

TWENTY-FOURTH DAY

Tuesday, February 27, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Robert Fiske of Harris United Methodist Church, after which the Roll was called showing all members present with the exception of Representatives Dods and Sakamoto, who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Twenty-First, Twenty-Second and Twenty-Third Days.

On motion by Representative K. Yamada, seconded by Representative Evans and carried, reading of the Journals was dispensed with and the Journals of the Twenty-First, Twenty-Second and Twenty-Third Days were approved.

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

Representative Kiyabu rose and introduced seventy-six 4th grade students from Waiālae Elementary School accompanied by their teachers, Mrs. Pat Arita, Mrs. Belinda Nagashima and Mrs. Dorothy Chang and several parents, Mrs. Rose Haraguchi, Mrs. Betty Ichimura and Mrs. Sandy Shinkawa.

Representative Uechi introduced twenty-five 8th graders from Moanalua Intermediate School along with their teachers, Marsha Alegre and Mona Vierra.

Representative Say then introduced forty-one sophomores from Kamehameha School and their teacher, Virginia Bail.

Representative Kobayashi introduced twenty-one students from Island Paradise School with their teacher, Mrs. Baysa and two parents, Mrs. Takara and Mrs. Tsuchiyama.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 374 to 380) and concurrent reso-

lution (H.C.R. No. 67) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
374	Committee on Water, Land Use, Development and Hawaiian Affairs, then to Committee on Finance
375	Committee on Education
378	Committee on Health, then to Committee on Legislative Management
379	Committee on Energy
380	Committee on Higher Education, then to Committee on Finance

<u>H.C.R. No.</u>	<u>Referred to:</u>
67	Committee on Water, Land Use, Development and Hawaiian Affairs, then to Committee on Finance

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 32) informing the House that House Resolution Nos. 373 to 413, House Concurrent Resolution Nos. 67 to 83 and Standing Committee Report Nos. 28, 29 and 31 to 76 have been printed and distributed.

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

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 33) recommending that H.B. No. 99, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Morioka, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.B. No. 99, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was placed on the calendar for Third Reading Thursday, March 1, 1979.

The Chair directed the Clerk to

note that printed copies of H.B. No. 99, HD 1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 34) recommending that H.B. No. 4 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 34 on H.B. No. 4 was deferred until Thursday, March 1, 1979, and in accordance with Article III, Section 16 of the Constitution of the State of Hawaii, printed copies of H.B. No. 4 were made available to the members of the House at 11:00 o'clock a.m.

Representatives Uwaine and Kawakami, for the Committees on Energy and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 35) recommending that H.B. No. 393, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Uwaine, seconded by Representative Fukunaga and carried, the joint report of the Committees was adopted and H.B. No. 393, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY", was referred to the Committee on Finance.

Representatives Uwaine and Dods, for the Committees on Energy and Transportation, presented a joint report (Stand. Com. Rep. No. 36) recommending that H.B. No. 130, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Uwaine, seconded by Representative Masutani and carried, the joint report of the Committees was adopted and H.B. No. 130, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A VEHICLE EMISSIONS INSPECTION PROGRAM", 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. 37) recommending that H.B. No. 1620 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura

and carried, the report of the Committee was adopted and H.B. No. 1620, entitled: "A BILL FOR AN ACT RELATING TO ORDINARY DISABILITY RETIREMENT UNDER THE EMPLOYEES' RETIREMENT SYSTEM", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the majority of the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 38) recommending that H.B. No. 365 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the majority of the Committee was adopted and H.B. No. 365, entitled, "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and 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. 39) recommending that H.B. No. 366 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 366, entitled: "A BILL FOR AN ACT RELATING TO INITIAL APPOINTMENTS", passed Second Reading and was referred to the Committee on Finance.

Representative Stanley, for the majority of the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 40) recommending that H.B. No. 1311 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the majority of the Committee was adopted and H.B. No. 1311, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT", passed Second Reading and was referred to the Committee on Finance, with Representatives Hagino, Nakamura, Say and Sutton voting no.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 41) recommending that H.B. No. 281, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 281, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS", passed Second Reading and 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. 42) recommending that H.B. No. 361, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 361, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PURCHASING CREDITS FOR MILITARY SERVICE UNDER THE EMPLOYEES' RETIREMENT SYSTEM", passed Second Reading and 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. 43) recommending that H.B. No. 357 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 357, entitled: "A BILL FOR AN ACT RELATING TO NON-COMPETITIVE PROMOTION OF PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and 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. 44) recommending that H.B. No. 49, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 49, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN EXECUTIVE INCENTIVE PROGRAM", passed Second Reading and 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. 45) recommending that H.B. No. 257, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 257, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORMS AND REPORTS", passed Second Reading and 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. 46) recommending that H. R. No. 54 be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.R. No. 54, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE STUDY ON PARTICIPATION IN SOCIAL SECURITY BY MEMBERS OF THE EMPLOYEES' RETIREMENT SYSTEM", was referred to the Committee on Finance.

Representative Stanley, for the majority of the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 47) recommending that H.B. No. 51, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the majority of the Committee was adopted and H.B. No. 51, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICE AND EMPLOYMENT", passed Second Reading and was referred to the Committee on Judiciary.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 48) recommending that H.B. No. 333, as amended in HD 1, be recommitted to the Committee on Higher Education.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 333, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION", was recommitted to the Committee on Higher Education.

Representatives Dods and Uwaine, for the Committees on Transportation and Energy, presented a joint report (Stand. Com. Rep. No. 49) recommending that H.R. No. 161, as amended in H.D. 1, be referred to the Committee on Legislative Management.

On motion by Representative Uwaine, seconded by Representative Masutani and carried, the joint report of the Committees was adopted and H.R. No. 161, HD 1, entitled: "HOUSE RESOLUTION REQUESTING REVIEW OF THE VEHICLE EMISSIONS INSPECTION PROGRAM", was referred to the Committee on Legislative Management.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 50) recommending that H.B. No. 665, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 665, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FUNDING TO ESTABLISH A POMOLOGY CHAIR AT THE UNIVERSITY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 51) recommending that H.B. No. 1060 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 1060,

entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 52) recommending that H.B. No. 557, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 557, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COLLEGE OF CONTINUING EDUCATION AND COMMUNITY SERVICE, UNIVERSITY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 53) recommending that H.B. No. 39, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 39, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A RESEARCH DISSEMINATION PILOT PROJECT", passed Second Reading and was placed on the calendar for Third Reading, Thursday, March 1, 1979.

The Chair directed the Clerk to note that printed copies of H.B. No. 39, HD 1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 54) recommending that H.B. No. 596 be referred to the Committee on Transportation.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 596, entitled: "A BILL FOR AN ACT RELATING TO MOTOR BIKES", was referred to the Committee on Transportation.

Representative Blair, for the Committee on Consumer Protection

and Commerce, presented a report (Stand. Com. Rep. No. 55) recommending that H.B. No. 170, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 170, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS", was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 56) recommending that H.B. No. 477 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Aki and carried, the report of the Committee was adopted and H.B. No. 477, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII MEDICAL LIBRARY", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 57) recommending that H.B. No. 524 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Aki and carried, the report of the Committee was adopted and H.B. No. 524, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE VARIETY CLUB SCHOOL", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 58) recommending that H.B. No. 525 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Aki and carried, the report of the Committee was adopted and H.B. No. 525, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE VARIETY CLUB SCHOOL", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 59) recommending that H.B. No. 522, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Aki and carried, the report of the Committee was adopted and H.B. No. 522, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR THE BREAST CANCER DEMONSTRATION PROJECT OF THE PACIFIC HEALTH RESEARCH INSTITUTE", was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 60) recommending that H.B. No. 22, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 22, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY BONDS", passed Second Reading and was placed on the calendar for Third Reading, Thursday, March 1, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 61) recommending that H.B. No. 19, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 19, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed Second Reading and was placed on the calendar for Third Reading, Thursday, March 1, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 62) recommending that H.B. No. 982 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee

was adopted and H.B. No. 982, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed Second Reading and was placed on the calendar for Third Reading, Thursday, March 1, 1979, with Representatives Hagino and Sutton voting no.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 63) recommending that H.B. No. 147, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 147, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVATIONS", passed Second Reading and was placed on the calendar for Third Reading, Thursday, March 1, 1979.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 64) recommending that H.B. No. 44, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 44, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC SERVICE EMPLOYMENT PROGRAM", passed Second Reading and was placed on the calendar for Third Reading, Thursday, March 1, 1979.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 22, HD 1, 19, HD 1, 982, 147, HD 1 and 44, HD 1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Blair, for the Committee on Consumer Protection and Commerce presented a report (Stand. Com. Rep. No. 65) recommending that H.B. No. 603 be referred to the Committee on Finance.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 603, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY",

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. 66) recommending that H.B. No. 117, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and H.B. No. 117, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE EDUCATION PROGRAMS", passed Second Reading and was referred to the Committee on Finance.

Representatives Ushijima and Uechi, for the Committees on Higher Education and Agriculture, presented a joint report (Stand. Com. Rep. No. 67) recommending that H.B. No. 121, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and H.B. No. 121, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION RELATING TO INSTRUCTIONAL FACILITIES FOR AGRICULTURAL PROGRAMS", passed Second Reading and was referred to the Committee on Finance.

Representatives Uechi and Kawakami, for the Committees on Agriculture and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 68) recommending that H.B. No. 113, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Fukunaga and carried, the joint report of the Committees was adopted and H.B. No. 113, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATION FOR ALTERNATIVE CROP RESEARCH TO UTILIZE SUGARCANE AND PINEAPPLE LANDS", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented

a report (Stand. Com. Rep. No. 69) recommending that H.B. No. 110, as amended in HD 1, pass Second Reading and 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.B. No. 110, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURAL COOPERATIVE ASSOCIATIONS", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 70) recommending that H.B. No. 114, as amended in HD 1, pass Second Reading and 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.B. No. 114, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FEDERAL-STATE TRI-FLY ERADICATION PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 71) recommending that H.B. No. 112, as amended in HD 1, pass Second Reading and 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.B. No. 112, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DIVERSIFIED AGRICULTURE", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 72) recommending that H.B. No. 1211, as amended in HD 1, be recommitted to the Committee on Higher Education.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 1211, HD 1, entitled: "A BILL FOR AN

OF REGENTS OF THE UNIVERSITY OF HAWAII", was recommitted to the Committee on Higher Education.

Representatives Uwaine and Kawakami, for the Committees on Energy and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 73) recommending that H.R. No. 247 be adopted.

On motion by Representative Fukunaga seconded by Representative Uwaine and carried, the joint report of the Committees was adopted and H.R. No. 247, entitled: "HOUSE RESOLUTION URGING COOPERATION AND JOINT EFFORTS IN THE REFORESTATION/ENERGY PROGRAM DEVELOPMENT" was adopted.

Representative Uwaine, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 74) recommending that H.R. No. 162 be adopted.

On motion by Representative Uwaine, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.R. No. 162, entitled: "HOUSE RESOLUTION REQUESTING A TEN MILLION BARREL CAPACITY STRATEGIC PETROLEUM RESERVE FOR HAWAII", was adopted.

Representative Uwaine, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 75) recommending that H.C.R. No. 9 be adopted.

On motion by Representative Uwaine, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TEN MILLION BARREL CAPACITY STRATEGIC PETROLEUM RESERVE FOR HAWAII", was adopted.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 76) recommending that H.C.R. No. 35 be adopted.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.C.R. No. 35, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A JOINT INTERIM COMMITTEE TO FORMULATE OR REFORMULATE STANDARDS AND

TO PRIVATE ORGANIZATIONS",
was adopted.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 77) recommending that H.B. No. 95, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 95, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY", was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 78) recommending that H.B. No. 98, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 98, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SALARY COMMISSION", was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 79) recommending that H.B. No. 282 be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 282, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 80) recommending that H.B. No. 697, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 697, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENSE EVIDENCE COLLECTION

AND MEDICAL EXAMINATIONS", passed Second Reading and was referred to the Committee on Finance.

SUSPENSION OF RULES

On motion by Representative K. Yamada, seconded by Representative Evans and carried, the rules were suspended for the purpose of taking up a certain resolution out of order.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 422) was read by the Clerk and was disposed of as follows:

A resolution (H.R. No. 422) congratulating Dr. Stanley J. Yamane for his acceptance into the Japan Ophthalmological Contact Lens Society was jointly offered by Representatives Kihano, Shito, Aki, Baker, Blair, Crozier, de Heer, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Kamalii, Kawakami, Kiyabu, Kobayashi, Lacy, Larsen, Masutani, Medeiros, Nakamura, Narvaes, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Ushijima, D. Yamada and K. Yamada.

On motion by Representative Kihano, seconded by Representative Shito and carried, H.R. No. 422 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 381 to 421) and concurrent resolutions (H.C.R. Nos. 68 to 84) were referred to the Committee on Legislative Management and further action was deferred until Wednesday, February 28, 1979:

A resolution (H.R. No. 381) requesting a study on the wants and needs for parks and recreational facilities by residents of Kaneohe, Hawaii was offered by Representative Ige.

A resolution (H.R. No. 382) requesting a study on the feasibility of establishing a multi-purpose community center in the 24th representative district was offered by Representative Ige.

A resolution (H.R. No. 383) requesting review of female status offenders in the justice system was offered by Representative Stanley.

A resolution (H.R. No. 384) requesting

that the State of Hawaii preserve the residential nature of Diamond Head and Waialae-Kahala beachfront was jointly offered by Representatives Larsen, Marumoto, Dods, Ikeda, Kiyabu, Kobayashi, Morioka and Say.

A resolution (H.R. No. 385) requesting a study on computer education was offered by Representative de Heer.

A resolution (H.R. No. 386) requesting the establishment of a Hawaii film fund was offered by Representative de Heer.

A resolution (H.R. No. 387) requesting a study of compatibility and inventory of the electronic computer information systems of the University system was offered by Representative de Heer.

A resolution (H.R. No. 388) requesting an investigation of lighter-than-air vehicles was offered by Representative de Heer.

A resolution (H.R. No. 389) requesting a review of the compensation plan structure for certain public employees was offered by Representative Stanley.

A resolution (H.R. No. 390) requesting development and implementation of a food advisory service for the elderly was offered by Representative Evans.

A resolution (H.R. No. 391) urging implementation of a youth awareness program was offered by Representative Evans.

A resolution (H.R. No. 392) requesting implementation of the recommendations of the Department of Planning and Economic Development relating to communications policy was offered by Representative Evans.

A resolution (H.R. No. 393) endorsing a state-wide observation of Earth Day on Friday, April 27, 1979 was jointly offered by Representatives Larsen and Uwaine.

A resolution (H.R. No. 394) requesting reports from the Department of Planning and Economic Development and the Hawaii Natural Energy Institute on their energy research and development functions was jointly offered by Representatives Uwaine and Hashimoto.

A resolution (H.R. No. 395) requesting a study of the status and needs of developmentally disabled adults was jointly offered by Representatives Masutani, Aki, Blair, Ige, Inaba, Kiyabu, Kobayashi, Kunimura, Machida, Morioka, Narvaes, Peters, Sakamoto, Uechi, Uwaine, D. Yamada and K. Yamada.

A resolution (H.R. No. 396) requesting an investigation of the possible overprescribing of drug products by some physicians for medical assistance recipients was jointly offered by Representatives Masutani, Aki, Blair, Hashimoto, Ige, Inaba, Kiyabu, Kobayashi, Kunimura, Lee, Machida, Peters, Sakamoto, Sutton, Takamine, Uechi, Uwaine, D. Yamada and K. Yamada.

A resolution (H.R. No. 397) requesting the Department of the Attorney General and the Department of Social Services and Housing to investigate rent payment and reimbursement practices under the public assistance program was jointly offered by Representatives Masutani, Aki, Baker, Blair, Hashimoto, Ige, Inaba, Kiyabu, Kobayashi, Kunimura, Lee, Machida, Narvaes, Peters, Sakamoto, Sutton, Takamine, Uechi, Uwaine and D. Yamada.

A resolution (H.R. No. 398) requesting a review of the criminal injuries compensation program was jointly offered by Representatives Suwa, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Lacy, Morioka, Narvaes, Sakamoto, Sutton and Takitani.

A resolution (H.R. No. 399) requesting at least one public hearing on the closing of the Stainback Highway entrance to the Volcano Highway on the Big Island was offered by Representative Suwa.

A resolution (H.R. No. 400) requesting a review on the effect of rule changes in the CETA program on state programs was offered by Representative Stanley.

A resolution (H.R. No. 401) requesting the formulation of appropriate standards and criteria for applying the exclusionary provisions of the Collective Bargaining Law was offered by Representative Stanley.

A resolution (H.R. No. 402) requesting immediate action on the compensation plans of secretarial classes within

the civil service system was offered by Representative Stanley.

A resolution (H.R. No. 403) requesting the establishment of a Hawaii film fund was offered by Representative de Heer.

A resolution (H.R. No. 404) requesting an industrial park for computer industries was offered by Representative de Heer.

A resolution (H.R. No. 405) requesting the State Ethics Commission to recommend methods and procedures for mandatory public disclosure of names of persons involved in cases where violations of the standards of conduct have been found was jointly offered by Representatives Marumoto, Baker, Crozier, Evans, Narvaes, Say and Takitani.

A resolution (H.R. No. 406) requesting a study and evaluation of the Lobbyist Registration Law was jointly offered by Representatives Marumoto, Baker, Crozier, Evans, Narvaes, Say and Takitani.

A resolution (H.R. No. 407) requesting a study on a future city was offered by Representative de Heer.

A resolution (H.R. No. 408) requesting additional Hula Bowl coverage was jointly offered by Representatives de Heer, Aki, Baker, Blair, Crozier, Dods, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Larsen, Lee, Lunasco, Machida, Masutani, Morioka, Nakamura, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada, K. Yamada and Wakatsuki.

A resolution (H.R. No. 409) requesting a study of the various means by which rental deposits could be deposited in interest bearing insured accounts with the earnings to accrue to the depositor without necessitating additional bookkeeping requirements for landlords was offered by Representative de Heer.

A resolution (H.R. No. 410) requesting the naming of the World Trade Center was offered by Representative de Heer.

A resolution (H.R. No. 411) requesting an inventory of state computer capabilities was offered by Representative

de Heer.

A resolution (H.R. No. 412) requesting a study on the performing arts was offered by Representative de Heer.

A resolution (H.R. No. 413) requesting a review of the Olomana School program was offered by Representative Evans.

A resolution (H.R. No. 414) requesting Secretary Patricia M. Harris to expedite the adoption of regulations for FHA Section 240 insured mortgage loans was jointly offered by Representatives Shito, Baker, Blair, de Heer, Holt, Ige, Ikeda, Kobayashi, Kunimura, Lee, Machida, Masutani, Nakamura, Peters, Say, Stanley, Takamine, Takitani and Toguchi.

A resolution (H.R. No. 415) requesting a review of the Department of Education's educational specifications, policies, and design standards for the construction of and other capital improvements involving public schools and of the respective duties and responsibilities of the Department of Education and the Department of Accounting and General Services with respect to the planning and implementation of capital improvement projects for public schools, including applicable statutes, rules, directives, policies, and procedures was jointly offered by Representatives Shito and Kihano.

A resolution (H.R. No. 416) requesting the use of school auditoriums for the schools was offered by Representative Ige.

A resolution (H.R. No. 417) requesting a study on a windward stadium was offered by Representative Ige.

A resolution (H.R. No. 418) requesting athletic programs at the community colleges was offered by Representative Ige.

A resolution (H.R. No. 419) requesting a study on the feasibility of utilizing school buses for excursions and field trips for students and the elderly was offered by Representative Ige.

A resolution (H.R. No. 420) requesting a study on vandalism and development of a plan therefor was jointly offered by Representatives Ige, Baker, Blair, Crozier, de Heer, Dods, Evans, Holt, Honda, Ikeda, Kawakami,

Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Morioka, Peters, Say, Segawa, Takamine, Takitani, Toguchi, Ushijima, Uwayne and D. Yamada.

A resolution (H.R. No. 421) relating to amending H.R. No. 4 was jointly offered by Representatives Say and Lunasco.

A concurrent resolution (H.C.R. No. 68) requesting a study on computer education was offered by Representative de Heer.

A concurrent resolution (H.C.R. No. 69) requesting the establishment of a Hawaii film fund was offered by Representative de Heer.

A concurrent resolution (H.C.R. No. 70) requesting a study of compatibility and inventory of the electronic computer information systems of the University system was offered by Representative de Heer.

A concurrent resolution (H.C.R. No. 71) requesting that the State of Hawaii preserve the residential nature of Diamond Head and Waialae-Kahala beachfront was jointly offered by Representatives Larsen, Marumoto, Dods, Ikeda, Kiyabu, Kobayashi, Morioka and Say.

A concurrent resolution (H.C.R. No. 72) requesting a review of the compensation plan structure for certain public employees was offered by Representative Stanley.

A concurrent resolution (H.C.R. No. 73) requesting an investigation of lighter-than-air vehicles was offered by Representative de Heer.

A concurrent Resolution (H.C.R. No. 74) endorsing a state-wide observation of Earth Day on Friday, April 27, 1979 was jointly offered by Representatives Larsen and Uwayne.

A concurrent resolution (H.C.R. No. 75) requesting the Department of the Attorney General and the Department of Social Services and Housing to investigate rent payment and reimbursement practices under the public assistance program was jointly offered by Representatives Masutani, Aki, Baker, Blair, Hashimoto, Ige, Inaba, Kiyabu, Kobayashi, Kunimura, Lee, Machida, Narvaes, Peters, Sakamoto, Sutton, Takamine, Uechi and Uwayne.

A concurrent resolution (H.C.R. No. 76) requesting immediate action on the compensation plans of secretarial classes within the civil service system was offered by Representative Stanley.

A concurrent resolution (H.C.R. No. 77) requesting a study on a future city was offered by Representative de Heer.

A concurrent resolution (H.C.R. No. 78) requesting an industrial park for computer industries was offered by Representative de Heer.

A concurrent resolution (H.C.R. No. 79) requesting a study of the various means by which rental deposits could be deposited in interest bearing insured accounts with the earnings to accrue to the depositor without necessitating additional bookkeeping requirements for landlords was offered by Representative de Heer.

A concurrent resolution (H.C.R. No. 80) requesting the naming of the World Trade Center was offered by Representative de Heer.

A concurrent resolution (H.C.R. No. 81) requesting an inventory of state computer capabilities was offered by Representative de Heer.

A concurrent resolution (H.C.R. No. 82) requesting a study on the performing arts was offered by Representative de Heer.

A concurrent resolution (H.C.R. No. 83) requesting additional Hula Bowl coverage was jointly offered by Representatives de Heer, Aki, Baker, Blair, Crozier, Dods, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Larsen, Lee, Lunasco, Machida, Masutani, Morioka, Nakamura, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwayne, D. Yamada, K. Yamada and Wakatsuki.

A concurrent resolution (H.C.R. No. 84) ratifying a proposed amendment to the Constitution of the United States providing for representation of the District of Columbia in Congress was jointly offered by Representatives Wakatsuki, Crozier, Evans, Ikeda, Inaba, Kamalii, Kihano, Kiyabu, Kobayashi, Machida, Medeiros, Morioka, Peters, Say, Segawa, Suwa and K. Yamada.

At this time, Representative Say rose for the purpose of introducing a resolution.

At 11:23 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:27 o'clock a.m.

The Speaker noted that the Chair had received the resolution offered by Representative Say, that it would lay on the Clerk's desk and would be referred at the appropriate time.

Representative Uwaine rose and stated:

"Mr. Speaker, I anticipated you saying that you are going to refer it to printing, am I correct, or to committee?"

Representative Kamalii rose on a point of order:

"We are in complete darkness as to what resolution you are referring to. I wonder if the Clerk may read the resolution."

At 11:29 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:38 o'clock a.m.

The Speaker then stated that the resolution would be referred to printing and then be referred to committee.

Representative Uwaine rose on a point of order:

"Mr. Speaker, on the nineteenth day of this session, we adopted a resolution, and it was a very substantive resolution concerning the recess of this House. And we took a very short recess to have it xeroxed and circulated to the members, and we voted upon that, and on this particular issue you have two standards for certain individuals in this House."

The Speaker answered:

"I believe the two standards or what you are referring to applies to Representative Uwaine, not the Chair. The Chair has so ruled. The Chair rules you out of order at this time."

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

The House of Representatives reconvened at 11:41 o'clock a.m.

The Chair recognized Representative Kunimura:

"I rise on a point of information, Mr. Speaker. Did the gentleman who is protesting about this dual standard have any objection when we considered the resolution as to the recess?"

The Speaker answered:

"Not to my knowledge."

Representative Kunimura: "Thank you."

Mr. Speaker: "May we proceed?"

Representative Uwaine: "Mr. Speaker, I have before me, a resolution, H.R. No. 110, which was adopted by the Eighth Legislature. Mr. Speaker, this very resolution..."

Representative K. Yamada rose on a point of order:

"A resolution adopted by the Eighth Legislature certainly doesn't bind the Tenth."

Mr. Speaker: "That is correct."

Representative Uwaine rose on a point of order.

The Speaker stated:

"Representative Uwaine, there is nothing before the House for you to have the floor to rise on a point of order. The Chair rules you out of order. Will you please sit down."

At 11:42 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:43 o'clock a.m.

Representative Uwaine then rose on a point of information:

"Mr. Speaker, a very important question that I have is about precedence. Mr. Speaker, regardless of what legislative session it was, you were the Speaker at that time. I am referring

to the Eighth Legislature."

Representative K. Yamada rose on a point of order.

Representative Uwaine: "If the representative from the Big Island will please be patient, I will make my inquiry."

Representative K. Yamada: "Mr. Speaker, on my point of order, whatever happened during the Eighth Legislature certainly has no relevance or bearing, it doesn't bind or set any precedent for the Tenth."

Mr. Speaker: "That is correct."

Representative Uwaine rose on a point of parliamentary inquiry:

"Mr. Speaker, as far as any House Resolution that pertains to another resolution on this floor, in particular, organization resolutions, are you going to be referring all resolutions to Senate amendments...."

The Speaker stated:

"Representative Uwaine, if you would read the House Rules, any reasonable man would interpret it that any substantive resolution will be referred to printing and after that the Chair will have the right to refer it to committee."

Representative Uwaine: "Mr. Speaker, I am trying very hard not to appeal your decision because I don't want to, but I am just trying to get to a point where I can ask **a question without being interrupted** by the very learned lawyer from the Big Island."

The Speaker answered:

"Representative Uwaine, the Chair does not recognize you at this time."

Representative Uwaine then rose on a point of inquiry:

"Mr. Speaker, what I am trying to get at is, as far as you being the Speaker of this House and your word is God's word in the chamber as far as everyone else is concerned..."

Mr. Speaker: "I appreciate that, thank you very much."

Representative Uwaine: "If I may rephrase that statement, Mr. Speaker, God's word by a certain number of individuals in this chamber.

But apparently, Mr. Speaker, the concern that I have is that in the past, Mr. Speaker, this body....."

Mr. Speaker: "Representative Uwaine, you don't have the floor to express your concerns. You have the floor on parliamentary inquiry. If you have any inquiry, state it. Otherwise, I suggest that you sit down and let's proceed with the calendar on Third Reading. The members here are entitled to get down to business, have a recess today, come back at 5:00, get the committee's hearings started and going, and I don't believe that dilatory actions on your part adds to the work of this House."

Representative Uwaine: "Mr. Speaker, you still haven't heard my question yet. "

Mr. Speaker: "Proceed with your question or your inquiry."

Representative Uwaine: "What I am trying to get at, Mr. Speaker, is that, as far as House amendments through resolution on amending previous resolutions that were adopted by this House this session, from here on are you going to be referring it to printshop?"

The Speaker answered:

"All substantive resolutions."

Representative Uwaine: "Can I have your definition of substantive?"

Mr. Speaker: "If you will read the House Rules, all resolutions, not congratulatory in nature, are considered substantive."

Representative Uwaine: "Mr. Speaker, ..."

Mr. Speaker: "And therefore, Representative Uwaine, the Chair at this time does not recognize you."

At 11:48 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:50 o'clock a.m.

Representative Say rose on a point of personal privilege:

"I was not given the opportunity of stating my position in favor of the resolution I co-sponsored."

The Chair answered:

"The Chair believes that the resolution, as I indicated, will be referred to printing and then subsequently to committee."

Representative Say, on a point of information: "Is it the Committee of the Whole?"

Mr. Speaker: "The Chair will make that determination at a proper time."

Representative Say: "The Chair along with who?"

Mr. Speaker: "The Chair will make the determination."

Representative Say: "O.K., thank you."

At this time, Representative Uechi rose to speak and then yielded to Representative Toguchi.

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 11:55 o'clock a.m.

Representative Hagino rose on a point of information:

"I believe that members of this body, many members of this body, are in the dark as to what all the commotion is about and there was a simple request made by the representative from the eleventh district long before, that the resolution be read...."

Mr. Speaker: "Representative Hagino, the Chair's position is that all resolutions, substantive in nature, will be referred to printing. We do not make exceptions to this rule because we have hundreds of resolutions, substantive in nature, being referred to printing."

SUSPENSION OF RULES

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

THIRD READING

The following bills, which were

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

H.B. No. 3, HD 1

On motion by Representative Suwa, seconded by Representative Morioka, H.B. No. 3, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR", passed Third Reading by a vote of 49 ayes, with Representatives Dods and Sakamoto being excused.

H.B. No. 21, HD 1

On motion by Representative Suwa, seconded by Representative Morioka, H.B. No. 21, HD1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR", passed Third Reading by a vote of 49 ayes, with Representatives Dods and Sakamoto being excused.

H.B. No. 544

On motion by Representative Takamine, seconded by Representative de Heer, H.B. No. 544, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL CARCINOGENS", passed Third Reading by a vote of 49 ayes, with Representatives Dods and Sakamoto being excused.

H.B. No. 738

On motion by Representative Suwa, seconded by Representative Morioka, H.B. No. 738, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE AND ESTATE TAXES", passed Third Reading by a vote of 49 ayes, with Representatives Dods and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 3, HD1 had passed Third Reading at 11:57 o'clock a.m., H.B. No. 21, HD1 at 11:58 o'clock a.m., H.B. No. 544 at 11:59 o'clock a.m. and H.B. No. 738 at 12:00 o'clock noon.

At this time, the Speaker noted:

"It is anticipated that the body here will recess until 5:00 p.m. this evening so that all other committee reports and bills will be acted upon."

Representative Uwaine was recognized for the purpose of making an announcement:

"I would like to tell all my colleagues over here to have a nice dinner tonight, a very early dinner, have a lot of rest because it may be a very long night tonight. And if it's not tonight because of a simple matter of the agenda, then have a good breakfast tomorrow, because tomorrow it's going to be a very long day. Thank you, Mr. Speaker."

Representative Garcia rose on a point of inquiry:

"Mr. Speaker, if a resolution that covers the area of a censure of one of the members of the House is introduced, since it affects the standing of that particular one member before the whole body, does that particular resolution have to be referred to printing or to a committee?"

The Speaker answered:

"The Chair would take that matter up when such resolution is introduced."

At 12:04 o'clock p.m. on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives recessed until 5:00 o'clock p.m.

AFTERNOON SESSION

The House of Representatives reconvened at 5:20 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 81) recommending that H.B. No. 1252, as amended in HD 1, be recommitted to the Committee on Agriculture.

On motion by Representative Inaba, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 1252, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS", was recommitted to the Committee on Agriculture.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 82) recommending that H.B. No. 820, as amended in HD 1, be recommitted to the Committee on Education.

On motion by Representative Lunasco, seconded by Representative Say

and carried, the report of the Committee was adopted and H.B. No. 820, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BASIC SKILLS", was recommitted to the Committee on Education.

At 5:22 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:23 o'clock p.m.

Representatives Uechi and Dods, for the Committees on Agriculture and Transportation, presented a joint report (Stand. Com. Rep. No. 83) recommending that H.B. No. 116, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Masutani and carried, the joint report of the Committee was adopted and H.B. No. 116, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF AGRICULTURE COMMODITIES TRANSPORTATION SERVICES AND SYSTEMS", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 84) recommending that H.B. No. 763, as amended in HD 1, pass Second Reading and 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.B. No. 763, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESEARCH RELATED TO THE BURROWING NEMATODE", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 85) recommending that H.B. No. 768, as amended in HD 1, pass Second Reading and 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.B. No. 768, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR THE NURSERY AND FLORAL PRODUCTS INDUSTRIES IN HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 86) recommending that H.B. No. 771, as amended in HD 1, pass Second Reading and 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.B. No. 771, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LIVESTOCK DISEASE CONTROL PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 87) recommending that H.B. No. 775 pass Second Reading and 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.B. No. 775, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PURPOSES RELATED TO THE ANNUAL STATE FARM FAIR", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 88) recommending that H.B. No. 774, as amended in HD 1, pass Second Reading and 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.B. No. 774, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A HOG SLAUGHTERHOUSE ON OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 89) recommending that H.B. No. 1069 pass Second Reading and 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.B. No. 1069, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATEWIDE YOUNG FARMER'S PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 90) recommending that H.B. No. 824, as amended in HD 1, be recommitted to the Committee on Education.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 824, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", was recommitted to the Committee on Education.

Representative Machida, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 91) recommending that H.B. No. 60, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Machida, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 60, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII VISITOR INDUSTRY", passed Second Reading and was referred to the Committee on Finance.

Representative Machida, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 92) recommending that H.B. No. 1603, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Machida, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1603, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIKIKI IMPROVEMENTS", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 93) recommending that H.B. No. 69, as amended in HD 1, pass Second Reading and be referred to the Committee

on Finance.

On motion by Representative Masutani, seconded by Representative Takamine and carried, the report of the majority of the Committee was adopted and H.B. No. 69, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT", passed Second Reading and was referred to the Committee on Finance, with Representative Marumoto voting no.

At the request of Representative Stanley and with the Speaker noting no objections, the following remarks by Representative Dods were inserted into the Journal:

"Mr. Speaker, I would like to speak in favor of H.B. No. 69. Four years ago, after much work and study going back to the beginning of the decade, the 1975 Hawaii State Legislature appropriated \$6 million for a Honolulu area mass transit system.

The city administration has studied the issue and concluded that a fixed guideway system offers certain comparative advantages over other forms of mass transit for a 'linear city' such as Honolulu.

The Legislature has repeatedly asked the city for specific information to support its assertions. We have requested from the Department of Transportation Services estimates of costs relative to operation and maintenance of a fixed guideway system. Our requests remain unanswered. The Legislature has asked the Department of Transportation Services for an idea of how to finance a fixed guideway system without drastically increasing the tax liability of Hawaii residents. We are still waiting for an answer.

And while we wait--and in spite of the fact that the city considers this project a priority item--five years after the money was originally appropriated, the city continues to stall.

And while the city stalls, the commuting workers of Oahu are stuck in traffic.

We have waited long enough for the city to support its claim that Honolulu needs a fixed guideway system. The citizens of this county and of the state have been victimized by the city's lack of action for too

long.

The city wants the legislature to wait another year while the city continues to study the fixed guideway system into 1980. The citizens of the state haven't got the time to wait for the city to get its act together. We need to get the city moving right now. We need to pass H.B. No. 69 because it cuts off further dilatory action on the part of the city.

If the city begins to move--if it replaces its rhetoric with responsible action--and if it convinces us of the need to build the fixed guideway by this time next year, we could provide the necessary funds as a new appropriation. After the city has adequately answered our questions, the city and the state will then be justified in making a joint commitment to a fixed guideway system. But, to date, the city has given us nothing to have faith in.

A year ago the city told us we would lose federal funding if we continued to ask questions about the fixed guideway. While we are waiting for the answers, the federal government's commitment to finance the proposed system remains in effect.

Now the city says that the Federal Government will withdraw its funds if we pass H.B. No. 69. The Transportation Committee is concerned that the Federal Government will read the continued existence of the \$6 million appropriation as complete state support for the fixed guideway system when this is not true.

I would like to point out that this appropriation will not lapse--it will remain in effect as long as it is needed to qualify for Federal funds and could be with us for a long time--long enough for the cost of the system to increase past what the system is worth.

I ask all of you to give this project a chance for a clean start by repealing the existing \$6 million appropriation and by asking the city to request state support only after it has done its homework and can respond clearly to the concerns raised by the state legislature. I ask you to vote "aye", in support of H.B. No. 69, HD 1."

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 94) recommending that H.B. No. 66, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Masutani, seconded by Representative Takamine and carried, the report of the Committee was adopted and H.B. No. 66, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY ROAD REPAIR", passed Second Reading and was referred to the Committee on Finance.

At 5:25 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:28 o'clock p.m.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 95) recommending that H.B. No. 650 be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 650, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID FOR AN ORGANIZED CRIME-SELECTED OFFENDER UNIT WITHIN THE COUNTY OF HAWAII", was referred to the Committee on Finance.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 96) recommending that H.B. No. 77, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Shito, seconded by Representative Lee and carried, the report of the Committee was adopted and H.B. No. 77, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASES", was referred to the Committee on Consumer Protection and Commerce.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 97) recommending that H.B. No. 668, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Lee and carried, the report of the Committee was adopted and H.B. No. 668, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was referred to the Committee on Finance.

Representatives Uechi and Kawakami, for the Committees on Agriculture and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 98) recommending that H.B. No. 512, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Uechi and carried, the joint report of the Committee was adopted and H.B. No. 512, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ACQUISITION OF CERTAIN LANDS IN HANAIE VALLEY, KAUAI", was referred to the Committee on Finance.

Representatives Ushijima and Uechi, for the Committees on Higher Education and Agriculture, presented a joint report (Stand. Com. Rep. No. 99) recommending that H.B. No. 767 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and H.B. No. 767, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GREENHOUSE VEGETABLE CULTURE FACILITIES FOR THE KONA EXPERIMENT STATION, HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representatives Ushijima and Uechi, for the Committees on Higher Education and Agriculture, presented a joint report (Stand. Com. Rep. No. 100) recommending that H.B. No. 773, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and H.B. No. 773, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KONA EXPERIMENT STATION, COLLEGE OF TROPICAL AGRICULTURE, UNIVERSITY OF HAWAII, KONA, HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representatives Ushijima and Uechi, for the Committees on Higher Education and Agriculture, presented a joint report (Stand. Com. Rep. No. 101) recommending that H.R. No. 291,

as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and H.R. No. 291, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE APPOINTMENT OF AN ADVISORY COMMITTEE TO STUDY AND RECOMMEND IMPROVEMENTS IN THE AGRICULTURE EDUCATION PROGRAMS OF THE UNIVERSITY OF HAWAII", was referred to the Committee on Finance.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 102) recommending that H.B. No. 42 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and H.B. No. 42, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FAIR EMPLOYMENT PRACTICES AND DISCRIMINATION INVESTIGATION PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representatives Takamine and Lee, for the Committees on Employment Opportunities and Labor Relations and Public Assistance and Human Services, presented a joint report (Stand. Com. Rep. No. 103) recommending that H.B. No. 47, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative Lee and carried, the joint report of the Committees was adopted and H.B. No. 47, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VOCATIONAL REHABILITATION", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 104) recommending that H.B. No. 1100, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

At this time, Representative Ushijima waived referral of H.B. No. 1100, HD 1.

On motion by Representative Aki,

seconded by Representative Ige and carried, the report of the Committee was adopted and, notwithstanding the recommendation of the report, H.B. No. 1100, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAPAHULU MULTIPURPOSE SENIOR CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs presented a report (Stand. Com. Rep. No. 105) recommending that H.B. No. 626, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 626, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE IMMIGRANT YOUTH PROGRAM OF THE PALAMA INTERCHURCH COUNCIL", passed Second Reading and was referred to the Committee on Finance.

Representatives Aki and Segawa, for the majority of the Committees on Youth and Elderly Affairs and Health, presented a joint report (Stand. Com. Rep. No. 106) recommending that H.B. No. 520 pass Second Reading and be referred to the Committee on Judiciary.

At this time, Representative Sutton rose to speak against H.B. No. 520:

"Mr. Speaker, first of all I would like to say that we do not need to destroy the relationship of minors to their family any further than has been changed, and the Supreme Court never has done anything in the way of trying to encourage the destruction of the family relationship.

The Committee report says that the Supreme Court of the United State of America gave to minors the constitutional right to prevent pregnancy without parental consent. As you know, Mr. Speaker, that was mere dictum and nobody as well trained in law as yourself, Mr. Speaker, would possibly call it a holding and in this Committee report, it is cited as a holding and the Committee report is in error.

Now, Mr. Speaker, the Supreme Court of the United States never was addressed the direct issue of

whether or not you could divorce parental consent from the pregnancy. That was not the issue in the case, and the Supreme Court at no time has ever made such a holding.

Further, Mr. Speaker, we in Hawaii do not need to destroy the family relationship, we need to build it up. That's what our biggest problem is, that's the problem of this generation. This generation has found itself without the unity of the family and all of a sudden with H.B. No 520 here we put into something that sanctifies the fact that that parent isn't going to find out.

Now, Mr. Speaker, communication is probably the most important thing for civilized man and we've cut off the cord between the parent and the child of communication. And so, Mr. Speaker, I would ask that you and your colleagues, our own Kinau Boyd Kamalii, the Republican leader, vote no on this. Thank you."

On motion by Representative Aki, seconded by Representative Segawa and carried, the joint report of the majority of the Committees was adopted and H.B. No. 520, entitled: "A BILL FOR AN ACT RELATING TO MINORS", passed Second Reading and was referred to the Committee on Judiciary, with Representative Sutton voting no.

At 5:35 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:36 o'clock p.m.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 107) recommending that H.B. No. 335, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.B. No. 335, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE BISHOP MUSEUM", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee

on Culture and the Arts, presented a report (Stand. Com. Rep. No. 108) recommending that H.B. No. 916, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.B. No. 916, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FETU AO ORGANIZATION", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 109) recommending that H.B. No. 862, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.B. No. 862, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KALIHI-PALAMA CULTURE AND ARTS SOCIETY", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 110) recommending that H.B. No. 37, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.B. No. 37, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII SPORTS HALL OF FAME", passed Second Reading and was referred to the Committee on Finance, with Representative Evans voting no.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 111) recommending that H.B. No. 621, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Lunasco and carried, the report of the Committee was adopted and H.B. No. 621,

HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HONOLULU SYMPHONY SOCIETY", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 112) recommending that H.B. No. 624, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 624, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII COUNCIL ON PORTUGUESE HERITAGE", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 113) recommending that H.B. No. 778, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 778, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HONOLULU THEATRE FOR YOUTH", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 114) recommending that H.B. No. 36, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 36, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAII HISTORIC HALL AND THE RELOCATION OF THE DOWNTOWN LIBRARY", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 115) recommending that H.B. No.

638, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 638, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN OKINAWAN CELEBRATION COMMISSION", passed Second Reading and was referred to the Committee on Finance.

Representatives Kawakami and Uechi, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, presented a joint report (Stand. Com. Rep. No. 116) recommending that H.B. No. 727 pass Second Reading and 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.B. No. 727, entitled: "A BILL FOR AN ACT RELATING TO USE OF PUBLIC LANDS FOR AGRICULTURAL PURPOSES", passed Second Reading and was referred to the Committee on Finance.

Representative Uwaine, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 117) recommending that H.B. No. 129, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uwaine, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.B. No. 129, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ENERGY CONSERVATION", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 118) recommending that H.B. No. 900 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 900, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF MOLOKAI REHABILITATION FACILITY AT KAUNAKAKAI, MOLOKAI", passed Second Reading and was referred

to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 119) recommending that H.B. No. 1515 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1515, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PHYSICIAN-NURSE MIDWIFERY SERVICES DEMONSTRATION PROJECT", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 120) recommending that H.B. No. 287 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 287, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 121) recommending that H.B. No. 1595, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1595, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT KALAUPAPA SETTLEMENT" passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 122) recommending that H.B. No. 1126, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1126, HD1, entitled: "A BILL FOR AN

ACT RELATING TO MENTAL HEALTH SERVICES", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 123) recommending that H.B. No. 1122, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1122, HD 1, entitled: "A BILL FOR AN ACT RELATING TO POISON INFORMATION SERVICES", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 124) recommending that H.B. No. 1129, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1129, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE", passed Second Reading and was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 125) recommending that H.B. No. 577 be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 577, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIGENT CRIMINAL DEFENDANTS", was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 126) recommending that H.B. No. 922 be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 922, entitled: "A BILL FOR

AN ACT MAKING AN APPROPRIATION FOR A STUDY RELATING TO GUARDIANSHIP, CIVIL COMMITMENT, AND PROTECTIVE SERVICES IN THE STATE OF HAWAII", was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 127) recommending that H.B. No. 917 be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 917, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE JUSTICE FOR VICTIMS PROGRAM IN HAWAII COUNTY", was referred to the Committee on Finance.

Representatives Kawakami and Uechi, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, presented a joint report (Stand. Com. Rep. No. 128) recommending that H.B. No. 1643, as amended in HD 1, pass Second Reading and 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.B. No. 1643, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TROPICAL AQUACULTURE CENTER OF HAWAII AND PROVIDING AN APPROPRIATION THEREFOR", passed Second Reading and was referred to the Committee on Finance.

Representatives Kawakami and Uechi, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, presented a joint report (Stand. Com. Rep. No. 129) recommending that H.B. No. 1328 pass Second Reading and 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.B. No. 1328, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RECREATIONAL AGRICULTURE", passed Second Reading and was referred to the Committee on Finance.

