

## THIRTY-FOURTH DAY

Tuesday, March 16, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:00 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Sidney Hormell representing Waikeola Church, after which the Roll was called showing all members present with the exception of Representatives de Heer, Monahan, Nakasato, Sakamoto and Waihee, who were excused.

By unanimous consent, reading of the Journal was deferred.

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

Representative Marumoto introduced sixty-three fifth graders from Kahala Elementary School who were accompanied by their teachers: Sharon Inamine and Carol Maehara.

Representative Takitani introduced Sonya Ome, the daughter of his secretary, who was one of the students introduced by Representative Marumoto.

Representative Okamura introduced eleven fifth and sixth graders from Waimalu Elementary School who were accompanied by their teachers: Vicky Ito and Irene Higuchi.

Representative Matsuura introduced nineteen Big Island high school student lobbyists who are here on a two day legislative experience program, who were accompanied by their coordinators, Ms. Beth Fujimoto and Ms. Luann Aki; Faculty Advisors, Mrs. Helen Kobayashi and Mr. Rob Banashek; and Department of Education Hawaii district personnel specialist, Mr. Wallace Aki.

Representative Tungpalan introduced Mr. Andy Nii, principal of Pearl City High School along with his guests from Maine.

Representative Kiyabu introduced fifty-six fifth graders from Waialae Elementary School who were accompanied by their teachers: Mrs. Teresa Lau and Mrs. Sharon Tung and

room mothers, Mrs. Kagihara and Mrs. Muranaka.

## ORDER OF THE DAY

## SUSPENSION OF RULES

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

## INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 239) was read by the Clerk and disposed of as follows:

A resolution (H.R. No. 239) extending congratulation to Carole Kai and the winners of the ninth annual Carole Kai bed race and decorative bed contest winners was jointly offered by Representatives Waihee, Okamura, Aki, Anderson, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakasato, Narvaes, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Wong and Yamada.

On motion by Representative Okamura, seconded by Representative Kihano and carried, H.R. No. 239 was adopted.

Representative Okamura rose and stated:

"Mr. Speaker, it is a great pleasure for me to honor a truly kind and generous individual. An individual who has devoted herself unselfishly to benefit children with severe learning disabilities.

"Ms. Carole Kai is a shining example of the aloha spirit in our state. She was first known to many of us as an entertainer and our local girl making good, when in 1973 she came up with an idea. And that idea was raising money for a good cause and still having lots of fun

doing it. So it was that the Carole Kai Country Time, the Parade of Beds, and the Bed Race came to be — raising money for the Variety Club School. In that first year, Ms. Kai became the champion of those children with severe learning disabilities, raising over \$11,000.

"Ms. Kai's new and fun idea has become a Hawaii tradition with participation from all walks of Hawaiian life getting involved. We have witnessed many well-known citizens in our community as well as those who run just for the fun of it. We have witnessed contestants from all over the world as well as our own sons and daughters.

"Ms. Kai, what an excellent idea.

"This year's race included a wheelchair team and a women's team, the first in the history of the bed race. And from the initial \$11,000 raised in 1973, the amount this year has increased more than seven times over. Participation has more than tripled. And for such an excellent cause, this is as it should be.

"Ms. Kai is to be commended for her unselfish devotion, sacrificing her time and personal effort for this cause and for the children of the Variety Club School."

At this time, Representative Okamura introduced Ms. Carole Kai. She was accompanied by Mr. Stan Fonesca, representing the men's winning team which was sponsored by Pan American Airlines; Mr. Dexter Gomes, representing the winning women's team sponsored by Brew Crew Liquors; and Susan Baker, Director of the Variety School.

Representatives Fukunaga, Ikeda, Baker and Liu presented the honorees with leis and Representative Okamura presented certified copies of the resolution.

Representative Okamura introduced Mr. Dennis Tom, Ms. Kai's husband, who was seated in the gallery.

At 11:25 o'clock a.m., the Chair declared a recess, for the purpose of extending the personal Aloha of the members of the House to the honorees, subject to the call

of the Chair.

The House of Representatives reconvened at 11:35 o'clock a.m.

### THIRD READING

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

#### H.B. No. 2682-82:

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, H.B. No. 2682-82 entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING", passed Third Reading by a vote of 45 ayes to 1 no, with Representative Chun voting no and Representatives de Heer, Monahan, Nakasato, Sakamoto and Waihee being excused.

#### H.B. No. 3198-82:

On motion by Representative D. Hagino, seconded by Representative Albano and carried, H.B. No. 3198-82 entitled: "A BILL FOR AN ACT RELATING TO LABOR", passed Third Reading by a vote of 46 ayes, with Representatives de Heer, Monahan, Nakasato, Sakamoto and Waihee being excused.

#### H.B. No. 2398-82:

On motion by Representative Blair, seconded by Representative Stanley and carried, H.B. No. 2398-82 entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION, PURCHASE AND SALE OF LIQUOR", passed Third Reading by a vote of 43 ayes to 3 noes, with Representatives Hirono, Kunimura and Lacy voting no and Representatives de Heer, Monahan, Nakasato, Sakamoto and Waihee being excused.

The Chair directed the Clerk to note that H.B. Nos. 2682-82; 3198-82 and 2398-82 had passed Third Reading at 11:38 o'clock a.m.

#### H.B. No. 3125-82:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 3125-82 entitled: "A BILL FOR

AN ACT RELATING TO DENTAL SERVICE CORPORATIONS", passed Third Reading by a vote of 46 ayes, with Representatives de Heer, Monahan, Nakasato, Sakamoto and Waihee being excused.

H.B. No. 2400-82:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 2400-82 entitled: "A BILL FOR AN ACT RELATING TO THE INHERITANCE TAX", passed Third Reading by a vote of 45 ayes to 1 no, with Representative Levin voting no and Representatives de Heer, Monahan, Nakasato, Sakamoto and Waihee being excused.

H.B. No. 3137-82, HD1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 3137-82, HD1 entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REDEVELOPMENT OF THE KAKA'AKO COMMUNITY DEVELOPMENT DISTRICT AND AUTHORIZING THE ISSUANCE OF BONDS", passed Third Reading by a vote of 45 ayes to 1 no, with Representative Dods voting no and Representatives de Heer, Monahan, Nakasato, Sakamoto and Waihee being excused.

The Chair directed the Clerk to note that H.B. Nos. 3125-82; 2400-82; and 3137-82 had passed Third Reading at 11:39 o'clock a.m.

H.B. No. 2205-82:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 2205-82 entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE TAXATION", passed Third Reading by a vote of 45 ayes to 1 no, with Representative Rohlfing voting no and Representatives de Heer, Monahan, Nakasato, Sakamoto and Waihee being excused.

H.B. No. 2327-82:

On motion by Representative Fukunaga, seconded by Representative Takamine and carried, H.B. No. 2327-82 entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE", passed Third Reading by a vote of 41 ayes to 5 noes, with Representatives Lacy, Liu, Kamali'i, Narvaes and Rohlfing

voting no and Representatives de Heer, Monahan, Nakasato, Sakamoto and Waihee being excused.

The Chair directed the Clerk to note that H.B. Nos. 2205-82 and 2327-82 had passed Third Reading at 11:40 o'clock a.m.

STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 654-82) recommending that H.B. No. 2850-82 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 654-82 on H.B. No. 2850-82, was deferred until Thursday, March 18, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2850-82 were made available to the members of the House at 11:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 655-82) recommending that H.B. No. 1971-82, HD1 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 655-82 on H.B. No. 1971-82, HD1, was deferred until Thursday, March 18, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1971-82, HD1 were made available to the members of the House at 11:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 656-82) recommending that H.B. No. 2451-82 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 656-82 on H.B. No. 2451-82, was deferred until Thursday, March 18, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2451-82 were made available to the members of the House at 11:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 657-82) recommending that H.B. No. 1642, HD2 pass Third Reading.

By unanimous consent, consideration

of Stand. Com. Rep. No. 657-82 on H.B. No. 1642-82, HD2, was deferred until Thursday, March 18, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1642, HD2, were made available to the members of the House at 11:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 658-82) recommending that H.B. No. 2316-82, HD1 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 658-82 on H.B. No. 2316-82, HD1, was deferred until Thursday, March 18, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2316-82, HD1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 659-82) recommending that H.B. No. 2637-82, HD1 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 659-82 on H.B. No. 2637-82, HD1, was deferred until Thursday, March 18, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2637-82, HD1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 660-82) recommending that H.B. No. 3109-82, HD1 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 660-82 on H.B. No. 3109-82, HD1, was deferred until Thursday, March 18, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3109-82, HD1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 661-82) recommending that H.B. No. 2572-82 pass Third Reading.

By unanimous consent, consideration

of Stand. Com. Rep. No. 661-82 on H.B. No. 2572-82 was deferred until Thursday, March 18, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2572-82 were made available to the members of the House at 11:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 662-82) recommending that H.B. No. 2049-82, HD1 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 662-82 on H.B. No. 2049-82, HD1, was deferred until Thursday, March 18, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2049-82, HD1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 663-82) recommending that H.B. No. 1970-82, HD1 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 663-82 on H.B. No. 1970-82, HD1, was deferred until Thursday, March 18, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1970-82, HD1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 664-82) recommending that H.B. No. 2391-82, HD1 pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 664-82 on H.B. No. 2391-82, HD1, was deferred until Thursday, March 18, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2391-82, HD1, were made available to the members of the House at 11:00 o'clock a.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 665-82) recommending that H.B. No. 2931-82 pass Third Reading.



By unanimous consent, consideration of Stand. Com. Rep. 665-82 on H.B. 2931-82, was deferred until Thursday, March 18, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2931-82 were made available to the members of the House at 11:00 o'clock a.m.

At this time, Representative Kunimura rose and wished Representative Kihano a "happy birthday".

At 11:43 o'clock a.m., at the request of Representative Stanley,

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

The House of Representatives reconvened at 11:47 o'clock a.m.

#### ADJOURNMENT

At 11:48 o'clock a.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 11:30 o'clock a.m., tomorrow, Wednesday, March 17, 1982.

## THIRTY-FIFTH DAY

Wednesday, March 17, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Chaplain Louis R. Trebus of Schofield Barracks, after which the Roll was called showing all members present with the exception of Representatives de Heer, Morioka, Nakasato and Sakamoto, who were excused.

By unanimous consent, reading of the Journal of the Thirty-Fourth Day was deferred.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 31 to 66) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 31) transmitting Senate Bill No. 103, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, S.B. No. 103 passed First Reading by title and further action was deferred.

A communication from the Senate (Sen. Com. No. 32) returning House Bill No. 804, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE, ESTATE TAXES", which passed Third Reading in the Senate on March 16, 1982, in an amended form, was placed on file.

By unanimous consent, H.B. No. 804, as amended by the Senate, was placed on the Clerk's desk and, in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 804, SD 2, were made available to the members of the House at 11:30 o'clock a.m.

A communication from the Senate (Sen. Com. No. 33) returning House Bill No. 1100, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEE FOR CIVIL IDENTIFICATION

CERTIFICATE", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 34) transmitting Senate Bill No. 1390, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEIZURE OF UNLICENSED DOGS", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 35) transmitting Senate Bill No. 2183-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 36) transmitting Senate Bill No. 2198-82, entitled: "A BILL FOR AN ACT MAKING APPROPRIATION FOR COMPENSATION CLAIMS ADJUSTMENTS" which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 37) transmitting Senate Bill No. 2201-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 38) transmitting Senate Bill No. 2218-82, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 39) transmitting Senate Bill No. 2257-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE TAXATION", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 40) transmitting Senate Bill No. 2280-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CULTIVATION OF A DETRIMENTAL DRUG", which passed Third Reading

in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 41) transmitting Senate Bill No. 2311-82, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES FOR STATE FUNDS", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 42) transmitting Senate Bill No. 2312-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT OF STATE FUNDS", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, S.B. Nos. 1390, SD 1; 2183-82, SD 1; 2198-82; 2201-82, SD 1; 2218-82; 2257-82, SD 1; 2280-82, SD 1; 2311-82; and 2312-82, SD 1, passed First Reading by title and further action was deferred.

A communication from the Senate (Sen. Com. No. 43) returning House Bill No. 2319-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 44) transmitting Senate Bill No. 2350-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 45) transmitting Senate Bill No. 2376-82, entitled: "A BILL FOR AN ACT RELATING TO TIME LIMITATIONS", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 46) transmitting Senate Bill No. 2401-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 47) transmitting Senate Bill No. 2452-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EARTHQUAKES", which passed Third Reading in the Senate on March

16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 48) transmitting Senate Bill No. 2514-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 49) transmitting Senate Bill No. 2523-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 50) transmitting Senate Bill No. 2527-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 51) transmitting Senate Bill No. 2530-82, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 52) transmitting Senate Bill No. 2548-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX OF SERVICES", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 53) transmitting Senate Bill No. 2600-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 54) transmitting Senate Bill No. 2615-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 55) transmitting Senate Bill No. 2627-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZED CRIME, CHAPTER 842, HAWAII REVISED STATUTES", which

passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 56) transmitting Senate Bill No. 2643-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 57) transmitting Senate Bill No. 2646-82, entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 58) transmitting Senate Bill No. 2668-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BAILABLE OFFENSES", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 59) transmitting Senate Bill No. 2765-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 60) transmitting Senate Bill No. 2799-82, entitled: "A BILL FOR AN ACT RELATING TO THE INHERITANCE TAX", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 61) transmitting Senate Bill No. 2825-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE PREVENTION IN PUBLIC SCHOOLS", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 62) transmitting Senate Bill No. 2866-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 63) transmitting Senate Bill No. 2871-82, SD 1, entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURAL COOPERATIVES", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 64) transmitting Senate Bill No. 2891-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO USE TAX OVERPAYMENTS BY GENERAL MOTORS DEALERSHIPS", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 65) transmitting Senate Bill No. 2903-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 66) transmitting Senate Bill No. 2958-82, entitled: "A BILL FOR AN ACT RELATING TO FISHING", which passed Third Reading in the Senate on March 16, 1982, was placed on file.

