THE PRESERVATION OF FISHING AND OTHER RIGHTS OF THE PEOPLE OF HAWAII IN THE LEEWARD ISLANDS OF THE STATE OF HAWAII", was adopted, with Representative Carroll voting no.

Representative Kawakami, for the majority of the Committee on Water, Land Use, Development and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1023-78) recommending that H.C.R. No. 133 be adopted.

On motion by Representative Caldito, seconded by Representative Kawakami and carried, the report of the majority of the Committee was adopted and H.C.R. No. 133, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE PRESERVATION OF FISHING AND OTHER RIGHTS OF THE PEOPLE OF HAWAII IN THE LEEWARD ISLANDS OF THE STATE OF HAWAII", was adopted, with Representative Carroll voting no.

At 10:54 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:09 o'clock a.m., the following introductions were made to the members of the House:

Representative Cobb introduced 34 five and six year old students from Punahou School. They were accompanied by their teachers, Mrs. Pat Roser and Mrs. Nancy Williamson, and parents, Mrs. Husand and Mrs. Chock.

Fifty-two fifth and sixth grade students from Kamiloiki Elementary School were introduced by Representative Dods. They were accompanied by their teacher, Mrs. Shirley Nozoe.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1024-78) recommending that H.R. No. 577, as amended in HD 1, be adopted.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 577, HD 1, entitled: "HOUSE RESOLUTION COMMEMORATING MAY 1, 1978 AS LAW DAY AND MAY 1 THROUGH 7, 1978 AS LAW WEEK", was adopted.

Representative Garcia, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1025-78) recommending that H.C.R. No. 131, as amended in HD 1, be adopted.

On motion by Representative Garcia, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.C.R. No. 131, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING MAY 1, 1978 AS LAW DAY AND MAY 1 THROUGH 7, 1978 AS LAW WEEK", was adopted.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1026-78) informing the House that House Resolution Nos. 655 to 660 and Standing Committee Report Nos. 954-78 to 977-78 have been printed and distributed.

On motion by Representative Kunimura, seconded by Representative Lunasco and carried, the report of the Committee was adopted.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 667 to 673) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 667) memorializing workers who died of work-related accidents

and illnesses in Hawaii in 1977 was offered by Representative Abercrombie.

On motion by Representative Garcia, seconded by Representative Ushijima and carried, H.R. No. 667 was adopted.

A resolution (H.R. No. 668) extending congratulations to the Kaneohe Bobby Sox Minor League All-Star Team on winning the 1977 State Championship was jointly offered by Representatives Evans, Toguchi, Ajifu, Aki, Campbell, Carroll, Dods, Fong, Ikeda, Inaba, Kawakami, Larsen, Machida, Medeiros, Morioka, Naito, Narvaes, Poepoe, Say, Segawa, Shito, Takamine, Takamura, Ueoka and Ushijima.

On motion by Representative Evans, seconded by Representative Toguchi and carried, H.R. No. 668 was adopted.

A resolution (H.R. No. 669) extending congratulations to the Kaneohe Bobby Sox Major League All-Star Team on winning the 1977 State Championship was jointly offered by Representatives Evans, Toguchi, Ajifu, Aki, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Fong, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Larsen, Lunasco, Machida, Medeiros, Mina, Morioka, Naito, Narvaes, Poepoe, Say, Segawa, Shito, Sutton, Takamine, Takamura, Ueoka, Uwayne, D. Yamada, K. Yamada and Yuen.

On motion by Representative Evans, seconded by Representative Toguchi and carried, H.R. No. 669 was adopted.

A resolution (H.R. No. 670) extending Aloha and Best Wishes to Edward T. White, Provost and Chief Administrative Officer of Kauai Community College, upon his retirement following a distinguished career in education was jointly offered by Representatives Kunimura, Kawakami, D. Yamada, Abercrombie, Ajifu, Aki, Baker, Blair, Caldito, Campbell, Cayetano, Cobb, Dods, Evans, Garcia, Ikeda, Inaba, Kamalii, Kihano, Kiyabu, Kondo, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwayne, K. Yamada and Yuen.

Representative Kunimura moved that the resolution be adopted, seconded by Representative Kawakami.