Representatives Kawakami and Uechi, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, presented a joint report (Stand. Com. Rep. No. 130) recommending that H.B. No. 1654 pass Second Reading and 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.B. No. 1654, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS", passed Second Reading and was referred to the Committee on Finance.

Representatives Kawakami and Uechi, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, presented a joint report (Stand. Com. Rep. No. 131) recommending that H.B. No. 1652 pass Second Reading and 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.B. No. 1652, entitled: "A BILL FOR AN ACT RELATING TO AN APPROPRIATION FOR THE AQUACULTURE LOAN PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 132) recommending that H.B. No. 637, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 637, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COUNCIL OF HOUSING AND CONSTRUCTION INDUSTRY", was referred to the Committee on Finance.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 133) recommending that H.B. No. 137, as amended in HD 1, pass Second Reading and be referred to the Committee on

Finance.

On motion by Representative Toguchi, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.B. No. 137, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE RESOURCES", passed Second Reading and was referred to the Committee on Finance.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 134) recommending that H.B. No. 136, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.B. No. 136, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE RESOURCES", passed Second Reading and was referred to the Committee on Finance.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 135) recommending that H.B. No. 466, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.B. No. 466, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A BUOY PLACEMENT PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Larsen, for the Committee on Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 136) recommending that H.B. No. 125, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Larsen, seconded by Representative Takitani and carried, the report of the Committee was adopted and H.B. No. 125, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL ENHANCEMENT", was referred to the Committee on Finance.

At 5:40 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

EVENING SESSION

The House of Representatives reconvened at 6:50 o'clock p.m.

At this time, Representative Sutton introduced to the members of the House Mr. and Mrs. George Weaver and their son, David, from Morgantown, West Virginia. Mr. Weaver is a professor of engineering at the University of West Virginia.

STANDING COMMITTEE REPORTS

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 137) recommending that H.B. No. 1071, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 1071, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC AND ASIAN AFFAIRS COUNCIL FOR THE STATE OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 138) recommending that H.B. No. 339, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 339, HD 1, entitled: "A BILL FOR AN ACT PROVIDING ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL FUNDS", passed Second Reading and was referred to the Committee on Finance.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 139) recommending that H.B. No. 43, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and H.B. No. 43, HD 1, entitled: "A BILL FOR AN ACT

MAKING AN APPROPRIATION FOR THE MANPOWER TRAINING SKILLS FOR EMERGING INDUSTRIES", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 140) recommending that H.B. No. 455, as amended in HD 1, be recommitted to the Committee on Water, Land Use, Development and Hawaiian Affairs.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 455, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", was recommitted to the Committee on Water, Land Use, Development and Hawaiian Affairs.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 141) recommending that H.B. No. 1512 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1512, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ELECTRONICS INDUSTRY DEVELOPMENT PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 142) recommending that H.B. No. 1213 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1213, entitled: "A BILL FOR AN ACT RELATING TO ENTREPRENEURSHIP TRAINING", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com.

Rep. No. 143) recommending that H.B. No. 732 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 732, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 144) recommending that H.B. No. 26 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 26, entitled: "A BILL FOR AN ACT RELATING TO MANUFACTURING ENTERPRISES", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 145) recommending that H.B. No. 27 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 27, entitled: "A BILL FOR AN ACT RELATING TO PROCESSING ENTERPRISES", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 146) recommending that H.B. No. 28 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 28, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL ENTERPRISES", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 147) recommending that H.B. No. 719, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 719, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEEIA STATE PARK", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 148) recommending that H.B. No. 1514 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1514, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PACIFIC ISLANDS DEVELOPMENT COMMISSION", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 149) recommending that H.B. No. 1513 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1513, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DATA BASE AND AN INTEGRATED INDUSTRIAL ENGINEERING AND POWER MACHINE OPERATOR TRAINING PROGRAM FOR THE GARMENT INDUSTRY", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 150) recommending that H.B. No. 1531 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. no. 1531, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ALU LIKE, INC. FOR THE NATIVE HAWAIIAN PROGRAM UNDER THE NATIVE AMERICANS ACT OF 1978", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 151) recommending that H.B. No. 1023, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 1023, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CAPITOL IMPROVEMENT PROJECT IN THE FOURTEENTH REPRESENTATIVE DISTRICT, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 152) recommending that H.B. Nos. 198, 270, 634, 677, 791, 957, 1056, 1205, 1447 and 1534 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and the following House Bills passed Second Reading and were referred to the Committee on Finance:

H.B. No. 198, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RECREATIONAL FACILITIES AND SERVICES FOR THE SEVENTH REPRESENTATIVE DISTRICT."

H.B. No. 270, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RECREATIONAL FACILITIES AND SERVICES IN THE 19TH REPRESENTATIVE DISTRICT."

H.B. No. 634, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RECREATIONAL FACILITIES AND SERVICES IN THE 16TH REPRESENTATIVE DISTRICT."

H.B. No. 677, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RECREATIONAL FACILITIES AND SERVICES IN THE 24TH REPRESENTATIVE DISTRICT."

H.B. No. 791, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ACQUISITION OF RIGHTS-OF-WAY TO CERTAIN HUNTING AREAS, OAHU."

H.B. No. 957, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVING ROAD DRAINAGE FRONTING CASTLE HIGH SCHOOL, OAHU."

H.B. No. 1056, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SKATEBOARD FACILITY IN PEARL CITY, OAHU."

H.B. No. 1205, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MAKIKI DITCH, OAHU."

H.B. No. 1447, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAPAKAHI NORTH KOHALA STATE PARK COMPLEX, HAWAII."

H.B. No. 1534, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE IMPROVEMENT OF DECORTE PARK, OAHU."

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 153) recommending that H.B. Nos. 258, 259, 464, 458, 699, 700, 878, 879, 898, 908, 964, 1029, 1030, 1076, 1078, 1081, 1092, 1098, 1158, 1239, 1251, 1362, 1464, 1474, 1475, 1481, 1483, 1484, 1490, 1503, 1504, 1523, 1533, 1570 and 1705 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and the following House Bills passed Second Reading and were referred to the Committee on Finance:

H.B. No. 258, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS OF LANDS TRANSFERRED FROM THE UNIVERSITY OF HAWAII TO THE CITY AND COUNTY OF HONOLULU FOR PARK PURPOSES, AT KANEWAI, HONOLULU, OAHU."

H.B. No. 259, entitled: "A BILL FOR AN ACT MAKING A SUPPLEMENTAL APPROPRIATION FOR PLANNING AND CONSTRUCTION OF TENNIS COURTS AT PALOLO NEIGHBORHOOD PLAYGROUND, HONOLULU, OAHU."

H.B. No. 464, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WATER SYSTEM PROJECTS, COUNTY OF HAWAII."

H.B. No. 658, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF A RETAINING WALL TO PREVENT EROSION ALONG PUKELE STREAM FROM KEANU STREET TO ST. LOUIS DRIVE, HONOLULU, OAHU."

H.B. No. 699, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANNING AND CONSTRUCTION OF A CARETAKER'S COTTAGE AT WAAHILA RIDGE STATE PARK, HONOLULU, OAHU."

H.B. No. 700, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF A CHAIN-LINK FENCE AND GENERAL IMPROVEMENTS AT PUKELE PLAYGROUND, HONOLULU, OAHU."

H.B. No. 878, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OLD KONA AIRPORT PARK, HAWAII."

H.B. No. 879, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OLD KONA AIRPORT PARK, HAWAII."

H.B. No. 898, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A MASTER PLAN TO DEVELOP HONOMUNI BEACH AS A STATE BEACH PARK, MOLOKAI."

H.B. No. 908, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS TO NUU WAILUA WATER SYSTEM AT KEANAE, COUNTY OF MAUI."

H.B. No. 964, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DESIGN AND INSTALLATION OF NEW FIELD LIGHTS AT HOOLULU PARK, HAWAII COUNTY."

H.B. No. 1029, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WATER MAIN AT KOLEKOLE DRIVE, WAHIAWA, OAHU."

H.B. No. 1030, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WATER MAIN AT DOLE ROAD, WAHIAWA, OAHU."

H.B. No. 1076, entitled: "A BILL FOR AN ACT MAKING SUPPLEMENTAL APPROPRIATION FOR PLANS AND CONSTRUCTION OF A COMMUNITY CENTER AT KULA, COUNTY OF MAUI."

H.B. No. 1078, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF WATER PROJECTS, COUNTY OF MAUI."

H.B. No. 1081, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF KAHOMA STREAM FLOOD CONTROL PROJECT, LAHAINA, COUNTY OF MAUI."

H.B. No. 1092, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WATER DEVELOPMENT PROJECT AT KEANAE, MAUI."

H.B. No. 1098, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HONOLUA WATERSHED PROJECT, WEST MAUI SOIL CONSERVATION DISTRICT."

H.B. No. 1158, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL PERMANENT PERSONNEL AND EQUIPMENT AT KAIKA STATE RECREATION AREA AND WAHIAWA STATE FRESHWATER PARK, OAHU."

H.B. No. 1239, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF MAKAPUU INTERCEPTOR SEWER, WAIMANALO, OAHU."

H.B. No. 1251, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE EIGHTEENTH REPRESENTATIVE DISTRICT, OAHU."

H.B. No. 1362, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WATER LINE TO MOKAUEA ISLAND, HONOLULU."

H.B. No. 1464, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO EXPAND THE OUTDOOR EDUCATION AND ENVIRONMENTAL EDUCATION PROGRAMS AT CAMP KEANAE, MAUI."

H.B. No. 1474, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU."

H.B. No. 1475, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU."

H.B. No. 1481, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU."

H.B. No. 1483, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU."

H.B. No. 1484, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU."

H.B. No. 1490, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU."

H.B. No. 1503, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS IN THE TWELFTH DISTRICT."

H.B. No. 1504, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS IN THE TWELFTH DISTRICT."

H.B. No. 1523, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DESIGN AND CONSTRUCTION OF A BRIDGE ACROSS WAIMANALO STREAM, WAIMANALO, OAHU."

H.B. No. 1533, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SWIMMING POOL COMPLEX, LANAKILA PARK, OAHU."

H.B. No. 1570, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS IN THE FIRST REPRESENTATIVE DISTRICT OF HAWAII."

H.B. No. 1705, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE GRANT-IN-AID FOR CAPITAL IMPROVEMENT PROJECTS IN THE ELEVENTH REPRESENTATIVE DISTRICT OF OAHU."

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 154) recommending that H.B. No. 660, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Lee and carried, the report of the Committee was adopted and H.B. No. 660, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX ON GAINS FROM THE SALE OR EXCHANGE OF REAL PROPERTY", was referred to the Committee on Finance.

Representative Takamine, for the majority of the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 155) recommending that H.B. No. 710, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the majority of the Committee was adopted and H.B. No. 710, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was referred to the Committee on Finance, with Representative Marumoto, Representative Larsen and Representative Sutton voting no.

Representative Takamine, for the majority of the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 156) recommending that H.B. No. 707, as amended in HD 1, pass Second Reading and be referred to the Committee on

Finance.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the majority of the Committee was adopted and H.B. No. 707, HD 1, entitled: "A BILL FOR AN ACT INCREASING INDEMNITY BENEFITS PAYABLE UNDER THE HAWAII WORKERS' COMPENSATION ACT", passed Second Reading and was referred to the Committee on Finance.

Representative Takamine, for the majority of the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 157) recommending that H.B. No. 705 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the majority of the Committee was adopted and H.B. No. 705, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION BENEFITS FOR PERMANENT TOTAL DISABILITY OR DEPENDENCY", passed Second Reading and was referred to the Committee on Finance, with Representative Marumoto voting no.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 158) recommending that H.B. No. 1647, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 1647, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL FUNDS", passed Second Reading and was referred to the Committee on Finance.

ADJOURNMENT

At 6:55 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned to 11:30 o'clock a.m. tomorrow, February 28, 1979.

TWENTY-FIFTH DAY

Wednesday, February 28, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Alan Mark of Waianae United Methodist Church, after which the Roll was called showing all members present with the exception of Representatives Anderson, Blair, Fukunaga, Holt, Ikeda, Inaba, Kawakami, Larsen, Narvaes, Segawa, Takitani, Toguchi and D. Yamada, who were excused.

By unanimous consent, reading and approval of the Journal of the Twenty-Fourth Day was deferred.

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 16) transmitting Senate Concurrent Resolution No. 31, extending congratulations and appreciation to Henry "Hank" Hyde upon his retirement, which was adopted by the Senate on February 27, 1979, was read by the Clerk and was placed on file.

On motion by Representative K. Yamada, seconded by Representative Evans and carried, S.C.R. No. 31 was adopted.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 381 to 421) and concurrent resolutions (H.C.R. Nos. 68 to 84) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
381	Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
382	Committee on Youth and Elderly Affairs, then to the Committee on Finance
383	Jointly to the Committees on Youth and Elderly Affairs and Judiciary
384	Committee on Water, Land

Use, Development and Hawaiian Affairs

385	Committee on Education, then to the Committee on Finance
386	Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
387	Committee on Higher Education, then to the Committee on Finance
388	Committee on Transportation, then to the Committee on Legislative Management
389	Committee on Public Employment and Government Operations, then to the Committee on Finance, then to the Committee on Legislative Management
390	Committee on Youth and Elderly Affairs, then to the Committee on Finance
391	Committee on Youth and Elderly Affairs, then to the Committee on Finance
392	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Public Employment and Government Operations, then to the Committee on Finance
393	Jointly to the Committees on Energy and Ecology and Environmental Protection
394	Committee on Energy
395	Committee on Health, then to the Committee on Finance
396	Jointly to the Committees on Public Assistance and Human Services and Health, then to the Committee on Finance
397	Committee on Public Assistance and Human Services, then to the Committee on Finance
398	Committee on Judiciary, then to the Committee on Finance
399	Committee on Transportation
400	Jointly to the Committees on Employment Opportunities and Labor Relations and Public Employment and Government Operations
401	Committee on Public Employment and Government Operations

- 402 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 403 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 404 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 405 Committee on Judiciary, then to the Committee on Finance
- 406 Committee on Judiciary, then to the Committee on Finance
- 407 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 408 Committee on Higher Education
- 409 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 410 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Public Employment and Government Operations and Transportation, then to the Committee on Finance
- 411 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 412 Jointly to the Committees on Education and Culture and the Arts, then to the Committee on Finance
- 413 Jointly to the Committees on Corrections and Rehabilitation and Education, then to the Committee on Finance
- 414 Committee on Housing
- 415 Jointly to the Committees on Education and Public Employment and Government Operations, then to the Committee on Finance, then to the Committee on Legislative Management
- 416 Committee on Education
- 417 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 418 Committee on Higher Education, then to the Committee on Finance
- 419 Jointly to the Committees on Education and Youth and Elderly Affairs, then to the Committee on Finance
- 420 Committee on Judiciary, then to the Committee on Finance
- 421 Committee on Judiciary
- H.C.R. Nos.
- 68 Committee on Education, then to the Committee on Finance
- 69 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 70 Committee on Higher Education, then to the Committee on Finance
- 71 Committee on Water, Land Use, Development and Hawaiian Affairs
- 72 Committee on Public Employment and Government Operations, then to the Committee on Finance, then to the Committee on Legislative Management
- 73 Committee on Transportation, then to the Committee on Legislative Management
- 74 Jointly to the Committees on Energy and Ecology and Environmental Protection
- 75 Committee on Public Assistance and Human Services, then to the Committee on Finance
- 76 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 77 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 78 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 79 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 80 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Transportation
- 81 Committee on Public Employment and Government Operations, then

to the Committee on Finance

82 Jointly to the Committees
on Education and Culture and
the Arts, then to the Committee
on Finance

83 Committee on Higher Education

84 Committee on Judiciary

COMMITTEE REASSIGNMENTS

The following bills were re-referred
as follows:

<u>H.B. Nos.</u>	<u>Referred to:</u>
75	Committee on Health, then to the Committee on Finance
1057	Committee on Education, then to the Committee on Finance
1388	Committee on Public Employment and Government Operations

STANDING COMMITTEE REPORTS

Representative Kunimura, for
the Committee on Legislative Management,
presented a report (Stand. Com.
Rep. No. 159) informing the House
that House Resolution Nos. 414 to
422, House Concurrent Resolution
No. 84, and Standing Committee
Report Nos. 77 to 158, have been
printed and distributed.

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

Representative Blair, for the
Committee on Consumer Protection
and Commerce, presented a report
(Stand. Com. Rep. No. 160) recommending
that H.B. No. 158, as amended in
HD 1, pass Second Reading and
be placed on the calendar for Third
Reading.

On motion by Representative Shito,
seconded by Representative Peters
and carried, the report of the Committee
was adopted and H.B. No. 158,
HD 1, entitled: "A BILL FOR AN
ACT RELATING TO THE PRACTICE
OF BARBERING", passed Second
Reading and was placed on the calendar
for Third Reading on Friday, March
2, 1979.

Representative Blair, for the
Committee on Consumer Protection
and Commerce, presented a report
(Stand. Com. Rep. No. 161) recommending

that H.B. No. 600, as amended in
HD 1, pass Second Reading and be
placed on the calendar for Third Reading.

On motion by Representative Shito,
seconded by Representative Peters
and carried, the report of the Committee
was adopted and H.B. No. 600, HD
1, entitled: "A BILL FOR AN ACT
RELATING TO PARTNERSHIP FEES",
passed Second Reading and was placed
on the calendar for Third Reading
on Friday, March 2, 1979.

Representative Blair, for the Committee
on Consumer Protection and Commerce,
presented a report (Stand. Com. Rep.
No. 162) recommending that H.B.
No. 177 pass Second Reading and
be placed on the calendar for Third
Reading.

On motion by Representative Shito,
seconded by Representative Peters
and carried, the report of the Committee
was adopted and H.B. No. 177, entitled:
"A BILL FOR AN ACT RELATING TO
CONSUMER PROTECTION", passed
Second Reading and was placed on
the calendar for Third Reading on
Friday, March 2, 1979.

The Chair directed the Clerk to
note that printed copies of H.B. Nos.
158, HD 1; 600, HD 1; and 177, were
made available to the members of
the House at 11:30 o'clock a.m.

Representative Larsen, for the Committee
on Ecology and Environmental Protection,
presented a report (Stand. Com. Rep.
No. 163) recommending that H.R.
No. 156, as amended in HD 1, be referred
to the Committee on Health.

On motion by Representative K.
Yamada, seconded by Representative
Peters and carried, the report of
the Committee was adopted and H.R.
No. 156, HD 1, entitled: "HOUSE
RESOLUTION REQUESTING A REPORT
ON THE STATUS OF HAWAII'S NOISE
ABATEMENT AND ENFORCEMENT
PROGRAM", was referred to the Committee
on Health.

Representative Uechi, for the Committee
on Agriculture, presented a report
(Stand. Com. Rep. No. 164) recommending
that H.C.R. No. 44 be adopted.

On motion by Representative Uechi,
seconded by Representative Sakamoto
and carried, the report of the Committee
was adopted and H.C.R. No. 44, entitled:
"HOUSE CONCURRENT RESOLUTION
RESPECTFULLY REQUESTING HAWAII'S
DELEGATION TO THE UNITED STATES
CONGRESS TO SPONSOR AND SUPPORT
LEGISLATION RELATING TO THE

FARM OWNERSHIP PROGRAM LOANS OF THE FEDERAL FARMERS HOME ADMINISTRATION", was adopted.

Representatives Uechi and Lunasco, for the Committees on Agriculture and Education, presented a joint report (Stand. Com. Rep. No. 165) recommending that H.C.R. No. 40, as amended in HD 1, be adopted.

On motion by Representative Uechi, seconded by Representative Lunasco and carried, the joint report of the Committees was adopted and H.C.R. No. 40, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING THE DESIGNATION OF THE MCKINLEY HIGH SCHOOL 'FAIR-GROUNDS' AS THE PERMANENT SITE OF THE ANNUAL STATE FARM FAIR AND COMMENDING MCKINLEY HIGH SCHOOL FOR SUPPORTING THE STATE FARM FAIR", was adopted.

Representatives Ushijima and Uechi, for the Committees on Higher Education and Agriculture, presented a joint report (Stand. Com. Rep. No. 166) recommending that H.R. No. 283 be adopted.

On motion by Representative Ushijima, seconded by Representative Uechi and carried, the report of the Committee was adopted and H.R. No. 283, entitled: "HOUSE RESOLUTION URGING PRIORITY CONSIDERATION IN RESOURCE ALLOCATION TO ENHANCE EXPANSION OF THE PROGRAM OF TROPICAL AGRICULTURE OF THE COLLEGE OF AGRICULTURE, UNIVERSITY OF HAWAII AT HILO", was adopted.

Representative Nakamura, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 167) recommending that H.B. No. 1155 be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.B. No. 1155, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LILIHA HOUSE II, OAHU", was referred to the Committee on Finance.

Representative Nakamura, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 168) recommending that H.B. No. 1154 be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Garcia and carried, the report of the Committee

was adopted and H.B. No. 1154, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RENOVATION OF THE GIRLS WARD AT THE DETENTION FACILITY, OAHU", was referred to the Committee on Finance.

At this time, the Chair directed the Clerk to note the presence of Representatives Blair, Ikeda, Inaba, Larsen, Narvaes, Segawa, Toguchi and D. Yamada.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 169) recommending that H.B. No. 1173 pass Second Reading and 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.B. No. 1173, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PURPOSES RELATED TO THE FIRST ANNUAL PAN-PACIFIC CONFERENCE", passed Second Reading and was referred to the Committee on Finance.

Representatives Uechi and Stanley, for the Committees on Agriculture and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 170) recommending that H.B. No. 1172, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Stanley and carried, the joint report of the Committees was adopted and H.B. No. 1172, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE", passed Second Reading and was referred to the Committee on Finance.

Representatives Ushijima and Uechi, for the Committees on Higher Education and Agriculture, presented a joint report (Stand. Com. Rep. No. 171) recommending that H.B. No. 776, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and H.B. No. 776, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF ORNAMENTAL PRODUCTS RESEARCH FACILITIES AT KEAHOLE AGRICULTURAL PARK, HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representatives Ushijima and Uechi, for the Committees on Higher Education and Agriculture, presented a joint report (Stand. Com. Rep. No. 172) recommending that H.B. No. 1170, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and H.B. No. 1170, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PINEAPPLE ANT AND MEALY BUG CONTROL PROJECT", passed Second Reading and was referred to the Committee on Finance.

Representatives Ushijima and Uechi, for the Committees on Higher Education and Agriculture, presented a joint report (Stand. Com. Rep. No. 173) recommending that H.B. No. 772, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and H.B. No. 772, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION RELATING TO AGRICULTURAL PESTICIDES RESEARCH AND REGISTRATION", passed Second Reading and was referred to the Committee on Finance.

Representatives Ushijima, Lunasco and Uechi, for the Committees on Higher Education, Education and Agriculture, presented a joint report (Stand. Com. Rep. No. 174) recommending that H.R. No. 296 be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Lunasco and carried, the joint report of the Committees was adopted and H.R. No. 296, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND THE COMMUNITY COLLEGES OF THE UNIVERSITY OF HAWAII SYSTEM TO DEVELOP A COMPREHENSIVE AND INTEGRATED PROGRAM FOR STUDENTS PURSUING CAREERS IN COMMERCIAL AGRICULTURE", was referred to the Committee on Finance.

Representatives Kawakami and Say, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Culture and the Arts, presented a report (Stand. Com.

Rep. No. 175) recommending that H.B. No. 1450, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative K. Yamada, seconded by Representative Peters and carried, the joint report of the Committees was adopted and H.B. No. 1450, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES", passed Second Reading and was referred to the Committee on Finance.

Representatives Kawakami and Say, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Culture and the Arts, presented a report (Stand. Com. Rep. No. 176) recommending that H.B. No. 904 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative K. Yamada, seconded by Representative Peters and carried, the joint report of the Committees was adopted and H.B. No. 904, entitled: "A BILL FOR AN ACT MAKING SUPPLEMENTAL APPROPRIATION FOR RESTORATION OF HALE PA'I (PRINTING HOUSE) AT LAHAINA, MAUI", passed Second Reading and was referred to the Committee on Finance.

Representatives Kawakami, Uechi and Stanley, for the Committees on Water, Land Use, Development and Hawaiian Affairs, Agriculture and Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 177) recommending that H.B. No. 1637 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uechi, seconded by Representative Inaba and carried, the joint report of the Committees was adopted and H.B. No. 1637, entitled: "A BILL FOR AN ACT RELATING TO THE ASSIGNMENT OF THE AQUACULTURAL FUNCTION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES", passed Second Reading and was referred to the Committee on Finance.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 178) recommending that H.B. No. 48, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takamine,

seconded by Representative de Heer and carried, the report of the Committee was adopted and H.B. No. 48, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", passed Second Reading and was referred to the Committee on Finance.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 179) recommending that H.B. No. 750, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and H.B. No. 750, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION", passed Second Reading and was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Rep. No. 180) recommending that H.B. No. 461, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Honda, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 461, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF SESSION LAWS", passed Second Reading and will be placed on the calendar for Third Reading on Friday, March 2, 1979.

The Chair directed the Clerk to note that printed copies of H.B. No. 461, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representatives Toguchi and Lunasco, for the Committees on Ocean and Marine Resources and Education, presented a report (Stand. Com. Rep. No. 181) recommending that H.B. No. 1182, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Lunasco and carried, the joint report of the Committees was adopted and H.B. No. 1182, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE EDUCATION", passed Second Reading and was referred to the Committee on Finance.

Representatives Toguchi and Kawakami, for the Committees on Ocean and Marine Resources and Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 182) recommending that H.B. No. 352, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Peters and carried, the joint report of the Committees was adopted and H.B. No. 352, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PUBLIC RIGHTS-OF-WAY TO THE SEA AND GAME PRESERVES", passed Second Reading and was referred to the Committee on Finance.

Representative Uwaine, for the majority of the Committee on Energy, presented a report (Stand. Com. Rep. No. 183) recommending that H.B. No. 1167, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Uwaine, seconded by Representative Hashimoto and carried, the report of the majority of the Committee was adopted and H.B. No. 1167, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE SALES ON SUNDAYS", was referred to the Committee on Consumer Protection and Commerce, with Representatives Aki, Kunimura, Larsen and Sutton voting no.

Representative Uwaine, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 184) recommending that H.B. No. 275, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Uwaine, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.B. No. 275, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT FOR SOLAR ENERGY", was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

At this time, Representative Garcia rose and stated:

"Mr. Speaker, I have a resolution to be introduced this morning."

At 11:42 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:50 o'clock a.m., the Chair directed the Clerk

to note the presence of Representatives Anderson, Fukunaga, Holt and Takitani.

Representative Kihano, granted permission to make a late introduction, introduced a group of senior citizens from Waipahu. They were accompanied by Ms. Louise Smith.

Representative Garcia then rose and asked:

"Mr. Speaker, will I be allowed to make a motion on the matter prior to the introduction or after the introduction?"

The Chair replied:

"The Chair will tackle that subject when it is properly made, or improperly made."

Representative Kiyabu then introduced "two good friends", Mr. and Mrs. Andy Palmer, from Boston, Massachusetts.

The Chair, at this time, re-referred House Bill No. 461, HD 1, to the Committee on Judiciary, then to the Committee on Finance, "for the purpose of having said bill moved to the Finance Committee inasmuch as the Judiciary Committee amended the bill to insert therein an appropriation section."

At 11:52 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 11:54 o'clock a.m.

RECONSIDERATION OF ACTION TAKEN

Representative K. Yamada moved that the House reconsider its action taken earlier on Stand. Com. Rep. No. 180 on H.B. No. 461, HD 1, seconded by Representative Evans and carried.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and notwithstanding the recommendations of the Committee, H.B. No. 461, HD 1, passed Second Reading and was referred to the Committee on Finance.

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

Upon reconvening at 11:57 o'clock a.m., the Chair directed the Clerk to note the presence of Representative Kawakami.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 423 to 425) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 423) extending heartiest congratulations and commending Lawrence "Larry" H. Ginoza upon his selection as the Hula Bowl's 1978 Sportsman of the Year was jointly offered by Representatives Peters, Aki, Fukunaga, Hashimoto, Holt, Ige, Kihano, Kiyabu, Kobayashi, Kunimura, Lee, Lunasco, Machida, Masutani, Morioka, Nakamura, Segawa, Takitani, Uechi and D. Yamada.

On motion by Representative Peters, seconded by Representative Aki and carried, H.R. No. 423 was adopted.

A resolution (H.R. No. 424) congratulating the Seariders of Waianae High School upon winning the 1978-1979 OIA Varsity Football Championship and the 1978 Prep Bowl Championship was jointly offered by Representatives Peters, Aki, Fukunaga, Hashimoto, Holt, Ige, Kihano, Kiyabu, Kobayashi, Kunimura, Lee, Lunasco, Machida, Masutani, Morioka, Nakamura, Segawa, Takitani, Uechi and D. Yamada.

On motion by Representative Peters, seconded by Representative Aki and carried, H.R. No. 424 was adopted.

A resolution (H.R. No. 425) congratulating the Junior Varsity Seariders of Waianae High School for winning the OIA JV Football Championship for the third consecutive season was jointly offered by Representatives Aki, Peters, Fukunaga, Hashimoto, Holt, Ige, Kihano, Kiyabu, Kobayashi, Kunimura, Lee, Lunasco, Machida, Masutani, Morioka, Segawa, Takitani, Uechi and D. Yamada.

On motion by Representative Aki, seconded by Representative Peters and carried, H.R. No. 425 was adopted.

Prior to introducing the honorees, Representative Peters stated:

"Mr. Speaker, thank you very much for your indulgence. This team is No. 1 in the State and I guess you can understand why we have gotten to that point. It took a lot of effort on the part of individuals like Larry Ginoza and Brother Higa who serves as coach for both the Varsity and Junior

Varsity football teams. It is certainly my honor that they have made us in Waianae very proud during these last few years in attaining that high level of qualitative football, if you will. I know that my sister across the way had indicated at one time that the Windward area was 'no ka oi' for certain kinds of activities. Let me assure her, and let me assure all of you, that Waianae is 'no ka oi' when it comes to football in the State."

Representative Peters then introduced the following to the members of the House: Mr. Mits Shishido, Principal of Waianae High School; Mr. Larry Ginoza, Athletic Director and Head Coach of the Varsity football team, who recently was selected as the Hula Bowl's 1978 Sportsman of the Year; Mr. Glenn Higa, Head Coach of the Junior Varsity football team; and two members of the Varsity squad, Mr. Ernest Lacaden, linebacker, and Mr. Fred Mahuka, half-back.

Representative Aki then introduced the members of the Junior Varsity team as follows: Mr. John Androm, Mr. Joe Cruz, Mr. Bryon Barboza and Mr. Morali Toilolo.

Floral leis were presented to the above named persons by Representatives Hashimoto, Stanley, Fukunaga, Evans, Ikeda, Kamalii and Marumoto while certified copies of the resolution were presented by Representatives Aki, Kunimura and Peters.

Representative Holt then rose and remarked:

"Mr. Speaker, I would just like to urge our Representative from the 15th District who attended Punahou to be extremely thankful of Mr. Ginoza's presence in Waianae for if it were not for him, most of these outstanding athletes would be attending Kamehameha."

Representative Sutton responded, stating:

"Mr. Speaker, we intend to go to Waianae and recruit them for Punahou."

At 12:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal welcome and congratulations to our honored guests."

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

By unanimous consent, the following resolutions (H.R. Nos. 426 to 438) and concurrent resolutions (H.C.R. Nos. 85 to 89) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 1, 1979:

A resolution (H.R. No. 426) requesting the State and counties to consider allocating a portion of their federal revenue-sharing funds to programs for the elderly in amounts proportionate to their number in the State's population was jointly offered by Representatives Aki, Anderson, Baker, Crozier, Garcia, Hagino, Holt, Honda, Ige, Inaba, Kihano, Kiyabu, Kobayashi, Lacy, Lee, Lunasco, Machida, Marumoto, Masutani, Morioka, Narvaes, Say, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Ushijima and D. Yamada.

A resolution (H.R. No. 427) relating to jobs for the elderly was jointly offered by Representatives Aki, Anderson, Baker, Crozier, Garcia, Hagino, Holt, Honda, Ige, Inaba, Kihano, Kiyabu, Kobayashi, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Morioka, Narvaes, Say, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Ushijima and D. Yamada.

A resolution (H.R. No. 428) requesting a study of the laws relating to rape was offered by Representative Stanley.

A resolution (H.R. No. 429) requesting a study of the feasibility of making available the job vacancy and client listing of the State employment service to private employment agencies was offered by Representative Uwaine.

A resolution (H.R. No. 430) commending President Carter for his recent initiative in support of the nation's important domestic sugar industry and respectfully urging his continued support together with the Congress of the United States was jointly offered by Representatives K. Yamada, Baker, Blair, Crozier, Fukunaga, Garcia, Hagino, Holt, Honda, Ige, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Larsen, Lee, Lunasco, Say, Stanley, Suwa, Takamine, Takitani, Uechi and Uwaine.

A resolution (H.R. No. 431) requesting the implementation of a State-sponsored productivity center to improve Hawaii's economy was offered by Representative Evans.

A resolution (H.R. No. 432) requesting a review and study of the Hawaii Revised Statute topic index entitled "FEMALES" and subtitles and laws relating thereto was jointly offered by Representatives

Kamalii, Aki, Anderson, Blair, Crozier, de Heer, Hashimoto, Ikeda, Inaba, Kihano, Lacy, Lee, Masutani, Medeiros, Morioka, Narvaes, Sakamoto, Shito, Stanley, Sutton, Toguchi, Uechi and K. Yamada.

A resolution (H.R. No. 433) relating to National Service and the Selective Service System was jointly offered by Representatives Blair, de Heer, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Ige, Kobayashi, Masutani, Narvaes, Sakamoto, Say, Takitani, Uwaine and D. Yamada.

A resolution (H.R. No. 434) requesting the State Department of Transportation to study the feasibility of establishing contra-flow lanes at selected locations on the Pali Highway during peak traffic hours was jointly offered by Representatives Sakamoto, Toguchi, Aki, Baker, Blair, Crozier, de Heer, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kamalii, Kihano, Kobayashi, Kunimura, Lacy, Lee, Lunasco, Machida, Medeiros, Morioka, Nakamura, Narvaes, Peters, Say, Segawa, Shito, Stanley, Suwa, Takamine, Takitani and Uechi.

A resolution (H.R. No. 435) requesting the Hawaii delegation to the United States Congress to support legislation that will allow the manganese nodule industry to proceed with seabed mining operations was jointly offered by Representatives Sakamoto, Toguchi, Aki, Anderson, Baker, Blair, Crozier, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ikeda, Inaba, Kamalii, Kobayashi, Marumoto, Medeiros, Morioka, Narvaes, Peters, Say, Segawa, Stanley, Takitani and Uechi.

A resolution (H.R. No. 436) requesting the United States President and Congress to more fully fund educational programs for the handicapped was offered by Representative Lunasco.

A resolution (H.R. No. 437) requesting the Department of Education to study different means by which to help students, especially elementary school students, with reading difficulties or problems and to improve the overall reading ability and performance of our public school students was offered by Representative Lunasco.

A resolution (H.R. No. 438) requesting coordinated planning efforts for the delivery of educational services to handicapped children was offered by Representative Lunasco.

A concurrent resolution (H.C.R.

No. 85) requesting a review of the possible codification of the rules of evidence was jointly offered by Representatives K. Yamada, Baker, Blair, Crozier, Fukunaga, Garcia, Hagino, Holt, Honda, Ige, Inaba, Kawakami, Kiyabu, Kobayashi, Kunimura, Larsen, Lee, Lunasco, Say, Stanley, Suwa, Takamine, Takitani, Uechi, Uwaine and D. Yamada.

A concurrent resolution (H.C.R. No. 86) requesting the Hawai'i Congressional delegation to support State-Federal data sharing with the National Conference of State Legislatures was jointly offered by Representatives Kamalii, Aki, Anderson, Blair, Crozier, de Heer, Evans, Garcia, Hagino, Hashimoto, Ikeda, Inaba, Kihano, Lacy, Lee, Marumoto, Masutani, Medeiros, Morioka, Narvaes, Sakamoto, Shito, Stanley, Sutton, Toguchi, Uechi and K. Yamada.

A concurrent resolution (H.C.R. No. 87) relating to National Service and the Selective Service System was jointly offered by Representatives Blair, de Heer, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Ige, Kobayashi, Masutani, Narvaes, Sakamoto, Say, Takitani, Uwaine and D. Yamada.

A concurrent resolution (H.C.R. No. 88) requesting the Hawaii delegation to the United States Congress to support legislation that will allow the manganese nodule industry to proceed with seabed mining operations was jointly offered by Representatives Sakamoto, Toguchi, Aki, Anderson, Blair, Crozier, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Ikeda, Inaba, Kamalii, Kobayashi, Marumoto, Medeiros, Morioka, Narvaes, Peters, Say, Segawa, Stanley and Takitani.

A concurrent resolution (H.C.R. No. 89) requesting the United States President and Congress to more fully fund educational programs for the handicapped was offered by Representative Lunasco.

The following resolutions (H.R. Nos. 439 to 443) and concurrent resolutions (H.C.R. Nos. 90 and 91) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 439) congratulating Andrew J. Chang upon his appointment to the President's Committee on Mental Retardation was jointly offered by Representatives Segawa, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Hagino, Holt, Honda, Ige, Ikeda, Kamalii, Kiyabu, Kobayashi, Kunimura, Lacy, Lee, Lunasco, Machida, Marumoto,

Masutani, Medeiros, Morioka, Nakamura, Narvaes, Sakamoto, Say, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Ushijima, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Segawa, seconded by Representative Lee and carried, H.R. No. 439 was adopted.

At 12:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:33 o'clock p.m.

A resolution (H.R. No. 440) congratulating Korean dance artist Halla Huhm on being named Most Outstanding Korean in Hawaii was jointly offered by Representatives Fukunaga, Ikeda, Say, Aki, Baker, Blair, Crozier, de Heer, Evans, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kamalii, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Shito, Stanley, Takitani, Toguchi, Uechi, Ushijima and D. Yamada.

On motion by Representative Fukunaga, seconded by Representative Ikeda and carried, H.R. No. 440 was adopted.

A resolution (H.R. No. 441) congratulating Captain Raymond C. Pagan upon being named Police Officer of the Year by the Exchange Club of Kailua was jointly offered by Representatives Sakamoto, Evans, Aki, Anderson, Baker, Blair, Crozier, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ikeda, Inaba, Kamalii, Kobayashi, Marumoto, Medeiros, Morioka, Peters, Say, Segawa, Stanley, Takitani and Uechi.

On motion by Representative Sakamoto, seconded by Representative Evans and carried, H.R. No. 441 was adopted.

A resolution (H.R. No. 442) congratulating and honoring Natalie Mililani Collier for being selected the 51st Annual Lei Queen was jointly offered by Representatives Sakamoto, Aki, Anderson, Baker, Blair, Crozier, de Heer, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kihano, Kiyabu, Kobayashi, Kunimura, Lee, Machida, Medeiros, Morioka, Narvaes, Peters, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi and Ushijima.

On motion by Representative Sakamoto, seconded by Representative Toguchi and carried, H.R. No. 442 was adopted.

A resolution (H.R. No. 443) congratulating Honolulu women runners and Hawaii's winners in the Women's International Marathon in Atlanta, Georgia was jointly offered by Representatives Fukunaga, Ikeda, Hashimoto, Marumoto, Evans, Kamalii, Stanley, Aki, Baker, Blair, Crozier, de Heer, Hagino, Holt, Honda, Ige, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Say, Shito, Takitani, Toguchi, Uechi and D. Yamada.

On motion by Representative Fukunaga, seconded by Representative Ikeda and carried, H.R. No. 443 was adopted.

A concurrent resolution (H.C.R. No. 90) congratulating Andrew J. Chang upon his appointment to the President's Committee on Mental Retardation was jointly offered by Representatives Segawa, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Hagino, Holt, Honda, Ige, Ikeda, Kamalii, Kiyabu, Kobayashi, Kunimura, Lacy, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Sakamoto, Say, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Ushijima, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Segawa, seconded by Representative Lee and carried, H.C.R. No. 90 was adopted.

A concurrent resolution (H.C.R. No. 91) extending heartiest congratulations and commending Lawrence "Larry" H. Ginoza upon his selection as the Hula Bowl's 1978 Sportsman of the Year was jointly offered by Representatives Peters, Aki, Baker, Crozier, Fukunaga, Hashimoto, Holt, Ige, Kihano, Kiyabu, Kobayashi, Kunimura, Lee, Lunasco, Machida, Masutani, Morioka, Nakamura, Segawa, Takamine, Takitani, Uechi, Ushijima and D. Yamada.

On motion by Representative Peters, seconded by Representative Aki and carried, H.C.R. No. 91 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 444 to 446) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 1, 1979:

A resolution (H.R. No. 444) requesting a review of the State Interscholastic Athletics Program was jointly offered by Representatives Holt, Aki, Anderson,

Baker, Blair, Crozier, Dods, Garcia, Hashimoto, Honda, Ige, Kawakami, Kihano, Kiyabu, Kobayashi, Larsen, Machida, Masutani, Morioka, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Suwa, Takitani and Uwaine.

A resolution (H.R. No. 445) relating to the officers and members of the Standing Committees of the House of Representatives, adopted on January 17, 1979, was jointly offered by Representatives Garcia and Uechi.

A resolution (H.R. No. 446) relating to the officers and members of the Standing Committees of the House of Representatives, adopted on January 17, 1979, was jointly offered by Representatives Hagino and Uwaine.

At this time, Representative Garcia rose on a point of inquiry and asked:

"Mr. Speaker, does that mean that the resolution I introduced has been referred to printing?"

The Chair replied:

"It will be referred to printing. That is correct."

COMMITTEE REASSIGNMENT

At this time, the Chair re-referred H.B. No. 780 to the Committee on Judiciary only.

Representative Hagino was recognized and he asked:

"Mr. Speaker, I have a resolution for introduction and I have sufficient copies for all the members and staff. May I introduce the resolution?"

At 12:36 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:40 o'clock p.m., the Chair stated:

"Said resolution introduced by Representative Hagino shall be referred to printing and, thereafter, referred to committee."

Representative Toguchi then rose and moved to appeal the decision of the Chair, seconded by Representative Say.

The Chair then stated:

"The Chair's decision has been appealed. The question is: Shall

the Chair's ruling be sustained?"

At 12:41 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:50 o'clock p.m.

Representative Toguchi was recognized and he stated:

"Mr. Speaker, you have stated, for the record, that all resolutions, other than congratulatory, have been referred to printing and to committee before their adoption. I believe the Chair is in error. The duly adopted Journal of the State House of Representatives shows that on the 19th legislative day, February 12th, House Concurrent Resolution No. 50 which enabled the Legislature to comply with the recent constitutional amendment for a five day recess was offered for adoption by Representatives Kihano, Peters and Kats Yamada. The resolution was adopted on the same day it was introduced even though there was no way House Concurrent Resolution. . ."

At this point, Representative K. Yamada interrupted on a point of order and stated:

"Mr. Speaker, the prior resolution is not before the House to be considered. The gentleman is appealing the ruling of the Chair on the resolution. . ."

Several Representatives then rose on points of order and the Chair said:

"Let's take this point of order one at a time. Let's not get excited."

Representative Uwaine interrupted and stated:

"Mr. Speaker, my point of order is over the Majority Floor Leader's remarks."

The Chair said:

"The Chair rules, Representative Toguchi, that the debate on appeal is very limited in nature, that you have the floor to debate why the Chair's ruling is in error as to what took place several sessions ago. The Chair is prepared to answer the question if. . ."

Representative Toguchi interrupted and stated:

"Mr. Speaker, in order for me to present my appeal, to show you why

I am appealing, I need to look into some of the other rulings, including the rulings you have made on two of the resolutions today. So, may I continue at this time?"

Directed by the Chair to "proceed", Representative Toguchi continued his remarks, stating:

"Mr. Speaker, there seems to be a basic inconsistency in the handling of substantive resolutions. The resolution offered by the Majority leadership for a five day legislative recess was adopted on the same day it was offered without the Chair feeling it was necessary to refer it to either printing or a committee. It is ironic that the Journal reflects that this body recessed for seven minutes while this resolution was referred to a Xerox machine rather than the Printshop in order to make copies available to House members.

Today, a resolution is being offered by a fellow Representative who requested the Chair to treat his resolution the same way the Chair has treated the resolution offered by the Majority leadership. By the Chair's ruling, you have established a double standard in the way you treat the members of this House.

We ask that you be fair and consistent in the way you treat all members of this body. We are all duly elected and have the same legislative rights and privileges. By arbitrarily denying these resolutions the same treatment you accorded House Concurrent Resolution No. 50, you have endangered the ability of each member here to serve their constituency.

I ask my colleagues to search their conscience and uphold equal treatment for all members by supporting our appeal.

In closing, Mr. Speaker, I would like to request a roll call vote and I think we have sufficient numbers.

Thank you."

Representative Kunimura then rose on a point of information and asked:

"On that there alleged by my colleague from the Windward side to a special treatment of the House Concurrent Resolution, was there a request by any member of this House that the matter be sent to printing and then to committee for consideration?"

The Chair responded, stating:

"Not to my knowledge."

Representative Toguchi rose and asked:

"Mr. Speaker, may I answer that?"

Representative Kunimura stated:

"I do not need his answer. I am asking you."

The Chair reiterated:

"Not to my knowledge."

Representative Kunimura asked:

"Mr. Speaker, then, am I to understand that some people who are asking for equal treatment were sleeping on the switch?"