On motion by Representative Stanley, seconded by Representative Rohlfsing and carried, S.B. Nos. 2350-82; 2376-82; 2401-82, SD 2; 2452-82, SD 1; 2514-82, SD 1; 2523-82, SD 2; 2527-82, SD 1; 2530-82; 2548-82, SD 1; 2600-82, SD 1; 2615-82, SD 1; 2627-82, SD 2; 2643-82, SD 1; 2646-82; 2668-82, SD 1; 2765-82, SD 1; 2799-82; 2825-82, SD 1; 2866-82, SD 2; 2871-82, SD 1; 2891-82, SD 1; 2903-82, SD 1; and 2958-82, passed First Reading by title and further action was deferred.

#### ORDER OF THE DAY

#### COMMITTEE REASSIGNMENT

H.C.R. No. 24 was re-referred jointly to the Committees on Ocean and Marine Resources and Transportation, then to the Committee on Finance.

#### SUSPENSION OF RULES

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

#### UNFINISHED BUSINESS

Stand. Com. Rep. No. 500-82 on

H.B. No. 2559-82, HD 1:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 2559-82, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Dods then rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, this bill provides \$520,000 appropriation to cover negotiated settlement on a project on H-2. The State was found to be responsible for 129 days of delay on the project which caused an untimely delay of 16 months. Rather than having the State Legislature bail out the Department of Transportation time after time in similar matters, I feel strongly that something must be done internally within the Department of Transportation to correct these costly mistakes. Maybe the problem is that in awarding the contracts, an adequate time for completion of the project is not given. The Department of Transportation must work harder to internally improve itself so that the Legislature is not constantly faced with bills to bail them out.

Currently, besides this bill before us, the Piilani Highway is also in litigation for an amount of \$9.2 million. There is possible litigation pending on seven other projects, Mr. Speaker. These include Wilson Bridge and approaches, Kapiolani Interchange for \$1.5 million, Keehi Interchange for \$3.77 million, Kam Highway improvement for \$400,000, Mililani Interchange for \$896,000, Hana Highway for \$140,000, and another Hana Highway improvement for \$310,000. The sum being mentioned on all nine of these projects which includes the \$520,000 appropriation asked in this bill, the State could possibly be paying out somewhere in excess of \$16.7 million.

We simply cannot continue to correct these mistakes piecemeal everytime. A thorough look at the total responsibility of the State Department of Transportation should be undertaken to prevent this type of bill ever coming up to this body again.

Thank you."

Representative de Heer then rose to speak in favor of the bill, stating:

"Mr. Speaker, I noticed in the

evidence presented to the Finance Committee in favor of the bill that the critical path format was used to define the project. I would just like to state that someone who has dealt with critical path in the recent past that we hope that future measures in the Legislature also deal with critical path in crossing impact analyses.

Thank you."

Representative Kunimura then rose and stated:

"For the record, I rise to speak in favor of this bill.

This is not the end yet, Mr. Speaker, of this particular litigation, but rather, the State has assured us that they will pursue the design and engineering firm for their portion of the delay and there may be some moneys coming to the State for the amount of liability that the engineering company is responsible for."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2559-82, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND DILLINGHAM CORPORATION DBA HAWAIIAN DREDGING AND CONSTRUCTION COMPANY", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Ikeda voting no, and Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 501-82 on H.B. No. 2366-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2366-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2559-82 and 2366-82 had passed Third Reading at 11:45 o'clock a.m.

Stand. Com. Rep. No. 502-82 on H.B. No. 2238-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee

was adopted and H.B. No. 2238-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 503-82  
on H.B. No. 2477-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2477-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2238-82 and 2477-82 had passed Third Reading at 11:46 o'clock a.m.

Stand. Com. Rep. No. 508-82  
on H.B. No. 3136-82, HD 2:

By unanimous consent, action was deferred to the end of the calendar.

Stand. Com. Rep. No. 510-82  
on H.B. No. 3139-82, HD 2:

By unanimous consent, action was deferred to the end of the calendar.

Stand. Com. Rep. No. 511-82  
on H.B. No. 2359-82, HD 1:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 2359-82, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Albano then rose and requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Albano's remarks are hereby inserted:

"Mr. Speaker, there is a consensus among many people in our State that we are living in a violent society. Everyday, life is marked and tarnished by felonious crimes against humanity. These infringements upon the rights of men and women in our community

are undesirable, but are commonplace.

Our State Constitution and nation ensure that we are a government of laws rather than of men. It provides for protections which preserves certain unalienable rights.

When a person is accused of a crime, that individual can expect certain safeguards to be in place. The accusers, too, can expect certain shelters and refuge under our criminal justice system.

Experience has shown us that in the battle against organized crime, witnesses and their families have sometimes been subject to abuse and intimidation. In some cases, friends and allies of the accused have openly threatened witnesses with physical harm or death in an effort to keep them from testifying in court.

But the mental anguish can be immeasurable. Not knowing whether or not a passing person or vehicle transports a hidden weapon, can make life a misery for even the most tenacious of civic-minded witnesses.

In light of such threats and violence, a witness protection program is needed to ensure successful prosecution -- especially against organized crime. Witness protection programs have shown that it encourages and promotes witness cooperation.

The Federal government's Marshal Service Witness Security Program has been especially successful. However, with the loss of federal funds, this program needs to be replaced with a similar State program.

County government in this State has been spending many dollars on witness protection. But the \$35,000 monthly cost to protect each witness is beyond the means of most counties. Smaller counties can expect that witness protection is an expensive proposition which they can ill afford.

In the battle against organized crime, prosecution efforts may have statewide impact. Thus, witness protection can have a sizeable effect on the crime picture in the entire State.

The complexity of organized crime warrants a witness protection program of some stature. Those threatening a witness may bear little linkage to those accused of committing a criminal act.

This bill provides that the Attorney General may accept gifts and donations

from the private sector to supplement governmental resources. In an age where people have often turned to their governments with the expectation that they provide all community services -- this is particularly heartwarming. Community self-help is a desirable phenomena to be encouraged.

During my term as a member of the Hawaii Crime Commission, I have learned the risks and dangers of being a witness, and such have developed my strong support for a State witness protection program. The importance of this program is emphasized by the Finance Committee in amending the original recommended appropriation of \$500,000 to \$1,200,000. I wish that every witness can be afforded the protections necessary to ensure their well being and peace of mind with the passage of this bill.

For these reasons, I strongly urge you, and my colleagues of the House of Representatives to pass this measure.

Mahalo!"

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2359-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS SECURITY AND PROTECTION"; having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 518-82 on H.B. No. 2975-82, HD 1:

On motion by Representative Dods, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 2975-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER IMPROVEMENT PROGRAM", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2359-82 and 2975-82 had passed Third Reading at 11:47 o'clock a.m.

Stand. Com. Rep. No. 531-82 on H.B. No. 3141-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee

was adopted and H.B. No. 3141-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 532-82 on H.B. No. 2687-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2687-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF GEOTHERMAL ENERGY", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 3141-82 and 2687-82 had passed Third Reading at 11:48 o'clock a.m.

Stand. Com. Rep. No. 543-82 on H.B. No. 2232-82, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 2232-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVING OF MOPEDS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 546-82 on H.B. No. 2932-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2932-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO 75TH ANNIVERSARY COMMISSION", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 547-82 on H.B. No. 2879-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2879-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FEES AND CHARGES



COLLECTED FROM THE USERS OF SCHOOL FACILITIES", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2232-82, 2932-82 and 2879-82 had passed Third Reading at 11:49 o'clock a.m.

Stand. Com. Rep. No. 548-82  
on H.B. No. 2183-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2183-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATION", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2183-82 had passed Third Reading at 11:50 o'clock a.m.

Stand. Com. Rep. No. 549-82  
on H.B. No. 3133-82, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 3133-82, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Segawa then rose to speak in favor of the bill, stating:

"Mr. Speaker, I want to express certain concerns regarding, not this bill perhaps, in the way that it affects the procedure.

Mr. Speaker, this bill provides for a shortage of funds to continue the present emergency medical services in the City and County of Honolulu, Maui, Kauai and Hawaii, and I want you to know, Mr. Speaker, that this is the second year that we are addressing such a deficit to these counties for the services. Theoretically, when the Legislature appropriates funds, those who contract, or the agency who provides the services, are required to operate or provide those services within the limits of funding. However, we find that this is not so for the second time in this program. I cannot blame the Department altogether, the Department of Health altogether, for this problem as we are now in

the second year in this program as a State program. However, when I find that the Department goes out to try to contract for these services within the budget limitations and find that they have not been able to come up with a contract which provides for the service for the full twelve months, then something is apparently wrong.

I think we have been doing it in a fashion that I would call. . . we are doing it backwards. We appropriate the money and then we require the Department of Health to contract within those funds appropriated. I think it seems like we are playing a poker game with the others knowing what we already have in hand, and therefore, the counties have, for the past two years, come in to ask for a contract in an amount more than the Legislature has appropriated. And, therefore, this year, we find ourselves with contracts with different counties which will expire probably at the end of this month, some ending in April, and therefore, these deficit amount need to be appropriated to provide and continue the services.

I just wanted to bring it to the attention of this body that we, as legislators, are not to stand for such spending wherein the Department is telling us that we cannot operate within a certain limit that we have appropriated.

In this regard, Mr. Speaker, I would support this bill and ask the body to support this measure but to be aware that we should not continue to entertain this type of deficit spending in the future.

Thank you very much."

Representative Kunimura then rose and stated:

"Mr. Speaker, I rise to speak in favor of this bill, and the Finance Committee of this House -- your Committee, Mr. Speaker, is not spendthrifts. Our Committee is a very responsible Committee -- our Committee listens to both sides, read the reports.

The request made by the City and County of Honolulu for \$584,000 plus dollars was reduced to \$385,000 plus dollars. That is a reduction of some \$199,000. Mr. Speaker, I will not personally, nor will I encourage the Committee members of this House to put people's health on the crap table to be rolled by the dice and decide what's going to be the health and safety of this community.

Mr. Speaker, the whole mess of emergency medical service lay with the Legislature -- the responsibility. We took over this system from the counties. We have a hodge-podge. The County of Hawaii has a fire department administering the emergency medical service, the counties of Maui and Kauai have private contracts with private entrepreneurs; the City and County of Honolulu has the former Honolulu City and County ambulance service contracting City with the State -- three different types of operations, Mr. Speaker. And this program is administered by a man who doesn't know his dollar from his elbow.

I think it is very important that this Legislature write the proper perimeters and the proper guidelines on how these contracts should be negotiated and concluded prior to the administration submitting the budget. You cannot have a contract agreed upon after the money's appropriated, and this is what has gone on, and this is the whole dilemma that this Legislature was under the gun again by the Council of the City and County of Honolulu that they would shut down the emergency medical service if they were not paid.

Mr. Speaker, I know the next session of the Legislature will be wrestling with this problem; otherwise, it is going to continue to happen like this. But until such time, I believe it is incumbent upon this body to appropriate the necessary amounts of money and let the Department of Health, with the money available, come to an amicable settlement with the City and County of Honolulu and the rest of the counties and, therefore, Mr. Speaker, the House Finance Committee saw fit to restore the amount requested by the Department of Health rather than go along with the recommendations of the Committee on Health of the House because the Committee of the House is not the body that negotiates the contract with the other counties and the private entrepreneurs."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3133-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE FUNDING OF COUNTY EMERGENCY MEDICAL SERVICES DEFICITS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 3133-82 had passed Third Reading at 11:56 o'clock a.m.

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

The House of Representatives reconvened at 12:01 o'clock p.m.

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

Representative D. Hagino introduced 30 members of the Small Business Association. They were led by Mr. Lex Brodie and former Senator, T.C. Yim.

Representative Albano introduced Mr. Reuben Vea, "a ninth grader at Damien High School who is here to observe and learn the proceedings of our body which will be the subject of his speech in his speech class."

Representative Fukunaga introduced a group of students from the College of Continuing Education at the University of Hawaii. They were accompanied by their instructor, Sandy Hardena, and tour guide, Lisa Kono.

#### INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 240 to 243) and concurrent resolutions (H.C.R. Nos. 113 to 115) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 240) requesting the Legislative Reference Bureau to conduct a feasibility study to establish a system which will provide appropriate services to the learning disabled juvenile offender was jointly offered by Representatives Marumoto, Taniguchi, Albano, Anderson, Andrews, Baker, Chun, Dods, Fukunaga, D. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kiyabu, Kobayashi, Kunimura, Liu, Monahan, Morioka, Narvaes, Okamura, Sakamoto, Segawa, Takamine, Takitani, Waihee, Wong and Yamada.

A resolution (H.R. No. 241) urging the United States Congress to enact legislation establishing a United States Academy of Peace was jointly offered by Representatives Peters, Aki, Chun, D. Hagino, Hashimoto, Kawakami, Kihano, Kiyabu, Kunimura, Monahan, Say, Takitani, Taniguchi, Toguchi and Yamada.

A resolution (H.R. No. 242) commemorating National Wildlife Week, 1982 and commending the organizations which worked to promote the celebration of National Wildlife Week and Hawaii Wildlife Week was offered by Representative Baker.

A resolution (H.R. No. 243) requesting the Department of Planning and Economic Development to establish an office of appropriate technology was offered by Representative Baker.

A concurrent resolution (H.C.R. No. 113) requesting the Legislative Reference Bureau to conduct a feasibility study to establish a system which will provide appropriate services to the learning disabled juvenile offender was jointly offered by Representatives Marumoto, Taniguchi, Albano, Anderson, Andrews, Baker, Chun, Dods, Fukunaga, D. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kiyabu, Kobayashi, Kunimura, Lacy, Liu, Monahan, Morioka, Narvaes, Okamura, Sakamoto, Segawa, Takamine, Takitani, Waihee, Wong and Yamada.

A concurrent resolution (H.C.R. No. 114) urging the United States Congress to enact legislation establishing a United States Academy of Peace was jointly offered by Representatives Peters, Aki, Hashimoto, Kawakami, Kunimura, Monahan, Say, Takitani and Taniguchi.