Representative Kunimura then stated:

"Mr. Speaker, I rise to say a few brief words about this resolution and about the man.

The profession called educator, somehow, because of the long history of intimidation by the powers to be, especially in the State of Hawaii and during the Territory of Hawaii, that it becomes very unique when an educator would stand up against awesome powers and awesome odds to do the right thing.

This man that this resolution speaks about is that kind of a man - very rare - and very rarely do we see a man or a woman who can do the things he has done and remain in the profession, because many of them, out of utter disgust, would quit and, maybe, sell insurance or go into other fields. But this man decided to stick it out and carry on what he loved most - the children of this world.

I still remember, during the political in-fighting of the selection of the site for the Kauai Community College, it was not only the political pressure from the Legislature - at that time it was the Senate - and the senator from Kauai who used every trick he knew and he pulled it out from the bag that he had. He had the Regents, and especially the member of the Board of Regents from Kauai, twist his arm. We had the administration of the University practically threatening him and also the hierarchy of the University putting its entire weight and pressure on this man, but he stood it alone against this overwhelming odds and stuck with the teachers and especially the students, and the community, because the Puhi site was the popular site. It was about 4 to 1 in favor of the most centrally located site. Because of these things, and because of his contribution, that the Puhi site today is the Kauai Community College campus, and we owe this man a lot, especially Kauai, and if I had only listened to him, I guess my vocabulary would be devoid of some serious expletives, but because I thought the cane would grow a little better if I cussed, that I didn't learn the King's language.

Mr. Speaker, with heavy heart and with a sense of humility, I urge all members of this House to vote for this resolution."

Representative Lunasco then rose to speak in favor of the resolution, stating:

"Mr. Speaker, just in the way of a brief observation, I think many of the things mentioned in the resolution I have heard echoed in these halls throughout the years I have worked with the illustrious representative

from Kauai, and I think that if he didn't want to introduce a resolution congratulating himself, he should have talked to me and I would have done so."

The motion was put by the Chair and carried and H.R. No. 670 was adopted.

A resolution (H.R. No. 671) expressing appreciation and encouragement to the Mahinui Youth Club of Kaneohe for its service to the community was jointly offered by Representatives Ajifu, Evans, Abercrombie, Aki, Baker, Blair, Caldito, Campbell, Carroll, Cayetano, Cobb, Dods, Fong, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Larsen, Lunasco, Machida, Medeiros, Mina, Mizuguchi, Morioka, Naito, Nakamura, Narvaes, Peters, Poepoe, Say, Segawa, Shito, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, D. Yamada, K. Yamada and Yuen.

On motion by Representative Ajifu, seconded by Representative Evans and carried, H.R. No. 671 was adopted.

A resolution (H.R. No. 672) extending congratulations to the Kalihi-Palama Community Council on its Thirty-Third Annual Banquet and installation of officers was jointly offered by Representatives Garcia, Ajifu, Campbell, Kamalii, Mina, Narvaes, Say, Toguchi and Ushijima.

On motion by Representative Garcia, seconded by Representative Campbell and carried, H.R. No. 672 was adopted.

A resolution (H.R. No. 673) commending and congratulating Mr. Tommy Tomimbang for his many years of community service was jointly offered by Representatives Mina, Aki, Peters, Abercrombie, Ajifu, Baker, Blair, Caldito, Cayetano, Cobb, Dods, Garcia, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kondo, Kunimura, Larsen, Lunasco, Machida, Medeiros, Mizuguchi, Morioka, Narvaes, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takamura, Toguchi, Uechi, Ueoka, Ushijima, Uwaine, K. Yamada and Wakatsuki.

On motion by Representative Mina, seconded by Representative Aki and carried, H.R. No. 673 was adopted.

COMMITTEE REASSIGNMENT

The Chair, at this time, re-referred Senate Concurrent Resolution No. 114 jointly to the Committees on Public Employment and Government Operations and Finance,

ADJOURNMENT

At 11:30 o'clock a.m., on motion by Representative Yuen, seconded by Representative Kamalii and carried, the House of Representatives adjourned until 8:30 o'clock a.m. on Monday, April 10, 1978.