The Chair replied:

"Under the parliamentary rules on the question of appeal, in this particular instance, the Chair is allowed to enter debate. The Chair would like to state for the record that the Chair, in his opinion, has been consistent in his ruling, fair to all members on this floor.

In reference to the House Concurrent Resolution calling for the five days recess, the Majority, and I believe the Minority, and also the leadership, upon consultation, discussed the legislative timetable; the Majority had several caucuses regarding the legislative timetable as to when the recess will commence and for how many days, and I believe the House members, by acquiescence, agreed that such resolution will be initiated by the House with the understanding from the Senate also, and that by the acquiescence of all members, that resolution was adopted on the floor and, therefore, I believe the Chair has been consistent in his ruling as to all other resolutions."

Representative Toguchi then said:

"Mr. Speaker, I have before me a copy of the Journal for that day in question. At 11:58 o'clock a.m., the Chair declared a recess. We reconvened at 12:05 o'clock p.m. -- seven minutes later.

Mr. Speaker, what I am questioning here today is the consistency, the uniformity, of your ruling, and it is not a matter of whether a member has asked that it be referred to printing. You run this body here. Every time

a resolution comes before this body that is not congratulatory, the question I ask is: How are you going to handle that resolution? I think it is pointed out in the House Rules that resolutions that are not congratulatory, there is a procedure to follow.

All I am saying here is that depending on the resolution, you have referred some non-congratulatory resolutions for printing and others; and I give an example, which was presented by the Majority leadership here, has not been sent off to printing. The question I ask is: Can we, here on the floor, be consistent, and I have to say that I disagree with what you have just said."

The Chair then said:

"The Chair has stated that the Chair believes the Chair has been consistent, that all resolutions that were substantive in nature have been referred to printing and have been referred to Committee. That particular House Concurrent Resolution was not because adequate discussion notice was taking place amongst all members and all members acquiesced in the consideration of the resolution at that time."

Representative Toguchi then rose on a point of inquiry and asked:

"As far as House Concurrent Resolution No. 50 calling for the recess, is that, in your opinion, a substantive resolution?"

The Chair replied:

"That is correct."

Representative Toguchi asked:

"Mr. Speaker, if that is the case, then, shouldn't that resolution have been referred to printing, according to your explanation?"

The Chair replied:

"Not necessarily so. As I have indicated, the majority of the members of this House knew exactly why the concurrent resolution was necessary, knew ahead of time, upon caucuses and discussions, that the recess will take place and the concurrent resolution will be adopted on the floor."

At this point, Representative Uwaine rose on a point of order and stated:

"Mr. Speaker, in talking about fair treatment, shouldn't the rule of speaking twice, or debating twice, on the floor apply to yourself too?"

The Chair replied:

"This is in reference as a rebuttal."

Representative Blair then rose and asked:

"Mr. Speaker, is it appropriate for me to rise and speak in favor of sustaining the Chair's ruling?"

Directed by the Chair to "proceed", Representative Blair stated:

"Mr. Speaker, I would like to make only one point and that is that the resolution pursuant to the constitutional mandate is, I would say, an extraordinary measure or sui generis, in a class by itself, and I don't think it makes particularly good precedence to change our rules referring substantive resolutions to committee, and I would urge the members to sustain the Chair because if they don't, then we will have, in effect, adopted the position that substantive resolutions need not be referred to committee, and if we should choose to adopt that, I think we are going to be sitting in a Committee of the Whole about 99 percent of our time, and I wouldn't like to see that occur.

Thank you."

At 1:01 o'clock p.m., on request by Representative Kamalii, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:40 o'clock p.m., the Chair recognized Representative Kunimura and he stated:

"Mr. Speaker, in a few minutes, I will be having a resolution to offer. Will you be so kind to hold this session in abeyance and I will introduce my resolution in about twenty minutes."

Representative Peters then rose and asked:

"Mr. Speaker, can I support the position of the Chair on this matter at this time?"

Directed by the Chair to "proceed", Representative Peters stated:

"Mr. Speaker, there have been questions about consistency in this process. I firmly believe that you have been very consistent in your deliberations on this floor in the handling

of substantive resolutions, having them referred to printing and referred to the proper committee.

On this particular matter, Mr. Speaker, and I look through the rules of the House, it is clearly your responsibility to meet with the Senate President and coordinate with the Senate to establish final dates within seven days after the opening of the legislative session. That is basically from the rules. You have done this, Mr. Speaker. You have discussed it in caucus, both the Minority caucus and the Majority caucus; you brought it to our attention, and we agreed. As a consequence, we brought it to this floor and members of this body voted on that matter.

When it comes to other substantive resolutions, however, you have been very consistent by way of. . . as I pointed out earlier, referring it to the Clerk for printing and referring it to the proper subject matter committee.

At this time, I would like to appeal to the members of this House to sustain the position of the Chair on this appeal."

Representative Lunasco then rose on a point of information and asked:

"Mr. Speaker, am I to understand, before we recessed, that all resolutions, other than congratulatory resolutions, will be referred to printing?"

The Chair replied:

"That is the Chair's position, subject, however, that if the entire House, by consent, agree that that particular resolution be taken up on the floor, then, that particular resolution will be considered, subject to the action of the entire House."

Representative Lunasco then said:

"Mr. Speaker, let me speak against your ruling.

Mr. Speaker, I wasn't going to say anything on your ruling, but with what you just said right now, and I must agree with my colleague from Kahaluu that there probably will exist a double standard in the future as it already has in the past."

The Chair, in rebuttal, stated:

"The Chair has, to date, not picked or chosen any substantive resolution introduced on this floor for action

by this body. The Chair has referred all substantive resolutions, except House Concurrent Resolution No. 50, to committee.

The inconsistency, as the Chair sees it now, is that the proponents of this particular resolution, appealing the Chair's ruling, is an attempt to pick and choose what particular substantive resolution that the particular individuals would like the House to consider before it goes to printing. That is not the Chair's position. The Chair's position will always be that all substantive resolutions will be referred to printing and be referred to committee, subject, however, if the House here, by its own motion, decides that any resolution, then the Chair will abide by the House. But the Chair's ruling will be to have all substantive resolutions be referred to printing, and subsequently, be referred to committee."

Representative Kunimura was recognized and he stated:

"Mr. Speaker, I made an announcement about my resolution that I was going to introduce shortly. At the very wise advice of my very dear friend, Representative Suwa, I am now withdrawing my notice."

Representative Toguchi then rose on a point of information and asked:

"Mr. Speaker, when House Concurrent Resolution No. 50 was considered, I think you said it was a substantive resolution, but at the time it was considered, was the rules of the House suspended at that time?"

The Chair replied:

"My recollection, Representative Toguchi, is that by the consent of all the members here, that House Concurrent Resolution No. 50 was adopted unanimously, and by acquiescence, the adoption is valid in the Chair's opinion."

Representative Toguchi said:

"Mr. Speaker, my question was: Was the rules of the House suspended at that time?"

The Chair replied:

"By action, I believe the adoption conforms with the rules of the House."

Representative Toguchi asked:

"Was a motion made by the Majority Floor Leader to suspend the rules?"

The Chair replied:

"To my recollection, it was not."

Representative Kamalii then rose and stated:

"Mr. Speaker, I just want to state my views as far as the position of the Chair and the examples given by Representative Toguchi regarding substantive resolutions, and I must agree with the Speaker that House Concurrent Resolution No. 50 was brought to our caucus prior to the vote. It was discussed amongst our leadership that this resolution was coming down as soon as the leadership talked with the Senate, so it is my conclusion that we were well informed ahead of time as far as the Republicans are concerned regarding House Concurrent Resolution No. 50.

Thank you."

Representative Uwaine then rose on a point of information and asked:

"Mr. Speaker, my question is, as far as your statement as being consistent, does that go back to 1976?"

The Chair replied:

"Representative Uwaine, this is the Tenth Legislature."

Representative Uwaine said:

"So, I still haven't received an answer, Mr. Speaker."

The Chair replied:

"My opinion is that I have been consistent during the term of my Speakership in all my rulings; otherwise, I would not have ruled the way I have."

Representative Uwaine continued his query, asking:

"Mr. Speaker, so you are saying that since you became Speaker in 1974. . ."

The Chair interrupted and stated:

"Representative Uwaine, the Chair does not feel compelled to answer questions in reference to prior sessions. The subject matter on hand. . ."

Representative Uwaine interrupted and requested a recess.

At 1:46 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:52 o'clock p.m., the Chair stated:

"I believe that there has been sufficient debate on the matter. The Chair's ruling has been appealed. All those in favor of sustaining the Chair's ruling will vote 'aye'; all those against sustaining the Chair's ruling will vote 'no'."

Representative Kunimura then rose and stated:

"Mr. Speaker, before we vote on the matter, I rise on a point of information.

When, where, and how are you going to put a stop to all these kinds of chicanery that has been going on. I think it is about time, Mr. Speaker, a few of us would like to know. . ."

Representative Toguchi interrupted on a point of order and stated:

"I think the speaker that is speaking now is out of order and I do not agree with what he is saying. I feel that I have a right to speak on the floor, and I do not describe myself as he is trying to describe us."

Representative Kunimura then said:

"Mr. Speaker, if the shoe fits, wear it, because I say we are wasting time. . ."

Representative Uwaine then interrupted on a point of order and stated:

"Mr. Speaker, there is a motion on the floor."

The motion was put to a vote by the Chair, and the Chair's ruling was sustained by voice vote.

At 1:58 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:00 o'clock p.m.

ADJOURNMENT

At 2:01 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned to 11:30 o'clock a.m. on Thursday, March 1, 1979.

TWENTY-SIXTH DAY

Thursday, March 1, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:50 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Kim On Chong of the United Church of Christ, after which the Roll was called showing all members present with the exception of Representatives Garcia and Sakamoto, who were excused.

By unanimous consent, reading of the Journal of the Twenty-Fifth Day was deferred.

SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 17) transmitting Senate Concurrent Resolution No. 34 designating April, 1979 as Cancer Control Month which was adopted by the Senate on February 28, 1979, was read by the Clerk and was placed on file.

By unanimous consent, action on S.C.R. No. 34 was deferred until later in the calendar.

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

Representative Morioka introduced seventeen fourth graders from Island Paradise Annex School, accompanied by their teacher, Miss Debbie Choi.

Representative Holt introduced twenty-five fifth and sixth grade students from Kamehameha Schools, along with their teacher, Miss Donna Orr.

Representative Marumoto introduced the wife of Representative Lacy, Mrs. Kay Lacy, and her guest, Mrs. Henry Hanson from Washington, D.C.

Representative Takamine then introduced several students from Honokaa High School along with their advisor.

Representative Ushijima introduced Mrs. Harriet Takitani, the mother of Representative Takitani.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 426 to 438 and 444 to 446), concurrent resolutions (H.C.R. Nos. 85 to 89) and Senate concurrent resolution (S.C.R. No. 34) were disposed of as follows:

<u>H.R. No.</u>	<u>Referred to:</u>
426	Committee on Youth and Elderly Affairs, then to Committee on Finance
427	Committee on Employment Opportunities and Labor Relations, then to Committee on Finance
428	Committee on Judiciary, then to Committee on Legislative Management
429	Committee on Employment Opportunities and Labor Relations, then to Committee on Finance
430	Committee on Agriculture
431	Committee on Water, Land Use, Development and Hawaiian Affairs, then to Committee on Finance
432	Committee on Judiciary, then to Committee on Finance
433	Committee on Judiciary
434	Committee on Transportation, then to Committee on Finance
435	Committee on Ocean and Marine Resources
436	Committee on Education
437	Committee on Education, then to Committee on Finance
438	Committee on Education, then to Committee on Finance
444	Committee on Education, then to Committee on Finance, then to Committee on Legislative Management
445	Committee on Judiciary
446	Committee on Judiciary

H.C.R. Nos.

- 85 Committee on Judiciary,
then to Committee on Legislative
Management
- 86 Committee on Public Employment
and Government Operations, then
to Committee on Finance
- 87 Committee on Judiciary
- 88 Committee on Ocean and
Marine Resources
- 89 Committee on Education

S.C.R. No.

- 34 Committee on Health

COMMITTEE REASSIGNMENTS

The following bills were re-referred
as follows:

- | <u>H.B. No.</u> | <u>Re-referred to:</u> |
|-----------------|---|
| 461 | Committee on Judiciary,
then to Committee on Finance |
| 780 | Committee on Judiciary |

The following resolution was re-
referred as follows:

- | <u>H.R. No.</u> | <u>Re-referred to:</u> |
|-----------------|--|
| 34 | Committee on Higher Education,
then to Committee on Legislative
Management |

SUSPENSION OF RULES

On motion by Representative K.
Yamada, seconded by Representative
Evans and carried, the rules were
suspended for the purpose of taking
action on certain resolutions out
of order.

INTRODUCTION OF RESOLUTIONS

The Clerk read H.R. No. 439,
congratulating Andrew J. Chang
upon his appointment to the President's
Committee on Mental Retardation,
which was adopted yesterday, February
28, 1979

Representative Segawa then rose
to speak on H.R. No. 439:

"Yesterday, we had wanted to
have Mr. Chang on the floor and
we finally got hold of him in his
busy activities around the Capitol.
I would like for Mr. Chang to take
a bow now, to be presented to this
body as one of the cabinet members
I have seen around the Capitol that
I haven't heard one bad word said
about him. I think it's a real compliment
to his stature as a cabinet member
and I am sure the members of this
House have always had a good feeling
for Mr. Chang and his testimonies
to the House or to the Senate, and
I would like to have him especially
recognized today as one of the outstand-
ing leaders in our government.
Mr. Chang..."

At this time, Representative Segawa
presented Mr. Chang with the House
Resolution honoring him, and Representa-
tive Hashimoto presented him with
a flower lei.

Representative Suwa then stated:

"Mr. Speaker, may the remarks
of the Chairman of the Health Committee
be sent to the appropriate Senate
Committee that is going to be confirming
the Directors... may the transmittal
be made with the remarks."

The Speaker responded:

"If there are no objections, so
ordered."

Representative Evans rose and
said:

"Mr. Speaker, the sentiments
expressed by the Health Chairman
and by the Finance Chairman are
also the sentiments of the Republican
members of this House and we would
like to also have that included.
Thank you."

The Speaker answered:

"I would like to assure Representative
Evans that the remarks entered
into the Journal are the sentiments
of each and every member of this
House."

A resolution (H.R. No. 447) recogniz-
ing and congratulating Patricia
K. Osgood, Nurse of the Year was
jointly offered by Representatives
Evans, Aki, Anderson, Baker,
Blair, Crozier, de Heer, Dod's,
Fukunaga, Hagino, Hashimoto,
Holt, Honda, Ige, Ikeda, Inaba,

Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Narvaes, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Uwaine, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Evans, seconded by Representative Toguchi and carried, H.R. No. 447 was adopted.

Representative Evans then rose to speak on H.R. No. 447:

"Mr. Speaker, I know Pat as a friend and a fellow nurse. I have deep respect for her professionalism and for her dedication to nursing and promotion of better health care. But Pat's nursing career is only one of her assets. The personal side of Pat is equally admirable.

She is extremely active in the community, as is indicated in the resolution, and is devoted to her church and to her family.

Before I introduce the honoree, I would like to introduce Kay Klinefelter, who is the Executive Director of the Hawaii Nurses Association, and Marian Poirier, who is the Legislative Director for the Hawaii Nurses Association, and the honoree, Mrs. Patricia Osgood and her children, Katherine and Gregory."

At this time, Representative Toguchi presented the honorees with flower and candy leis while Representative Evans presented the resolutions.

At 12:05 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

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

SUSPENSION OF RULES

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

UNFINISHED BUSINESS

Stand. Com. Rep. No. 34 on H.B. No. 4 (deferred from February 27,

1979):

Representative Suwa moved that the report of the Committee be adopted and H.B. No. 4, having been read throughout, pass Third Reading, seconded by Representative Morioka.

Representative Sutton rose to speak against the passage of H.B. No. 4:

"Mr. Speaker, I would like to address the basic concept that we have before us here. What the bill was supposed to do was comply with the idea of compensating those who had received injuries from criminals. We define in our statute the type of injury, very terrifying injuries, murder, manslaughter, assault in the first degree, assault in the second degree, assault in the third degree, kidnapping, rape, sodomy, sexual abuse.

Now, these are terribly serious crimes, and the people who are victims of crimes should be compensated, and that's what we are trying to achieve. We set up a mechanism which makes it almost automatic. There is now proceeding of due process, the individual has complete evidentiary help from the police department...the police department sends all the records, and we're not engaged in an adversary proceeding. And yet, Mr. Speaker, as I look down the list here of those that are involved in receiving money under the title compensation for criminal injuries, what do I read? Now just look at the first page, I am reading it verbatim, Mr. Speaker, and this is what I see: Donna Ana, Casina Abriga, Romula Sedamina, fine...those are perfectly legitimate. Next I come to Victor Agmata, attorney, Victor Agmata, attorney, Victor Agmata, attorney...then I go down the line and throughout this thing I see my brother attorneys, your brother attorneys, too, Mr. Speaker, we're both attorneys, but we don't make our money this way.

I don't feel this is an appropriate thing. Now, I do recognize that our statute does have a provision for this, but I looked back at the intent of this legislature when they passed this bill and the intent was to make it so it did not require an adversary proceeding and I have checked, and they do not require an adversary proceeding.

And therefore, Mr. Speaker, I shall vote against this bill because I do not feel that we should pay attorneys when we have in mind criminal compensation for those who were victims of crime.

Thank you very much, Mr. Speaker."

Representative D. Yamada rose to speak in favor of H.B. No. 4:

"Mr. Speaker, much has been said about the bill paying attorneys, but I think, on careful reading of the statute, having an attorney there is not mandatory, it is optional on the person claiming for injuries as the result of criminal action. It is not the State that is paying the attorney, but any attorney's fees comes out of the award given to the victim."

Representative Dods rose to speak in favor of H.B. No. 4:

"At one time, I had the same concerns as Representative Sutton, but after doing a lot of research on this, we found out that fees had been paid out by the victims. And I have no objections to the way the bill is made up. It's just broken down on how they pay up everything and it's not the way the previous Representative has stated."

Representative Kunimura rose to speak in favor of H.B. No. 4:

"As a long-standing critic of attorneys and accusing attorneys with bankers of having the license to steal, in this particular case, I say the attorneys name appearing in this bill are really underpaid with the rate they are charging today. And if we want to take the attorneys names out of these proceedings, then we should amend the statute to prohibit any attorney's fee from being . . . or, representation by attorneys for fee.

But, as long as we have the statute allowing that, then I think it is very necessary that we honor the claims made by the commission."

Representative Sutton rose to rebut:

"Mr. Speaker, my rebuttal will be but two latin words, two latin words that have a significance to you and me and all of those in this legislature. We can, occasionally,

Mr. Speaker, do work that is pro bono. Thank you."

Representative Kunimura stated:

"If I had \$2 million and all the land, then we can have pro bono."

Representative Evans rose on a point of order:

"The previous speaker's comments had nothing to do with his assets, or whatever, and I think the rebuttal should address itself to the piece of legislation before us."

Representative Kunimura rose to rebut:

"When a person on this floor says somebody in this state can work for free, then I think we should speak out the truth. Some can, yes, if they have the money. Some people gotta feed their families."

Representative Suwa stated:

"The argument seems to center around the attorney that represents the victim, Mr. Speaker. The Chairman recognizes the problem, so there is going to be a resolution following-up with a Committee discussion in this area . . . that they'll be looking into because the Executive Secretary stated that they can surely represent the victim. So there is a question as to whether attorney representation is needed or not, but to be fair, likewise, some of the victims being shy would like, at least, an attorney to be standing by, so, for that reason, we are having a proper hearing on that subject matter, and I am sure the Judiciary Committee will be discussing this subject matter.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 4, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Sutton voting no, and Representatives Garcia and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 4 had passed Third Reading at 12:25 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 185) informing the House that House Resolution Nos. 423 to 446, House Concurrent Resolution Nos. 85 to 91 and Standing Committee Report Nos. 160 to 184 have been printed and distributed.

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

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 186) recommending that H.B. No. 38, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 38, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", passed Second Reading and was referred to the Committee on Judiciary.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 187) recommending that H.B. No. 850 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and H.B. No. 850, entitled: "A BILL FOR AN ACT RELATING TO WORKER'S COMPENSATION", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 188) recommending that H.B. No. 758, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Inaba, seconded by Representative Holt and carried, the report of the Committee was adopted and H.B. No. 758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL CONCERNS", passed Second Reading and was referred to the Committee on Finance.

Representatives Dods and Uechi, for the Committees on Transportation and Agriculture, presented a joint report (Stand. Com. Rep. No. 189) recommending that H.B. No. 529 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Inaba and carried, the joint report of the Committees was adopted and H.B. No. 529, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 190) recommending that H.B. No. 526 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 526, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR THE SEX ABUSE TREATMENT CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 191) recommending that H.B. No. 523, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 523, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR THE PROTECTION AND ADVOCACY AGENCY OF HAWAII", passed Second Reading and 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. 192) recommending that H.B. No. 9, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura

and carried, the report of the Committee was adopted and H.B. No. 9, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS AND FOR SALARY ADJUSTMENTS OF EMPLOYEES EXCLUDED FROM CERTAIN BARGAINING UNITS", passed Second Reading and 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. 193) recommending that H.B. No. 1610 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1610, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed Second Reading and 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. 194) recommending that H.B. No. 1609 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1609, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed Second Reading and 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. 195) recommending that H.B. No. 1607 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1607, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES HEALTH FUND", passed Second Reading and 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. 196) recommending that H.B. No. 515, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 515, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", passed Second Reading and was referred to the Committee on Finance.

Representative Larsen, for the Committee on Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 197) recommending that H.B. No. 583 be referred to the Committee on Finance.

On motion by Representative Larsen, seconded by Representative Takitani and carried, the report of the Committee was adopted and H.B. No. 583, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY AND LITTER CONTROL", was referred to the Committee on Finance.

Representative Larsen, for the Committee on Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 198) recommending that H.B. No. 1526, as amended in HD 1, be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Larsen, seconded by Representative Takitani and carried, the report of the Committee was adopted and H.B. No. 1526, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINER REQUIREMENTS", 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. 199) recommending that H.B. No. 683, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 683, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OPERATION OF THE HANA LIKE HOME VISITOR PROJECT", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 200) recommending that H.B. No. 505, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 505, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO HILO INTERIM HOME, HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representatives Aki and Segawa, for the Committees on Youth and Elderly Affairs and Health, presented a joint report (Stand. Com. Rep. No. 201) recommending that H.B. No. 1136 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.B. No. 1136, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INFANT AND CHILD DEVELOPMENT SERVICES", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 202) recommending that H.B. No. 1124, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1124, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRENATAL GENETICS" passed Second Reading and was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 203) recommending that H.B. No. 866 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 866, entitled: "A BILL FOR AN ACT RELATING TO REVENUE BONDS", passed

Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 204) recommending that H.B. No. 1687 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 1687, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 205) recommending that H.B. No. 1429 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 1429, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 206) recommending that H.B. No. 288 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 288, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS" passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 207) recommending that H.B. No. 153, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kawakami,

seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 153, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT LANDS", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 208) recommending that H.B. No. 599 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 599, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS AND LANDSCAPE ARCHITECTS", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 209) recommending that H.B. No. 597 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 597, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARKS, PRINTS, LABELS, AND TRADE NAMES" passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 210) recommending that H.B. No. 602 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 602, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 211) recommending that H.B. No. 171, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Blair, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 212) recommending that H.B. No. 184 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 184, entitled: "A BILL FOR AN ACT RELATING TO THE WATER CARRIER LAW", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 213) recommending that H.B. No. 165 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 165, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 214) recommending that H.B. No. 604 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito

and carried, the report of the Committee was adopted and H.B. No. 604, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEDICAL MALPRACTICE UNDERWRITING PLAN", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 215) recommending that H.B. No. 598 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 598, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 216) recommending that H.B. No. 734 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 734, entitled: "A BILL FOR AN ACT RELATING TO LIFE AND DISABILITY INSURANCE", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 217) recommending that H.B. No. 601 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 601, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 218) recommending that H.B. No.

1649 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 1649, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 219) recommending that H.B. No. 1473, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 1473, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WING, CIVIL AIR PATROL", passed Second Reading and was placed on the calendar for Third Reading Monday, March 5, 1979.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 866, 1687, 1429, 288, 153, HD 1, 599, 597, 602, 171, HD 1, 184, 165, 604, 598, 734, 601, 1649 and 1473, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 220) recommending that H.R. No. 327 be adopted.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 327, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PURSUE THE ESTABLISHMENT OF AN OLYMPIC TRAINING CENTER AND SPORTSMEDICINE CLINIC IN HAWAII WITH THE U.S. OLYMPIC COMMITTEE", was adopted.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 221) recommending that H.C.R. No. 52 be adopted.

On motion by Representative Segawa, seconded by Representative Kobayashi

and carried, the report of the Committee was adopted and H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PURSUE THE ESTABLISHMENT OF AN OLYMPIC TRAINING CENTER AND SPORTSMEDICINE CLINIC IN HAWAII WITH THE U.S. OLYMPIC COMMITTEE", was adopted.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 222) recommending that H.R. No. 48, as amended in HD 1, be adopted.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.R. No. 48, HD 1, entitled: "HOUSE RESOLUTION REGARDING MANAGEMENT INFORMATION AND ELECTRONIC DATA PROCESSING SYSTEMS", was adopted.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 223) recommending that H.R. No. 61, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Kiyabu, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.R. No. 61, HD 1, entitled: "HOUSE RESOLUTION REQUESTING INTERIM WORK DURING 1979 ON THE PROGRESS IN FORMULATING FUNCTIONAL PLANS DESIGNATED BY THE HAWAII STATE PLANNING ACT FOR SUBMITTAL TO THE 1980 LEGISLATURE", was referred to the Committee on Finance.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 224) recommending that H.R. No. 231 be referred to the Committee on Finance.

On motion by Representative Kiyabu, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.R. No. 231, entitled: "HOUSE RESOLUTION REQUESTING CONGRESS TO PROVIDE FINANCIAL ASSISTANCE TO STATES DISPROPORTIONATELY AFFECTED BY IMMIGRATION", was referred to the Committee on Finance.

Representatives Kiyabu and Takamine, for the Committees on State General

Planning and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 225) recommending that H.B. No. 716, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kiyabu, seconded by Representative Takamine and carried, the joint report of the Committees was adopted and H.B. No. 716, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT" passed Second Reading and was referred to the Committee on Finance.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 453, 452, 455 and 454) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 453) commending and extending congratulations to Alvin Kaleolani Isaacs for his outstanding contributions to Hawaiian music was jointly offered by Representatives Holt, Aki, Anderson, Baker, Blair, Crozier, Dods, Fukunaga, Garcia, Hashimoto, Honda, Ige, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Lacy, Larsen, Machida, Masutani, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Suwa, Takitani and Uwayne.

On motion by Representative Holt, seconded by Representative Peters and carried, H.R. No. 453 was adopted.

A resolution (H.R. No. 452) honoring and commending William Durney Tavares for outstanding community service was jointly offered by Representatives Machida, Baker, Crozier, Hagino, Hashimoto, Holt, Honda, Kawakami, Kihano, Kiyabu, Lacy, Lee, Morioka, Nakamura, Peters, Say, Segawa, Shito, Stanley, Takitani, Uwayne and K. Yamada.

On motion by Representative Machida, seconded by Representative Honda and carried, H.R. No. 452 was adopted.

A resolution (H.R. No. 455) congratulating the Kaiser High School wrestling team on winning the 1979 OIA team wrestling championship was jointly offered by Representatives Ikeda, Dods, Aki, Anderson, Baker, Blair,

Crozier, de Heer, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Ushijima, Uwayne and D. Yamada.

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

A resolution (H.R. No. 454) congratulating the Kaiser High School Cougars basketball team on winning the 1979 OIA eastern division basketball championship was jointly offered by Representatives Ikeda, Dods, Aki, Anderson, Baker, Blair, Crozier, de Heer, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Ushijima, Uwayne and D. Yamada.

On motion by Representative Ikeda, seconded by Representative Dods and carried, H.R. No. 454 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 448 to 451 and 456) and concurrent resolution (H.C.R. No. 92) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 2, 1979:

A resolution (H.R. No. 448) requesting the Department of Planning and Economic Development, Department of Transportation, and University of Hawaii to include the relocation of the Waikiki Aquarium in the 1995 master plan for Honolulu Harbor was offered by Representative Toguchi.

A resolution (H.R. No. 449) requesting a report on the status of the development plans for Waiahole Valley was offered by Representative Toguchi.

A resolution (H.R. No. 450) requesting a status report on Kaho'olawe and present negotiations between military officials and the state was jointly offered by Representatives Say, Hagino, Machida and Kiyabu.

A resolution (H.R. No. 451) requesting a study on the feasibility of establishing a marine life conservation district in Hawaii County was jointly offered by Representatives K. Yamada, Aki, Baker, Blair, Crozier, de Heer, Dods, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kihano, Kiyabu, Kobayashi, Lee, Lunasco, Machida, Masutani, Morioka, Nakamura, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima and D. Yamada.

A resolution (H.R. No. 456) requesting the Department of Transportation to review the potential benefits of a highway load condition advisory system was offered by Representative Dods.

A concurrent resolution (H.C.R. No. 92) requesting a study on the feasibility of establishing a marine life conservation district in Hawaii County was jointly offered by Representatives K. Yamada, Aki, Baker, Blair, Crozier, de Heer, Dods, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kihano, Kiyabu, Kobayashi, Lee, Lunasco, Machida, Masutani, Morioka, Nakamura, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima and D. Yamada.

SUSPENSION OF RULES

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

THIRD READING

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

H.B. No. 99, HD 1

On motion by Representative Suwa, seconded by Representative Morioka, H.B. No. 99, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Third Reading by a vote of 49 ayes, with Representatives Garcia and Sakamoto being excused.

H.B. No. 39, HD 1

On motion by Representative Ushijima, seconded by Representative Machida, H.B. No. 39, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A RESEARCH DISSEMINATION PILOT PROJECT", passed Third Reading by a vote of 48 ayes to 1 no, with Representative Larsen voting no and Representatives Garcia and Sakamoto being excused.

H.B. No. 22, HD 1

On motion by Representative Suwa, seconded by Representative Morioka, H.B. No. 22, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY BONDS", passed Third Reading by a vote of 49 ayes, with Representatives Garcia and Sakamoto being excused.

H.B. No. 19, HD 1

On motion by Representative Suwa, seconded by Representative Morioka, H.B. No. 19, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed Third Reading by a vote of 49 ayes, with Representatives Garcia and Sakamoto being excused.

H.B. No. 982

Representative Suwa moved that H.B. No. 982 pass Third Reading, seconded by Representative Morioka.

Representative Hagino rose on a point of information:

"I believe in the past Constitutional Convention, we passed several amendments relating to plain words or plain wording so that the people of Hawaii can understand the laws that we pass and I was wondering if I could be given some graphic illustration of what the difference is between a significant difference and a major difference."

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

The House of Representatives reconvened at 12:36 o'clock p.m.

At this time, the Chair stated:

"The previous speaker is directing

the inquiry to the Chair. The Chair would like to direct the inquiry to the Committee report. I believe it's defined significant and major in plain language understood by reasonable people."

Representative Hagino:

"Mr. Speaker, I asked for a graphic illustration in terms of appropriations and programs, not a dictionary or semantic definition. When I was a student in high school, the teacher gave us a report, say, do a report on tidal waves or tsunamis or whatever, and I would do a lot of research, it was late, and I couldn't do a report on time. The way I would always begin a report of that kind of nature would be to say, well, I went to the dictionary, and the dictionary defines the subject as... When you rely on this kind of a report, you gotta turn to a dictionary. That bothers me. When you cannot find graphic illustrations of why we should make this kind of change and you rely on semantics, I want to know why. So, if someone could show me how in fiscal year 1977-1978, this was a major change; therefore, we needed a variance report, but in fiscal year 1978-1979 or 1979-1980, this was a change such that we would need a significant... this was a change of significant measure such that we needed a variance report, I would be satisfied, but I would like to have that kind of an illustration and I would not like to rely on a dictionary. I would not like to see the executive department go running to a dictionary every time."

Representative Suwa rose and stated:

"Mr. Speaker, the first remark about dictionary... I would like from time to time to refer to dictionaries because at least there is some uniform standard that we can follow. But as to the words major and significant, a large program area can express major differences, but when it comes down to the small programs, the dollar allocation may be a small one, but would have a significant change. For that reason, the Committee decided that it's appropriate to use the word significant rather than major. This will give the budget analyst more handle on the program; therefore, the Committee is recommending they change the word major to significant in the variance report,

Mr. Speaker."

Representative Hagino rose on another point of inquiry:

"I didn't realize the American Heritage Dictionary is a standard for the planned program budgeting system of the State of Hawaii. Now I'm even more concerned."

The Chair asked Representative Hagino to state his point of inquiry.

Representative Hagino:

"The dictionary definition is now the standard for the planned program budgeting system?"

Representative Suwa:

"Mr. Speaker, I would like to use the dictionary rather than the attorney's conclusion."

At this time, the Chair stated:

"Representative Hagino, the Chair is of the opinion that you are delving into debate. If you seek the floor for an inquiry, state your question. The Chair will recognize you for that purpose. If you want to enter into debate or discussion on the bill, state your position and continue your debate; otherwise, take the floor for an inquiry and state your question."

Representative Ige rose to speak in favor of H.B. No. 982:

"Mr. Speaker, the purpose of the variance report is to bring before the legislature a yearly appraisal of the governor's multi-year program and financial plan.

I feel the variance report is an intricate part of this budgetary process.

Presently the variance report by statute provides for an explanation of major differences. Major, going back to the American Heritage Dictionary, is defined as requiring great attention.

Mr. Speaker, as a member of the Finance Committee, I am finding that many differences in program activities are presently not being recorded. I feel to effectively measure and evaluate a program, the variance report should not be limited to major differences, but should include significant or small changes that may have a sizable impact on state

programs.

For this reason, Mr. Speaker, I ask this body for their favorable consideration of House Bill No. 982. Thank you."

The motion to pass H.B. No. 982 on Third Reading was put by the Chair and carried and H.B. No. 982, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed Third Reading by a vote of 48 ayes to 1 no, with Representative Hagino voting no and Representatives Garcia and Sakamoto being excused.

At 12:42 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:00 o'clock p.m.

At this time, the Vice Speaker assumed the rostrum.

H.B. No. 147, HD 1

On motion by Representative Kawakami, seconded by Representative Fukunaga, H.B. No. 147, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVATIONS", passed Third Reading by a vote of 49 ayes, with Representatives Garcia and Sakamoto being excused.

H.B. No. 44, HD 1

By unanimous consent, action on H.B. No. 44, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC SERVICE EMPLOYMENT PROGRAM", was deferred one day.

The Chair directed the Clerk to note that H.B. No. 99, HD1 had passed Third Reading at 12:17 o'clock p.m., H.B. No. 39, HD1 at 12:18 o'clock p.m., H.B. No. 22, HD1 at 12:19 o'clock p.m., H.B. No. 19, HD1 at 12:20 o'clock p.m., H.B. No. 982 at 12:41 o'clock p.m. and H.B. No. 147, HD1 at 1:05 o'clock p.m.

At this time, the Chair informed the members of the House that tomorrow will be a long day, so to be prepared to stay in tomorrow as long as necessary.

Representative Evans asked:

"Mr. Speaker, could you be more specific about a long day. Do you

mean from 11:30 o'clock a.m. to midnight...could you be more specific, please?"

Mr. Speaker:

"We'll come in to session at 11:30 o'clock a.m. tomorrow morning and we'll recess and come back tomorrow evening, possibly at 5:00 or 6:00 o'clock tomorrow afternoon."

ADJOURNMENT

At 1:10 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned to 11:30 o'clock a.m. tomorrow, March 2, 1979.

TWENTY-SEVENTH DAY

Friday, March 2, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Guillermo Gorospe of Saint Theresa Church, after which the Roll was called showing all members present with the exception of Representatives Garcia, Kunimura, Sutton and D. Yamada, who were excused.

By unanimous consent, reading and approval of the Journal of the Twenty-Sixth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 62 to 72) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 62) transmitting copies of the annual report prepared by the State Commission on Manpower and Full Employment, pursuant to Section 202-2, Hawaii Revised Statutes, which report was prepared jointly with the State Manpower Services Council under P.L. 95-524, was placed on file.

A message from the Governor (Gov. Msg. No. 63) transmitting changes to the General Appropriations Bill, House Bill No. 280 (1979), was placed on file.

A message from the Governor (Gov. Msg. No. 64) transmitting copies of a report prepared by the Agriculture Coordinating Committee in response to House Concurrent Resolution No. 107, HD 2, requesting the establishment of policy guidelines for agricultural market development and product promotion programs and activities and to coordinate and monitor their efficient and effective implementation, was placed on file.

A message from the Governor (Gov. Msg. No. 65) transmitting copies of a report prepared by the Department of Planning and Economic Development on its loan programs, as required under the following statutes: Section 210-8, HRS, requires an annual report on the progress made under Chapter 210, the Hawaii Capital Loan Program; Section 189-26, HRS, requires an

annual report on the progress made under Chapter 189, Part II, the Large Fishing Vessel Purchase, Construction, Renovation, Maintenance, and Repair Loan Program; Section 189-46, HRS, requires an annual report on the progress made under Chapter 189, Part IV, the Hawaii Small Fishing Vessel Loan Program; and Section 209-5, HRS, requires an annual report from the Rehabilitation Coordinator; was placed on file.

A message from the Governor (Gov. Msg. No. 66) transmitting copies of a report prepared by the Department of Agriculture in consultation with the County of Hawaii, in compliance with Act 226, SLH 1974, relating to planning and development of North Kohala, was placed on file.

A message from the Governor (Gov. Msg. No. 67) transmitting copies of the report, "Impact of Beverage Container Deposit Legislation in Hawaii", prepared for the Office of Environmental Quality Control by the Director of Research and Development of the College of Business Administration, University of Hawaii, was placed on file.

A message from the Governor (Gov. Msg. No. 68) transmitting copies of the report, "A Procedural Guide for the Application of Carrying Capacity Analytical Methodology for Growth Management", prepared for the Office of Environmental Quality Control, in the course of the State of Hawaii Carrying Capacity Study which was conducted in response to House Resolution No. 62 (1974), Senate Concurrent Resolution No. 26 (1974), Senate Concurrent Resolution No. 27 (1974), and Senate Concurrent Resolution No. 53 (1974), was placed on file.

A message from the Governor (Gov. Msg. No. 69) transmitting copies of the annual report of the Kauai Task Force prepared by the Department of Agriculture, pursuant to Act 227, SLH 1974, was placed on file.

A message from the Governor (Gov. Msg. No. 70) transmitting copies of a report prepared by the State Law Enforcement Planning Agency as a supplement to the Juvenile Justice Plan of 1974, was placed on file.

A message from the Governor (Gov. Msg. No. 71) transmitting copies of a report prepared by the University of Hawaii in response to H.B. No. 3039-78, HD 1, SD 1, CD 1 (Act 243), Section 54C, was placed on file.

A message from the Governor (Gov. Msg. No. 72) transmitting copies of a report prepared by the Department of Land and Natural Resources entitled, "Interim Report to the Tenth State Legislature", pursuant to House Resolution No. 122 (1978), requesting a Fisheries Development Master Plan Study and Act 243 which appropriated funds to the DLNR for the task, was placed on file.

DEPARTMENTAL COMMUNICATIONS

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

A communication from Eileen R. Anderson, Director, Department of Budget and Finance (Dept. Com. No. 6) transmitting changes to the Multi-Year Program and Financial Plan and Executive Budget for the period 1979-1985, which changes are required to correct an error in the means of financing for capital expenditures in the 1979-81 biennium, was placed on file.

A communication from Franklin Y.K. Sunn, Executive Director, Department of Social Services and Housing, Hawaii Housing Authority (Dept. Com. No. 7) transmitting a copy of the "Hawaii State Housing Plan", mandated under Act 100, Session Laws of Hawaii 1978, as one of the functional plans to support the objectives and policies of the Hawaii State Plan, prepared by the Hawaii Housing Authority, on behalf of all State housing agencies, was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 18 to 23) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 18) returning House Concurrent Resolution No. 90, which was adopted by the Senate on March 1, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 19) returning House Concurrent Resolution No. 91, which was adopted by the Senate on March 1, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 20) transmitting Senate Bill No. 6, entitled: "A BILL FOR AN ACT RELATING TO JURY TRIAL

IN CIVIL MATTERS (CONSTITUTIONAL AMENDMENTS OF ARTICLE 1, SECTION 13)", which passed Third Reading in the Senate on March 1, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 21) transmitting Senate Bill No. 11, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 8)", which passed Third Reading in the Senate on March 1, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 22) transmitting Senate Bill No. 34, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 10)", which passed Third Reading in the Senate on March 1, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 23) transmitting Senate Bill No. 48, entitled: "A BILL FOR AN ACT RELATING TO PLAIN LANGUAGE (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVI, SECTION 13)", which passed Third Reading in the Senate on March 1, 1979, was placed on file.

On motion by Representative K. Yamada, seconded by Representative Evans and carried, S.B. Nos. 6, 11, 34 and 48 passed First Reading by title and further action was deferred until later in the calendar.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 7 to 9) were read by the Clerk and were disposed of as follows:

A communication from Ms. C. Matano, Administrative Assistant to Senator Matsunaga (Misc. Com. No. 7) acknowledging receipt of a copy of House Resolution No. 371, relating to women's suffrage pioneer, Susan B. Anthony, was placed on file.

A communication from Walter H. White, The Chapel of Four Chaplains (Misc. Com. No. 8) acknowledging receipt of House Resolution No. 251, was placed on file.

A communication from Carolyn A. Sugiyama, Legislative Assistant to Senator Daniel K. Inouye (Misc. Com. No. 9) acknowledging receipt of House Resolution No. 371, was placed on file.

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

Upon reconvening at 11:45 o'clock

a.m., the Chair directed the Clerk to note the presence of Representatives Garcia, Kunimura and D. Yamada.

34 Committee on Judiciary

48 Committee on Judiciary

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

Representative Takamine introduced Ms. Jane Criswall from Washington, D.C. She is the daughter of the very distinguished National Federation of Independent Business lobbyist, Mr. Ludwig Emmeter.

Representative Takamine then introduced Mr. Larry Tanimoto from Honokaa, Hawaii, who is the H.S.T.A. legislative representative from the Big Island.

Representative Segawa then introduced Mr. Tom Doi, H.S.T.A. legislative representative from Hilo.

Representative Lunasco introduced the following teachers from the various school districts who represent the political action group of the Hawaii State Teachers' Association: Larry Tanimoto and Tom Doi, Hawaii district; Yuriko Tasaka, Kauai district; Lillian Miyake, Donald Matsui and Stephen Kanada, Maui district; Charles Overman, Central district; Joy Hyatt and Linda Lee, Windward district; Reid Watanabe, Irwin Sasaki and Sheila Ellis, Leeward district.

Representative Honda introduced a group of students from Baldwin High School who belong to the Inter-Relations Club. They were accompanied by their teachers, Mrs. Jonaski and Mrs. Evangelista.

Representative Kunimura introduced Ms. Barbara Nagaue, President of the Hawaii State Teachers' Association.

Representative Hagino introduced 26 first grade students from Kuhio Elementary School. They were accompanied by their teacher, Miss Margaret Ojima, and parents, Mrs. Mendonca, Mrs. Goya, Mrs. Kalima, Mrs. Watanabe, and a grandfather, Mr. Takenaka.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
6	Committee on Judiciary
11	Committee on Judiciary

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 448 to 451 and 456) and concurrent resolution (H.C.R. No. 92) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
448	Jointly to the Committees on Higher Education and Ocean and Marine Resources, then jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Transportation, then to the Committee on Finance
449	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Housing
450	Committee on Water, Land Use, Development and Hawaiian Affairs
451	Committee on Ocean and Marine Resources, then to the Committee on Finance
456	Committee on Transportation, then to the Committee on Finance

H.C.R. No.

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

COMMITTEE REASSIGNMENTS

The following bill was re-referred as follows:

<u>H.B. No.</u>	<u>Re-referred to:</u>
455	Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

The following resolution was re-referred as follows:

<u>H.R. No.</u>	<u>Re-referred to:</u>
101	Committee on Health, then to the Committee on Legislative Management

UNFINISHED BUSINESS

Stand. Com. Rep. No. 64 on H.B. No. 44, HD 1 (Deferred from March 1, 1979):

Representative Stanley requested that action be deferred one day and the Chair, noting that there were no objections, so ordered.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 226) informing the House that House Resolution Nos. 447 to 456, House Concurrent Resolution No. 92, and Standing Committee Report Nos. 186 to 225, have been printed and distributed.

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

Representatives Lee and Stanley, for the Committees on Public Assistance and Human Services and Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 227) recommending that H.B. No. 1293, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Aki and carried, the joint report of the Committees was adopted and H.B. No. 1293, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Finance.

Representatives Lee, Aki and Segawa, for the Committees on Public Assistance and Human Services, Youth and Elderly Affairs and Health, presented a report (Stand. Com. Rep. No. 228) recommending that H.B. No. 947 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.B. No. 947, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES", passed Second Reading and was referred to the Committee on Finance.