A concurrent resolution (H.C.R. No. 115) requesting the United States Department of the Navy to discontinue using the island of Kaho'olawe as a RIMPAC bombing target was jointly offered by Representatives Sakamoto, Peters, Kamali'i, Waihee, Tungpalan, Aki, Takamine, Albano, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, G. Hagino, Ige, Ikeda, Isbell, Marumoto, Narvaes, Okamura, Say, Taniguchi, Toguchi and Wong.

At 12:03 o'clock p.m., Representative Rohlfing asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:23 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. 1882, HD 1:

On motion by Representative Fukunaga, seconded by Representative Hashimoto and carried, H.B. No. 1882, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROTECTION OF INSTREAM USES OF WATER", passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Anderson, Monahan and Narvaes voting no, and Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 1882 had passed Third Reading at 1:24 o'clock p.m.

H.B. No. 2050-82, HD 1:

Representative Baker moved that H.B. No. 2050-82, HD 1, having been read throughout, pass Third Reading, seconded by Representative Okamura.

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

"Mr. Speaker, this bill seeks to establish new standards for environmental air quality in this State. If passed, this bill would allow the Director of the Department of Health to refuse to issue a permit for a new industrial project, in anticipation that the project could possibly cause the deterioration of the air quality. Additionally, the Director could revoke or refuse to issue a permit to an existing plant even if the plant is in compliance with and is maintaining State or federal ambient air quality standards.

Mr. Speaker, I find these proposals very disturbing. First of all, I wish to make it clear that I am in full agreement with the concern over the harmful effects of industrial pollution on air quality, and I feel that good air quality should be maintained. We should exercise caution when situating new industries to prevent, as much as possible, increased air pollution. But I object to the notion that the Director of Health could stop any project from proceeding, on the assumption that there may be possible detrimental environmental effects. Moreover, this bill would allow the Director to revoke a permit of an existing plant or even require modifications in a plant's operations even if the plant is in compliance with established air quality standards. This change in the rules is blatantly unfair, Mr. Speaker. How can any business operate under the already stringent air quality standards, if the Department of Health can change

the requirements at will, without reference to the established standards? Not only does this designate the Director of Health as the sole determinator of what air quality should be in this State, it establishes new standards of air quality that are undefined and subject to being changeable, capricious, and inconsistent.

A more sensible approach is to allow the development of a project to proceed to the point where environmental effects can be measured. Safeguards can be included to permit modification of the system if any environmental damage is detected. This would maintain the balance between our concerns over the environment, and the need for economic development in our State. This provides for careful monitoring of all projects, while clearly stating the air quality standards that the industry must meet and maintain.

This bill, Mr. Speaker, appears to be an attempt to prevent the experimental use of 2 percent sulfur fuel oil at Hawaiian Electric's Kahe Point plant. This is a typical case of over-reaction. At this time, we don't know that higher sulfur fuel oil will result in increased pollution because we have never tested the use of this oil in conjunction with the taller stacks installed at the plant. Present projections indicate that this system would allow the tradewinds to carry the residue away from the shore to be dispersed at sea. Even if the smoke should drift into the back of the valley on calm days, there are no residences in that valley. We also have no way of knowing whether the combined use of the 2 percent fuel oil and taller stacks will result in increased pollution in the neighboring communities of Waipahu and Makakilo without first monitoring the situation.

We must balance our concerns for the environment with reality. We are dependent on oil to generate electricity. The cost of oil is passed on to the consumer, as we all know, as we have watched our electricity bills almost double in the past eight years. Are we now to penalize the residents of Oahu with higher electric bills, without first testing the present set-up?

What will we do if this bill passes and the Department of Health decides to revoke the permits of other existing plants? Are we prepared for the increased unemployment this will cause, not to mention other inconveniences

such as possible power shortages and even higher costs? These effects will not be restricted only to the electric power plants, but could be applied to any industry such as petroleum refineries, pineapple canneries, and the sugar industry as well.

I believe that federal air quality standards are adequate, and set a measureable guideline for industry to work within and maintain in preserving the quality of our air. The Department of Health conducted a study of this problem in 1978 at the request of the Senate and their conclusion was that the Federal Clean Air Act amendments of 1977 contained provisions for the prevention of significant deterioration of air quality in areas where the air is cleaner than required by the national ambient air quality standards -- areas like Hawaii, Mr. Speaker. The Department felt that the State ambient air quality standards for sulfur oxides which is more stringent than the federal requirements would cause an increase in the cost of electricity. We all know that. Since this cost would be passed on to the consumer, a decision must be made to determine whether it is in the public interest to maintain State ambient air quality standards for sulfur oxides. And the Department's report concluded that 'it is difficult to justify the existence of stricter State ambient air quality standards since national standards will protect the health and welfare of the public and prevention of significant deterioration regulations will prevent cleaner air areas from getting dirtier.'

In light of the Health Department's findings, Mr. Speaker, I cannot see the need for a bill that would require even stricter regulations than those already called for under the federal air quality standards. I, therefore, strongly urge my colleagues to vote 'no' on this measure.

Thank you, Mr. Speaker."

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

"Mr. Speaker, it's just a short addendum to the previous remarks made by the speaker.

As I understand, the Department of Health presently has been conducting public hearings throughout the State and the purposes of these hearings are to determine standards for air quality for the State of Hawaii.

That is why I object to this bill in the sense that I think it is slightly

premature. I think we should wait a year, see what the Department of Health comes up with before establishing any standards by statutes.

Thank you."

Representative Baker then rose to speak in favor of the bill, stating:

"Mr. Speaker, the previous speaker referred to the permitting scheme and objected to that, but as a matter of fact, Mr. Speaker, the permitting scheme that she spoke of is the essence of the bill and that it would continue to operate in the same manner if the federal standards were the ones that were proposed.

This is not an attack on Kahe Point, Mr. Speaker. This bill is supported by the Department of Health and the language which is in the bill is the language which was reviewed and approved by the Department of Health.

I think it is a good bill, Mr. Speaker. It simply establishes, as a legislative policy, that we want cleaner air than mainland cities have."

Representative Ikeda, in rebuttal, stated:

"We made the same mistake, Mr. Speaker, back in 1972 when we reacted to the passage of the Clean Air Act of 1970 where we established State ambient air quality standards rather capriciously based on a limited amount of data as stated by the Department of Health. I don't think we should compound that mistake, Mr. Speaker. I believe that the Representative from Kauai is reasonable in asking that we wait a year to see what the Department comes up with if they are presently studying the situation.

Thank you."

At 1:31 o'clock p.m., Representative Stanley asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:35 o'clock p.m.

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

"In essence, at this particular time, if the bill is enacted, it's really a Maui bill. All other areas are now in compliance except Kahului when the wind doesn't blow strong

enough and Kihei when the wind blows too strong. The mill at Puunene is trying working now to correct problems that it has with pollution emission. The Maui Electric Company is taking measures, at this time, to correct its problems, and as we see it at this particular time, we must agree with the Representative from Kauai that the bill is premature and if enacted at this time, it can only lead to one thing -- higher electricity costs for the people of Maui.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 2050-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR QUALITY", having been read throughout, passed Third Reading by a vote of 30 ayes to 19 noes, with Representatives Anderson, Chun, Hashimoto, Ige, Ikeda, Kamali'i, Kawakami, Kiyabu, Kunimura, Lacy, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Narvaes, Rohlfing, Segawa, Takamine and Wong voting no, and Representatives Nakasato and Sakamoto being excused.

#### H.B. No. 2813-82, HD 1:

On motion by Representative Baker, seconded by Representative Okamura and carried, H.B. No. 2813-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2050-82 and 2813-82 had passed Third Reading at 1:37 o'clock p.m.

#### H.B. No. 2889-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 2889-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

#### H.B. No. 2145-82, HD 1:

On motion by Representative Ige, seconded by Representative Nakamura and carried, H.B. No. 2145-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato

and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2889-82 and 2145-82 had passed Third Reading at 1:38 o'clock p.m.

At 1:38 o'clock p.m., Representative Narvaes asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:40 o'clock p.m.

H.B. No. 2942-82, HD 1:

Representative Segawa moved that H.B. No. 2942-82, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kobayashi.

Representative Ikeda then requested that her remarks, against the bill, be inserted into the Journal, and the Chair, noting that there were no objections, "so ordered."

Representative Ikeda's remarks are hereby inserted:

"Mr. Speaker, the intent of this bill is to amend Chapter 468E of the Hawaii Revised Statutes so that all speech pathologists and audiologists working for local and state government agencies on July 1 of this year will be exempt from taking the examination required for licensure. These employees will retain this exemption as long as they remain employed by the government. All other persons must comply with licensure requirements by December 31, 1984.

Mr. Speaker, I find it distressing to note that the minimum qualifications for government employment in this field are lower than the requirements for licensure. However, Mr. Speaker, we have an obligation to provide citizens of this State with quality services. After all, their taxes are paying for these services. By making exemptions like this for government employees, we are not living up to this obligation. We are also requiring a higher standard for those employed by the private sector. This is discriminatory and unjust.

Mr. Speaker, this body chose to initiate licensure requirements for speech pathologists and audiologists. It would be hypocritical for us not to mandate that all of our governmental agencies comply fully with those requirements. Rather than pass this blanket exemption, we should mandate that

the State's minimum requirements be upgraded.

The Board of Speech Pathology and Audiology has already developed rules and regulations to enable those presently employed by government to meet licensure requirements. We should support their efforts rather than provide no incentive for improvement within the system.

I, therefore, urge my colleagues to join me in voting against this bill."

The motion was put by the Chair and carried, and H.B. No. 2942-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Ikeda voting no, and Representatives Nakasato and Sakamoto being excused.

H.B. No. 2057-82, HD 1:

On motion by Representative Segawa, seconded by Representative Blair and carried, H.B. No. 2057-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2942-82 and 2057-82 had passed Third Reading at 1:41 o'clock p.m.

H.B. No. 2385-82, HD 1:

On motion by Representative Blair, seconded by Representative Nakamura and carried, H.B. No. 2385-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL LIABILITY IN MOTOR VEHICLE ACCIDENT REPARATIONS", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 3117-82, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, H.B. No. 3117-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING COOPERATIVES", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2385-82 and 3117-82 had passed Third Reading



at 1:42 o'clock p.m.

H.B. No. 2939-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 2939-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CLARIFICATION OF THE DEFINITION OF STANDARD BAR", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 3007-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 3007-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY OF HOTELKEEPERS", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 2371-82, HD 1:

On motion by Representative Nakamura, seconded by Representative Dods and carried, H.B. No. 2371-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSITION OF DEFENDANTS", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2939-82, 3007-82 and 2371-82 had passed Third Reading at 1:43 o'clock p.m.

H.B. No. 2897-82, HD 1:

On motion by Representative D. Hagino, seconded by Representative Albano and carried, H.B. No. 2897-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 2929-82, HD 1:

Representative D. Hagino moved that H.B. No. 2929-82, HD 1, having been read throughout, pass Third Reading, seconded

by Representative Albano.

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

"Mr. Speaker, very briefly, there are concerns on this side of the aisle by several of the members regarding the indefiniteness and the potential for abuse of the concept. We were not opposed to the concept of trying to include. . . but the concerns are not with the intent but with the way in which this is being handled. That is why the members who will vote no on this so will vote."

The motion was put by the Chair and carried and H.B. No. 2929-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Third Reading by a vote of 45 ayes to 4 noes, with Representatives Anderson, Lacy, Monahan and Rohlfs voting no, and Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2897-82 and 2929-82 had passed Third Reading at 1:44 o'clock p.m.

H.B. No. 2199-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 2199-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE", passed Third Reading by a vote of 48 ayes to 1 no, with Representative Anderson voting no, and Representatives Nakasato and Sakamoto being excused.

H.B. No. 2870-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 2870-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENSITIVITY-AWARENESS GROUPS", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 2936-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 2936-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.



H.B. No. 3078-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 3078-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2199-82, 2870-82, 2936-82 and 3078-82 had passed Third Reading at 1:45 o'clock p.m.

H.B. No. 2434-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 2434-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 3009-82, HD 1:

Representative Blair requested that action be deferred to the end of the calendar and the Chair, noting that there were no objections, "so ordered."

H.B. No. 2174-82, HD 1:

On motion by Representative D. Hagino, seconded by Representative Albano and carried, H.B. No. 2174-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2434-82 and 2174-82 had passed Third Reading at 1:46 o'clock p.m.

H.B. No. 473, HD 1:

On motion by Representative Shito, seconded by Representative Honda and carried, H.B. No. 473, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being

excused.

H.B. No. 3142-82, HD 1:

On motion by Representative Shito, seconded by Representative Honda and carried, H.B. No. 3142-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 2239-82, HD 1:

On motion by Representative Chun, seconded by Representative Nakamura and carried, H.B. No. 2239-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 473, 3142-82 and 2239-82 had passed Third Reading at 1:47 o'clock p.m.

H.B. No. 2750-82, HD 1:

On motion by Representative Nakamura, seconded by Representative Dods and carried, H.B. No. 2750-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 3140-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 3140-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 3124-82, HD 1:

On motion by Representative Nakamura, seconded by Representative Dods and carried, H.B. No. 3124-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AUTHORIZED ABSENCE FROM A PSYCHIATRIC FACILITY", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2750-82, 3140-82 and 3124-82 had passed Third Reading at 1:48 o'clock p.m.

H.B. No. 3092-82, HD 1:

On motion by Representative Nakamura, seconded by Representative Dods and carried, H.B. No. 3092-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 3092-82 had passed Third Reading at 1:49 o'clock p.m.

#### MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 508-82  
on H.B. No. 3136-82, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 3136-82, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

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

"Mr. Speaker, last year when we considered legislation on this subject, I raised what might be called the fiscal flag of warning that whether or not we designated the bonds on this bill as revenue bonds or not, that the taxpayers of the State were, in essence, burdened, if something went wrong underwriting this project.

Today, we are being asked to take another step in the same direction of commitment of dollars -- State dollars -- by authorizing the Aloha Tower Development Corporation to borrow up to \$500,000 from the State General Fund. As you know, Mr. Speaker, I questioned the propriety of such a loan during the interim, between sessions, when it was first proposed. At that time, the Aloha Tower Development Corporation said that it needed money for \$132,531 worth of office expenses and salaries; \$50,000 for boring and soil analyses; and another \$300,000 for what it called 'further predevelopment construction work.'

In response to my request, the State Attorney General rendered

his opinion, saying that nothing in our law prohibited the loans to another State agency despite the alleged arm's-length position of the Aloha Tower Corporation. But the Attorney General also stated two conditions for that loan. One was, obviously, the availability of money in the General Fund, and there is a surplus at the present. Two, that there be a determination that the loans can be paid back within a year from the date of the loan. In other words, in this situation, that the revenue bonds be sold within that one year. It must have dawned on somebody finally that the revenue bonds might never be sold and that the payment could not be guaranteed -- repayment -- and that is why, apparently, we have this bill.

The bill, however, raises some even more fundamental questions. Will it be a precedent for others who want start-up money for staff and expenses before marketing all the revenue bonds on projects that we have authorized? Will AmFac be back here next year after we pass today's HPower revenue bond bill? When, under this bill, is the loan to be paid back? What about the alternatives to this type of a bill and this proposal -- have they been adequately explored?

A Honolulu Advertiser story last November pointed out, and I quote: 'The American City Corporation which drafted the preliminary development plan for a hotel, office space, commercial complex around Aloha Tower has offered to bear an estimated \$320,000 in expenses to do further preconstruction studies on the project. A consultant firm said it will be repaid when the Corporation sells the \$33 million in revenue bonds authorized for the public portion of the project.'

Why are we footing the bill when private enterprises are willing to come up with the bucks? Overriding all of this is, of course, concern with the project's actual form. Representative de Heer's remarks on last year's debate on this bill, or similar bill on the project, are very much in point.

Mayor Aileen Anderson who was, by virtue of her election in the Fall of 1980, a member of the Aloha Tower Development Corporation Board, attempted to do something about this but met with a closed-minded State Administration. Mayor Anderson explained her position in a letter to me dated November 13, 1981, and I quote: 'What I had hoped to do before the Board actually adopted the conceptual design for the project was to encourage one last quick look

at the site and the alternative opportunities which two recent developments only now made available to us. These two developments are: (1) my Administration's renewed interest in the revitalization of downtown and our willingness to work cooperatively with the private sector and the State government to make it come about; and (2) the availability of city-owned properties downtown which can be considered in the overall development of this area.'

She went on to state, and I quote: 'I do believe this very valuable and unique piece of property has a much greater potential for use by our people than that offered by just another office building and a hotel. Almost any property downtown is a viable site for an office building and while a hotel will probably succeed there, several other sites are of equal, if not better, suitability. In particular, I believe the city-owned parking lot on Hotel Street, from Richards to Alakea, is a much preferred location for a hotel because of its proximity to both the business and governmental activities downtown. I have also received a proposal for the private development of a hotel on the Kaahumanu parking structure owned by the City at Nimitz and Bethel Streets. For these reasons, it seems to me that putting an office building and a hotel at Aloha Tower represented something less than the optimum utilization of this ocean gateway to our city. Alternatively, we could then consider a more open, low-rise, people-oriented activity center.'

Mr. Speaker, I, and a lot of other people, agree with the comments of the Mayor of the county wherein this project is located, or to be located.

The land issue raised by OHA relating to the lands surrounding Aloha Tower, and which are included in this project, prompts me to ask rhetorically -- would you buy revenue bonds for an Alaskan project when it was threatened by Indian claims?

In my opinion, Mr. Speaker, we have no business authorizing a loan of this size from the State General Fund. The Governor wants to do it, the Attorney General says he can, provided the loan can be paid back in one year. This is his pet project; let him bear the risk of the wrath of the taxpayers, and let him pull the rug out from his candidate who was elected Mayor

of the City and County of Honolulu.

Thank you, Mr. Speaker."

Representative de Heer then rose to speak against the bill, stating:

"Mr. Speaker, it is not often that on the floor of this House that remarks that I have made are praised by a member from the opposite party, and I will enjoy this day for the rest of my political career.

Mr. Speaker, Mayor Anderson's remarks and concerns on this project, this multi-million dollar project, which we were told last year would be funded totally by the revenue bonds, are completely and totally well taken. When the Aloha Tower Development Corporation met, on which she sits, she was the lone vote in opposition to it. It seems to me that since this project is not going to be constructed, that her concerns should be addressed and come back next year for another proposal.

The other concern is one that I have of aesthetics, and that is, the gateway to the City and County of Honolulu which is going to be a State project should be spectacular. It should be something that is memorable and noticeable and, quite frankly, putting an office building and hotel with no outstanding architectural feature would seem to me a horrible waste of such valuable property.

You may recall that our Auditor said that the best solution for that property at this point in time, incidentally the authority has given no evidence to prove otherwise, will be to land bank it. It will allow the inflation to raise the value anyway. To me, to consider to use General Fund revenue -- the people's money -- for this project when there are so many other concerns that we have to address, Mr. Speaker, here in the State, some of which will be addressed today, some of which, unfortunately, will not be addressed today, and can string on top of that fact that this case may very well end up in court for many years to come, it seems to me that our valuable, precious revenues are better spent on more constructive and positive community projects. This is not to say that I am opposed to the concept of developing Hawaii as a money center and business for the future as an international trade center. Quite the contrary. But I do believe that before we put up the building, we have to know what's going to go into the building and what are going to be the benefits for our

people for the future. Quite frankly, the Aloha Tower Corporation has not come up with any alternatives to that point.

This project started out as the World Trade Center. They have retreated from the World Trade Center. Now, we don't even know what type of world trade is going in there. For that matter, we don't even know what kind of business is going to go in there. We do know that -- there's going to be valuable office space and, certainly, there might be businesses in town, perhaps some attorneys, that might want to use the space.

So, I think that this project definitely needs more considerate study, and I ask the members of this honorable body to vote no.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3136-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION", having been read throughout, passed Third Reading by a vote of 38 ayes to 11 noes, with Representatives Anderson, de Heer, Ikeda, Isbell, Kamali'i, Lacy, Liu, Marumoto, Monahan, Narvaes and Rohlfing voting no, and Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 3136-82 had passed Third Reading at 2:00 o'clock p.m.

H.B. No. 3009-82, HD 1, on Third Reading:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 3009-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES AND AGREEMENT OF SALE", was recommitted to the Committee on Consumer Protection and Commerce.

At this time, Representative Kunimura requested permission to make a late introduction and he introduced the Honorable William Kidder, a member of the New Hampshire Legislature and Chairman of the Appropriations Committee, and Mrs. Kidder. They were accompanied by Mr. and Mrs. Richardson. Representative Kunimura went on to say, "I had a short chat

with Representative Kidder and he tells me that they are having a little financial trouble; they are in a deficit, and when he asked me what our problem was, I told him we had a bigger problem because we have a huge surplus."

#### UNFINISHED BUSINESS

Stand. Com. Rep. No. 654-82 on H.B. No. 2850-82:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2850-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2850-82 had passed Third Reading at 2:03 o'clock p.m.

Stand. Com. Rep. No. 655-82 on H.B. No. 1971-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1971-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Say voting no, and Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 656-82 on H.B. No. 2451-82:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2451-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 657-82 on H.B. No. 1642, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1642, HD

2, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 1971-82, 2451-82 and 1642 had passed Third Reading at 2:04 o'clock p.m.

Stand. Com. Rep. No. 658-82 on H.B. No. 2316-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2316-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 659-82 on H.B. No. 2637-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2637-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", having been read throughout, passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Ikeda, Liu and Marumoto voting no, and Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2316-82 and 2637-82 had passed Third Reading at 2:05 o'clock p.m.

Stand. Com. Rep. No. 660-82 on H.B. No. 3109-82, HD 1:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 3109-82, HD 1, pass Third Reading, seconded by Representative Kiyabu.

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

"Mr. Speaker, I want to make my statements very brief so I would like to have most of my speech inserted into the Journal, if I may, and just read the last paragraph."

The Chair replied:

"After review, so ordered."

Representative Narvaes then stated:

"Mr. Speaker, my objection, my largest objection to this bill, comes from the burden that this bill would place upon the Office of Environmental Quality Control. The disclosure system put forth by House Bill 3109-82 appears extremely cumbersome, making it difficult to be effectively administered as proposed. The end product would only be another law that barked but didn't bite. That is why I am going to vote against this bill."

Further remarks by Representative Narvaes are hereby inserted:

"Mr. Speaker, House Bill 3109-82, HD 1, would require an entity holding ten percent or more stock in a public-owned Hawaii corporation to file a disclosure statement with the Office of Environmental Quality Control prior to the purchase of five percent or more additional stock in the corporation during any twelve-month period. The bill's intent is good. It would promote public awareness of the proposed actions of large corporations' actions that may adversely affect the environment.

My objections arise from deficiencies I see in the bill. I am uncomfortable with the term 'Hawaii corporation.' It is somewhat nebulous in that mainland or international corporations licensed to do business in Hawaii could conceivably be included in its definition. If the intent of the term 'domestic corporation', that is, an entity incorporated in Hawaii, was meant, then I feel that term should be used to eliminate any possibility of confusion.

For these reasons, Mr. Speaker, I urge the defeat and reconsideration of this measure."

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

"Mr. Speaker, at a time I feel when Hawaii should be doing everything that it can to encourage the type of industry that we'd like to come to Hawaii to look around and see if this is the place that they would like to make home, it seems to me that this is the kind of legislation which would deter certain major industries from thinking of coming to these islands.

And, I am in opposition to this bill; I don't think the bill has pointed out exactly the problem that it is trying to address and I think that it will have a deleterious effect on the economy of the islands in trying to unravel some of our future economic problems.

Thank you."

Representative Blair then rose and stated:

"Mr. Speaker, I hadn't intended to, but I rise to speak in opposition to the bill.

The previous remarks are probably accurate except for one thing, and that is that this law will be remarkably easy to circumvent as it applies only to Hawaii corporations. They can simply file their corporate papers in Delaware and the law will be meaningless.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3109-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT", having been read throughout, passed Third Reading by a vote of 37 ayes to 12 noes, with Representatives Anderson, Blair, Ikeda, Isbell, Kamali'i, Liu, Marumoto, Medeiros, Monahan, Narvaes, Rohlfing and Wong voting no, and Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 661-82 on H.B. No. 2572-82:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2572-82, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AGRICULTURAL TRAINING PROGRAM ON THE ISLAND OF MOLOKAI", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 3109-82 and 2572-82 had passed Third Reading at 2:07 o'clock p.m.

Stand. Com. Rep. No. 662-82 on H.B. No. 2049-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2049-82, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL", having been read throughout, passed Third Reading

by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2049-82 had passed Third Reading at 2:08 o'clock p.m.

Stand. Com. Rep. No. 663-82 on H.B. No. 1970-82, HD 1:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 1970-82, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

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

"Mr. Speaker, I stand to speak against this bill, and the purpose of this bill is to assist the State in resolving the many problems in regards to ceded lands.

The issues are as follows: That the Department of Land and Natural Resources will be completing the ceded land inventory; second, studying the legal and fiscal issues; and third, studying the use and distribution of revenues generated from ceded lands.

Presently, there are many questions to these legal issues of what is the status of OHA -- as another branch of government? As a State agency, or as a trust?

Presently, I do support the appropriation of \$100,000 to do the study, but I do not support the Department of Land and Natural Resources which this appropriation will be expended to. Will the Department of Land and Natural Resources be fair and equitable in completing this study, or will it be very biased? Or will the consultant or the legal agency that this study will be contracted out to will be very objective in their scope of study?

Personally, like I mentioned earlier, I would have liked the Legislative Auditor to contract this study out to a legal or accounting firm so that this study will get a fair shake.

Thank you."

Representative Kamali'i then rose to speak against the bill, stating:

"Mr. Speaker, for the last three years, I have had a bill in the House which would have appropriated the \$100,000 in the 'Special Land Fund'



for one of the goals expressed in this measure: To establish and review the status of 'ceded lands' in the State. A clear and definite inventory of our public lands has been lacking for nearly twenty-five years and a continuing omission was a violation of public trust.

A violation which functions at two levels: First, in the fiduciary obligations of this State to, at the least, know how much and where its lands are, and to know the status of these lands as either 'ceded' or 'non-ceded' to fulfill its responsibilities to the beneficiaries of that trust, and may I add, the beneficiaries are all of the citizens of the State of Hawaii.

At another level though, we are violating public trust in the sense of their confidence in the ability and the willingness of government to admit when it was wrong, and then to move on to remedy the situation.

On January 28, 1982, I received an unsolicited letter from Governor Ariyoshi which read, and I quote: (1) 'An inventory of all encumbered lands under DLNR's jurisdiction, including those in the ceded category, has been assembled. It needs to be reviewed for accuracy but the information on the ceded category has been turned over to OHA with the understanding that should errors be found, adjustments will be made.

As of September 30, 1981, \$1.8 million have been turned over to OHA and we are making quarterly payments.'

(2) 'The inventory of all unencumbered lands under DLNR control is almost complete. Almost all of these lands are in ceded category. As soon as we can separate out the ceded lands, we will make this list available to OHA.'

Of course, no revenues are presently involved here.

(3) 'An inventory of all lands, including ceded lands under the jurisdiction of other departments or agencies, has been completed, but needs to be checked for accuracy. Before any payments can be made to OHA from revenues of this kind, a number of legal questions need to be answered. The Department of Transportation and the Attorney General are working on this.'

In short, the ceded lands which

produce revenues and as I say, have been singled out.

Mr. Speaker, according to the Governor, we have already completed what this bill and the purpose of this bill wants us to do, and as for the legality of the study, we do have an Attorney General's Office which really should have done this a long time ago.