Representatives Lee and Segawa, for the majority of the Committees on Public Assistance and Human Services and Health, presented a report (Stand. Com. Rep. No. 229) recommending that H.B. No. 612, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker,

seconded by Representative Segawa and carried, the joint report of the majority of the Committees was adopted and H.B. No. 612, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 230) recommending that H.R. No. 106, as amended in HD 1, be referred to the Committee on Public Employment and Government Operations.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 106, HD 1, entitled: "HOUSE RESOLUTION REQUESTING PUBLIC AGENCIES TO EMPLOY ORGANIZATIONS OF HANDICAPPED PERSONS WHENEVER POSSIBLE", was referred to the Committee on Public Employment and Government Operations.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 231) recommending that H.B. No. 92, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 92, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 232) recommending that H.B. No. 1611 be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 1611, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS IN THE DEPARTMENT OF THE ATTORNEY GENERAL", was referred to the Committee on Finance.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 233) recommending that H.B. No. 1089 be referred to the Committee on Finance.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 1089, entitled: "A BILL FOR AN ACT RELATING TO THE CIRCUIT COURTS", 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. 234) recommending that H.B. No. 995, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 995, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM", passed Second Reading and 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. 235) recommending that H.B. No. 1099, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1099, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS", passed Second Reading and was referred to the Committee on Finance.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 236) recommending that H.B. No. 1102, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and H.B. No. 1102, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DISPLACED HOMEMAKER PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Nakamura, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 237) recommending that H.B. No. 1156, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Garcia and carried, the report of the Committee was adopted and H.B. No. 1156, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR

THE DRUG REHABILITATION PROGRAM AT OAHU PRISON", was referred to the Committee on Finance.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 238) recommending that H.B. No. 279, as amended in HD 1, be referred to the Committee on Employment Opportunities and Labor Relations.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 279, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL EMPLOYMENT AGENCIES", was referred to the Committee on Employment Opportunities and Labor Relations.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 239) recommending that H.B. No. 655, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 655, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PARENTAGE ACT", passed Second Reading and was referred to the Committee on Judiciary.

Representative Larsen, for the Committee on Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 240) recommending that H.B. No. 664 be referred to the Committee on Finance.

On motion by Representative Larsen, seconded by Representative Takitani and carried, the report of the Committee was adopted and H.B. No. 664, entitled: "A BILL FOR AN ACT RELATING TO NOISE", was referred to the Committee on Finance.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 241) recommending that H.B. No. 494, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Lee and carried, the report of the Committee was adopted and H.B. No. 494, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was referred to the Committee on Finance.

Representative Shito, for the majority of the Committee on Housing, presented

a report (Stand. Com. Rep. No. 242) recommending that H.B. No. 1686, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Lee and carried, the report of the majority of the Committee was adopted and H.B. No. 1686, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was referred to the Committee on Finance.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 243) recommending that H.B. No. 440, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Lee and carried, the report of the Committee was adopted and H.B. No. 440, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FURNISHING OF FACILITIES AND SERVICES BY COUNTIES TO THE HAWAII HOUSING AUTHORITY AND TENANTS", passed Second Reading and was referred to the Committee on Finance.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 244) recommending that H.B. No. 1536, as amended in HD 1; H.B. No. 1537, as amended in HD 1; H.B. No. 1538, as amended in HD 1; H.B. No. 1539, as amended in HD 1; and H.B. No. 1540, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Lee and carried, the following bills passed Second Reading and were referred to the Committee on Finance:

H.B. No. 1536, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT AT PUAHALA HOMES";

H.B. No. 1537, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AND RENOVATIONS FOR KUHIO PARK TERRACE";

H.B. No. 1538, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENTS AT KALIHI VALLEY HOMES";

H.B. No. 1539, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KALIHI VALLEY

HOMES";

H.B. No. 1540, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AND RENOVATIONS FOR HAUIKI HOUSING".

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 245) recommending that H.B. Nos. 1501 and 1733 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Lee and carried, the report of the Committee was adopted and the following bills passed Second Reading and were referred to the Committee on Finance:

H.B. No. 1501, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS IN THE TWELFTH DISTRICT";

H.B. No. 1733, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS TO HOUSING PROJECTS, OPERATED BY THE HAWAII HOUSING AUTHORITY, IN THE SEVENTEENTH REPRESENTATIVE DISTRICT".

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 246) recommending that H.B. No. 75, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 75, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 247) recommending that H.B. No. 999, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 999, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE NORTHERN KOOLAU COMMUNITY HEALTH EDUCATION PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 248) recommending that

H.B. No. 1237, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1237, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REHABILITATION HOSPITAL OF THE PACIFIC", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 249) recommending that H.B. No. 1263 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1263, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO SAINT FRANCIS HOSPITAL, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 250) recommending that H.B. No. 319 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 319, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE HEMOPHILIA FOUNDATION OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 251) recommending that H.B. No. 1404 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1404 entitled: "A BILL FOR AN ACT RELATING TO PRIOR APPROPRIATIONS FOR CHILDREN'S HOSPITAL", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 252) recommending that H.B. No. 1424

pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1424, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAUAI ASSOCIATION FOR RETARDED CITIZENS", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 253) recommending that H.B. No. 1407 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1407, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 254) recommending that H.B. No. 1631, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 1631, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROGRESSIVE NEIGHBORHOODS PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 255) recommending that H.B. No. 901, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 901, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SOCIAL REHABILITATION PROGRAMS AND PROJECTS FOR THE HANDICAPPED AND DISABLED AT THE MOLOKAI REHABILITATION FACILITY AT KAUNAKA-KAI, MOLOKAI", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services,

presented a report (Stand. Com. Rep. No. 256) recommending that H.B. No. 1101, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 1101, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPOUSE ABUSE", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 257) recommending that H.B. No. 1476 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 1476, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the majority of the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 258) recommending that H.B. No. 1684, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the majority of the Committee was adopted and H.B. No. 1684, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 259) recommending that H.B. No. 1006, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 1006, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROTECTION OF A SLIDE SHOW FOR APPLICANTS FOR PUBLIC ASSISTANCE",

passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 260) recommending that H.B. No. 1005, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 1005, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF MINI COMPUTERS FOR THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 261) recommending that H.B. No. 945, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 945, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE LANAKILA REHABILITATION CENTER WORK ACTIVITY CENTER FOR SEVERELY DISABLED ADULTS, KALIHI-PALAMA, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 262) recommending that H.B. No. 946, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 946, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF PRE-VOCATIONAL, DAY ACTIVITY TRAINING PROGRAMS FOR DEVELOPMENTALLY DISABLED ADULTS", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 263) recommending that H.B. No. 944, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 944, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VARIOUS COMMUNITY ACTION AGENCIES", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the majority of the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 264) recommending that H.B. No. 561 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the majority of the Committee was adopted and H.B. No. 561, entitled: "A BILL FOR AN ACT RELATING TO SINGLE APPLICATION FOR PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the majority of the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 265) recommending that H.B. No. 606, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the majority of the Committee was adopted and H.B. No. 606, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 266) recommending that H.B. No. 610, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 610, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 267) recommending that H.B. No. 614, as amended in HD 1, pass Second Reading and be referred to

the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 614, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INFORMATION AGENCY", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 268) recommending that H.B. No. 560 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 560, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Finance.

At 11:58 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:03 o'clock p.m.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 269) recommending that H.B. No. 496, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Baker and carried, the report of the Committee was adopted and H.B. No. 496, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR THE CONTINUATION OF LANAKILA REHABILITATION CENTER'S WAHIAWA DAY ACTIVITY PROGRAM FOR SEVERELY DISABLED ADULTS, WAHIAWA, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 270) recommending that H.B. No. 433, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Baker and carried, the report of the Committee was adopted and H.B. No. 433, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR

A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO PROVIDE TRANSPORTATION FOR CERTAIN MOBILITY HANDICAPPED CLIENTS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING, STATE OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 271) recommending that H.B. No. 191, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Baker and carried, the report of the Committee was adopted and H.B. No. 191, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII KAI HUMAN SERVICES CENTER, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 272) recommending that H.B. No. 1472, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 1472, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIANAE HAWAIIAN HERITAGE CULTURE CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 273) recommending that H.B. No. 1695 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 1695, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CENTENNIAL COMMISSION ON SCANDINAVIANS COMING TO HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 274) recommending that H.B. No. 1377,

as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 1377, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SCULPTURE 'THE SPIRIT OF LILUOKALANI' ", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 275) recommending that H.B. No. 1331, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 1331, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR THE ROYAL HAWAIIAN BAND FOR INTER-ISLAND TRAVEL", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 276) recommending that H.B. No. 1262, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 1262, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HONOLULU CITY BALLET", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 277) recommending that H.B. No. 800, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 800, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A WASHINGTON PLACE OVERSIGHT COMMISSION", passed Second Reading and was referred to the Committee

on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 278) recommending that H.B. No. 472, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 472, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MONTHLY MINI-CONFERENCES ON HAWAIIAN VALUES", passed Second Reading and was referred to the Committee on Finance.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 279) recommending that H.B. No. 1562, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Lee and carried, the report of the Committee was adopted and H.B. No. 1562, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROJECTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, 1979.

The Chair directed the Clerk to note that printed copies of H.B. No. 1562, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

Upon reconvening at 12:09 o'clock p.m., the following introductions were made to the members of the House:

Representative Kunimura introduced Ms. Joan Funaki, daughter of Mr. James Funaki, the Majority attorney, and her uncle and aunt from Marquette, Michigan, Mr. and Mrs. Henry Heimonen.

Representative Kiyabu introduced 26 fifth grade students from Liholiho Elementary School. They were accompanied by their teacher, Ms. Doris Uchida.

Representative Segawa introduced Mr. and Mrs. Wilbert Wada from Hilo. Mrs. Wada is a member of the State Library Advisory Board.

RECONSIDERATION OF ACTION TAKEN

Representative K. Yamada moved that the House reconsider its action taken earlier on Stand. Com. Rep. No. 64 on H.B. No. 44, HD 1, seconded by Representative Stanley.

Representative Stanley then moved to recommit Stand. Com. Rep. No. 64 and H.B. No. 44, HD 1, to the Committee on Public Employment and Government Operations, "to work on the language of the bill relating to CETA and SCAT employees", seconded by Representative Kunimura and carried.

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

The House of Representatives reconvened at 12:20 o'clock p.m.

Representative K. Yamada moved that the House reconsider its action taken earlier in adopting Stand. Com. Rep. No. 238 and referring H.B. No. 279, HD 1, to the Committee on Employment Opportunities and Labor Relations, seconded by Representative Blair and carried.

Representative Takamine then waived the referral of H.B. No. 279, HD 1, to the Committee on Employment Opportunities and Labor Relations, seconded by Representative de Heer.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and notwithstanding the recommendations of the Committee, H.B. No. 279, HD 1, passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, 1979.

INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 457) congratulating the Roosevelt High School boys and girls volleyball teams on their OIA championship victory was jointly offered by Representatives Fukunaga, de Heer, Ushijima, Baker, Blair, Crozier, Dods, Garcia, Holt, Honda, Ige, Ikeda, Inaba, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lee, Lunasco, Marumoto, Medeiros, Narvaes, Segawa, Takamine, Toguchi, Uechi, Uwayne and D. Yamada and was read by the Clerk.

On motion by Representative Fukunaga,

seconded by Representative de Heer and carried, H.R. No. 457 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 458 to 464) and concurrent resolutions (H.C.R. Nos. 93 to 96) were referred to the Committee on Legislative Management and further action was deferred until Monday, March 5, 1979:

A resolution (H.R. No. 458) requesting the Governor to declare March 20 "Capitalize Last Name's Day" was jointly offered by Representatives Dods, Baker, de Heer, Fukunaga, Hagino, Hashimoto, Honda, Ikeda, Inaba, Kunimura, Larsen, Lee, Lunasco, Marumoto, Morioka, Narvaes, Peters, Say, Shito, Stanley, Uwayne and K. Yamada.

A resolution (H.R. No. 459) requesting a study of the air cargo facilities on the neighbor islands was jointly offered by Representatives Dods, de Heer, Hagino, Kiyabu, Kunimura, Machida, Marumoto, Masutani, Medeiros, Nakamura, Say, Stanley and Suwa.

A resolution (H.R. No. 460) requesting the Director of Regulatory Agencies to appoint the State Motor Vehicle Insurance Commissioner as chairman of a study group to review the ratio of no-fault insurance to other classes of insurance sold by agents was jointly offered by Representatives Dods, Blair, Fukunaga, Hashimoto, Kawakami, Kihano, Kunimura, Larsen, Masutani, Nakamura, Say, Shito, Takamine, Uwayne and D. Yamada.

A resolution (H.R. No. 461) requesting that Congress consider amending the federal laws relating to banking and the taxation of banks to allow certain cities to be designated as duty-free money center cities was offered by Representative de Heer.

A resolution (H.R. No. 462) requesting technology conferences was offered by Representative de Heer.

A resolution (H.R. No. 463) requesting transfer of the Hawaii film office was offered by Representative de Heer.

A resolution (H.R. No. 464) requesting a study relating to strengthening and expansion of automatic data processing systems and programs in support of its operations was offered by Representative de Heer.

A concurrent resolution (H.C.R. No. 93) requesting that Congress consider amending the federal laws relating to banking and the taxation

of banks to allow certain cities to be designated as duty-free money center cities was offered by Representative de Heer.

A concurrent resolution (H.C.R. No. 94) requesting technology conferences was offered by Representative de Heer.

A concurrent resolution (H.C.R. No. 95) requesting transfer of the Hawaii film office was offered by Representative de Heer.

A concurrent resolution (H.C.R. No. 96) requesting a study relating to strengthening and expansion of automatic data processing systems and programs in support of its operations was offered by Representative de Heer.

SUSPENSION OF RULES

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

THIRD READING

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

H.B. No. 158, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, H.B. No. 158, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BARBERING", passed Third Reading by a vote of 50 ayes, with Representative Sutton being excused.

H.B. No. 600, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, H.B. No. 600, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIP FEES", passed Third Reading by a vote of 50 ayes, with Representative Sutton being excused.

H.B. No. 177:

On motion by Representative Blair, seconded by Representative Shito and carried, H.B. No. 177, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION", passed Third Reading by a vote of 50 ayes; with Representative Sutton being excused.

The Chair directed the Clerk to note that H.B. No. 158 had passed Third Reading at 12:23 o'clock p.m., and H.B. Nos. 600 and 177 at 12:24 o'clock p.m.

COMMITTEE REASSIGNMENTS

At this time, the Chair re-referred the following bills:

H.B. Nos. Re-referred to:

890 Jointly to the Committees
 on Water, Land Use, Development
 and Hawaiian Affairs, Public Employ-
 ment and Government Operations,
 Judiciary and Finance

1557 Committee on Judiciary

The Chair then stated:

"The Chair would also like to let all members here know that we will recess to 9:00 o'clock p.m. this evening. The Chair asks that all Committee Chairmen get your reports in on time, asks all members to stand by to sign your Committee reports. If you have to leave the Capitol, please check with your Committee Chairmen as to the time when Committee reports will be available for signatures. All Committee Chairmen should notify members of the Committee that if and when they do not sign the Committee reports at a certain time, the Committee reports will be submitted to the Clerk for printing and that the names thereon will be excused."

At 12:26 o'clock p.m., upon request by Representative Kamalii, the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:29 o'clock p.m., the Chair stated:

"The Chair would like to state that there has been some concerns raised with the Chair in reference to Committee reports being available to members of the Committees for signature. It is suggested that the Committee Chairmen, rather than having the Chairmen of the Committees or the Committee clerks chase around the Capitol for various Committee members, that if all the Committee reports be in the offices of the Committee Chairmen, all members should check with the Committee Chairmen's offices for the availability of the Committee reports. It is also suggested that

the Committee Chairmen or the Committee clerk notify all Committee members' offices when these Committee reports will be ready for signature at their offices."

At 12:31 o'clock p.m., upon request by Representative Aki, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:33 o'clock p.m.

COMMITTEE REASSIGNMENT

The Chair, at this time, re-referred H.B. No. 340 jointly to the Committees on Youth and Elderly Affairs and Public Assistance and Human Services.

At 12:34 o'clock p.m., upon request by Representative Lee, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:35 o'clock p.m.

At 12:37 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives stood in recess until 9:00 o'clock p.m. tonight.

NIGHT SESSION

The House of Representatives reconvened at 10:02 o'clock p.m.

The Chair then directed the Clerk to note the presence of Representative Sutton.

STANDING COMMITTEE REPORTS

Representative Kawakami, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 280) recommending that H.B. No. 455, HD 1, be referred to the Committee on Finance.

On motion by Representative Kawakami, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 455, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", was referred to the Committee on Finance.

Representatives Stanley and Ushijima, for the Committees on Public Employment and Government Operations and Higher

Education, presented a report (Stand. Com. Rep. No. 281) recommending that H.B. No. 538 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Ushijima and carried, the joint report of the Committees was adopted and H.B. No. 538, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY RETIREMENT AGE FOR PUBLIC EMPLOYEES", passed Second Reading and was referred to the Committee on Finance.

Representatives Stanley and Ushijima, for the Committees on Public Employment and Government Operations and Higher Education, presented a report (Stand. Com. Rep. No. 282) recommending that H.B. No. 1648 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Ushijima and carried, the joint report of the Committees was adopted and H.B. No. 1648, entitled: "A BILL FOR AN ACT RELATING TO THE EXEMPTION OF NUTRITION PROGRAM ASSISTANTS", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 283) recommending that H.B. No. 1164 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 1164, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRODUCTION OF A DOCUMENTED HISTORICAL RECORD OF THE OKINAWANS IN HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 284) recommending that H.B. No. 1088, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 1088, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIANAE COAST CULTURE AND ARTS SOCIETY", passed Second Reading and was referred to the Committee

on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 285) recommending that H.B. No. 788 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 788, entitled: "A BILL FOR AN ACT RELATING TO PRIVILEGED COMMUNICATIONS TO COUNSELORS", passed Second Reading and was referred to the Committee on Judiciary.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 286) recommending that H.B. No. 519, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 519, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROJECT HOLOMUA", passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 287) recommending that H.B. No. 897 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 897, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONTINUED OPERATION OF MAUI HUI MALAMA, INC.", passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 288) recommending that H.B. No. 580 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 580, entitled: "A BILL FOR AN ACT RELATING TO ADULT EDUCATION PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the

Committee on Education, presented a report (Stand. Com. Rep. No. 289) recommending that H.B. No. 581 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 581, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN", passed Second Reading and was referred to the Committee on Finance.

Representative Uwaine, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 290) recommending that H.B. No. 370, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uwaine, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.B. No. 370, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSSIL FUEL ENERGY CONSERVATION", passed Second Reading and was referred to the Committee on Finance.

Representative Uwaine, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 291) recommending that H.B. No. 377, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Uwaine, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.B. No. 377, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING OF USED OIL", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Uwaine, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 292) recommending that H.B. No. 1638 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uwaine, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.B. No. 1638, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS", passed Second Reading and was referred to the Committee on Finance.

Representatives Uwaine and Toguchi, for the Committees on Energy and Ocean and Marine Resources, presented

a report (Stand. Com. Rep. No. 293) recommending that H.B. No. 1680, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Uwaine, seconded by Representative Toguchi and carried, the joint report of the Committees was adopted and H.B. No. 1680, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AND MAKING AN APPROPRIATION THEREFOR", passed Second Reading and was referred to the Committee on Finance.

Representative Larsen, for the Committee on Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 294) recommending that H.B. No. 417, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Larsen, seconded by Representative Takitani and carried, the report of the Committee was adopted and H.B. No. 417, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLASTIC BOTTLES", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 295) recommending that H.B. No. 348, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 348, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONTINUING EDUCATION FOR WOMEN", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 296) recommending that H.B. No. 1511 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 1511, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON THE FEASIBILITY OF ESTABLISHING AN OCCUPATIONAL TRAINING CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 297) recommending that H.B. No. 1199, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 1199, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY BY PEACESAT", passed Second Reading and was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 298) recommending that H.B. No. 652 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 652, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF GENERAL UTILITIES, ROADS, AND SITE IMPROVEMENTS AT THE UNIVERSITY OF HAWAII-HILO", passed Second Reading and was referred to the Committee on Finance.

Representatives Ushijima and Uechi, for the majority of the Committees on Higher Education and Agriculture, presented a report (Stand. Com. Rep. No. 299) recommending that H.B. No. 1444, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Uechi and carried, the joint report of the Committees was adopted and H.B. No. 1444, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE CROPS FOR KOHALA, HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 300) recommending that H.B. No. 722 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Inaba, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.B. No. 722, entitled: "A BILL FOR AN ACT RELATING

TO AGRICULTURAL LOANS", passed Second Reading and was referred to the Committee on Finance.

Representative Uechi, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 301) recommending that H.B. No. 1252, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Inaba, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.B. No. 1252, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS", passed Second Reading and was referred to the Committee on Finance.

Representatives Stanley and Ushijima, for the Committees on Public Employment and Government Operations and Higher Education, presented a report (Stand. Com. Rep. No. 302) recommending that H.B. No. 1624, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Ushijima and carried, the joint report of the Committees was adopted and H.B. No. 1624, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CERTAIN POSITIONS IN THE UNIVERSITY OF HAWAII", passed Second Reading and 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. 303) recommending that H.B. No. 1758, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT", passed Second Reading and was referred to the Committee on Finance.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 304) recommending that H.B. No. 943 pass Second Reading and be referred to the Committee on Education.

On motion by Representative Lee, seconded by Representative K. Yamada and carried, the report of the Committee

was adopted and H.B. No. 943, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HUMAN RESOURCES BUILDING", passed Second Reading and was referred to the Committee on Higher Education.

Representative Lee, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 305) recommending that H.B. No. 896 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 896, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR GRANTS-IN-AID TO THE WELFARE RECIPIENT ADVISORY COUNCIL FOR THEIR NEIGHBOR ISLAND PROGRAMS", passed Second Reading and was referred to the Committee on Finance.

Representatives Lee and Stanley, for the Committees on Public Assistance and Human Services and Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 306) recommending that H.B. No. 559 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Stanley and carried, the joint report of the Committees was adopted and H.B. No. 559, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed Second Reading and was referred to the Committee on Finance.

Representative Machida, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 307) recommending that H.B. No. 1600 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Machida, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1600, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR THE PROMOTION OF THE IA 'OE E KALA PROGRAM AS A TOURIST ATTRACTION", passed Second Reading and was referred to the Committee on Finance.

Representative Machida, for the majority of the Committee on Tourism, presented a report (Stand. Com. Rep. No. 308) recommending that H.B. No. 1601 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Machida, seconded by Representative Kiyabu and carried, the report of the majority of the Committee was adopted and H.B. No. 1601, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR THE PROMOTION OF THE CAROLE KAI BED-RACE AS A TOURIST ATTRACTION", passed Second Reading and was referred to the Committee on Finance, with Representatives Evans and Hagino voting no.

Representatives Lunasco and Stanley, for the Committees on Education and Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 309) recommending that H.B. No. 919, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Stanley and carried, the joint report of the Committees was adopted and H.B. No. 919, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOARD OF EDUCATION EMPLOYEES OR STAFF", passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 310) recommending that H.B. No. 1309, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 1309, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A PILOT PROJECT FOR A CAREER OPPORTUNITIES PROGRAM AND MAKING AN APPROPRIATION THEREFOR", passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 311) recommending that H.B. No. 1310, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 1310, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRIMARY SCHOOL ADJUSTMENT PROJECT (PSA) passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 312) recommending that

H.B. No. 518, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 518, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALTERNATIVE EDUCATION PROGRAM AT HILO HIGH SCHOOL", passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 313) recommending that H.B. No. 411 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 411, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX DEDUCTIONS", passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 314) recommending that H.B. No. 656, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 656, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 315) recommending that H.B. Nos. 194, 260, 268, 473, 497, 571, 630, 657, 681, 806, 807, 808, 809, 836, 839, 840, 841, 842, 845, 846, 847, 848, 849, 853, 854, 877, 888, 910, 912, 953, 954, 956, 958, 1049, 1077, 1079, 1086, 1202, 1203, 1204, 1230, 1238, 1240, 1245, 1304, 1305, 1306, 1307, 1324, 1325, 1344, 1345, 1346, 1348, 1349, 1409, 1410, 1443, 1477, 1479, 1486, 1491, 1502, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1550, 1592, 1593, 1697 and 1732 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and

carried, the report of the Committee was adopted and the following bills passed Second Reading and were referred to the Committee on Finance:

H.B. No. 194, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATIONAL FACILITIES AND SERVICES FOR THE SEVENTH REPRESENTATIVE DISTRICT";

H.B. No. 260, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEMOLITION OF THE PRESENT AUDITORIUM AND THE EXPANSION OF THE PRESENT CAFETERIA TO PROVIDE A STAGE AREA AT ALIOLANI SCHOOL";

H.B. No. 268, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATIONAL FACILITIES AND SERVICES IN THE 19TH REPRESENTATIVE DISTRICT";

H.B. No. 473, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF COVERED WALKWAYS AT PALOLO ELEMENTARY SCHOOL, HONOLULU";

H.B. No. 497, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPLACEMENT OF THE PUBLIC ADDRESS SYSTEM AT LEILEHUA HIGH SCHOOL ATHLETIC FIELD, OAHU";

H.B. No. 571, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS FOR A COVERED WALKWAY AT WAIALUA ELEMENTARY SCHOOL, WAIALUA, OAHU";

H.B. No. 630, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATIONAL FACILITIES AND SERVICES IN THE 16TH REPRESENTATIVE DISTRICT";

H.B. No. 657, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECT AT HOKULANI ELEMENTARY SCHOOL, HONOLULU, OAHU";

H.B. No. 681, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATIONAL FACILITIES AND SERVICES IN THE 24TH REPRESENTATIVE DISTRICT";

H.B. No. 806, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT NOELANI ELEMENTARY SCHOOL";

H.B. No. 807, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT MANOA ELEMENTARY SCHOOL";

H.B. No. 808, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT ROOSEVELT HIGH SCHOOL";

H.B. No. 809, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIR AND MAINTENANCE PROJECTS AT STEVENSON INTERMEDIATE SCHOOL";

H.B. No. 836, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SECURITY SCREENS FOR THE AUTOMOTIVE MECHANICS SHOP OF KING HIGH AND INTERMEDIATE SCHOOL";

H.B. No. 839, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAILUA HIGH SCHOOL, OAHU";

H.B. No. 840, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KANEOHE ELEMENTARY SCHOOL, OAHU";

H.B. No. 841, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CASTLE HIGH SCHOOL, OAHU";

H.B. No. 842, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING, DESIGN, AND CONSTRUCTION OF DRIVEWAY AND PARKING IMPROVEMENTS FOR KANEOHE REGIONAL LIBRARY, OAHU";

H.B. No. 845, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BEN PARKER ELEMENTARY SCHOOL, OAHU";

H.B. No. 846, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PUOHALA ELEMENTARY SCHOOL, OAHU";

H.B. No. 847, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MAUNAWILI ELEMENTARY SCHOOL, OAHU";

H.B. No. 848, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KING INTERMEDIATE SCHOOL, OAHU";

H.B. No. 849, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAPUNAHALA ELEMENTARY SCHOOL, OAHU";

H.B. No. 853, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF A CHAIN LINK FENCE AT WAHIAWA ELEMENTARY SCHOOL, OAHU";

H.B. No. 854, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING OF A MULTIPURPOSE

THEATRE AT LEILEHUA HIGH SCHOOL, OAHU";

H.B. No. 877, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR BLEACHERS, TRACK AND IMPROVEMENTS TO JULIAN R. YATES FIELD, KONAWAENA HIGH AND INTERMEDIATE SCHOOL";

H.B. No. 888, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE RENOVATION OF CLASSROOM AND LIBRARY FACILITIES, ANUENUE ELEMENTARY SCHOOL, OAHU";

H.B. No. 910, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE AN EXTENDED PAVED DRIVEWAY AT KULA ELEMENTARY SCHOOL, MAUI";

H.B. No. 912, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL SECURITY FENCING AT KAHULUI SCHOOL, MAUI SCHOOL DISTRICT";

H.B. No. 953, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS FOR CAPITAL INVESTMENTS";

H.B. No. 954, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANNING AND RECONSTRUCTION FOR THE FIRE-DAMAGED MULTI-PURPOSE BUILDING AT KAILUA HIGH SCHOOL, OAHU";

H.B. No. 956, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING, DESIGN, AND CONSTRUCTION FOR A SWIMMING POOL FOR CASTLE HIGH SCHOOL, OAHU";

H.B. No. 958, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SECURITY FENCES FOR CASTLE HIGH SCHOOL, OAHU";

H.B. No. 1049, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIMEA ELEMENTARY AND INTERMEDIATE SCHOOL TEACHER HOUSING COTTAGE";

H.B. No. 1077, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VARIOUS SCHOOL PROJECTS, MAUI SCHOOL DISTRICT";

H.B. No. 1079, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS TO TEACHER HOUSING IN MAUI SCHOOL DISTRICT";

H.B. No. 1086, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING AND CONSTRUCTION

OF A BAND ROOM AT LIHIKAI ELEMENTARY SCHOOL, KAHULUI, MAUI";

H.B. No. 1202, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS IN THE THIRTEENTH REPRESENTATIVE DISTRICT";

H.B. No. 1203, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DESIGN, PLANS, AND CONSTRUCTION TO SOUND PROOF ROOSEVELT HIGH SCHOOL GYMNASIUM, OAHU";

H.B. No. 1204, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION TO RENOVATE MANOA LIBRARY, OAHU";

H.B. No. 1230, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS IN THE SIXTH REPRESENTATIVE DISTRICT, MAUI, HAWAII";

H.B. No. 1238, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENT TO KAILUA HIGH SCHOOL, KAILUA, OAHU";

H.B. No. 1240, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR IMPROVEMENTS IN THE 26TH REPRESENTATIVE DISTRICT";

H.B. No. 1245, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIALUA HIGH AND INTERMEDIATE SCHOOL, OAHU";

H.B. No. 1304, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RENOVATION TO THE CAFETERIA AT LIHOLIHO ELEMENTARY SCHOOL, OAHU";

H.B. No. 1305, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF A CHAIN LINK FENCE AT WAIALAE ELEMENTARY SCHOOL, OAHU";

H.B. No. 1306, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIKIKI ELEMENTARY SCHOOL, OAHU";

H.B. No. 1307, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS TO THE SWIMMING POOL AT KAIMUKI HIGH SCHOOL, OAHU";

H.B. No. 1324, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE 19TH REPRESENTATIVE DISTRICT";

H.B. No. 1325, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE 19TH REPRESENTATIVE DISTRICT";

H.B. No. 1344, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAILUA HIGH SCHOOL, KAILUA, OAHU";

H.B. No. 1345, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS IN THE TWENTY-FIFTH REPRESENTATIVE DISTRICT OF OAHU";

H.B. No. 1346, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS IN THE TWENTY-FIFTH REPRESENTATIVE DISTRICT OF OAHU";

H.B. No. 1348, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE SEVENTH REPRESENTATIVE DISTRICT, HAWAII";

H.B. No. 1349, entitled: "A BILL FOR AN ACT MAKING APPROPRIATION FOR THE SEVENTH REPRESENTATIVE DISTRICT";

H.B. No. 1409, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIRS AND MAINTENANCE OF PUBLIC SCHOOLS";

H.B. No. 1410, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIRS AND MAINTENANCE OF PUBLIC SCHOOLS";

H.B. No. 1443, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TEACHER'S COTTAGES IN HAWAII COUNTY";

H.B. No. 1477, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU";

H.B. No. 1479, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU";

H.B. No. 1486, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU";

H.B. No. 1491, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU";

OAHU";

H.B. No. 1502, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS IN THE TWELFTH DISTRICT";

H.B. No. 1541, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT LANAKILA ELEMENTARY SCHOOL";

H.B. No. 1542, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENT AND RENOVATIONS AT KAPALAMA SCHOOL";

H.B. No. 1543, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT KALIHI-WAENA SCHOOL, OAHU";

H.B. No. 1544, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KALIHI UKA ELEMENTARY SCHOOL";

H.B. No. 1545, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KALIHI ELEMENTARY SCHOOL";

H.B. No. 1546, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AND RENOVATIONS AT KAEWAI ELEMENTARY SCHOOL";

H.B. No. 1547, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT FARRINGTON HIGH SCHOOL";

H.B. No. 1548, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT DOLE INTERMEDIATE SCHOOL";

H.B. No. 1550, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CENTRAL OAHU SCHOOLS";

H.B. No. 1592, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF A THREE CLASSROOM BUILDING AT WAIHEE SCHOOL, MAUI SCHOOL DISTRICT";

H.B. No. 1593, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR HANA HIGH AND ELEMENTARY SCHOOL GYMNASIUM, MAUI";

H.B. No. 1697, entitled: "A BILL FOR AN ACT MAKING APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE SIXTEENTH REPRESENTATIVE DISTRICT OF OAHU";

H.B. No. 1732, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR SITE DEVELOPMENT, DESIGNS, PLANS, CONSTRUCTION, AND EQUIPMENT FOR BUILDINGS, IMPROVEMENTS AND FACILITIES FOR SCHOOLS IN THE SEVENTEENTH REPRESENTATIVE DISTRICT".

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 316) recommending that H.B. No. 649, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 649, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO IMPROVE AND EXPAND LAND SURFACE TRANSPORTATION PROGRAMS AND SERVICES FOR THE LOW INCOME DISADVANTAGED AND HANDICAPPED PERSONS RESIDING IN THE COUNTY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 317) recommending that H.B. No. 889, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 889, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF LIGHTER-THAN-AIR VEHICLES", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 318) recommending that H.B. No. 880 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 880, entitled: "A BILL FOR AN ACT RELATING TO GRANTS-IN-AID FOR THE COUNTY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 319) recommending that H.B. No. 1143, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1143, HD

1, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 320) recommending that H.B. No. 448, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 448, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR IMPROVEMENTS TO KUHIO AVENUE, WAIKIKI, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 321) recommending that H.B. No. 463, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 463, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENTS PROJECTS IN THE THIRD REPRESENTATIVE DISTRICT, HAWAII", was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 322) recommending that H.B. No. 684, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 684, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CIVIL AIR PATROL", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 323) recommending that H.B. No. 739 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 739, entitled:

"A BILL FOR AN ACT RELATING TO STATE HIGHWAY CLEARING ACCOUNT", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 324) recommending that H.B. No. 740 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 740, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY FUND", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 325) recommending that H.B. No. 802, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 802, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE WEIGHT SCALES", was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 326) recommending that H.B. No. 876, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 876, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KEAHOE AIRPORT, HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 327) recommending that H.B. No. 1048 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1048, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PIER AND SUPPORT FACILITIES AT KAWAIHAE HARBOR, SOUTH KOHALA, COUNTY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee

on Transportation, presented a report (Stand. Com. Rep. No. 328) recommending that H.B. No. 616 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 616, entitled: "A BILL FOR AN ACT RELATING TO THE HIGHWAY SUPPLIES AND EQUIPMENT ACCOUNT", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 329) recommending that H.B. No. 254, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 254, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVING HANA HIGHWAY, MAUI", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 330) recommending that H.B. No. 640 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 640, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 331) recommending that H.B. Nos. 555, as amended in HD 1; 874, as amended in HD 1; 875, as amended in HD 1; 907, as amended in HD 1; 1083, as amended in HD 1; 1243, as amended in HD 1; 1420, as amended in HD 1; 1441, as amended in HD 1; 1480, as amended in HD 1; 1485, as amended in HD 1; 1489, as amended in HD 1; 1549, as amended in HD 1; 1597, as amended in HD 1; and 1599, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the following bills passed Second Reading and were referred to the Committee on Finance:

H.B. No. 555, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPLETION OF PHASES III AND IV OF HONOAPIILANI HIGHWAY";

H.B. No. 874, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR IMPROVEMENTS TO GOVERNMENT ROADS IN WAIANAE";

H.B. No. 875, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REALIGNMENT OF KUAKINI HIGHWAY, HAWAII";

H.B. No. 907, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR THE CONSTRUCTION OF SIDEWALKS AND STREET LIGHTING ALONG KAHULUI BEACH ROAD, COUNTY OF MAUI";

H.B. No. 1083, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF SIDEWALK AT HANA HIGHWAY, LOWER PAIA, COUNTY OF MAUI";

H.B. No. 1243, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENT OF ROAD FRONTING KAHUKU HIGH SCHOOL, KAHUKU, OAHU";

H.B. No. 1420, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT APPROPRIATIONS FOR THE COUNTY OF KAUAI";

H.B. No. 1441, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INTERSECTION IMPROVEMENT AT PLUMERIA ROAD, HAWAII BELT ROAD, HAWAII COUNTY";

H.B. No. 1480, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU";

H.B. No. 1485, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU";

H.B. No. 1489, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 21ST REPRESENTATIVE DISTRICT, OAHU";

H.B. No. 1549, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 16TH REPRESENTATIVE DISTRICT,

OAHU";

H.B. No. 1597, HD 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION FOR INCREMENTAL
RESURFACING OF KAMEHAMEHA
V HIGHWAY TOWARD EAST END,
MOLOKAI";

H.B. No. 1599, HD 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION FOR HIGHWAY
PROJECT LOCATED IN THE COUNTY
OF MAUI";

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 332) recommending that H.B. No. 192 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 192, entitled: "A BILL FOR AN ACT RELATING TO AN INTERISLAND FERRY SYSTEM", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 333) recommending that H.B. No. 1645 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1645, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 334) recommending that H.B. No. 679, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 679, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATION FOR TRANSPORTATION FACILITIES AND SERVICES IN THE 24TH REPRESENTATIVE DISTRICT", passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 335) recommending that H.B. No. 1551 pass Second Reading and be referred

to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 1551, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FUNDS OF THE DEPARTMENT OF EDUCATION", passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 336) recommending that H.B. No. 820, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 820, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BASIC SKILLS", passed Second Reading and was referred to the Committee on Finance.

Representative Lunasco, for the Committee on Education, presented a report (Stand. Com. Rep. No. 337) recommending that H.B. No. 824, HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lunasco, seconded by Representative Say and carried, the report of the Committee was adopted and H.B. No. 824, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 338) recommending that H.B. No. 709 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 709, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HONOKAA CIVIC CENTER, HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 339) recommending that H.B. No. 1492 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee

was adopted and H.B. No. 1492, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING AND CONSTRUCTION OF A SENIOR CITIZENS MULTI-PURPOSE CONGREGATE DINING SITE AT WAIANAE, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 340) recommending that H.B. No. 1535 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 1535, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE YOUTH AND ELDERLY PROGRAMS OF THE KALIHI-PALAMA COMMUNITY SERVICE CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 341) recommending that H.B. No. 1598 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 1598, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF AN ELDERLY DAY CARE CENTER, MAUI", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 342) recommending that H.B. No. 1627 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 1627, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY AFFAIRS", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 343) recommending that H.B. No. 1361, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 1361, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXCISE TAX CREDITS", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 344) recommending that H.B. No. 1423, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 1423, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO HALE OPIO, KAUAI", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 345) recommending that H.B. No. 625, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 625, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REPAIR AND RENOVATIONS TO THE HAWAII STATE SENIOR CENTER, LANAKILA", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 346) recommending that H.B. No. 1522, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 1522, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY REPAIRS AND MAINTENANCE, WAIMANALO COMMUNITY SERVICES CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 347) recommending that H.B. No. 1524, as amended in HD 1, pass Second Reading

and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 1524, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENTS, WAIMANALO COMMUNITY MULTI-PURPOSE CENTER", passed Second Reading and was referred to the Committee on Finance.

Representatives Aki and Lee, for the Committees on Youth and Elderly Affairs and Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 348) recommending that H.B. No. 1265, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Lee and carried, the joint report of the Committees was adopted and H.B. No. 1265, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHILD CARE CENTERS AND PROGRAMS", passed Second Reading and was referred to the Committee on Finance.

Representatives Aki and Lee, for the Committees on Youth and Elderly Affairs and Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 349) recommending that H.B. No. 1356, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Lee and carried, the joint report of the Committees was adopted and H.B. No. 1356, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT AND SPOUSE ABUSE", passed Second Reading and was referred to the Committee on Finance.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 350) recommending that H.B. No. 1191, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 1191, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, 1979.

The Chair directed the Clerk to

note that printed copies of H.B. No. 1191, HD 1, were made available to the members of the House at 10:00 o'clock p.m.

At 10:12 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:13 o'clock p.m.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 351) recommending that H.B. No. 468, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 468, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOUNDATION FOR HISTORY AND THE HUMANITIES", passed Second Reading and was referred to the Committee on Finance, with Representatives de Heer and Sutton voting no.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 352) recommending that H.B. No. 187, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Kiyabu, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 187, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING", passed Second Reading and 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. 353) recommending that H.B. No. 1606, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the Committee was adopted and H.B. No. 1606, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' HEALTH FUND", passed Second Reading and was referred to the Committee on Finance.

At 10:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:17 o'clock p.m.

Representatives Toguchi and Ushijima,

for the Committees on Ocean and Marine Resources and Higher Education, presented a report (Stand. Com. Rep. No. 354) recommending that H.B. No. 1338, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Toguchi, seconded by Representative Ushijima and carried, the joint report of the Committees was adopted and H.B. No. 1338, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AQUARIUM", passed Second Reading and was referred to the Committee on Finance, with Representative Anderson voting no.

Representative Aki, for the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 355) recommending that H.B. No. 837, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the Committee was adopted and H.B. No. 837, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GENERAL REPAIRS, MAINTENANCE, RENOVATION AND MODERNIZATION OF EXISTING BUILDINGS AND STRUCTURES OF THE KEAAHALA SENIOR CITIZEN'S CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the majority of the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 356) recommending that H.B. No. 695, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the majority of the Committee was adopted and H.B. No. 695, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES", passed Second Reading and was referred to the Committee on Finance.

Representatives Aki and Lee, for the Committees on Youth and Elderly Affairs and Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 357) recommending that H.B. No. 893, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Lee and carried, the joint report of the Committees

was adopted and H.B. No. 893, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHORE SERVICES FOR THE ELDERLY AND HANDICAPPED AT MAUI REHABILITATION CENTER", passed Second Reading and was referred to the Committee on Finance.

Representatives Aki and Segawa, for the Committees on Youth and Elderly Affairs and Health, presented a report (Stand. Com. Rep. No. 358) recommending that H.B. No. 856 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.B. No. 856, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT DOMICILIARY CARE AND BOARDING HOME OPERATORS", passed Second Reading and was referred to the Committee on Finance.

Representatives Aki and Lee, for the Committees on Youth and Elderly Affairs and Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 359) recommending that H.B. No. 1097 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Lee and carried, the joint report of the Committees was adopted and H.B. No. 1097, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TRANSPORTATION OF THE ELDERLY, DISABLED, HANDICAPPED, AND OTHER DISADVANTAGED PERSONS, INCLUDING PRESCHOOL CHILDREN ON KAUAI, MAUI, AND HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representatives Aki and Segawa, for the Committees on Youth and Elderly Affairs and Health, presented a report (Stand. Com. Rep. No. 360) recommending that H.B. No. 80, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Aki, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.B. No. 80, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE OFFICE ON AGING", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 361) recommending that H.B. No. 1421, as amended in HD 1, pass Second Reading and be referred to the Committee on

Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 1421, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII MULTI-CULTURAL CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 362) recommending that H.B. No. 1378 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 1378, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING AND CONSTRUCTION OF PRODUCTION FACILITIES EXPANSION AND EQUIPMENT AT HAWAII PUBLIC BROADCASTING", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 363) recommending that H.B. No. 1470, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 1470, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CANOE SAILING TRAINING PROGRAM", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the majority of the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 364) recommending that H.B. No. 1507, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the majority of the Committee was adopted and H.B. No. 1507, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COCKFIGHTING EDUCATION AND RELATED CONCERNS", passed Second Reading and was referred to the Committee on Finance,

with Representatives Anderson, Larsen and Sutton voting no.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 365) recommending that H.B. No. 1194 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 1194, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FILIPINO 75TH ANNIVERSARY COMMEMORATION COMMISSION", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 366) recommending that H.B. No. 1123, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 1123, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FORMER HILO POLICE STATION", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the majority of the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 367) recommending that H.B. No. 1052, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the majority of the Committee was adopted and H.B. No. 1052, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FRIENDS OF WAIPAHU CULTURAL GARDEN PARK'S EDUCATIONAL EXHIBITS PROGRAM", passed Second Reading and was referred to the Committee on Finance, with Representative Anderson voting no.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 368) recommending that H.B. No. 1471 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee

was adopted and H.B. No. 1471, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIANAE HISTORIC PRESERVATION PROGRAM FOR PURPOSES RELATED TO THE STABILIZING (RESTORING) OF THE KU'ILIO'LOA HEIAU IN WAIANAE, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 369) recommending that H.B. No. 913 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 913, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ENSEMBLE PLAYERS GUILD", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 370) recommending that H.B. No. 914 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 914, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII THEATRE FESTIVAL", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 371) recommending that H.B. No. 1062, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 1062, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING AND CONSTRUCTION OF A RADIO STATION FOR THE HAWAIIAN ISLANDS PUBLIC RADIO", passed Second Reading and was referred to the Committee on Finance.

Representative Say, for the Committee on Culture and the Arts, presented a report (Stand. Com. Rep. No. 372) recommending that H.B. No. 915, as amended in HD 1, pass Second Reading and be referred to the Committee

on Finance.

On motion by Representative Say, seconded by Representative Hagino and carried, the report of the Committee was adopted and H.B. No. 915, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HONOLULU YOUTH SYMPHONY", passed Second Reading and was referred to the Committee on Finance.

Representatives Shito and Blair, for the Committees on Housing and Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 373) recommending that H.B. No. 1220, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative K. Yamada and carried, the joint report of the Committees was adopted and H.B. No. 1220, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX EXEMPTION", passed Second Reading and was referred to the Committee on Finance.