Therefore, the money that we want appropriated for a study that has already been completed, according to the Governor of this State, I find is unjustified that we pass this bill over to the Senate, and I urge my colleagues, on the basis of the Governor's letter, to vote no."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1970-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", having been read throughout, passed Third Reading by a vote of 38 ayes to 11 noes, with Representatives Anderson, D. Hagino, Ikeda, Isbell, Kamali'i, Liu, Marumoto, Medeiros, Monahan, Rohlfing and Say voting no, and Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 1970-82 had passed Third Reading at 2:15 o'clock p.m.

Stand. Com. Rep. No. 664-82 on H.B. No. 2391-82, HD 1:

Representative Kunimura moved that the report of the Committee be adopted, and H.B. No. 2391-82, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Chun then rose to speak in favor of the bill, stating:

"Mr. Speaker and fellow legislators, Representative Bert Kobayashi and I adopted the Nursing Home Without Walls concept from the successful New York program which was the basis of the idea incorporated into the Omnibus Reconciliation Act of October, 1981.

This concept will provide an alternative to institutionalization, particularly for the elderly who are not able to function independently in the community. Too often, patients are forced into premature institutionalization because of the requirements of various payment mechanisms, not because they require the services an institution can provide. The Nursing Home Without Walls Program will provide a voluntary alternative to this method.



The Nursing Home Without Walls Program is an organized plan that integrates a network of health, social, and environmental services tailored to meet the patients' needs and assist them in remaining independent at home, therefore, avoiding unnecessary placement in an institution. It allows for delivery of care in a home setting where a patient is with family, happier, and more comfortable.

Hawaii's version is a demonstration project on 200 medicaid patients. Our goal is two-fold: (1) To see whether families of elderly and infirmed patients will take care of their own at home if the needed services are available and paid for by medicaid, and (2) whether patients medically eligible to be in a skilled nursing facility or intermediate care facility can be cared for at home providing all the necessary medical and social services at 75 percent of the cost of what is now being paid for for such services in a skilled nursing facility or an intermediate care facility.

This program will allow to free beds that are being occupied by these patients now in acute hospitals. Today, there is not one empty bed in any acture hospital in Honolulu.

Mr. Speaker, through this demonstration project, we will allow our elderly and families to be together in times of greatest need and also give the State the relief that we should not build any more nursing homes.

Mr. Speaker and fellow legislators, I ask you to vote in favor of this House bill.

Thank you, Mr. Speaker."

Representative Rohlfiing then rose and stated:

"Mr. Speaker, very briefly. . . I hadn't intended to say anything but I speak in favor of the measure.

About seven or eight weeks ago, I had the opportunity, which I did not find very good opportunity, to test the statement that the Representative had just made about the acute care situation in our hospitals. It was necessary that I go to the hospital and I was number 10 at Kuakini, number 12 at St. Francis, number 8 at Queens, and I don't know what I was at Straub Hospital.

The point is well taken that the acute hospitals in this community

are full and one of the reasons they are full is because the intermediate care facilities cannot take the people from the acute hospitals when they are ready to leave. And one of the reasons that the intermediate care facilities and other health care facilities -- homes and so on -- can't take them is because people have come from homes who could well be taken care of in those homes.

So, I feel that this bill is very definitely a positive step for the benefit of the elderly in particular, and many people who are affected by declining health or an existing condition, and that it will go a long ways toward, at least, seeing if we can find a way to meet the problems of our other facilities, our institutions, which are badly overcrowded.

Thank you, Mr. Speaker."

Representative Kobayashi then rose to speak in favor of the bill, stating:

"Mr. Speaker, this is an important bill which will have large dollar implications in future years. The reason for the large dollar implications is that this is a large problem. It is a problem that Hawaii is currently meeting quite satisfactorily. We have a very good record of keeping our elderly at home or with relatives but this pattern cannot continue forever since our elderly population is increasing at a much rapid rate than the rest of the nation.

This particular bill will help keep Hawaii on the present good course it presently is on. It will further give people an opportunity to have care, perhaps equal, and in some cases, humanitarially better than they would otherwise receive in institutions. These features make the bill a positive step in the right direction.

The bill was deliberately organized as a demonstration project so that we could have first-hand experience with the successful experiment in the state of New York. As the Chairman of the Committee had previously noted, it was such a good experiment in the state of New York that this idea was eventually incorporated into the 1981 Omnibus Reconciliation Act by the U.S. Congress.

These various hopes that this bill calls to bear should deserve our further attention in years as a demonstration project is finalized. At that time, we should take a good look at what we have done and make a decision as to whether this project could be expanded on a full-scale basis.

Thank you very much."

Representative Anderson then rose and stated:

"Mr. Speaker, I just want Representative Chun and the other two Representatives to know that they have changed my mind and I will go aye.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2391-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE SERVICES", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2391-82 had passed Third Reading at 2:22 o'clock p.m.

Stand. Com. Rep. No. 665-82 on H.B. No. 2931-82:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2931-82, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2931-82 had passed Third Reading at 2:23 o'clock p.m.

At 2:23 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:30 o'clock p.m.

At 2:32 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives stood in recess until 8:30 o'clock p.m. tonight.

#### NIGHT SESSION

The House of Representatives reconvened at 9:45 o'clock p.m.

#### SENATE COMMUNICATIONS

The following communications

from the Senate (Sen. Com. Nos. 67 to 89) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 67) transmitting Senate Bill No. 68, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, S.B. No. 68 passed First Reading by title and further action was deferred.

A communication from the Senate (Sen. Com. No. 68) returning House Bill No. 786, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 69) transmitting Senate Bill No. 2143-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DRUG PRODUCT SELECTION", which passed Third Reading in the Senate on March 17, 1982, was placed on File.

A communication from the Senate (Sen. Com. No. 70) transmitting Senate Bill No. 2144-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DRUGS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 71) transmitting Senate Bill No. 2146-82, SD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI OF THE HAWAII CONSTITUTION RELATING TO THE APPOINTMENT OF JUSTICES AND JUDGES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 72) transmitting Senate Bill No. 2152-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 73) transmitting Senate Bill No. 2181-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DRIVER IMPROVEMENT

PROGRAM", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 74) transmitting Senate Bill No. 2235-82, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, LANDSCAPE ARCHITECTS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 75) transmitting Senate Bill No. 2313-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SAVINGS AND LOAN ASSOCIATIONS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 76) transmitting Senate Bill No. 2334-82, entitled: "A BILL FOR AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF CHAPTER 290 RELATING TO ABANDONED VEHICLES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 77) transmitting Senate Bill No. 2353-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 78) transmitting Senate Bill No. 2377-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 79) transmitting Senate Bill No. 2382-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 80) transmitting Senate Bill No. 2477-82, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS",

which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 81) transmitting Senate Bill No. 2528-82, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 82) transmitting Senate Bill No. 2531-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 83) transmitting Senate Bill No. 2575-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURES BY JUDGES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 84) transmitting Senate Bill No. 2602-82, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 85) transmitting Senate Bill No. 2696-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 86) transmitting Senate Bill No. 2831-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT, DIVORCE, AND SEPARATION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 87) transmitting Senate Bill No. 2890-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 88) transmitting Senate Bill No. 2908-82, entitled: "A BILL FOR AN ACT RELATING TO COMMISSION

ON THE YEAR 2000", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 89) transmitting Senate Bill No. 2913-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

On motion by Representative Stanley, seconded by Representative Rohlfig and carried, S.B. Nos. 68; 2143-82, SD 2; 2144-82, SD 2; 2146-82, SD 1; 2152-82, SD 1; 2181-82, SD 1; 2235-82; 2313-82, SD 1; 2334-82; 2353-82, SD 1; 2377-82; 2382-82, SD 1; 2477-82; 2528-82; 2531-82, SD 1; 2575-82, SD 1; 2602-82; 2696-82, SD 1; 2831-82, SD 1; 2890-82, SD 1; 2908-82; and 2913-82, SD 1, passed First Reading by title and further action was deferred.

#### UNFINISHED BUSINESS

Stand. Com. Rep. No. 558-82 on H.B. No. 2426-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2426-82, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AUTOMATED ONLINE CIRCULATION SYSTEM FOR THE PUBLIC LIBRARIES", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 562-82 on H.B. No. 2606-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2606-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMITTED PERSONS, FURLOUGH, EMPLOYMENT", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Tungpalan voting no, and Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 563-82 on H.B. No. 2765-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee

was adopted and H.B. No. 2765-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS SPECIAL FEES AND CHARGES", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2426-82, 2606-82 and 2765-82 had passed Third Reading at 9:46 o'clock p.m.

Stand. Com. Rep. No. 564-82 on H.B. No. 2381-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2381-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 565-82 on H.B. No. 2511-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2511-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE RESOLUTION", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Segawa voting no, and Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2381-82 and 2511-82 had passed Third Reading at 9:47 o'clock p.m.

Stand. Com. Rep. No. 566-82 on H.B. No. 2461-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2461-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PREPARATION AND PLANNING", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Say voting no, and Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 570-82 on H.B. No. 2571-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2571-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT OF ATTORNEYS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 572-82 on H.B. No. 2377-82, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 2377-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII RIGHT TO FARM ACT", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2461-82, 2571-82 and 2377-82 had passed Third Reading at 9:48 o'clock p.m.

Stand. Com. Rep. No. 577-82 on H.B. No. 34, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 34, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GIFTED CHILDREN", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 578-82 on H.B. No. 1978-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1978-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS FOR CONCESSIONS", having been read throughout, passed Third Reading by a vote of 45 ayes to 4 noes, with Representatives Ikeda, Isbell, Monahan and Rohlfing voting no, and Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 34 and 1978-82 had passed Third Reading at 9:49 o'clock p.m.

Stand. Com. Rep. No. 579-82 on H.B. No. 2984-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2984-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MATERNAL AND CHILD HEALTH", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2984-82 had passed Third Reading at 9:50 o'clock p.m.

Stand. Com. Rep. No. 580-82 on H.B. No. 2767-82, HD 3:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 2767-82, HD 3, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Toguchi then rose and stated:

"Mr. Speaker, I rise to speak in favor of House Bill No. 2767-82, House Draft 3, which establishes a new system for allocating supplemental support type educational resources known as the School Priority Fund.

Mr. Speaker, we in Hawaii are justifiably proud of having the only centralized, State operated public school system in the country. Under this unique system, Hawaii has the means for ensuring that every child in this State has an equal opportunity to receive a high quality, well-rounded education.

The benefits of our centralized system have been praised by educators throughout the nation. Through the years, we in the Legislature have, on our part, sought to support our school system to ensure that we continue to provide the kind of quality education which merits such praise. While continuing our efforts in behalf of the total educational system, I believe that additional attention and supplemental resources should be directed at addressing the conditions and needs of individual schools. This has been the focal point of intensive deliberation and discussion during the current legislative session by the members of your Committees on Education and Finance. I am happy to report, Mr. Speaker, that this has culminated in the School Priority Fund

proposal.

Mr. Speaker, the School Priority Fund, as defined in the bill, is composed of three essential parts. One part, the Instructional Resource Augmentation, consists of the 3-on-2 positions dismantled several years ago which now provide vitally needed services to the elementary schools. The other two parts, the Elementary Fund and the Secondary Fund, are created from reallocated moneys already appropriated last year which are not presently committed to positions, plus an additional \$1.6 million in new moneys were added. Moneys from the Elementary Fund and the Secondary Fund would be distributed on the basis of the enrollment of the elementary and secondary schools, respectively, and may be used for personnel services, supplies, textbooks, and equipment to supplement the regular school instructional program for the direct benefit of students.

With the passage of House Bill 2767-82, HD 3, it is my hope that we will have established an innovative resource allocation system for education to consolidate, coordinate, and, most importantly, to equitably distribute supplemental discretionary educational resources to the schools with built-in flexibility. It should be noted, Mr. Speaker, that the resources of the School Priority Fund comprise only five percent of the Department of Education's total budget. Hence, although the School Priority Fund does not represent an enormous reallocation of resources within the Department of Education, the Fund will be used to support the following three major objectives -- objectives which I believe will serve as critical guidelines for our educational system in meeting the fiscal challenges of the eighties.

First, Mr. Speaker, the Fund is intended to promote a more equitable distribution of supplemental discretionary educational resources statewide. Secondly, the Fund is intended to strengthen the scope of decision-making and to increase flexibility in resource allocation at the school level. Third, the Fund is intended to provide a systematic method of conforming the allocation of supplemental discretionary educational resources to the unique needs and changing priorities of the individual schools. Finally, the Fund is intended to increase flexibility in resource implementation at the school level.

I believe that these objectives

recognize the very austere fiscal conditions present in our State. The objectives recognize, Mr. Speaker, that we as a State can no longer afford to continue adding educational resources to the school system without addressing some basic facts such as the constantly shifting pattern of student enrollment, the ever changing nature of student needs, and the educational priorities unique to each school. Mr. Speaker, we have long talked about individualizing pupil instruction. With the School Priority Fund, let us begin to talk about individualizing a small part of school resources as well.

Mr. Speaker, in discussing this bill with my colleagues, with teachers, and with members of the general public, some important concerns have been expressed to me regarding the School Priority Fund which I would like to quickly address. First, let me assure you that the teachers in the existing Instructional Resource Augmentation Program (3 on 2) will continue to provide their much needed services under this Fund. Because of the discretion provided to each school in the use of these positions, the augmentation program is an essential ingredient in the Fund and will therefore be preserved.

Secondly, Mr. Speaker, there has been a misconception that the School Priority Fund threatens the existence of the Hawaii English Program in the elementary schools which, by the way, is presently optional. Let me point out that under the School Priority Fund, each elementary school will be provided with more than sufficient funds to continue their HEP instruction, if they wish. For the first time, the schools will be able to shop around for packages that best suit the special needs of their particular students.

Finally, I have heard concerns that the School Priority Fund may be abused or wasted, that perhaps the schools are incapable of making the right decisions. Mr. Speaker, as a former classroom teacher with years of experience in the schools, I challenge anyone to claim that he or she knows the conditions, needs, and priorities of an individual school better than the school's principal, faculty, and students. Mr. Speaker, I firmly believe that a thorough understanding of any school's problems and needs must be based on extensive direct involvement in the operations of that school -- the kind of involvement that principals, teachers, and students can properly lay claim to.

Mr. Speaker, in the interest of time, I will incorporate the rest of my presentation in the budget.



Thank you."

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

"Mr. Speaker, for too long, the State of Hawaii and the nation and the world, I believe, have been attacking the problems of education by remedial process. 1982, Mr. Speaker, this Legislature and this House, I believe, will be setting forth a new path, a new direction in education, where we would be putting more emphasis in the elementary section, more emphasis in early childhood education, and the right to make the decision that each community has certain peculiarities, put back in the hands of the people that pay the taxes to support the school system.

Mr. Speaker, I would like to say that Representative Toguchi has worked hard and his Committee has worked hard. Mr. Speaker, we owe it to the House Education Committee for this product and I am very proud that we were able to, as the Finance Committee, and passing this House tonight as a unit. The House of Representatives of the State of Hawaii, 1982, will be embarking on a new benchmark in education.

Thank you, Mr. Speaker."

Representative Takitani then rose to speak in favor of the bill, stating:

"Mr. Speaker, in my four short years here, I would just like to say that this is probably the most novel and innovative idea I have seen here and I would just like to congratulate the author.

Thank you."

Representative Toguchi then rose and requested that the remaining remarks of his earlier presentation be inserted into the Journal and the Chair "so ordered."

Representative Toguchi then said:

"Mr. Speaker, I would also like to quickly just say 'thank you' for the input from the Education Committee members and also the Finance Committee, especially Representative Kunimura and Representative Kiyabu.

Thank you."

The remaining remarks of Representative Toguchi are hereby inserted:

"Mr. Speaker, I believe that there are so many pressing needs at the schools that it is virtually certain that the School Priority Fund will be well-utilized. I also believe that the system of controls provided in House Bill 2767-82, HD 3, will provide the necessary assurances to our taxpayers. And I have every reason to trust that the collective decision-making of the school principal, faculty, students, and parents will not disappoint our high expectations for the proper and effective use of those resources.

In conclusion, Mr. Speaker, as Chairman of the Committee on Education, I am confident that the potential for specialized or individualized educational programming which the School Priority Fund offers to our schools will measurably increase the educational benefits to our students. I believe that our schools will more than meet any concerns we may have about the judicious use of their Fund allotments. I am confident that the schools will display great ingenuity and innovation in developing and supporting programs to meet the special needs of their students. I look forward to the positive impacts of the School Priority Fund in promoting individualized school decision-making and accountability. And finally, Mr. Speaker, I sincerely hope that this Legislature will enact the School Priority Fund as part of its continuing effort to develop a balanced, comprehensive, and effective system of public education for our children -- a system which the rest of the nation looks to as an example of innovative educational leadership and administration.

Mr. Speaker, I urge my colleagues in the House to support the establishment of the School Priority Fund by passing House Bill No. 2767-82, House Draft 3."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2767-82, HD 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 581-82 on H.B. No. 2378-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2378-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF AGRICULTURAL



ACTIVITIES", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 584-82  
on H.B. No. 3178-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 3178-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING BY COUNTIES", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2767-82, 2378-82 and 3178-82 had passed Third Reading at 10:00 o'clock p.m.

Stand. Com. Rep. No. 585-82  
on H.B. No. 2698-82, HD 2:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and H.B. No. 2698-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF MOTOR VEHICLE EQUIPMENT", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 587-82  
on H.B. No. 2129-82, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 2129-82, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Matsuura requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Matsuura's remarks are hereby inserted:

"Mr. Speaker, I speak in favor of this bill, but have some serious concerns. The intent of this legislation is firstly to protect the child from abuse and neglect. Secondly, its intent is to identify an abuser not for punishment sake but for rehabilitation

because the probability of the abuser having been abused as a child is very high. Therefore, in encouraging people to report, they are in essence, doing the child, the abuser and the community a great service. There are programs that help abusers to understand and overcome their illness.

The bill is good but there are a few concerns that I would like to mention. I wish that the spouse of an abuser, adult children of an abuser and relatives of an abuser were also mandated to report because they will most likely be the ones who will initiate and benefit from a libel suit brought against a person mandated to report, who fails to report.

Let me emphasize that the intent of this bill is not to make an innocent person suffer financially and emotionally just because he or she was mandated to report and failed to report.

Perhaps, by adding these amendments, 'To be criminally or civilly liable under this section, a person required to report or act must know or have reason to believe that a child is abused or neglected, must know about his or her obligations under the reporting law, and must knowingly and intentionally fail to fulfill them.' This may curb the judiciary abuse against those mandated to report.

Thank you, Mr. Speaker."

Representative Kobayashi then rose to speak in favor of the bill, with reservations, stating:

"In this bill, the changes were made in the very final version to perhaps weaken the standard by which certain officials and professional people are required to report child abuse or neglect. That standard specifically is the change of the unit of suspecting and believing to just believing.

I don't think this is a fatal error but it is an error which I would like. . . it is a feature of the bill that I hope will be looked at later and perhaps corrected by people who have greater time to look into this matter.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2129-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato

and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2698-82 and 2129-82 had passed Third Reading at 10:01 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. 2598-82, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 2598-82, HD 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 708-833.5, HAWAII REVISED STATUTES, RELATING TO SHOPLIFTING", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

#### H.B. No. 2357-82, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 2357-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL JUMPING", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

#### H.B. No. 2751-82, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 2751-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS GENERALLY", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

#### H.B. No. 1230, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 1230, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2598-82, 2357-82, 2751-82 and 1230 had passed Third Reading at 10:02 o'clock p.m.

#### H.B. No. 2685-82, HD 1:

Representative Nakamura moved that H.B. No. 2685-82, HD 1, having been read throughout, pass Third Reading, seconded by Representative Taniguchi.

Representative Ikeda then rose and requested that her remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Ikeda's remarks are hereby inserted:

"Mr. Speaker, the committee report attached to this bill states that your Committee on Judiciary feels that the performance of the Juvenile Justice Interagency Board (JJIB) has been commendable and warrants its continued existence and expansion. I couldn't agree more with that statement. This bill proposes to place the JJIB with the Attorney General as method of keeping the JJIB alive. . . I agree with this action also.

Mr. Speaker, during the last interim much has been accomplished. A comprehensive report was developed in response to House Resolution 632. The courts have provided much needed funds for beds in expanding emergency shelters. These changes are primarily the result of one person's efforts -- the Director of the Office of Children and Youth. Genevieve Okinaga acted as mediator between various agencies and as a result, lines of communication were opened. She helped us to finally get moving toward solving this very critical problem.

Now that the JJIB is being transferred to the Attorney General's Office, it would be remiss of us not to include this very essential person. She is an indispensable link in the chain of juvenile justice.

Mr. Speaker, I am very pleased that this bill has been amended to include the Director of the Office of Children and Youth as an ex-officio member of the Board.

I am pleased to be voting in favor of this bill."

The motion was put by the Chair and carried, and H.B. No. 2685-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives

Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2685-82 had passed Third Reading at 10:03 o'clock p.m.

H.B. No. 2888-82, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, H.B. No. 2888-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIMESHARING", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 3152-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 3152-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 2733-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 2733-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASES", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2888-82, 3152-82 and 2733-82 had passed Third Reading at 10:04 o'clock p.m.

H.B. No. 2242-82, HD 1:

On motion by Representative Chun, seconded by Representative Nakamura and carried, H.B. No. 2242-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 3119-82, HD 1:

On motion by Representative Shito, seconded by Representative Chun and carried, H.B. No. 3119-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL

GROUP LIVING", passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Liu, Marumoto, Monahan, Narvaes and Rohlfing voting no, and Representatives Nakasato and Sakamoto being excused.

H.B. No. 1553, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 1553, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MERGERS OR CONSOLIDATIONS", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2242-82, 3119-82 and 1553 had passed Third Reading at 10:05 o'clock p.m.

H.B. No. 2866-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 2866-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 2836-82, HD 1:

Representative Tungpalan moved that H.B. No. 2836-82, HD 1, having been read throughout, pass Third Reading, seconded by Representative Shito.

Representative Tungpalan then rose and requested that her remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Tungpalan's remarks are hereby inserted:

"There are, Mr. Speaker and my fellow colleagues, approximately 200,000 homeowners in this State. Half of them, or 100,000 homeowners, do not pay their mortgages directly to the holder of their mortgages nor do they pay their property taxes directly to the City and County. Instead, these homeowners throughout our State, have their mortgages serviced.

Until recently, these mortgage agencies have operated in conjunction with established banks, savings and loan associations, and reputable mortgage

companies with little public attention and few problems. The problems of Real Estate Financial Corporation, a mortgage serving agency, thus came as a shock to the 1800 Oahu homeowners who had entrusted what is typically their largest financial responsibility and investment to them, only to become the innocent victims of the Corporation's financial problems.

Currently, the activities of these mortgage and collection servicing agencies are not subject to the State's regulatory system which seeks to protect consumers from adverse predicaments, such as those experienced by Real Estate Finance Corporation clients. In view of the many homeowners who depend on these agencies to ensure the proper and timely payment of their mortgage and other home-related obligations, I believe that safeguards must be enacted to protect the people of Hawaii from future incidents like the one involving Real Estate Finance.

Mr. Speaker, I believe that House Bill No. 2836-82, HD 1, will provide the much needed safeguards for Hawaii's homeowners.

I am hopeful that this House will pass this important bill today in order to speed its enactment by the full Legislature. The homeowners of this State deserve to be protected from any future irregularities or breaches of fiduciary duty by mortgage or collection servicing agencies. I, therefore, urge my colleagues to join with me in passing House Bill No. 2836-82, HD 1.

Thank you."

The motion was put by the Chair and carried, and H.B. No. 2836-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICING", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

#### H.B. No. 3112-82, HD 1:

On motion by Representative Shito, seconded by Representative Fukunaga and carried, H.B. No. 3112-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LAND USE COMMISSION", passed Third Reading by a vote of 48 ayes to 1 no, with Representative Say voting no, and Representatives

Nakasato and Sakamoto being excused.

#### H.B. No. 2215-82, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 2215-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2866-82, 2836-82, 3112-82 and 2215-82 had passed Third Reading at 10:06 o'clock p.m.

#### H.B. No. 2090-82, HD 1:

Representative Kunimura moved that H.B. No. 2090-82, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Narvaes then rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, House Bill 2090-82, HD 1, would provide a mechanism by which mandated excise tax credits may be increased and distributed to Hawaii's taxpayers. In keeping with the justice that underlies its intent, House Bill 2090-82, HD 1, would also prohibit prisoners from receiving such benefits.

In response to the public outcry for tax relief, I will support this bill as it is the best we have to offer as we approach our deadline. Mr. Speaker, I believe it is our responsibility to bring the best of what is available to those people who chose us to serve.

But although House Bill 2090-82, HD 1, provides the best form of relief at this time, it is not, in my opinion, the best solution to the problem of burdensome taxes. A better solution would be to eliminate the four percent tax on food and drugs and health devices.

Mr. Speaker, this evening, I would like to speak on behalf of the thousands of Hawaii citizens who have voiced their support for such tax repeals by joining in a tax repeal petition drive. Mr. Speaker, for quite some time, I have been on a petition drive and I would like to show it to the body, if I may, at this time, the basic results as of this date and as far as I am concerned, Mr. Speaker, this petition drive is just starting. Mr. Speaker, I've got

thousands of signatures here, an interesting stack of petitions that just this last week all these petitions have come in.

Mr. Speaker, if the people really want to see the four percent tax on food and drugs eliminated, they would prefer to see us going that route instead of giving a tax credit. Mr. Speaker, you might consider it adequate to credit taxpayers where tax collection has been found to be excessive. It would be irresponsible to let this inefficient process continue. In my opinion, if the objective is to reduce taxes, reduce them. Don't take it from them and later give it back to them in the form of a tax credit like this bill does.

Mr. Speaker, in closing, I would like to remind everyone here, especially our Chairman of Finance, that sitting in the Finance Committee today is Senate Bill No. 46, and that bill would eliminate the four percent excise tax on drugs and health devices. To a great extent, the people who must purchase these basic necessities are the poor and the elderly, the same people we are trying to help with House Bill 2090-82, HD 1.

Mr. Speaker, I am urging that we push that bill, Senate Bill 46, out of Committee before the end of this session and agree with the Senate's position of relieving the tax burden through the removal of the four percent on drugs and health devices.

Mr. Speaker, the Governor has sent us down a bill to remove the tax on drugs. Mr. Speaker, I would like to see some measure this year passed that would remove the tax, at least on drugs and health devices.

Mr. Speaker, I am voting for this bill, with reservations. I am urging my colleagues to support House Bill 2090-82, HD 1, while reminding them that there is still a better way, and that is total repeal of the four percent general excise tax on food, drugs and health devices.

Mr. Speaker, hopefully, in 1983 I can come back here and show you something like 175,000 signatures. Mr. Speaker, I really would like to see the tax eliminated.

Thank you."

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

"Each member of this House, Mr. Speaker, is elected to be responsible but I guess, like any safety net, you find some holes in it.

I wish I could abolish all the taxes because if I did, then I would be abolishing government. I've yet to see the gentleman from Kalihi speak against appropriations. My goodness, if we were really sincere, then we would speak against every bit of appropriation for education, health, welfare and that way, I would believe him and I would say, let us abolish the taxes, because without taxes. . . you know, without government, we don't need taxes.

I am glad, Mr. Speaker, that we have only a few irresponsible people in this world. I know what the vote is going to be on the floor tonight and I would like to say this, Mr. Speaker, in one week, I can get you 192,000 petitions, signed signatures, if I asked the question, would you like a cadillac?"

Representative Narvaes then rose and stated:

"Mr. Speaker, this is not a rebuttal because I am speaking in favor of the bill and I am going to be voting for the bill, but I would like to rise to clarify for our wise Finance Chairman some of my points.

Mr. Speaker, if you may remember. . . if you could look at one of the things that I said in my speech and that is that as we approach the deadline, it is our responsibility to bring the best of what is available to the people who have elected us to serve.