Representatives Lee and Segawa, for the Committees on Public Assistance and Human Services and Health, presented a report (Stand. Com. Rep. No. 374) recommending that H.B. No. 605, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Lee, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.B. No. 605, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Finance.

COMMITTEE REASSIGNMENTS

The following bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
1162	Committee on Health, then to the Committee on Finance
1255	Jointly to the Committees on Energy and Housing
1341	Jointly to the Committees on Consumer Protection and Commerce and Housing

At 10:25 o'clock p.m., the Chair declared a recess, subject to the call

of the Chair.

The House of Representatives reconvened at 11:25 o'clock p.m.

STANDING COMMITTEE REPORTS

Representatives Segawa and Lee, for the Committees on Health and Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 375) recommending that H.B. No. 1664, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the joint report of the Committees was adopted and H.B. No. 1664, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BLIND AND VISUALLY HANDICAPPED PERSONS", passed Second Reading and was referred to the Committee on Finance.

Representatives Segawa and Lee, for the Committees on Health and Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 376) recommending that H.B. No. 1405, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Shito and carried, the joint report of the Committees was adopted and H.B. No. 1405, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESPIRE SERVICES FOR DEVELOPMENTALLY DISABLED PERSONS", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 377) recommending that H.B. No. 1105 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1105, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO KUAKINI MEDICAL CENTER", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 378) recommending that H.B. No.

1138 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1138, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ARTHRITIS", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 379) recommending that H.B. No. 1508 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1508, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER, WAIANAE, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 380) recommending that H.B. No. 1681 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1681, entitled: "A BILL FOR AN ACT RELATING TO NURSING", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 381) recommending that H.B. No. 1406, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1406, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR THE HAWAII MEDICAL ASSOCIATION-EMERGENCY MEDICAL SERVICES PROGRAM FOR THE PERIOD JULY 1, 1979 - JUNE 30, 1980", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 382) recommending that H.B. No. 1127, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1127, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF CREDIT CARDS FOR HOSPITAL CHARGES", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 383) recommending that H.B. No. 1162, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the majority of the Committee was adopted and H.B. No. 1162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 384) recommending that H.B. No. 1426, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1426, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE G.N. WILCOX MEMORIAL HOSPITAL AND HEALTH CENTER, KAUAI", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 385) recommending that H.B. No. 318, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 318, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A HEALTH COUNSELING PILOT PROJECT", passed Second Reading and was referred to the Committee on Finance, with Representative Sutton voting no.

Representative Segawa, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 386) recommending that H.B.

No. 76, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the majority of the Committee was adopted and H.B. No. 76, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY ON AN OLYMPIC TRAINING CENTER AND SPORTS MEDICINE CLINIC", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 387) recommending that H.B. No. 1403, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1403, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CATASTROPHIC DISEASES", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 388) recommending that H.B. No. 918, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 918, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE HILO ASSOCIATION TO HELP RETARDED CITIZENS FOR GROUP-HOME TREATMENT OF DEAF-BLIND MULTI-HANDICAPPED CHILDREN AT HILO, HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 389) recommending that H.B. No. 1322, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1322, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY",

passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 390) recommending that H.B. No. 573, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 573, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WIDENING OF KAMEHAMEHA HIGHWAY AT POAMOHO, WAHIAWA, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 391) recommending that H.B. No. 572, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 572, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE INSTALLATION OF LIGHTS ALONG KAMEHAMEHA HIGHWAY FROM KARSTEN THOT BRIDGE TO WHITMORE AVENUE, WAHIAWA, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 392) recommending that H.B. No. 430, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 430, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 393) recommending that H.B. No. 574, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 574, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR

PLANS FOR A TRUCK LANE ON KAMEHAMEHA HIGHWAY BETWEEN WAHIAWA AND HALEIWA, OAHU", passed Second Reading and was referred to the Committee on Finance.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 394) recommending that H.B. No. 255, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 255, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A BOAT RAMP AT HONUAPU, KA'U, COUNTY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representatives Dods and Lunasco, for the Committees on Transportation and Education, presented a report (Stand. Com. Rep. No. 395) recommending that H.B. No. 1059, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Say and carried, the joint report of the Committees was adopted and H.B. No. 1059, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE TWENTIETH DISTRICT", passed Second Reading and was referred to the Committee on Finance.

Representatives Dods and Lunasco, for the Committees on Transportation and Education, presented a report (Stand. Com. Rep. No. 396) recommending that H.B. No. 1152, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Say and carried, the joint report of the Committees was adopted and H.B. No. 1152, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE TWENTY-SECOND REPRESENTATIVE DISTRICT OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representatives Dods and Kawakami, for the Committees on Transportation and Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 397) recommending that H.B. No. 1440, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods,

seconded by Representative Kawakami and carried, the joint report of the Committees was adopted and H.B. No. 1440, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COUNTY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

At 11:27 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:36 o'clock p.m.

Representatives Blair and Dods, for the Committees on Consumer Protection and Commerce and Transportation, presented a report (Stand. Com. Rep. No. 398) recommending that H.B. No. 1430, as amended in HD 1, be recommitted to the Committee on Transportation only.

On motion by Representative Blair, seconded by Representative Dods and carried, the joint report of the Committees was adopted and H.B. No. 1430, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ODOMETERS", was recommitted to the Committee on Transportation only.

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

of the Chair.

The House of Representatives reconvened at 11:44 o'clock p.m.

At this time, the Chair stated:

"The Chair would like to announce that due to two of the printing machines becoming out of order this evening, we have three bills from your Committee on Health which were in the process of being printed. It is not completed on the referral. We will pick those up Monday morning. We will not be accepting any Committee reports for referral tomorrow, Sunday, Monday or thereafter, but these bills were in the process of being printed."

Representative Kunimura then rose and stated:

"Mr. Speaker, these are Standing Committee Report Nos. 399, 400 and 401."

ADJOURNMENT

At 11:46 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned to 10:30 o'clock a.m. on Monday, March 5, 1979.

TWENTY-EIGHTH DAY

Monday, March 5, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 10:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend James Bagget of First Baptist Church of Waipahu, after which the Roll was called showing all members present with the exception of Representative Garcia, who was excused.

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

On motion by Representative K. Yamada, seconded by Representative Evans and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Fourth Day was approved.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 24 to 32) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 24) transmitting Senate Bill No. 12, entitled: "A BILL FOR AN ACT RELATING TO THE TERM OF OFFICE OF GOVERNOR AND LIEUTENANT GOVERNOR (CONSTITUTIONAL AMENDMENTS OF ARTICLE V)", which passed Third Reading in the Senate on March 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 25) transmitting Senate Bill No. 15, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE IV)", which passed Third Reading in the Senate on March 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 26) transmitting Senate Bill No. 42, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS (CONSTITUTIONAL AMENDMENT OF ARTICLE XIV)", which passed Third Reading in the Senate on March 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 27) transmitting Senate Bill No. 45, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL LANGUAGES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV)", which passed Third Reading in the Senate on March 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 28) transmitting S.B. No. 50, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT JUDGES (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVII)", which passed Third Reading in the Senate on March 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 29) transmitting S.B. No. 624, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF COMMERCIAL FISH CATCH REPORTS", which passed Third Reading in the Senate on March 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 30) transmitting S.B. No. 625, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL FISHING", which passed Third Reading in the Senate on March 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 31) transmitting S.B. No. 626, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGNATION OF AGENTS TO SELL FRESHWATER GAME FISH LICENSES", which passed Third Reading in the Senate on March 2, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 32) transmitting S.B. No. 627, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM SIZES OF FISH", which passed Third Reading in the Senate on March 2, 1979, was placed on file.

On motion by Representative K. Yamada, seconded by Representative Evans and carried, S.B. Nos. 12; 15, SD1; 42, SD1; 45; 50, SD1; 624, SD2; 625, SD1; 626, SD1 and 627, SD1 passed First Reading by title and further action was deferred until later in the calendar.

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

Representative Kiyabu introduced twenty students from the Diamond Head Alternative Learning Center which is based at Koko Head Elementary School. The students were accompanied by their teachers: Carol Miura, Julie Anderson and Sharon Izumi.

Representative Dods then introduced nine students from Kaiser High School along with their teacher, Leighton Kawai.

At 10:45 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:05 o'clock a.m.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
12	Committee on Judiciary
15	Committee on Judiciary
42	Committee on Judiciary
45	Committee on Judiciary
50	Committee on Judiciary
624	Committee on Ocean and Marine Resources
625	Committee on Ocean and Marine Resources
626	Committee on Ocean and Marine Resources
627	Committee on Ocean and Marine Resources

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 458 to 464) and concurrent resolutions (H.C.R. Nos. 93 to 96) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
458	Committee on Judiciary

459	Committee on Transportation
460	Committee on Consumer Protection and Commerce, then to Committee on Finance
461	Committee on Water, Land Use, Development and Hawaiian Affairs, then to Committee on Finance
462	Committee on Water, Land Use, Development and Hawaiian Affairs, then to Committee on Finance
463	Committee on Water, Land Use, Development and Hawaiian Affairs, then to Committee on Public Employment and Government Operations
464	Committee on Public Employment and Government Operations, then to Committee on Finance

H.C.R. Nos.

93	Committee on Water, Land Use, Development and Hawaiian Affairs, then to Committee on Finance
94	Committee on Water, Land Use, Development and Hawaiian Affairs, then to Committee on Finance
95	Committee on Water, Land Use, Development and Hawaiian Affairs, then to Committee on Public Employment and Government Operations
96	Committee on Public Employment and Government Operations, then to Committee on Finance

COMMITTEE REASSIGNMENTS

The following House bills were re-referred as follows:

<u>H.B. Nos.</u>	<u>Re-referred to:</u>
77	Jointly to Committee on Housing and Committee on Consumer Protection and Commerce
340	Jointly to Committee on Youth and Elderly Affairs and Committee on Public Assistance and Human Services
890	Jointly to Committee on Water, Land Use, Development and Hawaiian Affairs; Committee on Public Employment and Government Operations and Committee on Judiciary, then to Committee on Finance

- 1162 Committee on Health, then
to Committee on Finance
- 1255 Jointly to Committee on
Energy and Committee on Housing
- 1341 Jointly to Committee on
Consumer Protection and Commerce
and Committee on Housing
- 1430 Committee on Transportation
- 1557 Committee on Judiciary

The following resolutions were
re-referred as follows:

- | <u>H.R. Nos.</u> | <u>Re-referred to:</u> |
|------------------|---|
| 99 | Committee on Health, then
to Committee on Legislative Management |
| 102 | Committee on Health, then
to Committee on Legislative Management |
| 229 | Committee on Employment
Opportunities and Labor Relations,
then to Committee on Legislative
Management |
| 280 | Jointly to Committee on
State General Planning and Committee
on Employment Opportunities
and Labor Relations, then to Committee
on Legislative Management |
| 379 | Committee on Energy, then
to Committee on Legislative Management |

SUSPENSION OF RULES

On motion by Representative K.
Yamada, seconded by Representative
Evans and carried, the rules were
suspended for the purpose of taking
action on a certain resolution out
of order.

INTRODUCTION OF RESOLUTION

The following resolution (H.R.
No. 465) was read by the Clerk
and was disposed of as follows:

A resolution (H.R. No. 465) commend-
ing the Honorable Peter Tali Coleman,
Governor of American Samoa, and
members of Hawaii's Samoan community
for the First Annual Samoa-Hawaii
High School Goodwill Invitational
Football Game was jointly offered
by Representatives Holt, Anderson,
Baker, Blair, Crozier, de Heer,
Evans, Fukunaga, Garcia, Hashimoto,
Honda, Ige, Ikeda, Inaba, Kamalii,
Kobayashi, Kunimura, Lacy, Larsen,

Lee, Machida, Marumoto, Morioka,
Narvaes, Sakamoto, Shito, Sutton,
Suwa, Takitani, Toguchi and Uechi.

On motion by Representative Holt,
seconded by Representative Blair
and carried, H.R. No. 465 was
adopted.

Prior to introducing the honorees,
Representative Holt stated:

"Mr. Speaker, high school football
has long been the favorite sport
of the Hawaiian community going
back to Representative Sutton's
time, even, and continues to be
an integral part of the educational
program of most secondary schools
in the State of Hawaii.

This past December, I had the
great honor and privilege of having
been given the opportunity to coach
the Hawaii team in this all-star classic,
and it was an enjoyable experience,
coaching outstanding local student-
athletes who wanted to share their
talents and skills with their brothers
from Samoa.

In addition to the players and
coaches of the game, many other
people contributed in bringing this
conceptual event to fruition, namely,
our honorable Governor, stadium
officials, as well as department
heads of the respective schools
within the OIA and the ILH.

There were, however, a few indivi-
duals who initially sensed the importance
of this game as a means to bring
Samoa and Hawaii closer together.
They worked very hard to bring
their dream to reality and along
the way, never lost sight of the
goal they were striving to reach.
The event, it turned out, was a
smashing success and proved to
be a winner for all those in attendance.

At this time, I would like to introduce
to this honorable body three individuals
who were the driving force behind
this event of cultural exchange...the
Honorable Peter Tali Coleman, Governor
of American Samoa, Mr. Rags Scanlan
and Mr. Bob Apisa."

Representatives Fukunaga, Hashimoto
and Stanley presented the honorees
with flower leis while Representative
Holt presented them with their resolu-
tions.

The Chair then appointed Representa-
tives Kihano, Peters, K. Yamada,

Holt, Blair, Kamalii and Evans to escort Governor Coleman to the rostrum.

The Chair introduced Governor Coleman, who then addressed the members of the House:

"Thank you very much, Mr. Speaker, honorable members of the House of the State of Hawaii, our distinguished guests, ladies and gentlemen. This is one of the delightful moments in the work of a governor, to receive an expression from this honorable body.

I've often thought of the words of my professor in economics when he said always to remember that goodwill is a commodity. And, I think this expression, by this House, today, gives special recognition to the people of Samoa, not only in Hawaii, but also in Samoa.

The game that was played on that field was more than just physical contact - it was also a cultural exchange, and also an expression of friendship - a very close relationship between Samoa and Hawaii.

We, of Samoa, owe a lot to Hawaii. We owe a lot to the state and the people of Hawaii for their help. That game was a success, greatly in part to the cooperation of the people of Hawaii. So, at this time, I would like to express to the people of Hawaii through this honorable body, our heartfelt gratitude for all your help. Thank you very much."

Representative Blair then rose on a point of inquiry:

"I had the opportunity to visit Samoa in about 1970, and I noticed a lot of raw talent down there for a football team, but they were all playing cricket, and I was wondering if Representative Holt is planning on organizing a cricket team to take to American Samoa?"

Representative Holt answered:

"Mr. Speaker, if Representative Blair would be the first to sign up on our team, then I think it would be in order."

Representative Blair then remarked:

"Mr. Speaker, I accept and I hope that will put to rest the rumors that I don't play cricket."

Representative Sutton:

"It's been my observation that neither State Representative Holt nor State Representative Blair play cricket."

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

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

STANDING COMMITTEE REPORTS

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 399) recommending that H.B. No. 1663, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1663, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 400) recommending that H.B. No. 553, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the majority of the Committee was adopted and H.B. No. 553, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH FACILITIES", passed Second Reading and was referred to the Committee on Finance.

Representative Segawa, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 401) recommending that H.B. No. 25, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the majority of the Committee was adopted and H.B. No. 25, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE", passed Second Reading and was referred to the

Committee on Finance.

Representative Aki, for the majority of the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 402) recommending that H.B. No. 79, as amended in HD 1, pass Second Reading and be placed on the Calendar for Third Reading.

On motion by Representative Aki, seconded by Representative Ige and carried, the report of the majority of the Committee was adopted and H.B. No. 79, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979, with Representative Sutton voting no.

Representative Takamine, for the majority of the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 403) recommending that H.B. No. 562, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the majority of the Committee was adopted and H.B. No. 562, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS UNDER THE WORKERS' COMPENSATION LAW", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979, with Representatives Anderson, Evans, Lacy, Marumoto and Sutton voting no.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 404) recommending that H.B. No. 587 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and H.B. No. 587, entitled: "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative Takamine, for

the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 405) recommending that H.B. No. 588 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and H.B. No. 588, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 406) recommending that H.B. No. 589 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and H.B. No. 589, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 407) recommending that H.B. No. 595 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 595, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 408) recommending that H.B. No. 445, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

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

was adopted and H.B. No. 445, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 409) recommending that H.B. No. 168 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 168, entitled: "A BILL FOR AN ACT RELATING TO BALL OR MARBLE MACHINES", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979, with Representatives Anderson, Holt and Sutton voting no.

Representative Blair, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 410) recommending that H.B. No. 159, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the majority of the Committee was adopted and H.B. No. 159, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 411) recommending that H.B. No. 452, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 452, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CONTROLS TO REGULATE BURGLARY AND HOLDUP ALARM SYSTEMS", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 412) recommending that H.B. No. 435 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 435, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AFFECTING OCCUPATIONS", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 413) recommending that H.B. No. 1004 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 1004, entitled: "A BILL FOR AN ACT RELATING TO DURESS", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 414) recommending that H.B. No. 921, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 921, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF TEMPORARY RESTRAINING ORDERS IN CASES OF SPOUSE ABUSE AND OTHER DOMESTIC VIOLENCE", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 415) recommending that H.B. No. 861, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D.

Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 861, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 416) recommending that H.B. No. 923, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 923, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 417) recommending that H.B. No. 723, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 723, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT CLAIMS SUBMITTED AGAINST THE STATE", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 418) recommending that H.B. No. 696, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 696, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PREPARATION OF CERTIFICATES OF BIRTH FOR ADOPTED CHILDREN BORN IN A FOREIGN COUNTRY", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 419) recommending that H.B. No. 398 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 398, entitled: "A BILL FOR AN ACT RELATING TO CHOICE OF EVILS", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 420) recommending that H.B. No. 284, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 284, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY EXAMINATION AND HOSPITALIZATION", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 421) recommending that H.B. No. 424, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 424, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TAMPERING", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative D. Yamada, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 422) recommending that H.B. No. 450 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of

the majority of the Committee was adopted and H.B. No. 450, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 423) recommending that H.B. No. 480, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 480, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KEYS", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 424) recommending that H.B. No. 399, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 399, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 425) recommending that H.R. No. 101, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 101, HD 1, entitled: "HOUSE RESOLUTION REQUESTING LEGISLATIVE REVIEW OF THE OPERATIONS, PROGRAMS, AND ACTIVITIES OF THE COMMISSION ON THE HANDICAPPED", was referred to the Committee on Legislative Management.

Representatives Kiyabu and Takamine, for the Committees on State General Planning and Employment Opportunities

and Labor Relations, presented a joint report (Stand. Com. Rep. No. 426) recommending that H.R. No. 310 be referred to the Committee on Finance.

On motion by Representative Kiyabu, seconded by Representative Takamine and carried, the joint report of the Committees was adopted and H.R. No. 310, entitled: "HOUSE RESOLUTION REQUESTING THE COMMISSION ON MANPOWER AND FULL EMPLOYMENT TO DEVELOP AN EMPLOYMENT FUNCTIONAL PLAN FOR HAWAII", was referred to the Committee on Finance.

Representatives Kiyabu and Takamine, for the Committees on State General Planning and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 427) recommending that H.C.R. No. 48 be referred to the Committee on Finance.

On motion by Representative Kiyabu, seconded by Representative Takamine and carried, the joint report of the Committees was adopted and H.C.R. No. 48, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COMMISSION ON MANPOWER AND FULL EMPLOYMENT TO DEVELOP AN EMPLOYMENT FUNCTIONAL PLAN FOR HAWAII", was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 428) recommending that H.R. No. 38, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.R. No. 38, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE 1978 CONSTITUTIONAL AMENDMENT RELATING TO THE POWERS OF THE BOARD OF REGENTS", was referred to the Committee on Judiciary.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 429) recommending that H.R. No. 34, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Ushijima, seconded by Representative Machida

and carried, the report of the Committee was adopted and H.R. No. 34, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF COMPUTER-BASED EDUCATION", was referred to the Committee on Legislative Management.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 430) recommending that H.R. No. 338, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.R. No. 338, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A PEACESAT STUDY", was referred to the Committee on Finance.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 431) recommending that H.C.R. No. 61, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.C.R. No. 61, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A PEACESAT STUDY", was referred to the Committee on Finance.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 432) recommending that H.R. No. 257 be adopted.

On motion by Representative Kiyabu, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.R. No. 257, entitled: "HOUSE RESOLUTION REQUESTING RENEWED EFFORTS BY HAWAII'S CONGRESSIONAL DELEGATION FOR LEGISLATION TO ASSIST HAWAII'S IMMIGRANT POPULATION", was adopted.

Representatives Ushijima and Uechi, for the Committees on Higher Education and Agriculture, presented a joint report (Stand. Com. Rep. No. 433) recommending that H.R. No. 284, as amended in HD 1, be adopted.

On motion by Representative Ushijima, seconded by Representative Uechi

and carried, the joint report of the Committees was adopted and H.R. No. 284, HD 1, entitled: "HOUSE RESOLUTION URGING THE RELEASE OF FUNDS FOR THE HIRING OF A PLANT CROP AGENT FOR THE KONA EXPERIMENT STATION, COLLEGE OF TROPICAL AGRICULTURE, UNIVERSITY OF HAWAII, KONA, HAWAII", was adopted.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 434) recommending that H.B. No. 1661 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1661, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS" passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 435) recommending that H.B. No. 618 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.B. No. 618, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF THE DEPARTMENT OF TRANSPORTATION", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representatives Say and Segawa, for the Committees on Culture and the Arts and Health, presented a joint report (Stand. Com. Rep. No. 436) recommending that H.B. No. 1594, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Say, seconded by Representative Segawa and carried, the joint report of the Committees was adopted and H.B. No. 1594, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DAMIEN MEMORIAL CHAPEL", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

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.

Representative Ushijima, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 437) recommending that H.B. No. 1211, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Ushijima, seconded by Representative Machida and carried, the report of the Committee was adopted and H.B. No. 1211, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII", passed Second Reading and was placed on the calendar for Third Reading Wednesday, March 7, 1979.

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 438) informing the House that House Resolution Nos. 457 to 464, House Concurrent Resolution Nos. 93 to 96 and Standing Committee Report Nos. 227 to 433 have been printed and distributed.

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

INTRODUCTION OF RESOLUTIONS

The following concurrent resolutions (H.C.R. Nos. 99, 100 and 101) were read by the Clerk and were disposed of as follows:

A concurrent resolution (H.C.R. No. 99) congratulating Max Parubrub for his achievement of the rank of Eagle Scout was jointly offered by Representatives Toguchi, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kamalii, Kawakami, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, H.C.R. No. 99 was adopted.

A concurrent resolution (H.C.R. No. 100) congratulating Shay K. Yanagi for his achievement of the rank of Eagle Scout was jointly offered by Representatives Toguchi, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kamalii, Kawakami, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, H.C.R. No. 100 was adopted.

A concurrent resolution (H.C.R. No. 101) congratulating Edward Kalanihiapo De lima for his achievement of the rank of Eagle Scout was jointly offered by Representatives Toguchi, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kamalii, Kawakami, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, H.C.R. No. 101 was adopted.

By unanimous consent, the following resolutions (H.R. Nos 466 to 474) and concurrent resolutions (H.C.R. Nos. 97, 98 and 102) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 6, 1979:

A resolution (H.R. No. 466) requesting a study on deposit-and-return legislation was jointly offered by Representatives Larsen and Takitani.

A resolution (H.R. No. 467) requesting the Governor and the University of Hawaii to designate the old federal

building as the interim site for the University of Hawaii School of Law, pending determination of a permanent site was jointly offered by Representatives Fukunaga, Kunimura, Aki, Baker, Blair, Crozier, de Heer, Hagino, Holt, Honda, Ige, Inaba, Kihano, Kiyabu, Lee, Lunasco, Machida, Morioka, Nakamura, Peters, Say, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and Wakatsuki.

A resolution (H.R. No. 468) relating to creation of a revolving fund for acquisition of works of art was jointly offered by Representatives Say, Hagino, Aki, Lunasco, Machida, Marumoto, Segawa, Stanley, Takamine and Toguchi.

A resolution (H.R. No. 469) relating to the creation of a historic Hawaii Hall and the relocation of the Hawaii State Library was jointly offered by Representatives Say, Hagino, Aki, Anderson, Kawakami, Lunasco, Machida, Marumoto, Segawa, Stanley, Takamine and Toguchi.

A resolution (H.R. No. 470) supporting the Hawaii Coalition of Labor Organizations in their boycott of J.P. Stevens and Company products was jointly offered by Representatives Takamine, de Heer, Hagino, Kiyabu, Kunimura, Lunasco, Machida, Nakamura, Say, Stanley and Suwa.

A resolution (H.R. No. 471) relating to a day care center for the elderly on West Kauai was jointly offered by Representatives Kawakami, Aki, Anderson, Baker, Blair, Crozier, de Heer, Fukunaga, Garcia, Hashimoto, Holt, Honda, Inaba, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Machida, Masutani, Medeiros, Morioka, Nakamura, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Suwa, Takamine, Takitani, Uechi, Ushijima, Uwaine and D. Yamada.

A resolution (H.R. No. 472) requesting the Department of Education to report on the feasibility of establishing an intermediate school at Mililani, Oahu was jointly offered by Representatives Shito, Kihano, Aki, Blair, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Honda, Ige, Inaba, Kiyabu, Kobayashi, Kunimura, Morioka, Sakamoto, Say, Suwa, Takamine, Takitani, Toguchi, Ushijima and K. Yamada.

A resolution (H.R. No. 473) requesting the Department of Transportation

to develop a general aviation airport at Poamoho, Oahu was jointly offered by Representatives Dods, Aki, Baker, Crozier, Ige, Ikeda, Kawakami, Kobayashi, Machida, Morioka, Peters, Sakamoto, Say, Segawa, Stanley, Suwa, Takitani, Ushijima, Uwaine and D. Yamada.

A resolution (H.R. No. 474) requesting the Department of Land and Natural Resources to perform a study relating to the implementation of Article XI of the Constitution of the State of Hawaii, concerning state licensing of mariculture operations was jointly offered by Representatives Fukunaga and Toguchi.

A concurrent resolution (H.C.R. No. 97) supporting the Hawaii Coalition of Labor Organizations in their boycott of J.P. Stevens and Company products was jointly offered by Representatives Takamine, de Heer, Hagino, Kiyabu, Kunimura, Lunasco, Machida, Say, Stanley and Suwa.

A concurrent resolution (H.C.R. No. 98) expressing support for Ocean Fair Week, April 9-13, 1979, at the University of Hawaii, Manoa campus was jointly offered by Representatives Toguchi, Ushijima, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kamalii, Kawakami, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Uechi, Uwaine, D. Yamada and K. Yamada.

A concurrent resolution (H.C.R. No. 102) requesting the Department of Transportation to develop a general aviation airport at Poamoho, Oahu was jointly offered by Representatives Dods, Aki, Baker, Crozier, Ige, Ikeda, Kawakami, Kobayashi, Machida, Morioka, Peters, Sakamoto, Say, Segawa, Stanley, Suwa, Takitani, Ushijima, Uwaine and D. Yamada.

SUSPENSION OF RULES

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

THIRD READING

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

H.B. No. 866

On motion by Representative Suwa, seconded by Representative Morioka, H.B. No. 866, entitled: "A BILL FOR AN ACT RELATING TO REVENUE BONDS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 1687

On motion by Representative Suwa, seconded by Representative Morioka, H.B. No. 1687, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX", passed Third Reading by a vote of 49 ayes to 1 no, with Representative Anderson voting no and Representative Garcia being excused.

H.B. No. 1429

Representative Suwa moved that H.B. No. 1429 pass Third Reading, seconded by Representative Morioka.

Representative Uwaine rose to ask for a ruling of the Chair as to a possible conflict of interest as he worked for a financial institution.

The Chair then ruled no conflict and Representative Uwaine was allowed to vote.

Representative Sutton rose to ask for a ruling of the Chair as to a possible conflict of interest as he owns preferred shares of American Savings & Loan, and they are the only preferred that are left in Hawaii.

The Chair then ruled no conflict and Representative Sutton was allowed to vote.

Representative Sutton then rose to speak against H.B. No. 1429:

"The cash management program of the State of Hawaii, Mr. Speaker, is a function of the finance division of the Department of Budget and Finance. It is responsible for the deposit, safe-keeping and investment of state funds. As you know, last

week we floated \$75 million worth of funds and they sold at a very favorable rate of interest. Those funds will be coming back to Hawaii and, under present circumstances, will be deposited in commercial banks and savings, and these funds will be readily available and will be collateral.

Now, the selection of depositories and the allocation of deposits and the selection of investments are made now in accordance with provisions of the law and the policies and objectives of the state investment program. The legal requirements relating to the selection of depositories and the allocation of deposits are now contained in Chapter 38 of the Hawaii Revised Statutes.

The statutes basically, Mr. Speaker, provide that in selecting a depository, the class of security offered shall be considered as a basis of selection, and at the present time, the banks are giving a prime...uh, government bonds. Due regard must be given to this type of collateral, as we may require the cash tomorrow morning.

Now, in addition, at the present time, section 38 of the HRS provides that depositories are required to maintain sufficient collateral so that today we have as collateral of all our deposits, 110% and they are, as I told you, in prime corporates.

Now, this bill fails to recognize that the basic objective that we have when we put our huge amounts of cash in for a depository, that the first thing must be safety. Safety to safeguard state funds by securing cash. And the second thing must be liquidity...to insure availability of these funds tomorrow, maybe we might have a tsunami or an earthquake, maybe we might have some catastrophe that you and I can't conceive of, but the Governor of this State must have those funds.

At the present time, we have on deposit the amount as follows, which I am reading: we have a statement of investments by type, fund, bank and agency of the State of Hawaii as of June 30, 1948 - Bank of Hawaii we've got \$128 million, First Hawaiian we've got \$136 million, American Security, \$42 million, Central Pacific, \$39 million, City Bank, \$30 million, Hawaii National, \$16 million, Liberty Bank, \$14 million, Bank of Honolulu, \$3 million, and in the savings and

loans, at the present time, we only have \$900,000.

Now, I think you will remember many years ago, when you and I were young, Mr. Speaker, there was a song called 'Three Little Words', and this bill here just has three little words, but those three little words are very damaging because they add as follows: they add, and the yield offered. Now, admittedly, the savings and loans can offer more yield, so could THC Financial offer more yield, and it did offer more yield, and we all know the consequences. And yield, Mr. Speaker, should not be a relevant factor here, yield should not even be considered and, very frankly, at the present time, we are receiving 5.86% yield from the banks and that is a very good yield. But we're not in the business to get yield, we're in the business to have liquidity, and we're in the business of having such collateral that we can convert it into cash tomorrow morning, and nothing can equal prime government bonds - nothing.

Now, if we bring in these three little words I spoke to you about, we will be putting our deposits in the savings and loans of which, Mr. Speaker, I have a conflict as you know, having the preferred shares of American Savings and Loan. And I like the savings and loans, and I think they are excellent and they're doing a wonderful job, but their purpose is primarily to lend funds to homeowners and, Mr. Speaker, the type of collateral they will give us back will be homeowners' mortgages. We never know, from day to day, Mr. Speaker, exactly what those would bring on the market, but we do know that prime government bonds will bring us 100%. As I told you previously, right at the present time, we are so collateraled that we have 110%.

Now, if we put these three little words in, we probably will increase our deposits in the savings and loans because they have approximately 30% of these funds that I spoke to you about. But, Mr. Speaker, what I'm trying to say in so many words is that then the collateral will be the mortgages of homeowners and that these mortgages are not easily liquidated on the money market, and we never know from day to day what will happen. We've just seen the Chinese invade Vietnam,

we don't know whether Russia is going to come in or not, we could have a contingency there. We know of the great perils that exist in the mid-East, and we know the attempts at Camp David of your President, James Carter, in trying to resolve those, but we live in a world, Mr. Speaker, where events sometimes overtake us, and we must have this type of liquidity.

When I speak of liquidity, Mr. Speaker, if we put these three little words in, then the banks aren't going to give us prime corporates as collateral, they're going to give us homeowners' mortgages, too. They would not possibly want to go out and lose 4 or 5 percentage points to get the prime government bonds when these words allow them to do the same thing as the savings and loans, and that is collateral it with mortgages of homeowners. So, in effect, we're the sole losers. Now, Mr. Speaker, we must consider the gentleman upstairs, he is the Governor of this State. He is charged by our Constitution with the fiscal responsibility of this State. He must be able to get these funds at any time, and the liquidity that is required is a liquidity that would mean that he could not properly function if he had to go convert a collateral of a homeowner's mortgage on a market that is not even maintained. It's a market that we do not even have in Hawaii. We sell our mortgages to the mainland, that is true, but we don't have an open market place here in Hawaii to convert it to cash.

What we're doing is we're impairing the hands of the Governor of this State by saying, you take collateral that does not have this proper liquidity and, therefore, Mr. Speaker, I would urge you and urge Mr. Kihano and various people over there, Mr. Peters, to consider this liquidity, this safety, and to consider that for all intents and purposes we are violating fiscal restraint.

Now, Mr. Speaker, I hold absolutely no aloha for the banks. Every time I run for Governor, Lieutenant Governor, U.S. Congress, they call all my loans. I couldn't be more clean, Mr. Speaker, from that point of view. But what we're doing is thinking of Mr. Ariyoshi up there, Governor of this State, the liquidity he must have, and we're talking about vast sums of money, Mr. Speaker, vast sums. And we must consider

that we have had an exemplary proposition that these banks have given us prime corporates and today the evaluation is 110% beyond the deposits for collateral. Never have we ever heard of any state of the union that has received more cooperation from the banks in this one field.

They have done an excellent job. Now, all of a sudden, we change. We change horses in the middle of the stream, right when we're approaching a recession or a depression or a great war or a Third World War, and what do we say, bring in your second-type of mortgages. Those are not liquid, they are not safe, and the yield in excess of 6% that we're getting now is insignificant.

And so, Mr. Speaker, I would urge you, your colleagues, my own colleagues on this side of the fence, to please give a vote against 1429.

Representative Shito, then rose to ask for a ruling of the Chair as to a possible conflict of interest as he is employed by a savings and loan.

The Chair ruled no conflict and Representative Shito was allowed to vote.

Representative Suwa then rose to speak in favor of H.B. No. 1429:

"I will use the argument placed by a member of my Committee. Let me assure the Committee that under the insured set-up, under the savings and loans charter, at the given time there is about \$30 million cash available in such circumstances and let me assure you that the state investment is somewhat a short-period term and if the state wants that money tomorrow, yes, they have the money. By law, they have that cash set aside.

Mr. Speaker, is it fair, let me say, that over a given period of a day there is about \$280 million in the bank and only \$900,000 in our savings and loans trying to be also helpful in the housing market? I think it's insured, and leave it up to the Director of the Budget and Finance, of course, overall, the Governor is responsible. But let me assure you, only investments will be made when there is assured that the safety of the state fund, Mr. Speaker, therefore, I ask the

members to support this measure."

Representative Kunimura also rose in favor of H.B. No. 1429:

"First of all, the gentleman from Nuuanu, I think, misinformed those who are knowledgeable as to the difference between a savings and loan, banks and a finance company. Savings and loans and banks treat deposits as deposits; whereas, finance companies treat supposedly depositors, unthinking individuals who deposit in a finance company, are treated under the law as investors, and there is a serious difference between savings and loans investment or putting money in a savings and loan vs. finance company. So I would like to clarify that.

Secondly, Mr. Speaker, this does not automatically mandate the state to put all its money, or greater portion of this money in a savings and loan. This only expands the perimeter where the Director of Budget and Finance and also the Governor would have this opportunity to look into areas that may provide the kind of safety and kind of liquidity other than banking institutions can offer to this state for its deposits. And, therefore, Mr. Speaker, this is not as serious and as grave and putting the state's money in jeopardy as described by the gentleman from Nuuanu, but rather to give those who are charged with the responsibility under the Constitution of the State of Hawaii in managing our money, greater parameter and yet, they make the final decision, this is not a mandate. Thank you."

The motion to pass H.B. No. 1429, was put by the Chair, and H.B. No. 1429, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS", pass Third Reading by a vote of 48 ayes to 2 noes, with Representatives Anderson and Sutton voting no and Representative Garcia being excused.

H.B. No. 288

On motion by Representative Segawa, seconded by Representative Kobayashi, H.B. No. 288, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 153, HD 1

On motion by Representative Kawakami, seconded by Representative Fukunaga, H.B. No. 153, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT LANDS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 599

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 599, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS AND LANDSCAPE ARCHITECTS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H. B. No. 597

Representative Blair moved that H.B. No. 597 pass Third Reading, seconded by Representative Shito.

Representative Sutton rose to ask for a ruling of the Chair as to a possible conflict of interest as he has sixteen trademarks.

The Chair then ruled no conflict and Representative Sutton was allowed to vote.

The motion was put by the Chair and carried, and H.B. No. 597, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARKS, PRINTS, LABELS AND TRADE NAMES", passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Anderson, Evans, Ikeda, Kamalii, Lacy, Medeiros, Narvaes and Sutton voting no and Representative Garcia being excused.

H.B. No. 602

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 602, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 171, HD 1

Representative Blair moved that

H.B. No. 171, HD 1, pass Third Reading, seconded by Representative Shito.

Representative Segawa rose to ask for a ruling of the Chair as to a possible conflict of interest as he works for an insurance company.

The Chair then ruled no conflict and Representative Segawa was allowed to vote.

The motion to pass H.B. No. 171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS", on Third Reading was put by the Chair and carried by a vote of 48 ayes to 2 noes, with Representatives Ige and Takitani voting no and Representative Garcia being excused.

H.B. No. 184

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 184, entitled: "A BILL FOR AN ACT RELATING TO THE WATER CARRIER LAW", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 165

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 165, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 604

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 604, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEDICAL MALPRACTICE UNDERWRITING PLAN", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 598

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 598, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)", passed Third Reading by a vote

of 50 ayes, with Representative Garcia being excused.

H.B. No. 734

By unanimous consent, action on H.B. No. 734, entitled: "A BILL FOR AN ACT RELATING TO LIFE AND DISABILITY INSURANCE", was deferred until tomorrow, March 6, 1979.

H.B. No. 601

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 601, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 1649

On motion by Representative Suwa, seconded by Representative Morioka, H.B. No. 1649, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

At 12:14 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:15 o'clock p.m.

H.B. No. 1473, HD 1

On motion by Representative Suwa, seconded by Representative Morioka, H.B. No. 1473, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WING, CIVIL AIR PATROL", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 279, HD 1

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 279, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL EMPLOYMENT AGENCIES", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 1562, HD 1

On motion by Representative Shito, seconded by Representative K. Yamada, H.B. No. 1562, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROJECTS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 1191, HD 1

On motion by Representative Suwa, seconded by Representative Morioka, H.B. No. 1191, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE", passed Third Reading by a vote of 49 ayes to 1 no, with Representative Ikeda voting no and Representative Garcia being excused.

The Chair directed the Clerk to note that H.B. Nos. 866 and 1687 had passed Third Reading at 11:52 o'clock a.m.; H.B. No. 1429, at 12:05 o'clock p.m.; H.B. No. 288, at 12:06 o'clock p.m.; H.B. Nos. 153, HD1, 599 and 597, at 12:07 o'clock p.m.; H.B. No. 602, at 12:09 o'clock p.m.; H.B. Nos. 171, HD 1 and 184, at 12:10 o'clock p.m.; H.B. Nos. 165, 604 and 598, at 12:11 o'clock p.m.; H.B. No. 601, at 12:12 o'clock p.m.; H.B. No. 1649, at 12:13 o'clock p.m.; H.B. Nos. 1473, HD1 and 279, at 12:15 o'clock p.m.; and H.B. Nos. 1562, HD 1, and 1191, HD 1, at 12:16 o'clock p.m.

At this time the Chair reminded the committee chairmen to get their public hearings, decision making and committee reports ready to meet the deadlines. The Chair also asked all committee members for their cooperation and support of their committee chairmen.

Representative K. Yamada remarked:

"Mr. Speaker, I've been wondering, the gentleman who said he had seventeen trademarks, are those trademarks or battle scars from the House floor?"

Representative Sutton rose to rebut:

"One concerns his own South Hilo and his own Doc Hill."

ADJOURNMENT

At 12:20 o'clock p.m., on motion
by Representative K. Yamada, seconded

by Representative Evans and carried,
the House of Representatives adjourned
to 11:00 o'clock a.m. tomorrow,
March 6, 1979.

TWENTY-NINTH DAY

Tuesday, March 6, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Donald Johnson of the Lutheran Church of Honolulu, after which the Roll was called showing all members present with the exception of Representatives Fukunaga, Lee, Medeiros, Nakamura, Uwaine and D. Yamada, who were excused.

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

On motion by Representative K. Yamada, seconded by Representative Evans and carried, reading of the Journal was dispensed with and the Journal of the Twenty-Fifth Day was approved, and action on the Journal of the Twenty-Eighth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 33 to 37) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 33) transmitting Senate Bill No. 5, entitled: "A BILL FOR AN ACT RELATING TO TWELVE MEMBER JURY (CONSTITUTIONAL AMENDMENT)", which passed Third Reading in the Senate on March 5, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 34) transmitting Senate Bill No. 14, SD 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN LEGISLATIVE COMMITTEE MEETINGS (CONSTITUTIONAL AMENDMENTS OF ARTICLE III)", which passed Third Reading in the Senate on March 5, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 35) transmitting Senate Bill No. 683, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF THE DEPARTMENT OF TRANSPORTATION", which passed Third Reading in the Senate on March 5, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 36) transmitting

Senate Bill No. 758, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL", which passed Third Reading in the Senate on March 5, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 37) transmitting Senate Bill No. 1723, entitled: "A BILL FOR AN ACT RELATING TO THE PROGRESSIVE NEIGHBORHOODS PROGRAM", which passed Third Reading in the Senate on March 5, 1979, was placed on file.

On motion by Representative K. Yamada, seconded by Representative Evans and carried, S.B. Nos. 5; 14, SD 1; 683; 758; and 1723 passed First Reading by title and further action was deferred until later in the calendar.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 10 and 11) were read by the Clerk and were disposed of as follows:

A communication from Ms. C. Matano, Administrative Assistant to Senator Matsunaga (Misc. Com. No. 10) acknowledging receipt of House Resolution No. 298, relating to the pineapple tariff reduction, was placed on file.

A communication from Ms. C. Matano, Administrative Assistant to Senator Matsunaga (Misc. Com. No. 11) acknowledging receipt of House Resolution No. 162, relating to the strategic petroleum reserve, was placed on file.

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

Representative Morioka introduced 31 fourth and fifth grade students from Island Paradise Annex School. They were accompanied by their teachers, Miss Val Nishida and Mrs. Jasmine Shaw.

Representative Uechi introduced members of the student council of Red Hill Elementary School, as follows: Ivette Torres, Paul Schaefer, Stacey Pang, Donna Corbin, Liz Aranes, Shelley Harmon, Paul Brille and Christian Uratara. They were accompanied by their Vice Principal, Mr. Richard Sagawa.

Representative Kunimura introduced a former colleague from Maui, Richard Calditq, Jr., and two of Representative Ushijima's "Charlie's Angels", Marlene and Carol.

The Chair directed the Clerk to note the presence of Representatives Fukunaga, Lee and Uwaine.

SUSPENSION OF RULES

On motion by Representative K. Yamada, seconded by Representative Evans and carried, the rules were suspended for the purpose of considering a resolution.

INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 482) extending congratulations to Mr. Joseph Lovejoy Dwight, Jr., on his appointment as Attorney General for the government of American Samoa was jointly offered by Representatives Kamalii, Aki, Anderson, Baker, Crozier, Dods, Evans, Garcia, Hagino, Ige, Inaba, Kawakami, Kiyabu, Kunimura, Lacy, Lee, Lunasco, Machida, Marumoto, Narvaes, Say, Shito, Stanley, Sutton, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Kamalii, seconded by Representative Marumoto and carried, H.R. No. 482 was adopted.

Representative Kamalii then rose and stated:

"Mr. Speaker, it is indeed a pleasure and an honor for me to have the Attorney General of Samoa with us this morning. I was Joe Dwight's secretary during the First Legislature and we can both remember and we commented on it that our offices were right where this building stood in the old Armory, and I must say the acoustics at that time weren't as good as they are today, and I could have included a lot of stories of yesteryear in this resolution. However, I decided that it was better left unsaid, except that during that year, the pineapple dispenser was done away with by the then Speaker of the House, Elmer Cravalho, and I personally feel that that was the decline of the industry.

However, Joe's contributions to this State grew out of that same sense of fun and jest for life and his warmth and open ways, combined with a sense of justice and hard work, are now in the service of the government of American Samoa, just as he was a force in the First Session of this Legislature.

I understand that he is the first

Attorney General under the first elected Governor of Samoa. His knowledge and kindness will truly serve them well and the bonds of friendship, personally and amongst peoples, will also be strengthened."

Representative Kamalii then introduced the honoree, Mr. Joseph L. Dwight, Jr., to the members of the House.

Representative Kunimura then rose and stated:

"Mr. Speaker, before we have the honorable Minority Leader lei the honorable Attorney General, I would like to say a few words.

You know, when I saw old Brother Joe, I thought I saw a ghost. This man has aged. But, when you see familiar faces like the Speaker of the House, and Brother Takamine, and Brother Jack here, they are about the same vintage, but I am the oldest amongst the four of you. I am still the senior.