Mr. Speaker, if the Chairman of Finance would go back over my record, he would remember that there have been a lot of times that I have voted against appropriations. Mr. Speaker, I am not an irresponsible person. There are a lot of appropriations that must go through that we have to pass because it provides a lot of benefits, a lot of services to the people, but he also must understand that my philosophy that government is too big today, and that the only way for us to reduce the size of government is to reduce the revenue coming in because if we have dollars coming in. . . this is my sixth year here, I know we are going to spend the money. Today, we are lucky we have expenditure ceiling. If we didn't have that expenditure ceiling, the \$230 million surplus that we have today would disappear in a flash. It would be spent and then we would have to go and find more

money, more revenue, to take care of that \$231 million that would have been spent.

Mr. Speaker, government is too big today. On the national level, they are trying to reduce deficits. It seems that almost every single federal cut that has been made, almost everyone, is going to be replaced with state dollars. Some of them, necessary; some of them not so necessary. Mr. Speaker, I don't have the staff that the Chairman of the Finance Committee has, but I believe every single federal cut that has been made is going to be replaced with state dollars.

So, Mr. Speaker, I would like for you to please clarify for our wise Finance Chairman that I agree with some of our appropriations but I don't believe we should appropriate money for everything."

Representative Say then rose and stated:

"Mr. Speaker, I wasn't going to say anything this evening but I would like to speak in favor of this measure and just convey a message to the other House that we were criticized yesterday that we were doing all of our tax credits, tax exemptions and so forth on a piecemeal basis.

Presently in their halls is a measure which calls for the Tax Review Commission which they did not support. I am asking all members of this honorable body here this evening that we convey this message that these members of the opposite side of the hall to please support the Tax Review Commission if they are being critical of us House of Representatives who are basically the grassroots of our communities and who are representing their constituents to really support the Tax Review Commission which is in their halls at this particular time.

Thank you."

Representative Kunimura then rose and stated:

"Mr. Speaker, there is one point -- this House is very responsible. We are still \$4 million. . . just about \$4 million below the spending limit and I don't want anyone here to get the idea that we went up to the ceiling because even if it was a \$10 billion ceiling, we would have spent only what we felt was necessary

and just."

The motion was put by the Chair and carried, and H.B. No. 2090-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXCISE TAX CREDIT", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2090-82 had passed Third Reading at 10:15 o'clock p.m.

H.B. No. 2639-82, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, H.B. No. 2639-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 3023-82, HD 1:

On motion by Representative Nakamura, seconded by Representative Honda and carried, H.B. No. 3023-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLACE OF IMPRISONMENT", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2639-82 and 3023-82 had passed Third Reading at 10:16 o'clock p.m.

H.B. No. 1173, HD 1:

On motion by Representative Shito, seconded by Representative Honda and carried, H.B. No. 1173, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was recommitted to the Committee on Housing.

H.B. No. 2869-82, HD 1:

On motion by Representative Shito, seconded by Representative Fukunaga and carried, H.B. No. 2869-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

H.B. No. 2070-82, HD 1:



On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 2070-82, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1981 TO JUNE 30, 1983", passed Third Reading by a vote of 48 ayes to 1 no, with Representative Dods voting no, and Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2869-82 and 2070-82 had passed Third Reading at 10:17 o'clock p.m.

#### UNFINISHED BUSINESS

Stand. Com. Rep. No. 594-82 on H.B. No. 2574-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2574-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2574-82 had passed Third Reading at 10:18 o'clock p.m.

At 10:18 o'clock p.m., Representative Rohlfing asked for a recess and the Chair declared a recess, subject to the call of the Chair.

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

Stand. Com. Rep. No. 595-82 on H.B. No. 3061-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 3061-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO A STUDY OF ALTERNATIVES FOR PUNA, ISLAND OF HAWAII", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 3061-82 had passed Third Reading at 10:20 o'clock p.m.

Stand. Com. Rep. No. 596-82 on H.B. No. 2947-82, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 2947-82, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Monahan then rose to speak in favor of the bill, stating:

"Mr. Speaker, just as a building needs a sound foundation, so does an industry. I think this bill addresses itself to establishing the foundation of a healthy and economically feasible aquaculture industry by creating the first link in the aquaculture food chain. I think that this bill is probably going to be the most significant step that has yet been taken to support an aquaculture industry that can finally stand on its own two feet.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2947-82, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AQUACULTURE AND LIVE-STOCK FEEDS PRODUCTION PROGRAM", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2947-82 had passed Third Reading at 10:21 o'clock p.m.

Stand. Com. Rep. No. 600-82 on H.B. No. 2113-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2113-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2113-82 had passed Third Reading at 10:22 o'clock p.m.

Stand. Com. Rep. No. 601-82 on H.B. No. 2710-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2710-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LOANS TO SUGAR GROWERS",



having been read throughout, passed Third Reading by a vote of 42 ayes to 7 noes, with Representatives Ikeda, Kamali'i, Liu, Medeiros, Monahan, Rohlfing and Wong voting no, and Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 603-82 on H.B. No. 2338-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2338-82, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A BIOLOGICAL RESEARCH INSTITUTE", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2710-82 and 2338-82 had passed Third Reading at 10:23 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 666-82) recommending that H.B. No. 3067-82 pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 3067-82, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY FOR AN AUGMENTED PACIFIC FLEET SUPPORT PROGRAM", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 667-82) recommending that H.B. No. 2261-82, HD 1, pass Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2261-82, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY RELATING TO THE ESTABLISHMENT OF A FARMER'S MARKET", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 3067-82 and 2261-82 had passed Third Reading at 10:24 o'clock p.m.

#### MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 510-82 on H.B. No. 3139-82, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 3139-82, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Dods then rose and requested that his remarks, against the measure, be inserted into the Journal and the Chair replied, "after review, so ordered", whereupon Representative Dods asked for a recess.

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 10:26 o'clock p.m.

Representative Dods' remarks are hereby inserted:

"Mr. Speaker, I rise to speak against House Bill 3139-82 which would authorize \$170,000,000 in special purpose revenue bonds to assist Combustion Engineering/AmF a partnership, in building an HPower plant.

Why should the State be involved, at this time, in a project the City and County hasn't even made a decision to go ahead with? How can we appropriate money for a plant that may not even be built?

I feel that the State should not get involved at this point. After the City and County has decided on when, where and if they will build the plant, there will be plenty of time for us to issue special revenue bonds."

Representative Shito then rose to speak in favor of the bill, with reservations, stating:

"When House Bill 3139-82 first emerged, it was very broad and vague. It did not specify a dollar amount, the firm that would construct the HPower facility, nor the site where the project would be located.

Just this past February, 9400 residents

of Waipahu reaffirmed their opposition to the proposal that HPower be built in the residential community of Waipahu. They also opposed the idea that an HPower facility be built in any residential community on Oahu. It was this concern that moved the Water, Land Use, Development and Hawaiian Affairs Committee to amend this bill to provide that the project, if funded, would not be built in any residential area. Since the amount of \$170 million and the firm of Combustion Engineering/AmFac have subsequently been inserted in the bill, I would feel much more comfortable to see a specific project site named in the bill to assure the public that it will not be located near any residences.

I realize that Oahu is faced with a limited amount of land that we can use for landfills to dispose of our wastes. I do not oppose the HPower concept. I simply wish to restate the position that I have taken several times previously, that such a facility should not be built in any residential area on this island where it could endanger the health and welfare of our citizens.

Thank you."

Representative Kamali'i then rose to speak against the bill, stating:

"Mr. Speaker, the passage of this bill will further two wrongs: (1) We will give initial consent to the authorization of \$170 million in special purpose revenue bonds; and (2) still leave unclear the specific site for the HPower plant. And, as always, two wrongs don't make a right.

What's wrong with the authorization of these bonds? At first glance, probably nothing. We're becoming very used to the idea of government taking the risk for what seems to be a public-interest concept but which offers the possibility of profit to the private sector for its implementation.

But that kind of thinking is wrong-headed. If it is going to be making profit for AmFac, then AmFac should also take the risk. Not us -- and by us I do mean every citizen and taxpayer in Hawaii.

Why have we suddenly become so protective and so short-sighted with 'special purposes'? Have we truly investigated the possibility of other companies which would perform the same special purpose without requiring

State backing? I don't think so.

Further, when we say that we have justified this infusion of governmental backing because we agree with the purpose of the business as beneficial as well as profitable, haven't we opened ourselves to all sorts of equally competent and qualified enterprises deserving of our support? I hope not.

When I said that this bill and its thinking was wrong-headed, I also meant that the acknowledgement of such enterprises should lead us to greater participation by the private sector and less interference from the government.

Our role should be one of really representing the interests of the people. And here we have failed.

The people of Waipahu do not want the HPower plant in their backyards. I know that this bill includes the provision that this plant 'will not be built in any residential area.' I do not know if that will truly accomplish lifting this threat from Waipahu.

The specific designation of Campbell Industrial Park as the site for the proposed HPower plant is needed.

I cannot believe that the same supposed employment and economic benefits for the Waipahu area could not also be felt from Campbell.

If we are going to put up the money, then we should have some say in the genuine public benefits possible in this project: the determination of the site and some provision for the employment of displaced workers. Those are 'special purposes', Mr. Speaker, which might justify this authorization.

But without those conditions, Mr. Speaker, I cannot and will not support this measure.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3139-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST A PROCESSING ENTERPRISE", having been read throughout, passed Third Reading by a vote of 45 ayes to 4 noes, with Representatives Dods, Kamali'i, Monahan and Rohlfing voting no, and Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 3139-82 had passed Third Reading at 10:32 o'clock p.m.

At 10:33 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:49 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. 2224-82, HD 1:

On motion by Representative Ige, seconded by Representative Taniguchi and carried, H.B. No. 2224-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

#### H.B. No. 2086-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 2086-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INCOME TAX", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

#### H.B. No. 2312-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 2312-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

#### H.B. No. 2900-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 2900-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEDDLING IN SCHOOL ZONES", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2224-82, 2086-82, 2312-82 and 2900-82 had passed

Third Reading at 10:50 o'clock p.m.

#### H.B. No. 2849-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, H.B. No. 2849-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

#### H.B. No. 3176-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, H.B. No. 3176-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDSCAPE ARCHITECTS", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

#### H.B. No. 2479-82, HD 1:

On motion by Representative Taniguchi, seconded by Representative Dods and carried, H.B. No. 2479-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

#### H.B. No. 3138-82, HD 1:

On motion by Representative Taniguchi, seconded by Representative Dods and carried, H.B. No. 3138-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHOPLIFTING", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2849-82, 3176-82, 2479-82 and 3138-82 had passed Third Reading at 10:51 o'clock p.m.

#### H.B. No. 2231-82, HD 1:

On motion by Representative Taniguchi, seconded by Representative Dods and carried, H.B. No. 2231-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DETERMINATION OF DEATH", was recommitted to the Committee on Judiciary.

#### H.B. No. 1251, HD 1:

Representative Fukunaga moved that H.B. No. 1251, HD 1, having

been read throughout, pass Third Reading, seconded by Representative Tungpalan.

Representative Kawakami then rose and requested that his remarks, against the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Kawakami's remarks are as follows:

"Mr. Speaker, the primary purpose of this bill is to implement a provision in the State Constitution to promote the Hawaiian culture, history and language and the protection of all rights customarily and traditionally exercised for subsistence and religious purposes which were possessed by ahupua'a's tenants who are descendants of Hawaiians who inhabited the Hawaiian Islands prior to 1778.

The legislative obligation is to fulfill this Constitutional mandate and this bill is a vehicle which attempts to provide the basic ingredient to perpetuate the Hawaiian culture, and this basic ingredient is land.

The bill attempts to define a 'live-in park' and the interpretation of this definition is my primary concern. Our job is to draft laws that are definitive and concise to minimize the possibilities of being challenged in court.

My concerns on this bill are as follows: On page 3, lines 2 to 3 -- does it mean that only a person who is now residing and who had resided in Kahana Valley prior to 1974 be eligible to participate in a live-in park in the State?

As a case in point: If we wanted to create a live-in park, say at Polihale State Park on Kauai, do we have to get people who are now residing or had resided in Kahana Valley prior to 1974 to be the only ones eligible to participate in the park at Polihale?

Another concern I have is that families is not defined. With this definition, if Representative Waihee had a brother residing in Kahana Valley, does this make him eligible to live in the Valley since he is family?

Another concern I have is that if a person had lived in Kahana in the 1950's and had moved out of the Valley after the State acquired

the property in 1967, does this make him eligible to return and participate in this live-in park?

These are some of my concerns which I feel should not be taken lightly because we can have a horde of people wanting to return to the Valley and live in even though they may not be Hawaiians because the Valley was a thriving agricultural community in the past and all races were represented in the Valley.

I feel that most of us believe in the concept but this bill does not properly create the parameters for a statewide system of live-in parks.

With these concerns, I feel that this bill should not be voted on this evening but recommitted to Committee and worked on next session."

The motion was put by the Chair and carried, and H.B. No. 1251, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS AND RECREATION AREAS", having been read throughout, passed Third Reading by a vote of 42 ayes to 7 noes, with Representatives Hashimoto, Kawakami, Lacy, Marumoto, Monahan, Morioka and Rohlfing voting no, and Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 1251 had passed Third Reading at 10:52 o'clock p.m.

#### H.B. No. 2640-82, HD 1:

Representative Takitani moved that H.B. No. 2640-82, HD 1, having been read throughout, pass Third Reading, seconded by Representative Taniguchi.

Representative Ikeda then rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, this bill would amend the Hawaii Revised Statutes, to enable the Stadium Authority to enforce its rules and regulations pertaining to conduct, parking, and traffic on the Stadium premises. It would give any law enforcement officer, including county police officers, who have police powers to arrest offenders and issue citations, the authority to enforce any rule promulgated pursuant to Chapter 109, Section 2.

I recognize the fact that there are problems with the enforcement of regulations within the Stadium grounds and I do not object to extending this

authority to regular law enforcement officers. I believe, however, that the Stadium Authority should hire only off-duty police officers for this purpose.