I would like to say this -- that I never really knew Joe's middle name, but very pleasingly and pleasantly surprised today to find out that his middle name is Lovejoy, and this guy knew how to love and he knew how to enjoy, and he had the manner and the kind of vibes that made people laugh and, yet, he was a very serious person. I would have no fear to say on the floor of this House that if I ever become governor of any state or any territory, that I would be happy to appoint Brother Joe as Attorney General or even the Supreme Court Chief Justice because he has the true feelings of Hawaii and aloha and, yet, has the kind of character that when people talk with him that he would automatically not commend their respect, but would gain their aloha and confidence, and I am very happy to participate, this morning, in this very brief ceremony to recognize a true son of Hawaii who is making good in this world.

Thank you."

Representative Sutton then rose and asked:

"Mr. Speaker, I would be remiss if I did not add my remarks to this learned gentleman who is with us -- the Attorney General of Samoa. May I proceed?"

Directed by the Chair to "proceed", Representative Sutton stated:

"Mr. Speaker, he and I took the Bar just a couple of years before you and he and I used to gang up to get the better cases away from you, so the two of us are enjoying it today as we sit here and see that you now have a little seniority over us.

Thank you, sir."

Representative Kunimura then rose and remarked:

"Brother Sutton has always been known in the field of educational science as the late bloomer."

Representative Kamalii, at this time, presented a red carnation lei to the honoree, Mr. Joseph L. Dwight, Jr., while Representative Kunimura presented him with a certified copy of the resolution.

At 11:25 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal congratulations to Mr. Dwight. The Chair would like to express his personal congratulations as a former colleague, and we wish him well."

Upon reconvening at 11:31 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Nakamura and D. Yamada.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
5	Committee on Judiciary
14	Committee on Judiciary
683	Committee on Transportation
758	Jointly to the Committees on Transportation and State General Planning, then to the Committee on Finance
1723	Committee on Public Assistance and Human Services, then to the Committee on Finance

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 466 to 474) and concurrent resolutions (H.C.R. Nos. 97, 98

and 102) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
466	Jointly to the Committees on Ecology and Environmental Protection and Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Legislative Management
467	Committee on Higher Education, then to the Committee on Finance
468	Committee on Culture and the Arts, then to the Committee on Legislative Management
469	Committee on Culture and the Arts, then to the Committee on Legislative Management
470	Committee on Employment Opportunities and Labor Relations
471	Jointly to the Committees on Youth and Elderly Affairs and Health, then to the Committee on Finance
472	Committee on Education
473	Committee on Transportation, then to the Committee on Finance
474	Committee on Ocean and Marine Resources, then to the Committee on Finance

H.C.R. Nos.

97	Committee on Employment Opportunities and Labor Relations
98	Jointly to the Committees on Ocean and Marine Resources and Higher Education
102	Committee on Transportation, then to the Committee on Finance

SUSPENSION OF RULES

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

UNFINISHED BUSINESS

Stand. Com. Rep. No. 216 on H.B. No. 734 (Deferred from March 5, 1979):

On motion by Representative Bla. seconded by Representative Shito and carried, the report of the Committee

was adopted and H.B. No. 734, entitled: "A BILL FOR AN ACT RELATING TO LIFE AND DISABILITY INSURANCE", having been read throughout, passed Third Reading by a vote of 49 ayes to 1 no, with Representative Sutton voting no, and Representative Medeiros being excused.

The Chair directed the Clerk to note that H.B. No. 734 had passed Third Reading at 11:33 o'clock a.m.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 439) informing the House that House Resolution Nos. 465 to 474, House Concurrent Resolution Nos. 97 to 102, and Standing Committee Report Nos. 434 to 437, have been printed and distributed.

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

Representative Uwaine, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 440) recommending that H.R. No. 379, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Uwaine, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.R. No. 379, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE ENERGY OFFICE TO REPORT ON HAWAII'S FUEL ALLOCATION CONTINGENCY PLANS", was referred to the Committee on Legislative Management.

Representative Uwaine, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 441) recommending that H.R. No. 220, as amended in HD 1, be adopted.

On motion by Representative Uwaine, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.R. No. 220, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO RESTORE FUNDING FOR WIND LASER TECHNOLOGY RESEARCH", was adopted, with Representative Ikeda voting no.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com.

Rep. No. 442) recommending that H.C.R. No. 30 be adopted.

On motion by Representative Kiyabu, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RENEWED EFFORT'S CONGRESSIONAL DELEGATION FOR LEGISLATION TO ASSIST HAWAII'S IMMIGRANT POPULATION", was adopted.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 443) recommending that H.R. No. 103, as amended in HD 1, be adopted.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 103, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF PROGRAM NEEDS RELATING TO CONGENITAL DEFECTS AND GENETIC COUNSELING", was adopted.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 444) recommending that H.R. No. 99, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 99, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF COST CONTAINMENT IN HEALTH SERVICES", was referred to the Committee on Legislative Management.

Representative Nakamura, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 445) recommending that H.B. No. 292, as amended in HD 1, be recommitted to the Committee on Corrections and Rehabilitation.

On motion by Representative Shito, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 292, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PAROLING AUTHORITY", was recommitted to the Committee on Corrections and Rehabilitation.

Representatives Kiyabu and Takamine, for the Committees on State General Planning and Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 446) recommending that H.R. No. 280, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Kiyabu, seconded by Representative Takamine and carried, the joint report of the Committees was adopted and H.R. No. 280, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE HAWAII STATE PLANNING ACT TO DETERMINE THE FEASIBILITY OF REQUIRING THE PREPARATION OF A FUNCTIONAL PLAN FOR THE STATE'S EMPLOYMENT POLICIES, PROGRAMS AND PROJECTS", was referred to the Committee on Legislative Management.

Representatives Ushijima and Lunasco, for the Committees on Higher Education and Education, presented a report (Stand. Com. Rep. No. 447) recommending that H.R. No. 299 be referred to the Committee on Finance.

On motion by Representative Ushijima, seconded by Representative Lunasco and carried, the joint report of the Committees was adopted and H.R. No. 299, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF READING ACADEMIES", was referred to the Committee on Finance.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 448) recommending that H.R. No. 102, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and H.R. No. 102, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF AN OLYMPIC TRAINING CENTER AND SPORTS MEDICINE CLINIC IN HAWAII", was referred to the Committee on Legislative Management.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 475 to 481 and 482 to 489) and concurrent resolutions (H.C.R. Nos. 103 to 110) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 7, 1979:

A resolution (H.R. No. 475) requesting a study to explore the feasibility of converting Waianae High School to the State's first marine high school was jointly offered by Representatives

Aki, Peters, Toguchi, Lunasco, Crozier, de Heer, Fukunaga, Hagino, Holt, Honda, Inaba, Kiyabu, Kobayashi, Kunimura, Machida, Sakamoto, Segawa, Shito, Stanley, Suwa, Takamine, Takitani and Uwaine.

A resolution (H.R. No. 476) requesting a feasibility study on transferring State authority and responsibility concerning the regulation of private disposal systems to the counties was jointly offered by Representatives Kamalii, Anderson, Baker, Blair, Crozier, Evans, Fukunaga, Honda, Ikeda, Inaba, Kawakami, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Morioka, Narvaes, Shito, Sutton, Uechi and K. Yamada.

A resolution (H.R. No. 477) establishing a fishing program in the Hawaii State Prison was jointly offered by Representatives Nakamura, Dods, Honda, Larsen, Lee and Uechi.

A resolution (H.R. No. 478) requesting a study for the establishment of a State Highway Patrol System was jointly offered by Representatives Nakamura, Ikeda, Larsen, Lee and Uechi.

A resolution (H.R. No. 479) recommending development of a convention center in Waikiki was jointly offered by Representatives Nakamura, Honda, Ikeda, Larsen, Lee and Uechi.

A resolution (H.R. No. 480) commending the Leo Clubs of Hawaii for their efforts in collecting used books and magazines for use in the Hawaii State Prison was jointly offered by Representatives Nakamura, Dods, Honda, Ikeda, Larsen, Lee and Uechi.

A resolution (H.R. No. 481) relating to a prison farm at Kulani Correctional Facility, Hawaii was jointly offered by Representatives Nakamura, Dods, Honda, Ikeda, Larsen and Uechi.

A resolution (H.R. No. 483) relating to Maui Family Reunion Conference in honor of 1979 as the International Year of the Child was jointly offered by Representatives Crozier, Aki, Baker, Blair, de Heer, Dods, Fukunaga, Hagino, Hashimoto, Holt, Honda, Ige, Inaba, Kawakami, Kiyabu, Kobayashi, Kunimura, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Morioka, Nakamura, Sakamoto, Say, Segawa, Stanley, Suwa, Takamine, Takitani, Toguchi, Uechi, Uwaine and D. Yamada.

A resolution (H.R. No. 484) requesting the Office of Legislative Auditor to examine and report on the program and performance of State employed

psychiatrists was jointly offered by Representatives Segawa, Aki, Baker, Blair, Honda, Ige, Kobayashi, Lacy, Lee, Shito, Sutton, Ushijima and D. Yamada.

A resolution (H.R. No. 485) relating to the developmentally disabled was jointly offered by Representatives Segawa, Aki, Baker, Blair, Honda, Ige, Kobayashi, Lacy, Lee, Shito, Sutton, Toguchi, Ushijima and D. Yamada.

A resolution (H.R. No. 486) requesting the Director of Health to adopt rules relating to the termination or revocation of conditional discharges and temporary leaves of absence of patients committed to the Waimano Training School and Hospital, including administrative appeal procedures for such terminations or revocations was jointly offered by Representatives Segawa, Aki, Baker, Blair, Honda, Ige, Kobayashi, Lacy, Lee, Shito, Sutton, Toguchi, Ushijima and D. Yamada.

A resolution (H.R. No. 487) requesting that the week of November 12th - 18th, 1979, be dedicated to honor the memory of King David La'amea Kalakaua was jointly offered by Representatives Machida, Baker, de Heer, Fukunaga, Honda, Ikeda, Kiyabu, Marumoto, Morioka, Peters and Takitani.

A resolution (H.R. No. 488) requesting a study of the feasibility of separating the School of Travel Industry Management from the College of Business Administration of the University of Hawaii was jointly offered by Representatives Machida, Ikeda, Kiyabu and Uechi.

A resolution (H.R. No. 489) requesting a study of the feasibility of eliminating the car-pool restriction on the eastbound car-pool lane of the H-1 was jointly offered by Representatives Uechi, Baker, Hagino, Lunasco, Sakamoto, Takamine, Takitani, Toguchi and Uwaine.

A concurrent resolution (H.C.R. No. 103) requesting a study to explore the feasibility of converting Waianae High School to the State's first marine high school was jointly offered by Representatives Aki, Peters, Toguchi, Lunasco, Crozier, de Heer, Fukunaga, Hagino, Holt, Honda, Inaba, Kiyabu, Kobayashi, Kunimura, Machida, Sakamoto, Segawa, Shito, Stanley, Suwa, Takamine, Takitani and Uwaine.

A concurrent resolution (H.C.R. No. 104) requesting joint use of

military airports was jointly offered by Representatives Nakamura, Honda, Ikeda and Uechi.

A concurrent resolution (H.C.R. No. 105) requesting a feasibility study on transferring State authority and responsibility concerning the regulation of private disposal systems to the counties was jointly offered by Representatives Kamalii, Anderson, Baker, Blair, Crozier, Evans, Fukunaga, Honda, Ikeda, Inaba, Kawakami, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Morioka, Narvaes, Shito, Sutton, Uechi and K. Yamada.

A concurrent resolution (H.C.R. No. 106) requesting public agencies to employ organizations of handicapped persons and handicapped individuals whenever possible was jointly offered by Representatives Segawa, Aki, Baker, Blair, Honda, Ige, Kobayashi, Lacy, Lee, Shito, Sutton, Ushijima and D. Yamada.

A concurrent resolution (H.C.R. No. 107) relating to the developmentally disabled was jointly offered by Representatives Segawa, Aki, Baker, Blair, Honda, Ige, Kobayashi, Lacy, Lee, Shito, Sutton, Toguchi, Ushijima and D. Yamada.

A concurrent resolution (H.C.R. No. 108) requesting the Director of Health to adopt rules relating to the termination or revocation of conditional discharges and temporary leaves of absence of patients committed to the Waimano Training School and Hospital, including administrative appeal procedures for such terminations or revocations was jointly offered by Representatives Segawa, Aki, Baker, Blair, Honda, Ige, Kobayashi, Lacy, Lee, Shito, Sutton, Toguchi, Ushijima and D. Yamada.

A concurrent resolution (H.C.R. No. 109) requesting a study of the feasibility of separating the School of Travel Industry Management from the College of Business Administration of the University of Hawaii was jointly offered by Representatives Machida, Ikeda, Kiyabu and Ushijima.

A concurrent resolution (H.C.R. No. 110) requesting a study of the feasibility of eliminating the car-pool restriction on the eastbound car-pool lane of the H-1 was jointly offered by Representatives Uechi, Baker, Hagino, Lunasco, Sakamoto, Takamine, Takitani, Toguchi and Uwaine.

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

of the Chair.

The House of Representatives reconvened at 11:47 o'clock a.m.

STANDING COMMITTEE REPORTS

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 449) recommending that H.B. No. 1666, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 1666, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979, with Representative Sutton voting no.

The Chair directed the Clerk to note that printed copies of H.B. No. 1666, HD 1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 450) recommending that H.B. No. 257, HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 450 on H.B. No. 257, HD 1, was deferred until Thursday, March 8, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 257, HD 1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Suwa, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 451) recommending that H.B. No. 281, HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 451 on H.B. No. 281, HD 1, was deferred until Thursday, March 8, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 281, HD 1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Suwa, for the

Committee on Finance, presented a report (Stand. Com. Rep. No. 452) recommending that H.B. No. 750, HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 452 on H.B. No. 750, HD 1, was deferred until Thursday, March 8, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 750, HD 1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 453) recommending that H.B. No. 1449 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative de Heer, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1449, entitled: "A BILL FOR AN ACT RELATING TO UNION LABELS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

At 11:49 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:50 o'clock a.m.

Representatives Stanley and Shito, for the Committees on Public Employment and Government Operations and Housing, presented a report (Stand. Com. Rep. No. 454) recommending that H.B. No. 1665 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Stanley, seconded by Representative Shito and carried, the joint report of the Committees was adopted and H.B. No. 1665, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979, with Representative Sutton voting no.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 455) recommending that H.B. No. 731 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.B. No. 731, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM SIZES OF FISH", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 456) recommending that H.B. No. 730 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, the report of the Committee was adopted and H.B. No. 730, entitled: "A BILL FOR AN ACT RELATING TO DESIGNATION OF AGENTS TO SELL FRESHWATER GAME FISH LICENSES", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 1449, 1665, 731 and 730 were made available to the members of the House at 11:00 o'clock a.m.

Representative Suwa, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 457) recommending that H.B. No. 732 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 457 on H.B. No. 732 was deferred until Thursday, March 8, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 732 were made available to the members of the House at 11:35 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 458) recommending that H.B. No. 727 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 458 on H.B. No. 727 was deferred until Thursday, March 8, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 727 were made available to the members of the House at 11:35 o'clock a.m.

Representative Suwa, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 459) recommending that H.B. No. 1311 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 459 on H.B. No. 1311 was deferred until Thursday, March 8, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1311 were made available to the members of the House at 11:35 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 460) recommending that H.B. No. 366 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 460 on H.B. No. 366 was deferred until Thursday, March 8, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 366 were made available to the members of the House at 11:35 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 461) recommending that H.B. No. 365 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 461 on H.B. No. 365 was deferred until Thursday, March 8, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 365 were made available to the members of the House at 11:35 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 462) recommending that H.B. No. 529 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 462 on H.B. No. 529 was deferred until Thursday, March 8, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 529 were made available to the members of the House at 11:35 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 463) recommending that H.B. No. 1607 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 463 on H.B. No. 1607 was deferred until Thursday, March 8, 1979, and in accordance

with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1607 were made available to the members of the House at 11:35 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 464) recommending that H.B. No. 577 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 577, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIGENT CRIMINAL DEFENDANTS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979, with Representative Sutton voting no.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 465) recommending that H.B. No. 282, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 282, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 577 and 282, HD 1, were made available to the members of the House at 11:35 o'clock a.m.

At this time, Representative K. Yamada extended birthday greetings to Representative Hagino.

A red carnation lei was presented to Representative Hagino by Representative Hashimoto.

At 11:59 o'clock a.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives stood in recess until 10:00 o'clock p.m. tonight.

NIGHT SESSION

The House of Representatives

reconvened at 10:07 o'clock p.m.

At this time, Representative Takamine was granted permission to make a late introduction and he introduced his secretary, Allison, and Mrs. Nakamoto of Hilo, first cousin of Representative Segawa, to the members of the House.

STANDING COMMITTEE REPORTS

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 466) recommending that H.R. No. 229, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and H.R. No. 229, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN INVESTIGATION OF THE FEASIBILITY OF ASSISTING THE PHYSICAL MOBILITY OF THE UNEMPLOYED AND THOSE ENTERING THE LABOR FORCE FOR THE FIRST TIME", was referred to the Committee on Legislative Management.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 467) recommending that H.B. No. 643, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 643, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 468) recommending that H.B. No. 742, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 742, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representative D. Yamada, for the

Committee on Judiciary, presented a report (Stand. Com. Rep. No. 469) recommending that H.B. No. 585, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 585, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 470) recommending that H.B. No. 988 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO ARSON INVESTIGATION", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 471) recommending that H.B. No. 107 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 107, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 472) recommending that H.B. No. 451 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 451, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING

A DANGEROUS DRUG", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 473) recommending that H.B. No. 1557, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 1557, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY COMMITTEES ON THE STATUS OF WOMEN", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 474) recommending that H.B. No. 1673 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Holt and carried, the report of the Committee was adopted and H.B. No. 1673, entitled: "A BILL FOR AN ACT RELATING TO THE INSTITUTE FOR MANAGEMENT AND ANALYSIS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 475) recommending that H.B. No. 278, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Holt and carried, the report of the Committee was adopted and H.B. No. 278, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT TAX CREDITS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 643, HD 1; 742, HD 1; 585, HD 1; 988; 107; 451; 1557, HD 1; 1673; and 278, HD 1, were made available to the members of the House at 7:30 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 476) recommending

that H.B. No. 45, HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 476 on H.B. No. 45, HD 1, was deferred until Thursday, March 8, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 45, HD 1, were made available to the members of the House at 7:30 o'clock p.m.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 477) recommending that H.B. No. 1674 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1674, entitled: "A BILL FOR AN ACT RELATING TO DRUGS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 478) recommending that H.B. No. 498, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 498, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWERS OF BOARD OF DIRECTORS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representatives Blair and Segawa, for the majority of the Committees on Consumer Protection and Commerce and Health, presented a report (Stand. Com. Rep. No. 479) recommending that H.B. No. 166, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Segawa and carried, the joint report of the majority of the Committees was adopted and H.B. No. 166, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS", passed Second Reading and was

placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representatives Blair and D. Yamada, for the Committees on Consumer Protection and Commerce and Judiciary, presented a report (Stand. Com. Rep. No. 480) recommending that H.B. No. 867 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative D. Yamada and carried, the joint report of the Committees was adopted and H.B. No. 867, entitled: "A BILL FOR AN ACT RELATING TO APPEALS FROM THE DECISIONS OF THE LIQUOR COMMISSION", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 481) recommending that H.B. No. 737 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 737, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF TAX RETURNS AND INFORMATION IN TAX RETURNS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 482) recommending that H.B. No. 613, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 613, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURES FOR ADOPTION, AMENDMENT OR REPEAL OF RULES", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 483) recommending that H.B. No. 1186 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair,

seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1186, entitled: "A BILL FOR AN ACT RELATING TO THE BANK EXAMINER", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 1674; 498, HD 1; 166, HD 1; 867; 737; 613, HD 1; and 1186, were made available to the members of the House at 7:30 o'clock p.m.

The Chair, at this time, stated:

"Before taking a very short recess, the Chair would like to advise all members to make yourselves available for the rest of the week, day and evenings, so schedule your hearings and activities with that in mind."

At 10:12 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 484) recommending that H.B. No.

1505, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 1505, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 8, 1979.

The Chair directed the Clerk to note that printed copies of H.B. No. 1505, HD 1, were made available to the members of the House at 10:15 o'clock p.m.

The Chair stated:

"The Chair would like to remind all members to make yourselves available to sign Committee Reports all day tomorrow, all day Thursday, all day Friday, Saturday and Sunday."

ADJOURNMENT

At 10:23 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned to 10:30 o'clock a.m. tomorrow, Wednesday, March 7, 1979.

THIRTIETH DAY

Wednesday, March 7, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 10:40 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Ryosho Kawai of Jodo Mission, after which the Roll was called showing all members present with the exception of Representatives Anderson and Evans, who were excused.

By unanimous consent, reading of the Journal of the Twenty-Ninth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 38 to 40) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 38) returning H.C.R. No. 99 which was adopted by the Senate on March 5, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 39) returning H.C.R. No. 100 which was adopted by the Senate on March 5, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 101) returning H.C.R. No. 101 which was adopted by the Senate on March 5, 1979, was placed on file.

At 10:43 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:00 o'clock a.m.

ORDER OF THE DAY

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 475 to 481 and 483 to 489) and concurrent resolutions (H.C.R. Nos. 103 to 110) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
475	Committee on Education, then to Committee on Finance
476	Committee on Water, Land Use, Development and Hawaiian Affairs, then to Committee on Finance
477	Committee on Corrections and Rehabilitation
478	Committee on Judiciary, then to Committee on Legislative Management
479	Committee on Water, Land Use, Development and Hawaiian Affairs, then to Committee on Finance
480	Committee on Corrections and Rehabilitation
481	Committee on Corrections and Rehabilitation, then to Committee on Legislative Management
483	Committee on Youth and Elderly Affairs
484	Committee on Health, then to Committee on Finance
485	Committee on Health, then to Committee on Finance
486	Jointly to Committee on Health and Committee on Judiciary, then to Committee on Finance
487	Committee on Culture and the Arts
488	Committee on Higher Education, then to Committee on Finance
489	Committee on Transportation, then to Committee on Finance
<u>H.C.R. Nos.</u>	
103	Committee on Education, then to Committee on Finance
104	Committee on Transportation
105	Committee on Water, Land Use, Development and Hawaiian Affairs, then to Committee on Finance
106	Jointly to Committee on Health and Committee on Public Employment and Government Operations

- 107 Committee on Health, then
to Committee on Finance
- 108 Jointly to Committee on
Health and Committee on Judiciary,
then to Committee on Finance
- 109 Committee on Higher Education,
then to Committee on Finance
- 110 Committee on Transportation,
then to Committee on Finance

STANDING COMMITTEE REPORTS

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 485) recommending that H.R. No. 278 be adopted.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, and notwithstanding the recommendation of the Committee that H.R. No. 278 be adopted, H.R. No. 278 was recommitted to the Committee on Ocean and Marine Resources.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 486) recommending that H.C.R. No. 37 be adopted.

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, and notwithstanding the recommendation of the Committee that H.C.R. No. 37 be adopted, H.C.R. No. 37 was recommitted to the Committee on Ocean and Marine Resources.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 490 to 497) and concurrent resolutions (H.C.R. Nos. 111 to 116) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 8, 1979:

A resolution (H.R. No. 490) requesting an investigation of the proposed merger of Alexander & Baldwin and Pacific Resources, Inc. was jointly offered by Representatives Hagino, Masutani, Baker, Toguchi and Say.

A resolution (H.R. No. 491) requesting an investigation of the proposed merger of Alexander & Baldwin and Pacific Resources, Inc. was jointly offered by Representatives Hagino, Masutani, Baker, Toguchi, Lunasco

and Say.

A resolution (H.R. No. 492) requesting a study of the viability and impact of a state-run lottery was jointly offered by Representatives de Heer, Crozier, Dods, Hashimoto, Ikeda, Inaba, Kiyabu, Kunimura, Machida, Masutani, Sakamoto, Say, Stanley and Uwayne.

A resolution (H.R. No. 493) requesting a study on the film industry was jointly offered by Representatives de Heer, Baker, Crozier, Dods, Fukunaga, Hagino, Kiyabu, Kunimura, Larsen, Lee, Machida, Sakamoto, Say, Shito, Stanley, Takamine, Toguchi, D. Yamada and K. Yamada.

A resolution (H.R. No. 494) requesting public and private agencies serving the elderly to consider establishing a food advisory service and a mobile mini-market program for Hawaii's needy senior citizens was jointly offered by Representatives Dods, Uechi, Aki, Anderson, Baker, Blair, Crozier, de Heer, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Morioka, Narvaes, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takitani, Toguchi, Uwayne and D. Yamada.

A resolution (H.R. No. 495) requesting the establishment of a motorcycle safety program was jointly offered by Representatives Dods, Aki, Anderson, Baker, Blair, Crozier, de Heer, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Masutani, Morioka, Narvaes, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uwayne and D. Yamada.

A resolution (H.R. No. 496) requesting the Attorney General to determine the legality of the Hawaii Motor Carrier Law antitrust exemption under the Federal Antitrust Laws was jointly offered by Representatives Hagino, Sakamoto, Narvaes, Baker, Say, Toguchi, Shito, de Heer, Uwayne and Holt.

A resolution (H.R. No. 497) requesting the United States Congress to deregulate the trucking industry was jointly offered by Representatives Hagino, Baker, Crozier, de Heer, Holt, Larsen, Narvaes, Say, Toguchi and Uwayne.

A concurrent resolution (H.C.R. No. 111) requesting an investigation of the proposed merger of Alexander & Baldwin and Pacific Resources, Inc. was jointly offered by Representatives Hagino, Baker, Toguchi, Say and Masutani.

A concurrent resolution (H.C.R. No. 112) requesting an investigation of the proposed merger of Alexander & Baldwin and Pacific Resources, Inc. was jointly offered by Representatives Hagino, Masutani, Baker, Toguchi, Lunasco and Say.

A concurrent resolution (H.C.R. No. 113) requesting a study of the viability and impact of a state-run lottery was jointly offered by Representatives de Heer, Crozier, Dods, Hashimoto, Ikeda, Kiyabu, Kunimura, Machida, Masutani, Sakamoto, Say and Stanley.

A concurrent resolution (H.C.R. No. 114) requesting a study on the film industry was jointly offered by Representatives de Heer, Baker, Crozier, Dods, Fukunaga, Hagino, Kiyabu, Kunimura, Larsen, Lee, Machida, Sakamoto, Say, Shito, Stanley, Takamine, Toguchi, D. Yamada and K. Yamada.

A concurrent resolution (H.C.R. No. 115) requesting the Attorney General to determine the legality of the Hawaii Motor Carrier Law antitrust exemption under the Federal Antitrust Laws was jointly offered by Representatives Baker, de Heer, Hagino, Holt, Narvaes, Say, Shito, Toguchi and Uwaine.

A concurrent resolution (H.C.R. No. 116) requesting the United States Congress to deregulate the trucking industry was jointly offered by Representatives Baker, Crozier, de Heer, Hagino, Holt, Larsen, Narvaes, Say, Toguchi and Uwaine.

SUSPENSION OF RULES

On motion by Representative K. Yamada, 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

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

actions taken:

H.B. No. 79, HD 1

Representative Aki moved that H.B. No. 79, HD 1, pass Third Reading, seconded by Representative Ige.

Representative Sutton rose to speak against H.B. No. 79, HD 1:

"Mr. Speaker, what we are doing here sounds so simple, and it sounds so logical, but it is illogical. What we are doing is, we are saying that police officers are mandated to report cases of suspected child abuse and neglect.

Now, Mr. Speaker, a police officer is just one step short of an attorney. These are people that are trained, they have discretion, they are dealing in the daily lives of 900,000 people in this state and, Mr. Speaker, they have got to weigh the factors just exactly as you may have to subsequently, when you put robes on.

Mr. Speaker, these are very complicated questions. A child is a minor, a child is someone that has to be disciplined. What constitutes discipline and what constitutes abuse is a very thin line. If a police officer is required to make these reports, once he makes those reports, it has much more authority than any of the other people who are required to make reports under the present statute.

That is why, in the great wisdom of this legislature, up to this time, it did not have mandatory police reports, Mr. Speaker. And it's very foolish at this time to take the discretion away from the police department who are specialists, who have studied, taken special courses and become expert, and who frankly know the community better than anybody else.

Once one of these reports goes in, then from a policeman's point of view, prosecution follows. We do not want to fill our criminal courts with minor cases that do not have any significance, and if we take this discretion away from the police department and say that everything must be reported, we have all of a sudden taken the discretion away from the very person who, by common law, had the discretion way back

in the English common law, in our own common law here in Hawaii and the common law of the United States of America.

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

Representative Aki rose to speak in favor of H.B. No. 79, HD 1:

"Mr. Speaker, H.B. No. 79, HD 1, mandates the police officers and other law enforcement officers to orally report suspected cases of child abuse to the Department of Social Services and Housing. For the very reasons that the previous speaker stated against this bill, I would like to say that because the police officers are often times the very first people on the scene of domestic quarrels and problems, and because of their experience in the area of working with these individuals, for these reasons we feel that it is very important that a police officer be given this mandate to report these cases.

Mr. Speaker, also, the problem of child abuse is a very serious one, and until we close the gap by including these police officers and other law enforcement officers, we will not be able to address the total problem of child abuse and neglect. Presently, the police officer and law enforcement officers are not covered in a child report in law, and this bill addresses that problem.

For this reason, your Committee on Youth and Elderly Affairs feels it's very important that you do include these individuals and I would like to ask all members to support this bill. Thank you, Mr. Speaker."

Representative Kunimura then rose in support of H.B. No. 79, HD 1:

"We have embarked on a very courageous area of doing away and trying to eliminate child abuse in this state if possible. As many of our problems rise from the product of child abuse and, several years ago, Mr. Lunasco and I, in committee, investigated and finally came to a conclusion that we had to do more preventive work because one child abused is one child abused too many. And the only way we could combat this very terrible evil was to have a very good preventive program,

and to embark on the preventive program that would be meaningful would be to have proper reporting procedures so that we can predict some of the problem areas because we were told at that time, and more and more of the facts are coming out, that it's a vicious cycle and also, that if you don't have rehabilitative work done to the abuser, they will continue to do it until it will be too late, when the lifeless, limp child's body is taken to the emergency hospital. And, for this reason, Mr. Speaker, I urge all members of the House to support the passage of this bill."

The motion to pass H.B. No. 79, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE", on Third Reading was put by the Chair and carried by a vote of 48 ayes to 1 no, with Representative Sutton voting no and Representatives Anderson and Evans being excused.

H.B. No. 562, HD 1

Representative Takamine moved that H.B. No. 562, HD 1 be recommitted to the Committee on Employment Opportunities and Labor Relations, seconded by Representative de Heer.

Representative Takamine then stated:

"The purpose of recommitting this bill is to clean up the language, both in the Committee report and in the bill, so we probably deck it tonight."

By unanimous consent, H.B. No. 562, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS UNDER THE WORKERS' COMPENSATION LAW", was recommitted to the Committee on Employment Opportunities and Labor Relations.

H.B. No. 587

On motion by Representative Takamine, seconded by Representative de Heer, H.B. No. 587, entitled: "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW", passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Lacy and Sutton voting no and Representatives Anderson and Evans being excused.

H.B. No. 588

On motion by Representative Takamine, seconded by Representative de Heer, H.B. No. 588, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW", passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

H.B. No. 589

On motion by Representative Takamine, seconded by Representative de Heer, H.B. No. 589, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

H.B. No. 595

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 595, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

H.B. No. 445, HD 1

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 445, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES", passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

H.B. No. 168

On motion by Representative Blair, seconded by Representative Shito and carried, H.B. No. 168, entitled: "A BILL FOR AN ACT RELATING TO BALL OR MARBLE MACHINES", was deferred until tomorrow, March 8, 1979.

H.B. No. 159, HD 1

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 159, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY", passed Third Reading by a vote of 40 ayes to 9

noes, with Representatives Garcia, Hagino, Honda, Kawakami, Lee, Say, Uechi, Uwayne and D. Yamada voting no and Representatives Anderson and Evans being excused.

H.B. No. 452, HD 1

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 452, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CONTROLS TO REGULATE BURGLARY AND HOLDUP ALARM SYSTEMS", passed Third Reading by a vote of 48 ayes to 1 no, with Representative Garcia voting no and Representatives Anderson and Evans being excused.

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

The House of Representatives reconvened at 11:18 o'clock a.m.

H.B. No. 435

On motion by Representative D. Yamada, seconded by Representative Honda, H.B. No. 435, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AFFECTING OCCUPATIONS", passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

The Chair directed the Clerk to note that H.B. No. 79, HD 1 had passed Third Reading at 11:04 o'clock a.m.; H.B. Nos. 587, 588 and 589, at 11:13 o'clock a.m.; H.B. Nos. 595, 445, HD 1 and 159, HD 1, at 11:14 o'clock a.m.; H.B. No. 452, HD 1, at 11:15 o'clock a.m.; and H.B. No. 435, at 11:19 o'clock a.m.

H.B. No. 1004

Representative D. Yamada moved that H.B. No. 1004 pass Third Reading, seconded by Representative Honda.

Representative Sutton then rose to speak against H.B. No. 1004:

"Mr. Speaker, I am going to try to make this quite simple because for the non-lawyers, the concept of changing the burden of proof, the concept of preponderance of evidence and the concept of an affirmative defense are not all that simple.

This is an unfortunate bill and I think if I can show them what we're doing to the basic concept. Now, what we're trying to do originally, what's been on the books for many years, what is in the common law, is that when you have a penal charge, the defendant who has engaged in the conduct for which he was indicted, or who caused the alleged result, can say that he was coerced to do so, and coerced by a threat or any unlawful force against his person, or some member of his family, and something where a reasonable person in that position would be unable to resist. Now, we have one case on the books where a man escaped from Oahu prison and he brought this particular type of duress, the duress was a coercion put on him in the prison, and the reason for his escape was that duress.

This is a basic common law concept, Mr. Speaker, that when an individual is coerced, is not doing things of his own free will, he has this affirmative defense. Now, prior to that we did have a slight limitation, and that was the limitation that is not a defense, that a person acted on the command of his wife, and, this is the old common law which the Supreme Court of the United States of America has addressed itself to in the last couple of weeks, the relationship of man and wife, whether or not a wife can testify, and here we had the exception if there was coercion by a wife against her husband or a husband against his wife. Now, that was a perfectly legitimate exception, Mr. Speaker.

But, what we have done, and I started out by telling you, Mr. Speaker, that we were talking about affirmative defenses, burden of proof and preponderance of evidence, and we allowed this as an affirmative defense. Now we are saying, and I quote you verbatim from the statute, 'the defendant shall have the burden of going forward with the evidence', there's your burden of proof changing, 'to approve the facts constituting such defense, unless such facts are supplied by the testimony of the prosecuting witness', and, now we come to the subjunctive here, not only do we deny him what he had before of not making a burden and putting the burden of proof on him, but we also say that he has to prove now, by the preponderance of evidence. So, we have, for all intents and purposes, said to this

man who was coerced, said to this man who had duress on him, we are hereby telling you that that particular defense is a difficult one for you to prove. Whereas, under the common law, it was the first one you prove, and the prosecutor had to go ahead and show that there was a negation thereof.

Now, Mr. Speaker, we live in a democracy, we have our bill of rights, but if you recall back in 1940 we had a man named Adolf Hitler and the first thing he did in his court was this very thing - remove it - the type of duress that came from the gestapo. Are we going to revert to that? We fought a big war on that one, and won it, and I think, Mr. Speaker, that if you look at the basic doctrines of democracy that a person is innocent until proved guilty. That one's on the books, still. And the next thing, if they were coerced into doing a thing, they can come forth and use that as an affirmative defense. We're making it so easy for the prosecutors because we don't have good prosecutors.

What we ought to do is raise the pay of the prosecutors, and double it, get some good attorneys in there and they could win some cases without having to change the laws this way. This is like saying that every time Ike Sutton gets up to bat in a baseball team, you're going to give me a couple of bases - no difference.

And so, Mr. Speaker, you will vote against this and your colleagues will. Thank you."

At this time, Representative D. Yamada rose to speak in favor of H.B. No. 1004:

"Mr. Speaker, a lot has been said about the common law and how it relates to criminal law. I would just like to point out for the members, bring to the members attention, that under the common law the defense of duress was an affirmative defense.

Secondly, when the penal code was re-drafted, or re-codified, that it seems from reading the commentary as contained under section 702-231, that the commentary refers to the defense as an affirmative one, and it seems that when the penal code was being revised that inadvertently the term, affirmative defense, was left out from section 702-231, so

basically all this bill does is conform to that."

Representative Sutton then rose to rebut:

"This gentleman, by his very declaration about the penal code, brings forth something, sir, that I know is going to alarm you and alert you, because we put this penal code on the books, and it's just like a violin. It has nine strings in it. You don't tune a violin, and I wrote a symphony, Mr. Speaker, by fooling with one string. We have the penal code which the learned gentleman from Kauai has just brought out, and we've had this on the books. Your own Senator Dennis O'Connor has said this penal code's the finest document he ever was responsible for getting in. Now, whether he was responsible or not, I don't know, this he made the time when he was running for governor. And then all of a sudden one of his colleagues in the democrat party says oh no, this penal code has defects and we want to change one string of a nine string violin. Please, let's keep in tune and keep that penal code the way it is. Thank you, Mr. Speaker."

Representative D. Yamada stated:

"Mr. Speaker, if the prior speaker will look at the penal code, section 702-231, and read the commentaries, he will find that it reads, 'the defendant is afforded by this section an affirmative defense if he engaged in a conduct...' and that's what I'm talking about."

Representative K. Yamada then spoke:

"Mr. Speaker, I wanted to cite the section to the gentleman from Nuuanu that under the common law, duress was an affirmative defense. When the penal code was drafted, it was kept as an affirmative defense, but it was not clarified in the statutory section. All this bill does is to do that, to clarify it, to state explicitly that it is an affirmative defense, so it changes nothing, it doesn't change the practice which has been appearing in the courts in the past, and it won't change it in the future except to clarify it in the statute."

The motion to pass H.B. No. 1004, entitled: "A BILL FOR AN ACT RELATING TO DURESS", on Third Reading was put by the Chair and carried

by a vote of 44 ayes to 5 noes, with Representatives Baker, Lacy, Marumoto, Narvaes and Sutton voting no and Representatives Anderson and Lacy being excused.

H.B. No. 921, HD 1

On motion by Representative D. Yamada, seconded by Representative Honda, H.B. No. 921, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF TEMPORARY RESTRAINING ORDERS IN CASES OF SPOUSE ABUSE AND OTHER DOMESTIC VIOLENCE", passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

H.B. No. 861, HD 1

On motion by Representative D. Yamada, seconded by Representative Honda, H.B. No. 861, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO", passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Medeiros and Sutton voting no and Representatives Anderson and Evans being excused.

H.B. No. 923, HD 1

On motion by Representative D. Yamada, seconded by Representative Honda, H.B. No. 923, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS", passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Ikeda, Kamalii and Sutton voting no and Representatives Anderson and Evans being excused.

H.B. No. 723, HD 1

On motion by Representative D. Yamada, seconded by Representative Honda, H.B. No. 723, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT CLAIMS SUBMITTED AGAINST THE STATE", passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

H.B. No. 696, HD 1

On motion by Representative D. Yamada, seconded by Representative Honda, H.B. No. 696, HD 1, entitled: "A BILL FOR AN ACT RELATING

TO THE PREPARATION OF CERTIFICATES OF BIRTH FOR ADOPTED CHILDREN BORN IN A FOREIGN COUNTRY", passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

At this time, the Chair directed the Clerk to note that H.B. Nos. 1004 and 921, HD 1, had passed Third Reading at 11:27 o'clock a.m.; H.B. Nos. 861, HD 1 and 923, HD 1, at 11:28 o'clock a.m.; and H.B. Nos. 723, HD 1 and 696, HD 1, at 11:29 o'clock a.m.

H.B. No. 398

Representative D. Yamada moved that H.B. No. 398 pass Third Reading, seconded by Representative Honda.

Representative Sutton rose to speak against H.B. No. 398:

"Mr. Speaker, this is the same fallacious thinking that we saw just embodied five bills ago. Here we're talking about choice of evils, and we're talking about the affirmative defense. We're talking about a proposition where there is imminent harm or evil to an individual or to a third party that he's close to, and it's proved that the harm or evil sought to be avoided by such an individual is greater than that sought to be prevented.

Now, Mr. Speaker, we have seen that this code has been on the books, your own Dennis O'Connor put it on the books, praised it, now all of a sudden, what do they do, they make the same change that they did on the affirmative defense, and they say that if the defendant asserts the affirmative defense, the defendant now has the burden of proof, and he has to put up the evidence to prove that the evil which is greater than the other evil is proved to be greater than the other evil by a preponderance of the evidence. So, again, they have destroyed the affirmative defense when the individual, go back to the prison case, a man is being coerced in prison, so he escapes from prison, he wants to put on the defense that it's a greater evil than the evil of fleeing from a prison break, and what do we do? We say that he's got to prove this affirmative defense by the preponderance of evidence and the burden of proof is on him and he's got to go forward with

it.

We have completely contravened the basic concept that if a person is under coercion, or if there is an evil besetting him, that we can compare evils. And so, Mr. Speaker, I know you will probably agree with me and vote no and your colleagues will do likewise. Thank you."

The motion to pass H.B. No. 398, entitled: "A BILL FOR AN ACT RELATING TO CHOICE OF EVILS", on Third Reading was put by the Chair and carried by a vote of 46 ayes to 3 noes, with Representatives Baker, Marumoto and Sutton voting no and Representatives Anderson and Evans being excused.

H.B. No. 284, HD 1

On motion by Representative D. Yamada, seconded by Representative Honda, H.B. No. 284, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY EXAMINATION AND HOSPITALIZATION", passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Marumoto and Sutton voting no and Representatives Anderson and Evans being excused.

H.B. No. 424, HD 1

On motion by Representative D. Yamada, seconded by Representative Honda, H.B. No. 424, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TAMPERING", passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

At this time, the Chair directed the Clerk to note that H.B. Nos. 398, 284, HD 1 and 424, HD1 had passed Third Reading at 11:34 o'clock a.m.

H.B. No. 450

Representative D. Yamada moved that H.B. No. 450 pass Third Reading, seconded by Representative Honda.

The Chair stated:

"Let's not all rush to declare your potential conflict."

At this time, Representative Sutton rose to speak against H.B. No. 450:

"Mr. Speaker, I will start with the basic assumption, and I agree, that it takes two to tango. We'll start from there.

Now, a person commits the offense of prostitution if he engages in or agrees or offers to engage in sexual conduct with another person, and the way we've got it now, it's the words, 'in return', and what this bill proposes to do is delete 'in return', just two words, Mr. Speaker, for a fee. You know, your bill is very poor anyway. You're not even covering pimps in this bill.

Now, Mr. Speaker, let me just go on until we get some definitions and, you know, we're all adults, we're all grown-up, and we're dealing with a subject of life and we live in a very advanced age of liberation, so if I become a little frank, don't call me out of order.

Now, Mr. Speaker, what we're talking about here is changing it so that in Hawaii, it's a fact of life that there are houses of prostitution in every major resort area, and where 70% of our income is coming from the resort business, and you're not going to stop prostitution because this is the oldest profession, it's older than your profession and mine, we're just the second oldest profession, Mr. Speaker.

Now, we've got some tourists, and they're coming from Japan, and they can't read English and they don't know this law, nobody informs them, and they go into a teahouse and ask to go into the back room. Mr. Speaker, all of a sudden, what have we done? We've gotten, by deleting these words, in return, we have indicted the other partner. And he didn't know it. We've got a false entrapment built into this thing. False entrapment is a very serious thing, very serious, and by definition this thing is false entrapment, and you're not covering the pimps, and what's you're doing in return is you're going to say to that poor chap that's had his first trip out of Tokyo in his whole life, and been saving, and wants to see where Hawaii is, and he comes here, and he goes into the wrong teahouse, and all of a sudden he's indicted.

Now, Mr. Speaker, it is a very important thing in any criminal code, and the Supreme Court of

the United States has enunciated this very carefully, A) we must not have ambiguity, B) we must not have vagueness and C) we must not have false entrapment.

All of a sudden you've changed the whole rules and whatnot that have gone on in this territory, it's famous, this place is famous, go see the movie tomorrow night on the TV, 'From Here to Eternity' and see what happened down on River Street. And all of a sudden you're going to indict all these innocent people in violation of the ambiguity, the vagueness and the false entrapment principles inundated by Justice Holmes of the Supreme Court of the United States of America before the turn of the century.

And what have you done, you haven't accomplished anything. Look at the testimony of the police here. This is not going to aid your enforcement, it's going to complicate it because all of a sudden your witness has taken off. We don't have that kind of money to bring witnesses back for that type of purpose. And you've got to prove the 'in fee' part. You know, a lot of this happens where there is no fee, and the fee is the equivalent of the moving consideration. Now, we have on the books something, it isn't perfect, but why complicate it. Why not enforce what we have on the books. Why not send out vice squads into the areas and accomplish a mission rather than indict that poor Japanese tourist that came in here, couldn't read English, didn't know what the law was, and all of a sudden found that he was indictable for a crime.

Mr. Speaker, in the name of justice, I ask you to vote against this and I want to ask your colleagues, very learned gentlemen over there, very learned, and I would ask my own colleagues, very learned, to please vote against this."

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

The House of Representatives reconvened at 11:46 o'clock a.m.

Representative Nakamura stated:

"I have been deeply moved by the speaker from Nuuanu, and I will be voting against the bill."

Representative D. Yamada rose to speak in favor of H.B. No. 450:

"Mr. Speaker, just for the record, the prior speaker before the one that just spoke, the one from Nuuanu, alluded to the fact that the police department may be against the bill. Just for the record, the police department testified in favor of the bill and did not mention any of the things about bringing back witnesses or any of the other things that the Representative from Nuuanu alluded to."

Representative Sutton rose to rebut:

"Mr. Speaker, the testimony has indicated that this type of prosecution requires two things: first it requires a proof of the fee, whether the fee came before or after the particular event is not material, but you have to prove the fee. This is the complication of the present enforcement because it's done by subtle means of massage parlors, teahouses and whatnot.

Now we complicate the enforcement, Mr. Speaker, by having to prove a second point. Now, Mr. Speaker, if we will read the bill, and I am reading verbatim from the bill, 'as used in subsection 1, sexual conduct means sexual intercourse, deviate sexual intercourse or sexual contact as these terms are defined in section 707-700. Section 707-700 says that you must prove these particular bits of contact. Therefore, it is very evident, and should be evident, to the distinguished gentleman from Kauai, that the proof of a prosecutor here is automatically more difficult because he does not just need to prove the fee on the part of one party, and therefore, the enforcement for the police will be that much more difficult, and the defense of false entrapment will come in, and we'll find ourselves with innocent parties that I've already pointed out, and we'll find those that know how to get around the law will effectually be able to say that the prosecutor did not prove this second thing.

Therefore, the enforcement, from the point of view of the police, is that much more difficult, and the testimony that I referred to was testimony that came in in the year 1974, 1975, 1976 until such time as I moved over to Mr. Suwa's committee of Finance and was no longer in Consumer Protection,

but I heard the testimony myself and these policemen and the prosecutors indicated that this double hurdle that we would be putting in, of A, the fee and B, the actual act. Therefore, from the enforcement point of view, we're putting something on the books that does not have validity, so I know again, Mr. Speaker, you will join me and your colleagues will join me in voting this down."

Representative D. Yamada spoke again:

"Again, for the record, this bill is a City bill and it came from the prosecutor's office."

Representative Suwa then rose to speak against H.B. No. 450:

"Mr. Speaker, at present time, in order for the police to apprehend the prostitution going on, the undercover man must actually have completed as a customer, and then he will arrest the activity of prostitution. What this bill does is that the police have to break down the door and actually witness the contact, or whatever is going on, and then arrest the customer. This, as my colleague on the Finance Committee stated, it really complicates things, it's something that is going to create more problems for the police. The police are trying to get away easy, but in order to, primarily, it's just a scare tactic, Mr. Speaker, it may work for one year, but after that it no longer will work, Mr. Speaker. Therefore, I will be voting no."

The motion to pass H.B. No. 450, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION", on Third Reading was put by the Chair and carried by a vote of 39 ayes to 10 noes, with Representatives Garcia, Holt, Lacy, Larsen, Lee, Nakamura, Narvaes, Sakamoto, Sutton and Suwa voting no and Representatives Anderson and Evans being excused.

H.B. No. 480, HD 1

On motion by Representative D. Yamada, seconded by Representative Honda, H.B. No. 480, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KEYS", passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

H.B. No. 399, HD 1

On motion by Representative D. Yamada, seconded by Representative Honda, H.B. No. 399, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE", passed Third Reading by a vote of 48 ayes to 1 no, with Representative Baker voting no and Representatives Anderson and Evans being excused.

H.B. No. 1661

On motion by Representative Blair, seconded by Representative Shito, H.B. No. 1661, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

H.B. No. 618

On motion by Representative Dods, seconded by Representative Masutani, H.B. No. 618, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF THE DEPARTMENT OF TRANSPORTATION", passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

H.B. No. 1594, HD 1

On motion by Representative Say, seconded by Representative Segawa, H.B. No. 1594, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DAMIEN MEMORIAL CHAPEL", passed Third Reading by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

H.B. No. 1211, HD 1

Representative Ushijima moved that H.B. No. 1211, HD 1, pass Third Reading, seconded by Representative Machida.

Representative Sutton rose and stated:

"Mr. Speaker, I am going to vote for this bill, but with reservations, and I would like to express my reservations.

Mr. Speaker, we charge the governor of this state with the education of a child from kindergarten, thru intermediate schools, the elementary schools, up and through high school,

then we maintain the University of Hawaii and Board of Regents, we stick the Board of Regents in his way to do a good job for the University. We stick the Board of Education in his way to do a good job for our educational system.

If you were designing an administrative chart of how to handle education, and you drew in this Board of Regents and you drew in that Board of Education, Mr. Speaker, it would look not like something coming out of Harvard or Stanford Business School, but something that Rube Goldberg drew. Thank you."

The motion to pass H.B. No. 1211, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII", on Third Reading was put by the Chair and carried by a vote of 49 ayes, with Representatives Anderson and Evans being excused.

At this time, the Chair directed the Clerk to note that H.B. No. 450 had passed Third Reading at 11:52 o'clock a.m.; H.B. Nos. 480, HD 1, 399, HD 1 and 1661, at 11:53 o'clock a.m.; H.B. Nos. 618 and 1594, HD 1, at 11:54 o'clock a.m.; and H.B. No. 1211, HD 1, at 11:56 o'clock a.m.

STANDING COMMITTEE REPORTS

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 487) recommending that H.B. No. 1654 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 487 was deferred until Friday, March 9, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1654, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS", were made available to the members of the House at 11:00 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 488) recommending that H.B. No. 603, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka

and carried, the report of the Committee was adopted and H.B. No. 603, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 489) recommending that H.B. No. 716, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 489 was deferred until Friday, March 9, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 716, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT", were made available to the members of the House at 11:00 o'clock a.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 490) recommending that H.B. No. 287, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 490 was deferred until Friday, March 9, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 287, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION", were made available to the members of the House at 11:00 o'clock a.m.

At this time, Representative Crozier made a late introduction. He introduced Mr. Ed Silva, the finance chairman for the Maui democratic party. Mr. Silva is also the Maui representative and vice chairman of the Hawaii Broadcasting Authority, also known as the Public Broadcasting System.

At 12:10 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Kamalii and carried, the House of Representatives recessed until 9:00 o'clock p.m.

NIGHT SESSION

The House of Representatives reconvened at 9:10 o'clock p.m.

At this time, the Chair directed

the Clerk to note the presence of Representative Evans.

STANDING COMMITTEE REPORTS

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 491) recommending that H.B. No. 583, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 583, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY AND LITTER CONTROL", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 492) recommending that H.B. No. 422 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative K. Yamada, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 422, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Larsen, for the Committee on Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 493) recommending that H.B. No. 384, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takitani, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and H.B. No. 384, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UTILIZATION OF WASTE HEAT", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Dods, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 494) recommending that H.B. No. 189, as amended in HD 1, pass Second

Reading and be placed on the calendar for Third Reading.

On motion by Representative Dods, seconded by Representative Masutani and carried, the report of the Committee was adopted and H.B. No. 189, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 495) recommending that H.B. No. 707, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 495 was deferred until Friday, March 9, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 707, HD 2, entitled: "A BILL FOR AN ACT INCREASING INDEMNITY BENEFITS PAYABLE UNDER THE HAWAII WORKERS' COMPENSATION ACT", were made available to the members of the House at 6:30 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 496) recommending that H.B. No. 1637, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 496 was deferred until Friday, March 9, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1637, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ASSIGNMENT OF THE AQUACULTURAL FUNCTION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES", were made available to the members of the House at 6:30 o'clock p.m.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 497) recommending that H.B. No. 1104, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1104, HD 1, entitled:

"A BILL FOR AN ACT RELATING TO FUNERAL ESCORTS", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Stanley, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 498) recommending that H.B. No. 1494, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1494, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representatives Aki and Lee, for the Committees on Youth and Elderly Affairs and Public Assistance and Human Services, presented a joint report (Stand. Com. Rep. No. 499) recommending that H.B. No. 340, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Ige, seconded by Representative Lee and carried, the joint report of the Committees was adopted and H.B. No. 340, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FACILITIES FOR THE ELDERLY" passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 500) recommending that H.B. No. 82, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Blair, for the

Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 501) recommending that H.B. No. 1216, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1216, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 502) recommending that H.B. No. 1668 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1668, entitled: "A BILL FOR AN ACT RELATING TO THE SALE AND USE OF PESTICIDES", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 503) recommending that H.B. No. 1640 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1640, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION OF LIQUOR FOR TRADE SHOWS" passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 504) recommending that H.B. No. 1459, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito,

seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 1459, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES OR REPAIR BUSINESSES", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative D. Yamada, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 505) recommending that H.B. No. 403, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative K. Yamada, seconded by Representative Peters and carried, the report of the majority of the Committees was adopted and H.B. No. 403, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 506) recommending that H.B. No. 404 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative K. Yamada, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 404, entitled: "A BILL FOR AN ACT RELATING TO PROMPT COMPLAINT", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 507) recommending that H.B. No. 402 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative K. Yamada, seconded by Representative Peters and carried, the report of the Committee was adopted and H.B. No. 402, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 508) recommending that H.B. No. 925, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative K. Yamada and carried, the report of the Committee was adopted and H.B. No. 925, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN PRIMARY", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representatives Larsen and Kawakami, for the Committees on Ecology and Environmental Protection and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 509) recommending that H.B. No. 1659 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takitani, seconded by Representative Kawakami and carried, the joint report of the Committees was adopted and H.B. No. 1659, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT PERSONNEL", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Toguchi, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 510) recommending that H.B. No. 1677 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Morioka, seconded by Representative Holt and carried, the report of the Committee was adopted and H.B. No. 1677, entitled: "A BILL FOR AN ACT RELATING TO AQUARIUM FISH PERMITS", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

At 9:19 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:22 o'clock p.m.

Representative Takamine, for the majority of the Committee on Employment Opportunities and Labor

Relations, presented a report (Stand. Com. Rep. No. 511) recommending that H.B. No. 562, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 511 was deferred until Friday, March 9, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 562, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS UNDER THE WORKERS' COMPENSATION LAW", were made available to the members of the House at 7:30 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 512) recommending that H.B. No. 357, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 512 was deferred until Friday, March 9, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 357, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-COMPETITIVE PROMOTIONS OF PUBLIC OFFICERS AND EMPLOYEES", were made available to the members of the House at 7:30 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 513) recommending that H.B. No. 1200 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 1200, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representatives Blair and Shito, for the Committees on Consumer Protection and Commerce and Housing, presented a joint report (Stand. Com. Rep. No. 514) recommending that H.B. No. 1341 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the joint report of

the Committees was adopted and H.B. No. 1341, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLD", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 515) recommending that H.B. No. 1644 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1644, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 516) recommending that H.B. No. 671 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 671, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

Representative Takamine, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 517) recommending that H.B. No. 356, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative de Heer and carried, the report of the Committee was adopted and H.B. No. 356, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NONFORFEITURE OF EMPLOYMENT RIGHTS FOR ABSENCE REQUIRED BY NATIONAL GUARD DUTY", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

At 9:25 o'clock p.m., the Chair

declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:35 o'clock p.m.

Representative Stanley, for the majority of the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 518) recommending that H.B. No. 349, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Stanley, seconded by Representative Kunimura and carried, the report of the majority of the Committee was adopted and H.B. No. 349, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES", passed Second Reading and was placed on the calendar for Third Reading, Friday, March 9, 1979.

At this time, the Chair directed the Clerk to note that copies of Stand. Com. Rep. Nos. 491, 492, 493, 494, 495 and 496 were made available to the members of the House at 6:30 o'clock p.m.; Stand. Com. Rep. Nos. 497, 498, 499, 500, 501, 502, 503 and 504, at 7:00 o'clock p.m.; Stand. Com. Rep. Nos. 505, 506, 507, 508, 509, 510, 511, 512 and 513, at 7:30 o'clock p.m.; Stand. Com. Rep. Nos. 514, 515, 516 and 517, at 9:15 o'clock p.m.; and Stand. Com. Rep. No. 518, at 9:25 o'clock p.m.

At 9:37 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:43 o'clock p.m.

At this time, the Chair waived the notice requirement of two legislative days for all Committee meetings and decision makings, beginning on Monday, March 12, 1979, and lasting until further notice is given.

ADJOURNMENT

At 9:45 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned to 11:00 o'clock a.m. tomorrow, March 8, 1979.

THIRTY-FIRST DAY

Thursday, March 8, 1979

The House of Representatives of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Kenneth Ashitomi of the Honolulu Holiness Church, after which the Roll was called showing all members present with the exception of Representatives Crozier, Garcia, Lee, Nakamura, Ushijima and Uwayne, who were excused.

By unanimous consent, reading and approval of the Journal of the Thirtieth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 73 to 75) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 73) transmitting copies of a report prepared by the Department of Planning and Economic Development and the Department of Budget and Finance in response to House Resolution No. 437 and House Concurrent Resolution No. 88, requesting a study and proposal on the establishment of a State Economic Planning System, was placed on file.

A message from the Governor (Gov. Msg. No. 74) transmitting copies of a report entitled, "Carrying Capacity Action Research: A Case Study in Selective Growth Management, Oahu, Hawaii", prepared for the Department of Planning and Economic Development by INTASA, Inc., was placed on file.

A message from the Governor (Gov. Msg. No. 75) transmitting copies of the 1978 Annual Report of the Energy Resources Coordinator, prepared by the State Energy Resources Coordinator, pursuant to Section 196-4(11), Hawaii Revised Statutes, was placed on file.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 41 and 42) were read by the Clerk

and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 41) transmitting Senate Bill No. 654, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)", which passed Third Reading in the Senate on March 7, 1979, was placed on file.

A communication from the Senate (Sen. Com. No. 42) transmitting Senate Bill No. 1430, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", which passed Third Reading in the Senate on March 7, 1979, was placed on file.

On motion by Representative K. Yamada, seconded by Representative Evans and carried, S.B. Nos. 654 and 1430, SD 1, passed First Reading by title and further action was deferred until later in the calendar.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 12 to 16) were read by the Clerk and were disposed of as follows:

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 12) acknowledging receipt of House Resolution No. 298, expressing the Legislature's opposition to a reduction in the tariff on pineapple as part of the multilateral trade negotiations, was placed on file.

A communication from Ms. C. Matano, Administrative Assistant to Senator Matsunaga (Misc. Com. No. 13) acknowledging receipt of House Resolution No. 327, relating to the Olympic Training Center, was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 14) acknowledging receipt of House Resolution No. 162, urging that the Department of Energy increase Hawaii's strategic petroleum reserve to a 10-million barrel capacity in view of the State's unique vulnerability to a cut-off of imported petroleum, was placed on file.

A communication from Mrs. Earl B. Bigalow, National President, American Legion Auxiliary (Misc. Com. No. 15) acknowledging receipt of a certified copy of House Resolution No. 251, was placed on file.

A communication from the Honorable Thomas P. O'Neill, Jr., Speaker, U.S. House of Representatives (Misc. Com. No. 16) acknowledging receipt of a copy of House Resolution No. 162, was placed on file.

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

Representative Aki introduced 45 sixth grade students from Waianae Elementary School. They were accompanied by their teachers, Mrs. Kunimitsu and Mrs. Newman.

Representative Sutton introduced Mrs. Peter O'Connor, widow of a famous aviator.

ORDER OF THE DAY

COMMITTEE REFERRALS

The following Senate bills were disposed of as follows:

S.B. Nos. Referred to:

654 Committee on Consumer Protection and Commerce

1430 Committee on Ocean and Marine Resources

DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 490 to 497) and concurrent resolutions (H.C.R. Nos. 111 to 116) were disposed of as follows:

H.R. Nos. Referred to:

490 Jointly to the Committees on Judiciary and Consumer Protection and Commerce

491 Jointly to the Committees on Judiciary and Consumer Protection and Commerce

492 Jointly to the Committees on Tourism and Judiciary, then to the Committee on Finance, then to the Committee on Legislative Management

493 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Higher Education, then to the Committee on Finance

494 Committee on Youth and Elderly Affairs, then to the Committee

on Finance

495 Jointly to the Committees on Transportation and Judiciary, then to the Committee on Finance

496 Jointly to the Committees on Judiciary and Consumer Protection and Commerce

497 Jointly to the Committees on Consumer Protection and Commerce and Judiciary

H.C.R. Nos.

111 Jointly to the Committees on Judiciary and Consumer Protection and Commerce

112 Jointly to the Committees on Judiciary and Consumer Protection and Commerce

113 Jointly to the Committees on Tourism and Judiciary, then to the Committee on Finance, then to the Committee on Legislative Management

114 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Higher Education, then to the Committee on Finance

115 Jointly to the Committees on Judiciary and Consumer Protection and Commerce

116 Jointly to the Committees on Consumer Protection and Commerce and Judiciary

COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolution were re-referred as follows:

H.R. Nos. Re-referred to:

71 Committee on Tourism, then to the Committee on Legislative Management

72 Committee on Tourism, then to the Committee on Finance

76 Jointly to the Committees on Tourism and Employment Opportunities and Labor Relations, then to the Committee on Legislative Management

78 Jointly to the Committees on State General Planning and Tourism, then to the Committee on Legislative Management

H.C.R. No.

8 Jointly to the Committees on State General Planning, Public Employment and Government Operations and Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

The Chair, at this time, directed the Clerk to note the presence of Representative Crozier.

SUSPENSION OF RULES

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

UNFINISHED BUSINESS

Stand. Com. Rep. No. 450 on H.B. No. 257, HD 1 (Deferred from March 6, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 257, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORMS AND REPORTS", having been read throughout, passed Third Reading by a vote of 46 ayes, with Representatives Garcia, Lee, Nakamura, Ushijima and Uwaine being excused.

Stand. Com. Rep. No. 451 on H.B. No. 281, HD 1 (Deferred from March 6, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, Stand. Com. Rep. No. 451 and H.B. No. 281, HD 1, were recommitted to the Committee on Finance "to make some slight changes in certain concerned areas".

Stand. Com. Rep. No. 452 on H.B. No. 750, HD 1 (Deferred from March 6, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 750, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION", passed Third Reading by a vote of 46 ayes, with Representatives Garcia, Lee, Nakamura, Ushijima and Uwaine being excused.

The Chair directed the Clerk to note that H.B. No. 257 had passed Third Reading at 11:14 o'clock a.m. and H.B. No. 750 at 11:15 o'clock a.m.

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

Upon reconvening at 11:20 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Nakamura, Ushijima and Uwaine.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 498 and 507 to 510) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 498) congratulating the Marauders of Waipahu High School upon winning the 1978-1979 OIA Varsity Basketball Championship was jointly offered by Representatives Kihano, Shito, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwaine, D. Yamada and K. Yamada.

On motion by Representative Shito, seconded by Representative Kihano and carried, H.R. No. 498 was adopted.

At this time, Representative Kihano introduced the following honorees to the members of the House: Mr. Ed Angel and Mr. Claverie, Assistant Coaches; and team members, Mr. Ricky Bautista, one of the co-captains; Eliapo Sala and Mike Moody.

Floral leis were presented to the honorees by Representatives Hashimoto, Fukunaga, Stanley and Kamalii while Representatives Kihano and Shito presented them with certified copies of the resolution.

At 11:27 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal congratulations to our guests".

The House of Representatives reconvened at 11:30 o'clock a.m.

A resolution (H.R. No. 507) congratulating the Kohala Cowboys, Big Island Interscholastic Federation Champions was jointly offered by Representatives Takamine, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takitani, Toguchi, Uechi, Ushijima, Uwayne, D. Yamada, K. Yamada and Wakatsuki.

On motion by Representative Takamine, seconded by Representative Inaba and carried, H.R. No. 507 was adopted.

A resolution (H.R. No. 508) extending condolences to the family of Leinani J. Faria was jointly offered by Representatives Evans, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Honda, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwayne, D. Yamada and K. Yamada.

On motion by Representative Evans, seconded by Representative Medeiros and carried, H.R. No. 508 was adopted by a rising vote.

A resolution (H.R. No. 509) congratulating Marian Horita on being named Maui District Teacher of the Year for 1978 was jointly offered by Representatives Honda, Aki, Anderson, Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Shito, Stanley, Sutton, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwayne, D. Yamada and K. Yamada.

On motion by Representative Honda, seconded by Representative Machida and carried, H.R. No. 509 was adopted.

A resolution (H.R. No. 510) congratulating the Lanai High School Physical Fitness Team for their achievements in the Marine Corps Physical Fitness competition was jointly offered by Representatives Honda, Aki, Anderson,

Baker, Blair, Crozier, de Heer, Dods, Evans, Fukunaga, Garcia, Hagino, Hashimoto, Holt, Ige, Ikeda, Inaba, Kamalii, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Medeiros, Morioka, Nakamura, Narvaes, Peters, Sakamoto, Say, Segawa, Stanley, Suwa, Takamine, Takitani, Toguchi, Uechi, Ushijima, Uwayne, D. Yamada and K. Yamada.

On motion by Representative Honda, seconded by Representative Crozier and carried, H.R. No. 510 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 499 to 506) and concurrent resolution (H.C.R. No. 117) were referred to the Committee on Legislative Management and further action was deferred until tomorrow, March 9, 1979:

A resolution (H.R. No. 499) requesting the selection of Heeia-Kea fishpond as one of the representative ancient Hawaiian fishponds to be renovated for the culture of limu was jointly offered by Representatives Toguchi, Sakamoto, Crozier, Fukunaga, Garcia, Hashimoto, Holt, Inaba, Larsen, Morioka, Narvaes, Takitani, Uechi and Uwayne.

A resolution (H.R. No. 500) requesting a feasibility study by the State Law and Juvenile Delinquency Planning Agency for the establishment of a juvenile offender information system was jointly offered by Representatives Nakamura, Aki, Baker, Blair, Dods, Garcia, Honda, Larsen, Lee, Masutani and Medeiros.

A resolution (H.R. No. 501) requesting a review of highway maintenance procedures in the State of Hawaii was jointly offered by Representatives Nakamura, Aki, Baker, Blair, Dods, Garcia, Honda, Larsen, Lee, Masutani and Medeiros.

A resolution (H.R. No. 502) requesting the Department of Land and Natural Resources to review the functions and accomplishments of the State Board on Geographic Names was jointly offered by Representatives Kobayashi, Aki, Hashimoto, Kunimura, Stanley, Toguchi and D. Yamada.

A resolution (H.R. No. 503) requesting implementation of the Blue Star Memorial Highway program in Hawaii was offered by Representative Evans.

A resolution (H.R. No. 504) relating to trademarks, prints, labels and trade names, registration and protection of was jointly offered by Representatives Sutton and Kamalii.

A resolution (H.R. No. 505) requesting a study of the feasibility of mandating the inclusion of catastrophic illness coverage in prepaid health care plans and similar insurance plans was jointly offered by Representatives Baker, Aki, Crozier, de Heer, Dods, Fukunaga, Hagino, Hashimoto, Holt, Honda, Ikeda, Inaba, Kihano, Kiyabu, Kobayashi, Lacy, Lee, Machida, Marumoto, Masutani, Morioka, Nakamura, Narvaes, Segawa, Shito, Stanley, Suwa, Takitani, Toguchi, Uechi and Uwaine.

A resolution (H.R. No. 506) requesting an investigation into the decentralization of the Social Services Program was jointly offered by Representatives Baker, Aki, Blair, Crozier, de Heer, Dods, Fukunaga, Hagino, Hashimoto, Holt, Honda, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Larsen, Lee, Lunasco, Machida, Marumoto, Masutani, Morioka, Sakamoto, Say, Segawa, Shito, Stanley, Suwa, Takamine, Takitani, Toguchi, Uechi and Ushijima.

A concurrent resolution (H.C.R. No. 117) requesting Secretary Patricia M. Harris to expedite the adoption of regulations for FHA Section 240 insured mortgage loans was jointly offered by Representatives Shito, Blair, de Heer, Dods, Evans, Holt, Honda, Ige, Inaba, Kihano, Kunimura, Lacy, Lee, Marumoto, Narvaes, Say, Segawa, Stanley, Sutton, Takamine, Takitani, Ushijima, Uwaine and K. Yamada.

At this time, Representative Suwa moved that H.B. No. 1200, awaiting the expiration of the 48-hour period, be recommitted to the Committee on Finance, seconded by Representative Morioka and carried.

Representative Suwa then explained the purpose for the recommitment, stating that "with the latest information that the Committee has, we would like to make some slight changes".

The motion to recommit H.B. No. 1200 was put by the Chair and carried, and H.B. No. 1200 was recommitted to the Committee on Finance.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 457 on H.B. No. 732 (Deferred from March 6, 1979):

On motion by Representative Suwa,

seconded by Representative Morioka and carried, the report of the majority of the Committee was adopted and H.B. No. 732, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM", having been read throughout, passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Anderson, Evans, Ige, Ikeda, Kobayashi and Sutton voting no, and Representatives Garcia and Lee being excused.

Stand. Com. Rep. No. 458 on H.B. No. 727 (Deferred from March 6, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 727, entitled: "A BILL FOR AN ACT RELATING TO USE OF PUBLIC LANDS FOR AGRICULTURAL PURPOSES", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Garcia and Lee being excused.

Stand. Com. Rep. No. 459 on H.B. No. 1311 (Deferred from March 6, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the majority of the Committee was adopted and H.B. No. 1311, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT", having been read throughout, passed Third Reading by a vote of 39 ayes to 10 noes, with Representatives Baker, Evans, Hagino, Ikeda, Kamalii, Lacy, Masutani, Nakamura, Say and Sutton voting no, and Representatives Garcia and Lee being excused.

Stand. Com. Rep. No. 460 on H.B. No. 366 (Deferred from March 6, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 366, entitled: "A BILL FOR AN ACT RELATING TO INITIAL APPOINTMENTS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Garcia and Lee being excused.

Stand. Com. Rep. No. 461 on H.B. No. 365 (Deferred from March 6, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 365, entitled:

"A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Sutton voting no, and Representatives Garcia and Lee being excused.

Stand. Com. Rep. No. 462 on H.B. No. 529 (Deferred from March 6, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 529, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Garcia and Lee being excused.

Stand. Com. Rep. No. 463 on H.B. No. 1607 (Deferred from March 6, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 1607, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES' HEALTH FUND", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Garcia and Lee being excused.

H.B. No. 168 (Deferred from March 7, 1979):

Representative Blair moved that H.B. No. 168, having been read throughout, pass Third Reading, seconded by Representative Shito.

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

"Mr. Speaker, upon checking, I found that the pinball machines and other ball machines have been banned, and in the last four years, we have taken a decrease. They no longer import them from the mainland or from foreign countries and then cannibalizing them whereby they can at least repair the ones that they now have. I think, in the county of Oahu right now, we have some 839. Upon checking further, Mr. Speaker, I find that only the Police Department was asked to testify, or did come in to testify, and they testified on behalf of the law, whereby they feel that there might be more

gambling going on with this type of a machine rather than on the electronic devices.

What bothers me, Mr. Speaker, is we did not ask the Licensing Division of the county nor the Division of Finance for testimony and, upon checking, they said they didn't know about this bill.

Anytime that we take away the tax base from the State or the county, somewhere or another, our taxpayers are going to pay. Either we are going to have to find other means of taxation or we are going to have to do away with some programs. Just listening to testimony in other committees, people say that it's only going to cost the State \$60,000; let's do away with it, and this bothers me, Mr. Speaker, because this State and this county has to be run as a business, and it's getting to be a very large business, believe me.

I hope that my fellow colleagues will vote 'no' on this. I don't know what kind of effect it'll take on the other counties, but I would rather see all gambling devices have a fee put on them. In Alaska, they have to pay \$37.50 per machine and all we get here is \$5.00, and I don't think that this is hurting anybody to license the equipment.

Thank you very much, Mr. Speaker."

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

"Mr. Speaker, I'd like to clarify a few points that I believe there is a bit of error on the record at this point.

First of all, there are presently outstanding 670 such licenses; revenues generated thereby is \$3,750 annually.

The Police Department testified, and based on their testimony, they were questioned as to whether or not the State should license all of these amusement games which are commercially available to the public in that the Committee was concerned that we treat all of them similarly and we not set up arbitrary classifications. So, we posed to them as a question: If we are going to treat them all alike, would you rather we registered them all or that we register none of them? They said they would rather we not treat them alike, which was the basis for the lobbying struck down, at least one of the bases. There were actually quite a number and they didn't have

a position on the question of the revenue loss and so we requested that they take that back to their Finance Department and submit later testimony. None was forthcoming.

Mr. Speaker, I don't believe that it's the duty of this Committee, once the county has been notified of a bill and has actually testified, that if the City . . . if the right arm doesn't know what the left arm is doing, that's not the obligation of your Committee to correct. But, we did everything that I think we could be expected to do to notify the City that this bill would cost them \$3,750 a year, and if they chose not to testify on that point, I don't believe that, if it means so little to them, that it should mean that much more to us.

Therefore, Mr. Speaker, I don't think the loss of revenue is a critical factor. What I think is a critical factor is that we're dealing with the section of the law that if you trace it back to its origin, I believe it was in the late 30's or early 40's, it has become totally irrational, and its enforcement further, not only as an irrational law, but its enforcement has become arbitrary and capricious.

I think, Mr. Speaker, that it's a very bad law and it's well worth doing away with, and as to the revenue question, if the City wants to introduce a bill next session to gain revenues through licensure of all gaming devices, they are free to do that and I can assure them that they will be given every consideration.

Mr. Speaker, one other point. I believe they were referred to as gambling devices. Our Penal Code covers gambling quite adequately in this regard. These are not gambling devices."

The motion was put by the Chair and carried, and H.B. No. 168, entitled: "A BILL FOR AN ACT RELATING TO BALL OR MARBLE MACHINES", having been read throughout, passed Third Reading by a vote of 41 ayes to 8 noes, with Representatives Anderson, Evans, Hagino, Holt, Honda, Narvaes, Sutton and Takitani voting no, and Representatives Garcia and Lee being excused.

The Chair directed the Clerk to note that H.B. Nos. 732 and 727 had passed Third Reading at 11:36 o'clock a.m.; H.B. Nos. 1311 and 366 at 11:37 o'clock a.m.; 365 and

529 at 11:38 o'clock a.m.; 1607 at 11:39 o'clock a.m.; and 168 at 11:44 o'clock a.m.

THIRD READING

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

H.B. No. 1666, HD 1:

Representative Suwa moved that H.B. No. 1666, HD 1, having been read throughout, pass Third Reading, seconded by Representative Morioka.

Representative Sutton then rose to speak against House Bill No. 1666, HD 1, stating:

"Mr. Speaker, I rise rather hesitantly to speak against this and not until consideration of all the factors.

I recognize the concept of confirmation but, Mr. Speaker, I am disturbed by the fact that, first of all, we held a public hearing and we heard the Hawaii Tax Foundation, the Chamber of Commerce; we heard Mr. Ruff who is an executive of Alexander and Baldwin and former Internal Revenue Commissioner here, but at no time did we hear any member of the public who is going to pay this tax. The Tax Foundation of Hawaii represents those who contribute; the Chamber of Commerce represents its membership; Mr. Ruff represented Alexander and Baldwin that has a rather unique situation because of consolidated returns of wholly owned subsidiaries. Nowhere was the public -- the man on the street -- who's going to pay this tax seen or heard. These were certified public accountants, attorneys. I cannot call the pot black because I happen to be likewise, but I would like to see more of a public participation in something that encompass such an enormous. . ."

At this point, Representative Kunimura interrupted on a point of order and stated:

"Mr. Speaker, the gentleman from Nuuanu is delving in an area of the Committee report and what happened in the Committee rather than the merits or demerits of the bill."

The Chair said, "Representative Sutton, will you make your connection in your argument", and directed Representative Sutton to "proceed".

Representative Sutton continued

his remarks, stating:

"Yes, I certainly shall. The Committee report is before us and we have on the agenda the Committee report -- Standing Committee Report No. 449. That Committee report states that your Committee heard testimony from the Department of Taxation, the Hawaii Tax Foundation and the Chamber of Commerce, in favor of this draft. So, we have a bill before us. I think that the relevance, because the statute says we must hold public hearings, the relevance of the hearing to the bill is highly significant. The learned gentleman from Kauai is correct, and I should proceed to the bill and shall do so.

Now, Mr. Speaker, I have a rather sad situation as I look right over here at Mr. James Aki. He will be paying more fuel taxes coming in than anybody here, but if you will look at the bill, you'll find that he's going to lose the deduction from the itemization of State and local taxes on gasoline, diesel, and other motor fuel. So, what we are doing in so many words is we say, alright, those that live in remote areas of this island, or the Big Island. . . how about these people that live way over at Honokaa? They have to motor all the way in to Hilo. How about the people that go all the way from Waimea in to Hilo? Look at the island of Kauai -- people going from Hanalei to work in Lihue. Look at the island of Maui -- going in from Hana in to Wailuku. These people have lost, have lost the deduction for the itemization of State and local taxes on gasoline, diesel and other motor fuel for personal use. That's completely repealed, and this was a well thought out deduction that we had, a deduction that allowed the individual to take into consideration the fact that he lived remote from his place of work and it's a very serious loss for people who have this expense who find that this particular fuel tax has now gone up. We've raised it twice since I've been in this Legislature. On top of that, he loses the taxes on the diesel which he often has on his farm. That's for personal use, and we find ourselves in a position where we have taken this totally away from him.

Now, Mr. Speaker, my next objection for the gentleman from Kauai, if he will be kind enough to turn to page 3, and he'll see that the State says that 'and conforming amendments

to estate and gift tax provisions shall be operative for the purposes of (1) and (2) of this subsection even if such determination was made or such taxable year begins before January 1, 1978.' Retroactivity -- a cardinal principle that even you yourself have enunciated to us. Don't make legislation retroactive. Yet, here we're doing it, and even if it weren't retroactive before the year January 1, 1978, as you know, Mr. Speaker, in tax planning, people have to know what's on the books to plan ahead, and you can't do any tax planning if all of a sudden we change the ground rules. This seems to have tremendous appeal to the business community. Tremendous appeal. Why? Because we are allowing consolidated returns and consolidated returns mean that they have an advantage that they might not have in the State of California, and some of our corporations, as you know, do business here and there.

Now, Mr. Speaker, we are engaged in representing the entire populace of this State, and this represents enormous, enormous sums of the personal budget of people today affected by inflation. We're talking in terms of a quarter million dollars. We're talking in terms of the largest tax that we have in the State of Hawaii next to the 4 percent excise tax. Therefore, we're talking about something that has immense significance.

Mr. Speaker, I would like again to address your attention to the basic proposition that we became a state and all of a sudden, we said we wanted to become a state because we were a territory; Uncle Sam was paying all our bills, doing our taxes for us, and for all intents and purposes, Uncle Sam was the boss. Now, we put on the books something and say, okay, whatever is passed by Uncle Sam -- the Congress of the United States -- we are going to adopt, almost to the percentage greater than many other states. In other words, the Congress of the United States will now be writing our tax laws. The concept of confirmation here and there has gone way beyond into a new concept, and that is of almost total adoption of this. And, therefore, Mr. Speaker, we, the State of Hawaii, have abdicated our responsibility and we say, alright, the Congress of the United States is the one that's going to determine our tax laws.

Now, Mr. Speaker, as you well know, we have an economy that is very unique. Very unique. We're 2,500 miles out in the middle of the Pacific. We have a tremendous dependence

on fossil fuel -- much greater than any other state. We have no natural oil; we have no natural gas; we are in a position where everything that occurs here, occurs in a very different type of economy. And then, all of a sudden, we say we will adopt tax laws that were pertinent and relevant to the continental United States and made by the Congress of the United States. But I submit to you that we are sui generis. We are unique and we should have tax laws that we ourselves address ourselves to, and I would be very happy to sit down with such learned people as the gentleman from Kauai who has now made me lose my focus but, at least, I won't be called out of order.

But, Mr. Speaker, we have the brains, we have the ability, we have the conceptual, and you ought to see us work in committees. We are doing a wonderful job this year. More so, the attendance is terrific. We can make our own tax laws. We don't have to have Dan Inouye; we don't have to have Sparky; we don't have to have Cec Heftel. I don't want to interrupt him if he's buying a TV station or two. We don't have to have Mr. Akaka who has to come down occasionally and help his brother at the church. We can do it here, and so, I will ask all of you to please vote against this.

Thank you."

Representative Suwa then rose to speak in favor of House Bill No. 1666, HD 1, stating:

"Mr. Speaker, yesterday, it seemed that I was on the same side but, today, it is somewhat different.

Yes, Mr. Speaker, the Constitutional Convention and people have adopted that the State may pass a statute that when the Congress pass any measures dealing with these tax changes, that the State automatically conforms to that of the IRS code. But this bill, Mr. Speaker, chooses some of the things that, written into the State of Hawaii, can go closely to conform with the IRS code, but yet, exclude those that may not be put into the State of Hawaii because of the separation of water to the other states, and the strong lobbyist in Congress pertaining to some other states having the Congressional Hall. It seems that it is wise, at this time, that Hawaii do select only certain measures to conform

to this IRS code.

As my friend in the Finance Committee has stated about the gasoline charges, let me assure you that the majority of those people in the working class use the short form. When you use the short form, you do not have the privilege of deducting such a tax. Only to some of those that may have the privilege of some other income, that they use the long form and this does not prevent them from deducting from the business in the business use of gasoline, the diesel on the farm. So, Mr. Speaker, there is certain good for certain areas and there is some negative effect, but overall, Mr. Speaker, we try to conform to the IRS code which will benefit the State of Hawaii.

Thank you, Mr. Speaker."

Representative Kunimura then rose and stated:

"As the learned gentleman from Nuuanu made some points about not having. . . I am speaking for the bill. Thank you, Mr. Leader.

I would like to say that his argument against this bill about not having public input, how far must this body, or any body such as ours, go? Do we have to go to the extreme of door to door, house to house, townhall meetings? I think this representative form of government -- we have the most open system in the whole United States. We have access, we have the media covering every bit of our work here, and the people know what's going on, which committees are having what kind of hearing. If they do not choose to come, is it the fault of the bill, or is it the fault of the system that we have?

Reference was also made about Hawaii being energy poor. Yes, it's very much correct. We do not have fossil fuel, but we sure have a lot of hot air and if we can tap that here, we would be safe. We can tell the Arabs to go to hell.

Thank you."

The motion was put by the Chair and carried, and H.B. No. 1666, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading by a vote of 49 ayes to 1 no, with Representative Sutton voting no, and Representative Garcia being excused.

H.B. No. 1449:

On motion by Representative Takamine, seconded by Representative de Heer and carried, H.B. No. 1449, entitled: "A BILL FOR AN ACT RELATING TO UNION LABELS", passed Third Reading by a vote of 49 ayes to 1 no, with Representative Blair voting no, and Representative Garcia being excused.

H.B. No. 1665:

On motion by Representative Stanley, seconded by Representative Shito and carried, H.B. No. 1665, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 731:

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, H.B. No. 731 was recommitted to the Committee on Ocean and Marine Resources because "this is a housekeeping bill and the Senate bill has come over."

H.B. No. 730:

On motion by Representative Toguchi, seconded by Representative Sakamoto and carried, H.B. No. 730 was recommitted to the Committee on Ocean and Marine Resources for the "same reasons as above."

H.B. No. 577:

On motion by Representative Suwa, seconded by Representative Morioka and carried, H.B. No. 577, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIGENT CRIMINAL DEFENDANTS", passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Evans and Sutton voting no, and Representative Garcia being excused.

H.B. No. 282, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, H.B. No. 282, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

The Chair directed the Clerk to note that H.B. Nos. 1666, 1449 and 1665 had passed Third Reading at 11:59 o'clock a.m. and H.B. Nos. 577 and 282 at 12:01 o'clock p.m.

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

Upon reconvening at 12:03 o'clock p.m., the Chair stated:

"The Chair would like to remind all members again -- make yourselves available for signatures on Committee reports, and check with your Committee Chairmen. The Chair would also like to remind the Committee Chairmen to move along with your decision-making, drafting of your Committee reports in order that the printshop will not be clogged at the last minute."

At 12:06 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives stood in recess until 9:00 o'clock p.m. tonight.

NIGHT SESSION

The House of Representatives reconvened at 9:15 o'clock p.m.

UNFINISHED BUSINESS

Stand. Com. Rep. No. 476 on H.B. No. 45, HD 1 (Deferred from March 6, 1979):

On motion by Representative Suwa, seconded by Representative Morioka and carried, H.B. No. 45, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORPS OF CIVILIAN WORKERS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

The Chair directed the Clerk to note that H.B. No. 45 had passed Third Reading at 9:16 o'clock p.m.

THIRD READING

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

H.B. No. 643, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, H.B. No. 643, HD 1, entitled: "A BILL FOR AN ACT

RELATING TO ELECTIONS", passed Third Reading by a vote of 49 ayes to 1 no, with Representative Sutton voting no, and Representative Garcia being excused.

H.B. No. 742, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, H.B. No. 742, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 585, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, H.B. No. 585, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 988:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, H.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO ARSON INVESTIGATION", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 107:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, H.B. No. 107, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 451:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, H.B. No. 451, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING A DANGEROUS DRUG", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 1557, HD 1:

On motion by Representative D

Yamada, seconded by Representative Honda and carried, H.B. No. 1557, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY COMMITTEES ON THE STATUS OF WOMEN", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 1673:

On motion by Representative Suwa, seconded by Representative Morioka and carried, H.B. No. 1673, entitled: "A BILL FOR AN ACT RELATING TO THE INSTITUTE FOR MANAGEMENT AND ANALYSIS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 278, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, H.B. No. 278, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT TAX CREDITS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 1674:

On motion by Representative Blair, seconded by Representative Shito and carried, H.B. No. 1674, entitled: "A BILL FOR AN ACT RELATING TO DRUGS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 498, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, H.B. No. 498, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWERS OF BOARDS OF DIRECTORS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

At 9:22 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:57 o'clock p.m.

H.B. No. 166, HD 1:

Representative Blair moved that H.B. No. 166, HD 1, having been read throughout, pass Third Reading, seconded by Representative Segawa.

Representative Blair then rose and stated:

"Mr. Speaker, I rise to speak in favor of House Bill No. 166, HD 1."

Directed by the Chair to "proceed", Representative Blair stated:

"I have prepared a twenty-page statement in support. I would like to insert it into the Journal. I won't read it, but I do want everyone to be aware that this is a good bill and it is an easy subject for people to be legitimately concerned about because it deals with a medical sub-specialty which uses a vocabulary all its own and, consequently, until you actually delve into it rather deeply yourself, it is a subject about which one could easily have reservations, and I wanted all of the members to be sure when they voted that it was a good measure and that the Chairmen of the Committees had not taken their tasks lightly but had actually done the necessary background reading to insure that they had before them a bill that was both a benefit to the consumer economically and also safe.

So, Mr. Speaker, I would request that this statement be inserted in the Journal. I have neglected to put my name on it so in case anybody was wondering where this came from, I have endorsed it."

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

Representative Blair's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of H.B. No. 166, HD 1, 'A Bill for an Act Relating to Food, Drugs, and Cosmetics.'

To begin, let me briefly recapitulate the joint public hearing of Wednesday, February 7, 1979.

Three testimonies were received from federal sources, all in support of this bill, namely: (1) the Bureau of Drugs, F.D.A.; (2) the Bureau of Consumer Protection, F.T.C. and; (3) a study prepared for the National Center for Health Services Research, H.E.W.

Our own state departments were well represented, also unanimously in support. Specifically, your Committees heard from: (1) Walter Yamashiro, O.C.P.; (2) Bob Miller, Anti-trust

Division, D.A.G.; (3) Rick Eichor, Medicaid Fraud Unit, D.A.G.; (4) George Yuen, Director of D.O.H.; and (5) Andrew Chang, Director of D.S.S.H.

Your Committee also heard endorsing testimony from Marvin Hall, H.M.S.A., Senior Vice President and Robert Wilcox, Administrator of the Kaiser Foundation Hospital.

Because the elderly are particularly affected by high medical costs, they were well represented in support of this measure. Specifically, the Committees heard from Rose Horner of the National Retired Teachers Association; Francis B. DeMello of the Maui County Senior Citizens; and numerous representatives from the Kokua Council for Senior Citizens. This bill is item No. 1 on their list of legislative priorities, copies of which were widely distributed in recent days.

Other community groups speaking in support of this measure included the Hawaii Council of Churches and the I.L.W.U.

The affected professionals, physicians and pharmacists were represented by the Hawaii Pharmaceutical Association and the Hawaii Business League. They urged the Committee to postpone a decision until the LRB study was released and urged the Committee to include specific safeguards. Your Committees took their advice on both counts. We waited for the LRB report, issued on February 22, and held decision-making on February 24. Their other safeguard proposals were reflected in the LRB report and are also reflected in the bill presently under consideration.

The LRB study, entitled 'Generic Drug Substitution: Feasibility for Hawaii', is the local counterpart of a 'Bureau of Consumer Protection' staff report to the 'Federal Trade Commission' entitled, 'Drug Product Selection.'

The bill before us reflects the recommendations of both studies, specifically:

The LRB recommendations were:

- (1) 'That the generic drug substitution law be non-mandatory;'
- (2) 'That physicians retain the prerogative to prohibit substitution;'
- (3) 'That consumers be allowed to refuse substitution;'
- (4) 'That a positive formulary of chemically and therapeutically equiva-

lent drug products which are interchangeable be established;'

(5) 'Does not recommend a provision mandating that a specific amount of savings be passed on. . . such a provision serves as a disincentive. . . such a provision would be difficult and costly to regulate.'

(6) 'That the container. . . be labeled with the name of the manufacturer. . .'

(7) 'Consumer education should be pursued;'

(8) That Sec. 328-6(15) 'should not be repealed. . .'

(9) 'A limitation on pharmacist and physician liability may be necessary;'

(10) 'Suggests that the State be made immune;'

Your Committees on 'Health' and 'Consumer Protection and Commerce' incorporated all of these elements in the bill before you, with two exceptions:

(1) We did not make any amendments to the State Tort Liability Law. Your Committees felt that the law is designed to provide a balance between sovereign immunity and the compensation of tort claimants. This balance should not be subjected to ad hoc inconsistencies;

(2) We did not provide for physician tort immunity, since none is required. Frankly, your Committees feel that the LRB study is inconsistent on this point. The discussion on the recommendation, on page 88, is contrary to the recommendation in that the physician does not incur any additional liability against which the bill can protect him.

Therefore, Mr. Speaker, I believe we have adequately reviewed the LRB report and have conformed to its recommendations. In so doing, we met the concerns of the affected professions.

Mr. Speaker, while this list of supporters is impressive, the testimony was not unanimous in support of the measure before us today. We received two testimonies in opposition.

One was from a physician who opposed the bill for a variety of reasons, including:

(1) In Michigan, 'actual' savings

were substantially less than the 'possible' savings;

(2) His belief that it was 'part of the H.E.W. advocacy of national health insurance;'

(3) Pharmacists will have to expand inventory;

(4) Manufacturers will adjust generic prices upward to compensate for losses in profit to their brand name lines;

(5) An alleged decline in R & D;

(6) Concern that patient consent will not be adhered to;

(7) Concern for pharmacist/physician liability;

Mr. Speaker, none of these points was overlooked by your Committee.

(1) On his first point, he cites the LRB report, which in turn cites the 'Goldbert' study. Several points should be known before reliance on Michigan's experience.

(A) Michigan does not have a formulary and, thus, is not comparable to the bill before you;

(B) The presence of a formulary will increase the incidence of substitution and thus bring the actual savings closer to the potential savings;

(C) Hawaii is, to my knowledge, the first state to adopt the Model Act, which includes the F.D.A. formulary. It is my belief that this will result in Hawaii experiencing a better rate of substitution than any other state. Consequently, we will have actual savings closer to the potential savings.

This raises two questions: (1) What are the potential savings? and (2) What are the actual savings we can anticipate?

On the first point, the F.T.C. study is the only information your Committee could find. In that study, the F.T.C. estimated that Hawaii's consumers would have saved \$1,195,000 on a 60 drug sample in 1970 dollars. If that figure is converted to 1979 dollars and the base is extended to all drugs on the formulary, it would probably exceed \$2 million in annual savings potential. Even that figure, however, may understate the potential savings in the next few years. The number of new drugs being introduced is down sharply from the early sixties.

Thus, the sales of drugs coming off patent each year exceeds the new patents and hence the number of drugs with multiple suppliers is rapidly increasing. 1978-1983 will see many commonly prescribed drugs becoming available in generic form for the first time.

The fact that potential savings may substantially exceed \$2 million does not, however, tell us what the actual savings will be. Since our bill is a substantial improvement over any of the 40 other states with a substitution law, only time will give us the answer to that question. Thus, your Committees are ready, willing and able to review this subject after a couple of years' experience.

His second point, that it was part of the H.E.W. attempt to promote national health insurance, lacks both logical connection and relevance.

His third point, that pharmacists will have to expand inventory is incorrect. Your Committees are confident that pharmacists will be able to keep smaller quantities of the multitude of brand name drugs and effect a consolidation through the use of generics.

His fourth point, that manufacturers will adjust generic prices upward to compensate for the revenue lost when generics displace brand names has substance. What he refers to, I believe, is the entry into the market of the 'so called' 'brand generics'. This hybrid byproduct will offer the consumers and pharmacists a new option which the Committee is not yet willing to characterize as inconsistent with the public interest. In any event, the 'branded generics' are already on the market and appear to be competing more with the brand names than with the generics.

His fifth point, that the conversion to generics will result in a cutback of research and development in new drug products because of the revenue loss has some surface appeal. However, on closer examination, your Committees must disagree for four reasons:

(1) The effect on research and development, as analyzed by economists from at least three universities, will not be substantial;

(2) If we wish to encourage research, the appropriate method is by lengthening patent protection. It is the function of our patent laws

to reward research and development;

(3) The elderly and chronically ill are not the group best able to pay a premium for research and development which will benefit future consumers; and

(4) Much of the markup on brand name drugs is used for promotion of the brand name. In 1970, thirty of the largest prescription drug manufacturers spent \$682 million on drug promotion. It was 21 percent of their total U.S. sales, or \$2,400 per practicing physician.

Promotion of the brand name at higher prices is particularly effective in this market for a simple reason. 'The person who chooses (the physician) does not pay, and the person who pays (the patient) does not choose.'

Turning to his sixth point that patient consent will not be adhered to, this is contrary to the plain language of the bill. Any pharmacist who chooses to ignore this risks a substantial penalty for a small gain.

Regarding his seventh and final point, the pharmacist/physician liability, I will not repeat my earlier comments. We have, I believe, retained the status quo regarding liability. No profession is burdened with greater liability exposure by this act, nor are any liabilities reduced. To have done the former would risk a reduction in the incidence of substitution. To have done the latter would have been unfair to consumers with legitimate causes of action.

Mr. Speaker, there was a second testimony in opposition to this bill, the testimony of the P.M.A. (Pharmaceutical Manufacturers Association).

Before discussing the points raised in that testimony, I believe a little background is in order.

The Pharmaceutical Manufacturers Association chose to represent itself through an attorney with no training in either medicine or pharmacology. (It is my understanding that he is primarily a real estate attorney). This would not, in itself, pose a problem if he were backed up by qualified pharmacologists. However, the absence of qualified personnel to answer the Committee's questions resulted in a complete frustration of the Committee's ability to clarify the points presented or cross-examine the declarations of concern about this bill.

If this failure to provide the Committee

with qualified personnel was inadvertent, it was a major oversight. If it was intentional, it could easily be taken as an act of bad faith.

Leaving that aside, however, their testimony does deserve to be addressed. It raised four broad concerns:

- (1) Therapeutic equivalence;
- (2) Cost savings;
- (3) Intrusion into professional prerogatives;
- (4) Ramifications on research and development.

The second, third and fourth points have been adequately addressed by my prior comments. So I will respond only to the first. The P.M.A. characterizes this as 'the most important issue.' I would add that it is also the most complex.

They testified that this concern is composed of two factors:

First, whether, the individual manufacturer of generics is capable of assuring that only the highest quality medications are produced consistently within present federally established guidelines and standards for safety and efficacy;

Second, whether federally established guidelines and standards do in fact assure safety and efficacy.

Each of these concerns was supported in their testimony by reference to a study.

On the first point, they cited an Eli Lilly and Company study of drug recalls. Your Committees have reviewed this study -- a copy of which was sent to Representative Segawa in October of last year. Your Committees have also reviewed the F.D.A. response to that study. The F.D.A. response can be found in the Federal Register, Vol. 44, No. 9 - Friday, January 12, 1979.

Three quotes from the latter are pertinent.

Quote No. 1

'In analyzing the recall data used in the Lilly study, F.D.A. discovered that Lilly had included recalls that had nothing to do with drug quality and even recalls that did not involve drug products. The Lilly study

also included recalls of products that would not be evaluated by F.D.A. as the therapeutic equivalents. This last error, in particular, renders the Lilly study irrelevant to the issue of the quality of drug products that might be substituted for brand name products. Lilly included all prescription drug products in its universe for study. F.D.A. would consider only those F.D.A.-approved prescription drug products that are evaluated as therapeutically equivalent.'

Quote No. 2

'There is little meaningful difference in drug product quality between large and small manufacturers, or between brand and generic labels, for products evaluated as therapeutic equivalents.'

Quote No. 3

'In summary, arguments that serious differences exist in quality of competing drug products ignore the very high level of quality for all drug products, rely principally on a methodologically unsound study and are quite misplaced when applied to drug products that meet F.D.A.'s proposed criteria for evaluating therapeutic equivalence.'

Turning, then, to their second point and the second study, your Committees reviewed the study entitled: 'Drug Bioequivalence' by the U.S. Office of Technology Assessment, Drug Bioequivalence Study Panel, chaired by Senator Edward M. Kennedy (This O.T.A. study is now five years old.).

In his letter of transmittal, Senator Kennedy stated the panel's mission: 'The panel was asked to determine whether or not the technological capability is now available to assure that drug products with the same physical and chemical composition will produce comparable therapeutic effects.'

In brief, is the 'state of the art' adequate to assure comparable therapeutic effect? While the study notes areas where the F.D.A. controls over the activities and practices of industry could be improved (as an aside, it is interesting that the P.M.A. actively fought the recommendations of the study they cite). Its final recommendation was:

'11. A system should be organized as rapidly as possible to generate an official list of interchangeable drug products. In the development of the list, distinctions should be made between two classes of drugs and drug products:

1. Those for which evidence

of bioequivalence is not considered essential and that could be added to the list as soon as standards of pharmaceutical equivalence have been established and satisfied;

2. Those for which evidence of bioequivalence is critical. Such products should be listed only after they have been shown to be bioequivalent or have satisfied standards of pharmaceutical equivalence that have been shown to insure bioequivalence.'

The question then posed is:
'How does this recommendation relate to the F.D.A. list of therapeutically equivalent drugs, which is incorporated into House Bill No. 166, House Draft 1?'

In response, I would refer to the Federal Register, Vol. 44, No. 9, dated Friday, January 12, 1979, on page 2940, CP; 1,M #1:

'Since 1974, when the O.T.A. report was issued, significant improvements have been made in the compendia. Responsibility for the NF has been transferred. . . so that USP and NF, and their improvement, are now fully coordinated. The compendia have also adopted important new requirements, including dissolution rate standards for many drug products. . .'

The Federal Register goes on to recount how the industry has attempted to subvert the recommendations of the O.T.A. panel. (See also 42FR 36486, July 15, 1977). It concludes:

'For these reasons, it is appropriate to conclude that current compendial and antibiotic standards and similar standards in new drug applications provide a reasonable basis for evaluating whether two or more drug products are pharmaceutically equivalent. . . (Definition: Pharmaceutical equivalence contains two key tests.) First, the drug product must contain identical amounts of an identical active drug ingredient in identical dosage forms. This is quite restrictive and even excludes drug products that provide the same ultimate therapeutic effect from the identical therapeutic moiety if the active ingredient, dosage or quantity of active ingredient vary. Thus, 'pharmaceutical alternatives' are not included.

Second, each product must meet the identical compendial (or other applicable) standards of identity, strength, quality and purity, including

potency and, where applicable, content uniformity, disintegration times, and/or dissolution rates. (See FR Vol. 44, No. 9 at page 2939).

Thus, Mr. Speaker, I submit that the testimony in opposition to this bill was without merit.

Mr. Speaker, after the session, at the decision making and as recently as yesterday, questions have been raised by some of my colleagues which I would now like to address.

Question 1: How did the anti-substitution laws get on the books if they are now considered to restrict price competition?

Answer: There is a history of drug substitution laws on pages 141-154 of the FTC study (available to any member). Briefly, they were an overreaction to a problem in the pharmaceutical market which occurred shortly after World War II. That problem (counterfeit drugs) was subsequently corrected by federal laws (such as the 1962 Kefauver-Harris amendments to the Federal Food, Drug and Cosmetic Act). The opposition to substitution peaked in 1955-56. In the late sixties, the trend reversed and, in 1970, the American Pharmaceutical Association officially committed itself to seek the repeal of anti-substitution laws.

Question 2: The Goldberg study found a 20 percent savings under Michigan's law, so why not include a similar mandatory 'pass on' of savings in the Hawaii law?

Answer: According to the FTC research and related studies, Michigan is experiencing a very low substitution rate because of restrictive provisions including the 'mandatory pass-on'. The savings to the consumer is derived by two factors: '(1) Average savings when substitution occurs and (2) the frequency of substitution.' Clearly, there is no savings in the absence of substitution. Thus, while a mandatory pass-on appears to be of benefit to the consumer, in practice, it hurts the consumer.

We need to strike the optimum balance between substitution rates and savings per substitution in order to achieve the maximum total savings for the consumers. There is no formula that will accomplish this as well as the marketplace. However, we have also provided for a review to insure that the pharmacists do not abuse the intent of this law.

Question 3: What will the cost savings

be in Hawaii?

Answer: There are two figures which are important here: 'Possible savings' and 'actual savings.' Possible savings are in the neighborhood of \$2 - 3 million per year. This figure is an extrapolation of the 1970 figures provided in the FTC study taking into account that: (1) a broader range of substitutions will be allowed because of the expiration of patents since 1970, (2) the 1970 study covered only a 60 drug sample and (3) the effects of inflation in translation of 1970 dollars to 1979 dollars.

The 'actual savings' will depend on the rate of substitution. Taking into account that I am not a qualified soothsayer, I am optimistic that the actual savings will exceed a half million dollars annually after a couple of years to familiarize the State with the new law.

Question 4: Can all generic drug products be substituted without concern?

Answer: No. That is why your Committees did not use such broad language in the bill. Greater precision was required and is reflected in the bill before you.

Question 5: Is any bioequivalence issue posed?

Answer: Yes, it is posed and has been adequately addressed by the F.T.C. and by the bill before you.

Mr. Speaker, before closing my statement in support of House Bill No. 166, House Draft 1, I would like to put a little more information into the record on the question of bioequivalence and its relationship to therapeutic equivalence and pharmaceutical equivalence.

In brief, Mr. Speaker, the F.D.A. list of 'therapeutically equivalent' drug products will meet the following general criteria:

(1) They are pharmaceutical equivalents in that:

(A) They contain identical amounts of the same active drug ingredient in the same dosage form; and

(B) They meet compendial or other applicable standards of identity, strength, quality and purity.

(2) They are bioequivalent in that:

(A) They do not present a known or potential bioinequivalence problem; or

(B) If they do present such a known or potential problem, they are shown to meet an appropriate bioequivalence standard.

(3) They are adequately labeled.

(4) They are manufactured in compliance with current good manufacturing practices.

For a complete discussion on this point, I would refer the question to the Federal Register, Vol. 44, No. 9, Friday, January 12, 1979, pages 2937-2953 wherein Donald Kennedy, Commissioner of Food and Drugs covers these points in great detail."

At this time, Representative Sutton rose and asked whether or not the Chairman of the Consumer Protection and Commerce Committee would yield to a couple of questions, to which Representative Blair answered, "I will".

Representative Sutton asked:

"Mr. Speaker, if you would be kind enough to ask Mr. Blair, on page 6 of his proposed insertion speech, he states that: 'What are the potential savings and what are the actual savings we can anticipate?', and I would like to ask him if he has any other information on this other than the Federal Trade Commission's study."

Representative Blair answered:

"Mr. Speaker, to my knowledge, the Federal Trade Commission's study is the only information available regarding Hawaii's potential cost savings. I did go into that question a little bit also on pages 18 and 19, if you would like to refer to that. I think you will find it fairly adequate."

Representative Sutton then said:

"Mr. Speaker, I think it would be easier if you ask that gentleman to stay risen. There are quite a few questions I have."

The Chair asked:

"Will you state your question, Representative Sutton?"

Representative Sutton stated:

"Yes, Mr. Speaker.

So, we feel that there is going to be a savings. Mr. Speaker, if you would ask Mr. Blair that somewhere over a million and a half, if we have the actual savings, \$1,195,000 to be specific, if we have the actual savings. . . in other words, if we put in this bill that we mandated that all savings between generic drugs and the regular standard brand drugs would automatically be mandated to be saved to the consumer, then we could assume, Mr. Speaker, that we would save the amount of \$1,195,000 to the consumer? Would he answer that question?"

Representative Blair answered:

"Yes, Mr. Speaker, I will be happy to answer that question.

No, the figure of \$1 million plus dollars was based on a number of factors which are no longer relevant or which need to be modified.

First of all, that's 1970 figures so in the intervening nine years, the effective inflation will substantially increase that figure. Additionally, Mr. Speaker, that sample was based on a 60-drug sample and the savings would be applied to a broader category than those 60 drugs.

Finally, Mr. Speaker, since 1970, a number of patents have expired and those drugs would then be available for the benefits provided by this act.

So, Mr. Speaker, I think we would be speaking more in the terms of the \$2 million to \$3 million in possible savings, but I think a clarification is in order because there is a big difference between possible savings and actual savings. By possible savings, it assumes that there was a 100 percent rate of substitution and I think that would be unduly optimistic and, therefore, the possible savings would be reduced by the experience rating as to the actual percentage of times that substitution is actually provided as opposed to the times that it is merely possible. So, that \$2 million to \$3 million figure would be an absolute ceiling. It would come somewhere lower than that. We don't really know how much lower until we get some actual experience, Mr. Speaker, but I would guess that since we have the best bill in the country, as soon as everyone votes 'aye', that it will be, at the minimum, in the

hundreds of thousands of dollars annually and I am hopeful that it would, over the course of a few years, as experience builds up with the system that we would be adopting, might even approach somewhere between a half million to two million dollars in actual savings within a relatively few number of years.

Also, Mr. Speaker, I think the question was somewhat in error because it mentioned that these would be the savings if we mandated pass-on's. I think that is somewhat misleading because if we mandate the pass-on's which the bill does not do, then, what we see is that the potential savings are going to be reduced by the fact that a mandatory pass-on removes any incentive for the pharmacist to substitute so that while it appears to be of consumer benefit to mandate the pass-on, that what, in fact, happens is that the incidence of actual substitution decreases dramatically. I think Michigan, under the Goldberg study, is one good piece of evidence of this fact, so that what happens when you mandate the pass-on is that you defeat the system because your rate of substitution drops and so the actual savings come out much lower.

So, that's why our Committee has decided not to mandate the pass-on's. It actually is in the consumers' benefit that there not be a mandatory pass-through provision."

Representative Sutton proceeded to say, "Mr. Speaker, I am sorry. . ."

The Chair interrupted and asked:

"Representative Sutton, for what purpose do you rise now?"

Representative Sutton answered:

"Mr. Speaker, I am continuing these questions."

The Chair said:

"Proceed. One at a time, please."

Representative Sutton stated:

"One at a time but the last one he gave us somewhat erroneous answer and I will have to correct him."

The Chair said:

"Will you use such arguments in your debate if you wish to rise to speak against the bill, or for the bill. Ask your question."

Representative Sutton responded:

"My question is. . .he talked about Dr. Goldberg -- Theodore Goldberg -- but Goldberg made his study in the State of Michigan, Mr. Speaker, and Michigan, Mr. Speaker, does not have a formulary. And, if there is a formulary, it increases the incidence of substitution and thus it brings the actual savings, Mr. Speaker, much closer to the potential savings, and he didn't mention that Michigan does not have a formulary as this bill. So, in effect, Mr. Speaker, we have actual savings that is very close to the potential savings and, therefore, I wonder why he didn't mandate the savings."

Representative Blair stated:

"Mr. Speaker, I will be happy to respond.

First of all, if he is aware that my answers are erroneous, it presumes that he already knows the answer and, therefore, does not need to ask the question. But I will leave that aside, Mr. Speaker, and proceed.

I did, in fact, say that I did allude to the Michigan's low incidence of substitution, and I did say that this was partially based on the fact that there was a mandatory pass-through and I will stand by that statement. It is also partially due to the fact that they don't have a formulary. Our bill corrects both of these situations, and I think that is further evidence that we have a good bill before us, but I didn't mean to give the impression that the only reason for Michigan's low substitution rate was because of the mandatory pass-through provision. That is only one of a number of factors that contributes to Michigan's problem."

Representative Sutton continued his query:

"Mr. Speaker, would you please ask this gentleman whether or not the 'state of the art', at the present time, is adequate enough to assure comparable therapeutic effect."

Representative Blair answered:

"Mr. Speaker, that question, I guess, really asks: Do we know all we will ever know in this particular area of human knowledge? I would have to honestly answer that 'no'. We will probably get better as we

get wiser and I think that is the course of mankind, but if the question is whether it is adequate, I think I would agree with the F.T.C. and the F.D.A. that it is, as well as with the Department of Health, Department of Social Services and Housing, H.M.S.A., and everybody else, except the pharmaceutical industry who testified at our hearing, and one physician, and Kaiser. I could run through the whole list but I won't.

It is a very complicated subject, Mr. Speaker. Perhaps, I could shortcut it somewhat if I would refer the attention of the members to pages 19 and 20 of my testimony. I guess what I am saying, Mr. Speaker, is that I could have read this but I preferred to distribute it to the Committee members and so I don't know if I would be defeating the purpose of submitting it into the record if I then proceeded to read all of my testimony in response to questions by the Republican Representative from Nuuanu."

Representative Sutton then asked:

"Mr. Speaker, would you be kind enough to ask Mr. Blair that we have here now, in effect, our own anti-trust laws, and we fall under the Federal Sherman-Clayton Acts on anti-trust. If that is the case, why did we put on the books something that was a restraint of trade which prohibited substitution and which we are now taking off? Is it for purposes of protecting this consumer against the conspiracy in restraint in trade, that we are now removing the anti-substitution requirement? Why did we put it on the books in 1950?"

Representative Blair answered:

"Mr. Speaker, the answer to that question is on page 17, but it is relatively brief so with your indulgence I will read it.

'Question: How did the anti-substitution laws get on the books if they are now considered to restrict price competition?

Answer: There is a history of drug substitution laws on pages 141-154 of the F.T.C. study', a copy of which is on my desk and available to any member. 'Briefly, they were an overreaction to a problem in the pharmaceutical market which occurred shortly after World War II. That problem which was counterfeit drugs was subsequently corrected by federal laws such as the 1962 Kefauver-Harris amendments to the Federal Food, Drug and Cosmetic Act. The opposition to substitution peaked in 1955-56. In the late sixties,

the trend reversed and, in 1970, the American Pharmaceutical Association officially committed itself to seek the repeal of anti-substitution laws.'

Since then, we have had the F.T.C. and the F.D.A. come out with their joint effort, one product of which is the bill before us tonight."

Representative Sutton asked:

"Mr. Speaker, I would like to ask him another question."

Representative Blair then interrupted and stated:

"Mr. Speaker, I do not agree to yield to this one in advance if it is something that is already covered in my inserted remarks. I would like to, with the indulgence of the members, simply refrain from answering additional questions."

The Chair then asked Representative Sutton to "state your question", and Representative Sutton asked:

"Mr. Speaker, would you ask him if Senator Kennedy has studied this particular question and whether or not he was bothered by the technological capabilities that exist at the present time to make sure that physical and chemical reactions are the same and bring the same therapeutic effects?"

Representative Blair responded, stating:

"Mr. Speaker, I will take one last question. I will refer you to page 15, and I will refer you to the Federal Register, Volume 44, No. 9, dated Friday, January 12, 1979, on page 2940, and the quote there is: 'Since 1974, when the OTA report (which is what Representative Sutton is referring to) was issued, significant improvements have been made in the compendia. Responsibility. . .'

I won't bother reading the rest of it to you, Mr. Speaker, but I think it is also important to point out that it was a response to this 1974 OTA report that the F.D.A. prepared the formulary. I think if you would look at Recommendation No. 11 of the OTA report, it recommends precisely what we are doing today so to quote the OTA report in rebuttal of the bill before us now is, I hate to characterize it because it would be derogatory."

Representative Sutton then asked:

"He's right almost at the \$64 question. Could he take one more?"

The Chair asked:

"Representative Sutton, will you state your question and Representative Blair will decide whether he would like to answer or not."

Representative Sutton asked:

"We live in a day and age of many advances. Most of the major drug companies have immense sums for research and we, therefore, have new antibiotic standards and we have new drug applications, and do we have a reasonable basis for evaluating when two or more drug products are the pharmaceutical equivalent when we have these new drugs? Is there going to be any danger for that older gentleman who gets a very complicated type of illness to be sure that he gets the pharmaceutical equivalent?"

Representative Blair answered:

"Mr. Speaker, I will yield and that will be the last question to which I will yield because that, too, is covered in my speech.

For an absolute complete discussion on this point, I would refer Representative Sutton to pages 2937 to 2953 of the aforementioned volume of the Federal Register, or if he would like a shortened version of it, pages 19 and 20 of my speech that was inserted in the Journal. But, in brief, Mr. Speaker, the answer is 'yes'."

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

"Mr. Speaker, I think this Committee has done an excellent job and it worked on an excellent thing. I had the good fortune to go back to Washington, D.C., to be at the seminar with a Mr. Campbell who used to be with us and used to read Committee reports to us, and now is in the Senate. . ."

The Chair interrupted and asked:

"And you are following suit?"

Representative Sutton continued his remarks, stating:

"Yes, but, you see, I've been a little confused this evening because he talked about a Senator Kennedy. There were three Senator Kennedys,

and I wondered if that was the same Senator Kennedy that summered at Chappaquiddick.

However, getting back to this subject, we would like to find out how we can have the same type of law on the books here, as we learned in Washington, D.C. which could so easily be put on the books; namely, something that mandated these savings. There is nothing to assure us that we won't have a substitution of drugs and the mandated savings. It would be so simple to put that mandated savings in this bill, and it is so unfortunate it's not there. And it is so unfortunate that I will have to ask my colleagues to vote against it.

Next, I want to point out that the gentleman did not give an adequate answer on new drugs, that when we come to new drugs, we are faced with two very difficult equivalents. One is the bioequivalent, and when I say bioequivalent, I mean applied to a situation where different brands of a drug involving the same active ingredients, same dosage, same form and the amount of active ingredients produce different sero levels of active ingredients in the body of the human to whom this is administered under identical conditions so that we have no assurance of bioequivalence.

Furthermore, I am not satisfied on the therapeutic equivalents, and I am somewhat concerned that he did not answer the anti-trust implications adequately to indicate to me that, somehow or other, it's going to be a waiver of the implications that the Sherman Act, the Clayton Act, and of our own anti-trust act, because they used this as a source -- the Federal Trade Commission which is one of the bodies that is supposed to enforce those laws. And I am scared of the fact that we may have a conspiracy in restraint of trade. We may have price fixing per se of the various pharmaceutical firms, of the various pharmacists, if we do not put some inhibition about restraint of trade right in the bill and cited. Cite it verbatim, fine, but incorporate it in the bill so that there is no implication of waiver of any of the anti-trust implications of any of those three acts, and the Robinson-Putnam Act also, Mr. Chairman.

Finally, Mr. Speaker, I'm a little disturbed that where we have a formulary, as Michigan did not, that he has not had the optimism

to realize that we are in a position to have at least three million dollars worth of savings, taking inflationary cycle, going back seven years, and taking that multiple.

I am sure that if we had the expert opinion of Dr. Theodore Goldberg, he would tell us that those savings are not only possible but should be mandated, and should be inhibited by the anti-trust implications that I have spoken to you, so I urge you, Mr. Speaker, and your colleagues, and my colleagues on this side of the aisle, to please vote 'no' on this bill until they come out with a better bill."

Representative Evans was recognized and she stated:

"Mr. Speaker, I rise to speak in favor of House Bill No. 166, House Draft 1, but before I proceed, I would like the Speaker's ruling on a potential conflict of interest."

Asked by the Chair to "state your potential conflict", Representative Evans said:

"My husband is a pharmacist and a sales representative for a large drug manufacturing company."

The Chair ruled "no conflict".

Representative Evans thanked the Chair and proceeded with her remarks in favor of the bill, stating:

"It is well known, Mr. Speaker, that I have long been a proponent of health care cost containment. Moreover, contrary to the opinion of many, I have never been opposed to the idea of generic drug substitution, but only to the manner in which it is accomplished.

This is a complex and, in some areas, largely undefined subject, and I have always attempted to point out problems which must be considered if we are to fashion the most comprehensive as well as responsible legislation possible. And, in my concern as a health professional and as a legislator, I have always had as my first priority the people of this State, their health, well-being and financial burdens.

Generic drug substitution is a concept whose time has come. It can offer substantial savings to consumers, but only if the bill we pass contains adequate safeguards. Thus, although I favor the passage of a generic bill, I have deep reservations about House

Bill No. 166, House Draft 1, as it is currently written.

First, both the FTC Model Drug Act and the Legislative Auditor's report recommend that the prescriber be allowed to prohibit substitution. I welcome the inclusion of that provision. In order to prevent substitution from taking place, the prescriber must hand-write the words 'medically necessary' on the prescription form.

However, the words 'medically necessary' can be confusing. Shouldn't we take this section one step further in order to eliminate any misunderstanding? As one physician pointed out in testimony, what we are really dealing with is substitution, so why not use those terms?

It seems to me that a prescription form containing two lines, one labelled 'substitution permissible' and the other 'dispense as written' would present the prescriber with a clear-cut choice each time a prescription is written. It would also serve to inform the patient whether or not substitution may occur. Moreover, a two line form would erase any doubt from the pharmacist's mind as to whether the omission of the words 'medically necessary' was intentional or merely an oversight.

I believe that there should also be some clarification of just who is concerned in dispensing the drugs. Does the bill address itself solely to pharmacists, or are dispensing physicians also included? And what about hospitals? Exactly which dispensers are covered?

Next, House Bill No. 166 states that a pharmacist may not fill the prescription with an equivalent drug unless its price is less than that of the name brand drug, but it does not require that this cost difference be passed along to the recipient of the drug. I regret that this so-called consumer protection bill neglects to insure cost savings for the consumer.

An equivalent drug product is defined in this bill as one listed as therapeutically equivalent in the current State drug formulary. I would like to know what this current drug formulary is. Surely, not the DSSH Medicaid formulary. If so, I can foresee a number of problems as this formulary is nothing more than a listing based primarily on economy. It could never be used for substitution purposes as it does

not list any equivalents, therapeutic or otherwise. It also includes a number of name brand drugs and as I quote the purpose of the drug formulary, revised 2/26/79, its purpose is 'to provide a listing of drug products for which reimbursement will be made in the Hawaii Medicaid Program to participating practitioners and vendors. Choices of drug products will be based on therapeutic efficacy, safety, and economy.'

Further, House Bill No. 166 requires the Department of Health to establish and maintain a State formulary that 'shall list all drug products that the Commissioner of Food and Drugs, United States Food and Drug Administration, has approved as safe and effective and has determined to be therapeutically equivalent.' But the FDA repudiates any responsibility or liability for its list.

The bill goes on to state that the 'DOH shall provide for the revision of the formulary as necessary but not less than annually.' While this looks good on paper, I wonder if any of you are aware of the fact that the FDA plans to update its list almost monthly, or every three months, with a delay of a month to the states. The maintenance of a valid formulary will consequently be a constant and expensive task.

There may also be some ambiguity in this section. On the one hand, in subsection (A), it mandates that the formulary include automatically all drug products listed by the FDA. However, subsection (B) charges the DOH with the revision of the formulary. Does this mean the DOH will have the authority to make deletions as well? The intent of this section definitely needs clarification.

This leads me to my final point. House Bill No. 166 contains no provision for appropriations. There is no allocation of funds to DOH to establish the formulary, to maintain it, to distribute it to all parties concerned. How will DOH pay for the consumer education required in this bill, or for the periodic monitoring of the effects once it is enacted?

Mr. Speaker, much testimony has been heard in joint House and Senate hearings on this and other similar bills. As generic substitution is a subject that is often perplexing, I was dismayed that more of my colleagues were not able to attend. It is also regrettable that there was so little time available to read and digest the findings of the LRB report.

It must be remembered that prescription drugs represent only a small percentage of total health care spending nationwide, so this bill is no panacea. But it is my hope that the intent of the bill, which is to lower drug costs, will be realized, and that the consumer will reap some benefit from our efforts.

Thank you."

Representative Blair then rose and stated:

"Mr. Speaker, I rise to speak in support of the bill, and I would like to clarify a couple of points on which the members may be somewhat confused at this point. Primarily, the references to the DSSH formulary which they use for their bulk purchase of drugs has nothing whatever to do with this bill. There is no relationship between the two whatsoever and I wouldn't want anyone to be misled in that regard.

The reason we didn't include any money is because the testimony from the Department of Health was to the effect that they didn't need any money and we weren't going to force it on them. They said they could handle this with their existing staff and funds.

The question of the pass-through was also raised again. This is a somewhat irksome point for me, Mr. Speaker, because on its surface, it appears that a mandatory pass-through is a pro consumer position, and if it were, Mr. Speaker, I would support it wholeheartedly. In fact, we did put in a provision to review the operation of this act and should it prove to be the case that the market does establish the optimum level of substitution so as to maximize the actual savings as opposed to the potential savings, why, I would certainly be the first to change it, Mr. Speaker, but the record before the Committee indicated that that was not and that, in fact, the actual savings realized by the consumers would be lower if we had a mandatory pass-through because it would reduce the incidence of substitution, thereby offsetting any good that you might possibly presume in the mandatory pass-throughs. I hope the members will not feel that we have, in any way, slighted the consumer. He has been foremost in our mind, both his pocketbook and his health, and I have taken this very seriously.

So, Mr. Speaker, I would like

the record to reflect those points so that the members who weren't able to attend, though I am not sure they missed that much, because I have reproduced a good deal of it for them this evening, will not have any hesitation to vote for this bill.

Thank you, Mr. Speaker."

Representative Evans then rose and stated:

"Mr. Speaker, I would like to make further clarification, if I may."

Directed by the Chair to "proceed", Representative Evans stated:

"I would like to also agree with the previous speaker that he has issued a mini LRB report in his speech. I have tried to abstain from that.

Mr. Speaker, if the members will refer to the first page of the bill under Section 2, they will see at the last part of that paragraph, 'and listed as therapeutically equivalent in the current state drug formulary', and that is in reference to this medicaid formulary which does not have anything to do with therapeutic equivalency.

Mr. Speaker, further clarification on the cost savings which I consider to be very important -- the savings for the consumer is, after all, the primary reason for this bill; its main justification. However, studies conducted of existing laws in other states, including one done by the A.M.A., list the lack of a mandatory cost savings pass-on provision as the most serious deficiency in state after state. In many cases, the consumer realized very little savings, if at all.

Thank you."

Representative K. Yamada then rose to a point of inquiry and asked:

"Mr. Speaker, I would like to ask the Chairman of the Consumer Protection and Commerce Committee a question pertaining to the formulary?"

Directed by the Chair to "proceed with your question", Representative K. Yamada asked:

"Mr. Speaker, the question of the formulary was raised by the Minority Leader and she referred to the first page of House Bill No. 166. I would like to ask the Chairman of the Consumer Protection and Commerce Committee if that formulary pertains to the drug formulary which is listed on page 3 of the bill."

The Chair said:

"The record will show that Representative Kats Yamada makes reference to the Minority Floor Leader."

Representative Blair then replied:

"I believe he was referring the question to me."

Mr. Speaker, the Minority Floor Leader referenced to a state drug formulary. It is not the DSSH formulary, Mr. Speaker. It is, in fact, the formulary established on page 3 of the bill, lines, I believe, 9 through about 18."

The motion was put by the Chair and carried, and H.B. No. 166, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS", having been read throughout, passed Third Reading by a vote of 49 ayes to 1 no, with Representative Sutton voting no, and Representative Garcia being excused.

H.B. No. 867:

On motion by Representative Blair, seconded by Representative D. Yamada and carried, H.B. No. 867, entitled: "A BILL FOR AN ACT RELATING TO APPEALS FROM THE DECISIONS OF THE LIQUOR COMMISSION", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 737:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, H.B. No. 737, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF TAX RETURNS AND INFORMATION IN TAX RETURNS", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

H.B. No. 613, HD 1:

On motion by Representative D. Yamada, seconded by Representative Honda and carried, H.B. No. 613, HD 1, was recommitted to the Committee on Judiciary.

H.B. No. 1186:

Representative Blair moved that H.B. No. 1186, having been read

throughout, pass Third Reading, seconded by Representative Shito.

Representative Blair then rose and asked the Chair for a ruling on a potential conflict of interest, stating that this bill deals with bank audits and his spouse is employed at the bank.

The Chair ruled "no conflict".

The motion was put by the Chair and carried, and H.B. No. 1186, entitled: "A BILL FOR AN ACT RELATING TO THE BANK EXAMINER", having been read throughout, passed Third Reading by a vote of 49 ayes to 1 no, with Representative Sutton voting no, and Representative Garcia being excused.

H.B. No. 1505, HD 1:

On motion by Representative Suwa, seconded by Representative Morioka and carried, H.B. No. 1505, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", passed Third Reading by a vote of 50 ayes, with Representative Garcia being excused.

The Chair directed the Clerk to note that H.B. Nos. 643, 742 and 585 had passed Third Reading at 9:17 o'clock p.m.; 988, 107 and 451 at 9:18 o'clock p.m.; 1557 and 1673 at 9:19 o'clock p.m.; 278 and 1674 at 9:20 o'clock p.m.; 498 at 9:21 o'clock p.m.; 166 at 10:30 o'clock p.m.; 867 and 737 at 10:31 o'clock p.m.; 1186 at 10:34 o'clock p.m.; and 1505 at 10:35 o'clock p.m.

STANDING COMMITTEE REPORTS

Representatives Aki and Lee, for the Committees on Youth and Elderly Affairs and Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 519) recommending that H.B. No. 1313, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Aki, seconded by Representative Lee and carried, the joint report of the Committees was adopted and H.B. No. 1313, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT FAMILY BOARDING HOMES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 520) recommending that H.B. No. 98, as amended in HD 2, pass Second Reading and be placed

on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 98, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SALARY COMMISSION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 521) recommending that H.B. No. 95, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 95, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

The Chair directed the Clerk to note that printed copies of H.B. No. 1313, HD 1; H.B. No. 98, HD 2; and H.B. No. 95, HD 2, were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 522) recommending that H.B. No. 800, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 522 on H.B. No. 800, HD 2, was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 800, HD 2, were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 523) recommending that H.B. No. 1627 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 523 on H.B. No. 1627 was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B.

No. 1627 were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 524) recommending that H.B. No. 581, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 524 on H.B. No. 581 was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 581 were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 525) recommending that H.B. No. 580 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 525 on H.B. No. 580 was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 580 were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 526) recommending that H.B. No. 461, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 526 on H.B. No. 461, HD 2, was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 461, HD 2, were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 527) recommending that H.B. No. 430, HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 527 on H.B. No. 430, HD 1, was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 430, HD 1, were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 528) recommending that H.B. No. 187, HD 1, pass Third

Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 528 on H.B. No. 187, HD 1, was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 187, HD 1, were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 529) recommending that H.B. No. 1631, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 529 on H.B. No. 1631, HD 2, was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1631, HD 2, were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 530) recommending that H.B. No. 1680, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 530 on H.B. No. 1680, HD 2, was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1680, HD 2, were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 531) recommending that H.B. No. 606, HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 531 on H.B. No. 606, HD 1, was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 606, HD 1, were made available to the members of the House at 9:15 o'clock p.m.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 532) recommending

that H.B. No. 687, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 687, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 533) recommending that H.B. No. 57, HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 57, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 534) recommending that H.B. No. 479, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 479, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVERTISING BY OPTOMETRISTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 535) recommending that H.B. No. 428, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 536) recommending that H.B. No. 1394, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 1394, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON JUDGMENT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 537) recommending that H.B. No. 1414 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 1414, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 538) recommending that H.B. No. 556 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 556, entitled: "A BILL FOR AN ACT RELATING TO MONOPOLIES; RESTRAINT OF TRADE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representatives Blair and Shito, for the Committees on Consumer Protection and Commerce and Housing, presented a report (Stand. Com. Rep. No. 539) recommending that H.B. No. 748 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Shito and carried, the joint report of the Committees was adopted and H.B. No. 748, entitled: "A BILL

FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 540) recommending that H.B. No. 455, HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Suwa, seconded by Representative Morioka and carried, the report of the Committee was adopted and H.B. No. 455, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 541) recommending that H.B. No. 1648 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 541 on H.B. No. 1648 was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1648, were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 542) recommending that H.B. No. 722 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 542 on H.B. No. 722 was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 722 were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 543) recommending that H.B. No. 1645 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 543 on H.B. No. 1645 was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1645 were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee

on Finance, presented a report (Stand. Com. Rep. No. 544) recommending that H.B. No. 739 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 544 on H.B. No. 739 was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 739 were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 545) recommending that H.B. No. 1638, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 545 on H.B. No. 1638, HD 1, was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1638, HD 1, were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 546) recommending that H.B. No. 1624, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 546 on H.B. No. 1624, HD 2, was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1624, HD 2, were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 547) recommending that H.B. No. 610, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 547 on H.B. No. 610, HD 2, was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 610, HD 2, were made available to the members of the House at 9:15 o'clock p.m.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 548) recommending that H.B. No. 1758, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 548 on H.B. No. 1758, HD 2, was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1758, HD 2, were made available to the members of the House at 9:15 o'clock p.m.

Representative Kiyabu, for the Committee on State General Planning, presented a report (Stand. Com. Rep. No. 549) recommending that H.B. No. 55, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Nakamura and carried, the report of the Committee was adopted and H.B. No. 55, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representative D. Yamada, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 550) recommending that H.B. No. 1499, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Yamada, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 1499, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE AND TRUSTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representative Suwa, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 551) recommending that H.B. No. 616 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 551 on H.B. No. 616 was deferred until Monday, March 12, 1979, and in accordance with Article III, Section 16, of the Constitution of the State of Hawaii, printed copies of H.B. No. 616 were made available to the members of the House at 9:15 o'clock p.m.

Representative Lee, for the Committee

on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 552) recommending that H.B. No. 608 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Lee, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 608, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representatives Lee and Segawa, for the Committees on Public Assistance and Human Services and Health, presented a report (Stand. Com. Rep. No. 553) recommending that H.B. No. 286, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Lee, seconded by Representative Segawa and carried, the report of the Committee was adopted and H.B. No. 286, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT CARE HOMES, FAMILY BOARDING HOMES, AND OTHER SIMILAR INSTITUTIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

Representatives Takamine and Stanley, for the Committees on Employment Opportunities and Labor Relations and Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 554) recommending that H.B. No. 1636, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Takamine, seconded by Representative Stanley and carried, the joint report of the Committees was adopted and H.B. No. 1636, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY EMPLOYMENT PRACTICES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

The Chair directed the Clerk to note that printed copies of H.B. Nos. 687, HD 1; 57, HD 1; 479, HD 1; 428, HD 1; 1394, HD 1; 1414; 556; 748; 455, HD 1; 55, HD 1;

1499, HD 1; 608; 286, HD 1; and 1636, HD 1, were made available to the members of the House at 9:15 o'clock p.m.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 583, HD 1, was taken from the Clerk's desk.

Representative Suwa moved that H.B. No. 583, HD 1, awaiting the expiration of the 48-hour period prior to Third Reading, be recommitted to the Committee on Finance, seconded by Representative Morioka.

Representative Suwa then explained that the purpose for recommitment was "to make certain technical changes."

The motion was put by the Chair and carried, and H.B. No. 583, HD 1, was recommitted to the Committee on Finance.

By unanimous consent, H.B. No. 925, HD 1, was taken from the Clerk's desk.

Representative D. Yamada moved that H.B. No. 925, HD 1, awaiting the expiration of the 48-hour period prior to Third Reading, be recommitted to the Committee on Judiciary, seconded by Representative Honda.

Representative D. Yamada then explained that the purpose for recommitment was "to make some technical amendments."

The motion was put by the Chair and carried, and H.B. No. 925, HD 1, was recommitted to the Committee on Judiciary.

At 10:43 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 10:47 o'clock p.m., Representative Kunimura was granted permission to make a couple of late introductions and he introduced a former colleague, Senator Steve Cobb, and Mr. Eddie Tangen to the members of the House.

At this time, Representative Narvaes was recognized and he stated:

"Mr. Speaker, I would just like to make a happy little announcement.

There were several inquiries earlier why my seat was empty a little earlier this evening, and I am happy to say that I was up in my district running

an informational meeting with Bishop Estate, Bernard Baise of one of the firms that is representing a lot of the leaseholders, and the families of approximately 130 leaseholders who, because of this meeting, have now organized to start negotiations with Bishop Estate to convert their properties to fee.

Now, one of the things needed by those families is have Representative Shito to correct a little oversight in the leasehold conversion law by amending the law to allow for conversions of leasehold duplexes. Presently, the law does not allow for that.

Just a happy little announcement I got to make. Thank you."

Representative Shito responded, stating:

"Mr. Speaker, I would just like to respond to the gentleman who made the statement a little while ago that, in reference to duplexes, according to the City and County Building Code, duplex is considered a single family dwelling. Therefore, it is covered under the current statutes."

Representative Narvaes then rose and stated:

"Mr. Speaker, I thank the man

from the other side, Representative Shito, but, you know, there are several people that are involved in this negotiation that do not still believe that the law allows for the conversion of residential family duplex dwelling to fee simple, and some of those are Bishop Estate, all of the attorneys involved in the conversion I was talking to, and also the LRB."

Representative Uwaine was recognized and he stated:

"Mr. Speaker, I would just like to say 'thank you and congratulations' to Representative Lunasco who, tonight, very bravely, on behalf of the House, testified before the Legislative Salary Increase Commission and testified in favor of a salary increase. His action is very commendable and I thank him in behalf of the House."

The Chair remarked:

"Now, it all depends what the increase is that he spoke for."

ADJOURNMENT

At 10:55 o'clock p.m., on motion by Representative K. Yamada, seconded by Representative Evans and carried, the House of Representatives adjourned to 11:00 o'clock a.m. tomorrow, Friday, March 9, 1979.