In 1977, following the Kaiser-Farrington football game riot, I received a letter from the Executive Director of the State of Hawaii Organization of Police Officers, better known as SHOPO. In the letter, he stated, and I quote: 'We at SHOPO have for some time stressed the importance of using police at the Stadium, NBC and the Shell instead of using only security guards. Police are trained to cope with a variety of situations, including crowd control.' I agree. I was there in 1977, Mr. Speaker, and I remember that all it took was the appearance of one blue light and the mob scattered. In addition, witnesses told me that Stadium security personnel made no attempt to stop that attack and I can't really say that I blame them. These people are not trained to handle situations like this. Professionals, on the other hand, are.

I would like to point out that the Stadium Authority, in their testimony before our Committees, suggested that the 'Stadium use only Honolulu police officers for Stadium events until such time that security enforcement legislation can be enacted and fully implemented with the new hiring and training programs.'

Mr. Speaker, I am not opposed to training programs for Stadium personnel, but I still feel that the security should be left to professional police officers. Let us not forget the law suits which are pending against the Authority. And while I agree with the intent of this bill, I would hope that the Stadium Authority will seriously consider using only off-duty police officers rather than contracting with a private security firm and training their personnel at our expense.

Thank you, Mr. Speaker."

Representative Dods then rose and requested that his remarks, against the bill, be inserted into the Journal and the Chair stated, "after review, so ordered."

Representative Dods' remarks are hereby inserted:

"Mr. Speaker, according to Standing Committee Report No. 618-82, House Bill No. 2640-82 was needed based

upon the premise that the rules of the Stadium Authority regarding conduct, traffic and parking are unenforceable because of the lack of statutory provisions.

I would, however, like to draw my fellow legislators' attention to Section 290-11 of the Hawaii Revised Statutes which provides the provision by which the Stadium Authority can impose traffic and parking restrictions and successfully maintain the Stadium. In an opinion by the House Majority Attorney's Office, it was agreed that cars may be towed from public property providing there was a posted notice prohibiting vehicles to park on the property without authorization.

It is my belief that the Stadium Authority presently possess enough powers to sufficiently and successfully conduct operations and maintenance at Aloha Stadium. Because of the recent problems that occurred during the professional football games, I cannot condone giving the Stadium officials any more authority than they already have."

The motion was put by the Chair and carried, and H.B. No. 2640-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALOHA STADIUM", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Dods voting no, and Representatives Nakasato and Sakamoto being excused.

#### H.B. No. 2857-82, HD 1:

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, H.B. No. 2857-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Monahan and Rohlfing voting no, and Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2640-82 and 2857-82 had passed Third Reading at 10:55 o'clock p.m.

#### H.B. No. 2937-82, HD 1:

On motion by Representative Taniguchi, seconded by Representative Honda and carried, H.B. No. 2937-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS", passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2937-82 had passed Third Reading at 10:56 o'clock p.m.

At 10:56 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:29 o'clock p.m.

#### UNFINISHED BUSINESS

Stand. Com. Rep. No. 621-82 on H.B. No. 2972-82, HD 1:

On motion by Representative Taniguchi, seconded by Representative Dods and carried, the report of the Committee was adopted and H.B. No. 2972-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 622-82 on H.B. No. 2336-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2336-82, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Kamali'i voting no, and Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 623-82 on H.B. No. 2162-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2162-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2972-82, 2336-82 and 2162-82 had passed Third Reading at 11:30 o'clock p.m.

Stand. Com. Rep. No. 624-82 on H.B. No. 2201-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2201-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 625-82 on H.B. No. 2051-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the majority of the Committee was adopted and H.B. No. 2051-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Blair voting no, and Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 626-82 on H.B. No. 2083-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2083-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2201-82, 2051-82 and 2083-82 had passed Third Reading at 11:31 o'clock p.m.

Stand. Com. Rep. No. 627-82 on H.B. No. 2043-82, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 2043-82, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Narvaes then rose and requested a conflict ruling saying that he is the owner of a solar company, and the Chair ruled "no conflict."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2043-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO A SOLAR ENERGY DEVICE AND HEAT PUMP



LOAN FUND", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Monahan voting no, and Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 628-82  
on H.B. No. 1988-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1988-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 629-82  
on H.B. No. 3051-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 3051-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2043-82, 1988-82 and 3051-82 had passed Third Reading at 11:32 o'clock p.m.

Stand. Com. Rep. No. 630-82  
on H.B. No. 3121-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 3121-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY HOUSING LOAN PROGRAMS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 631-82  
on H.B. No. 2965-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2965-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES",

having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 3121-82 and 2965-82 had passed Third Reading at 11:33 o'clock p.m.

Stand. Com. Rep. No. 632-82 on  
H.B. No. 2907-82, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 2907-82, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Chun then rose to speak in favor of the bill, stating:

"Mr. Speaker, the purpose of this bill is to provide personal care services to those persons whose physical condition requires them to have intermittent assistance with personal care services where there is no responsible person willing to volunteer such assistance. Many disabled persons are forced into institutions because they have no family or friends who can shelter and care for them. Many disabled persons who are now employed can continue to work if personal care services as provided by this bill are made available to them. This bill is a measure that will prevent total dependency.

Many disabled persons have testified that the bill as written is too 'stingy' and that the payment pegged to no more than 60 percent of the cost of the lowest level of care in a boarding home or care home is too low. Mr. Speaker, even at that level, the Department of Social Services and Housing has estimated that it would cost the State \$2.5 million to provide these services.

My Vice Chairman, Representative Kobayashi, and I did not want Hawaii to go the way of New York which nearly went bankrupt because of personal care services. That is why we wrote this bill too tightly. But, Mr. Speaker, we know that it is people like Brenner Lum who is going to be able to be helped by this bill and we will save \$1,776 a month once this bill passes.

For those reasons, Mr. Speaker, I urge the legislators to vote for this bill.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2907-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 633-82  
on H.B. No. 2817-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2817-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OFF-ROAD VEHICLES", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 634-82  
on H.B. No. 2815-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the majority of the Committee was adopted and H.B. No. 2815-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF VEHICLES", having been read throughout, passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Ikeda and Narvaes voting no, and Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2907-82, 2817-82 and 2815-82 had passed Third Reading at 11:35 o'clock p.m.

Stand. Com. Rep. No. 635-82  
on H.B. No. 2806-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2806-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 636-82  
on H.B. No. 2778-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee

was adopted and H.B. No. 2778-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 637-82 on  
H.B. No. 2674-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2674-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 638-82 on  
H.B. No. 2653-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2653-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF CORAL AND SEAWEED", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2806-82, 2778-82, 2674-82 and 2653-82 had passed Third Reading at 11:36 o'clock p.m.

At 11:37 o'clock p.m., Representative Medeiros asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:40 o'clock p.m.

Stand. Com. Rep. No. 639-82 on  
H.B. No. 2551-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2551-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR VETERANS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2551-82 had passed Third Reading at 11:40 o'clock p.m.

Stand. Com. Rep. No. 640-82  
on H.B. No. 2438-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2438-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENCOURAGEMENT OF FEDERALLY CERTIFIED DEVELOPMENT COMPANIES", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. No. 2438-82 had passed Third Reading at 11:41 o'clock p.m.

Stand. Com. Rep. No. 641-82  
on H.B. No. 2331-82, HD 1:

On motion by Representative Fukunaga, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.B. No. 2331-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", having been read throughout, passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Kamali'i, Lacy, Liu, Marumoto, Monahan and Rohlfing voting no, and Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 642-82  
on H.B. No. 765, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 765, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 643-82  
on H.B. No. 812, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 812, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION", having been read throughout, passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Monahan and Rohlfing voting no, and Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2331-82, 765 and 812 had passed Third Reading at 11:42 o'clock p.m.

Stand. Com. Rep. No. 644-82 on  
H.B. No. 888, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 888, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 645-82 on  
H.B. No. 1949-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1949-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LOANS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 646-82 on  
H.B. No. 1974-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1974-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASING", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 888, 1949-82 and 1974-82 had passed Third Reading at 11:43 o'clock p.m.

Stand. Com. Rep. No. 647-82 on  
H.B. No. 77, HD 3:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 77, HD 3, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Matsuura then rose and requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Matsuura's remarks are hereby inserted:

"Mr. Speaker, the purpose of this Act is to authorize and establish guidelines and procedures for the grant of leases for marine activities within State marine water and submerged lands. The adoption of this Act will greatly improve our present statutes dealing with this subject matter.

This is a good bill, and I must recognize the valuable inputs of scores of people, including those who worked on the ocean leasing for Hawaii publication, and committee members who have contributed significantly toward this House draft. I would also like to recognize Mr. Kent Keith, Mr. Hideto Kono, Mr. Sus Ono and other governmental agencies who are the true authors of this bill.

Thank you, Mr. Speaker."

Representative Kamali'i then rose to speak against the bill, stating:

"Mr. Speaker, a great many concerns can be raised regarding this bill and its very flawed attempt to provide for State leasing of ocean and marine resources, but I will confine myself to two major objections: (1) That it presumes to move naively into the complex and highly-contested area of international marine law; and (2) it chooses to ignore and to violate what State laws already exist regarding our trust obligations related to submerged lands and mineral rights.

On the first point, Mr. Speaker, I am not trying to present myself as an expert in the field of international marine law. In fact, I don't believe that anyone who testified or worked on this bill presented those credentials. And that's just the problem.

Further, even experts would have to concede that such law is in a developmental phase -- in a fluid situation, if you will -- as demonstrated by even this morning's papers. Years of international negotiation on just the kind of issues which this bill attempts to address have been rejected at the United Nations conference on the law of the sea.

The reason? Disputes over the control, disposition, and management of seabed mining in the world's oceans.

This bill, however, just ignores such controversies.

Instead, we are being asked to decide matters of global importance with the calm assurance that the only trouble we may be inviting is in the area of federal and state jurisdictions. For the moment, then, let's accept that preposterous idea.

Who here, or anyone in the State government today, can knowledgeably and comfortably answer whether the State Constitution's self-proclamation or archipelagical status for the islands over-rides the boundary descriptions of the Statehood Act? And if it does, can we then forbid, regulate, or in any genuine way, control the entry of foreign fishing fleets in our so-called State waters? Or can we deny foreign military maneuvers between the now-international waters separating the islands?

Top Navy officers think National Security is involved with the free access of Russian ships sailing between our islands -- but even Admiral Hayward has admitted that there is nothing we can do legally to stop such intrusions.

These are not idle questions, Mr. Speaker. They go to the heart of what is being attempted by this measure. We are trying to assert statutory vagueness as a basis for setting international policy by the State of Hawaii.

As for my second objection, an area where I feel slightly more comfortable, even if this bill could perform the global miracle it wishes to assert -- the use, leasing and revenues from the submerged lands of Hawaii must be considered in the context of the ceded lands trust. And, as such, any revenues should be deposited into the Public Lands Trust Fund and not in the General Fund.

There are specific beneficiaries and public purposes which are protected and served by that Trust, and this bill would violate both.

Most of the members of this House are used to thinking of the 'Ceded Lands Trust' only in relationship to native Hawaiians. What we must truly reassert is that this Trust is for all of the citizens of the State of Hawaii.

So, does that mean that those same Trust obligations can be met through the General Fund? The answer is no.

Specific public purposes are enumerated -- education most notably -- as a permissible use of such revenues. By co-mingling Trust monies with the General Fund, those purposes can be ignored and the money used, for example, to pay executive salaries -- a breach of trust.

Let me remind the members of this House that there are two 'Laws of the Sea' which are known as certain and accepted throughout the world. First, big fish eat little fish. And second, never spit in the wind.

We are trying to be a little fish that can swallow very large fish -- and we are certainly spitting in the wind with this bill.

I know that there is a great temptation to discuss and want to help shape mariculture, aquaculture, and ocean mining ventures in Hawaii. But if we are truly to encourage and to enhance those efforts, then we do it legally, responsibly, and with far more thought than we are in demonstrating in House Bill 77, and may I add, Draft 3, and I strongly urge that this House defeat this measure because it is premature.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 77, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE LEASING OF OCEAN AND MARINE RESOURCES", having been read throughout, passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Kamali'i and Liu voting no, and Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 648-82  
on H.B. No. 2360-82, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 2360-82, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Ikeda then rose and requested that her remarks, against the bill, be inserted into the Journal "in the interest of saving time" and the Chair answered, "after review, so ordered."

Representative Ikeda's remarks are hereby inserted:

"Mr. Speaker, this bill proposes to establish a state tax fraud unit as part of the State Department of Taxation. I really don't see the need for such an investigation unit at this time. Presently, virtually all tax fraud cases are handled by the United States Internal Revenue Service. The Internal Revenue Service has been active in their investigation and prosecution of tax violations, and the State of Hawaii has benefitted from their diligence, since almost every tax fraud case involving state laws also involves a violation of federal tax laws.

The State Department of Taxation already provides assistance and information to the Internal Revenue Service, and they have established a generally positive working relationship. I see no reason to upset that working relationship, nor any reason to duplicate the Federal government's efforts and activities on the State level.

\$100,000 has been allocated for the five staff positions called for in this pilot program. Can we truly expect to attract the type of qualified personnel that are required for this specialized area of investigation? If we are going to make this work, it will eventually require a much greater commitment of money and resources. But would this commitment be justified in terms of the expected results? The Internal Revenue Service tax fraud unit presently has a budget of \$750,000 a year and employs fifteen investigators and five clerical staff. Even with this large staff and budget, this unit handles only about eighteen to twenty cases a year. I believe that the present system of referring potential tax fraud cases to the Internal Revenue Service and to our Attorney General's Office for prosecution is adequate. The money allocated for this program might be more constructively used in other programs and activities to combat crime. Therefore, I will vote no on this measure.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2360-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE TAX FRAUD UNIT AND MAKING AN APPROPRIATION THEREFORE", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to

note that H.B. Nos. 77 and 2360-82 had passed Third Reading at 11:50 o'clock p.m.

Stand. Com. Rep. No. 649-82 on H.B. No. 2940-82, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and H.B. No. 2940-82, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Ige then rose and requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Ige's remarks are as follows:

"Mr. Speaker, in my opinion, the sugar companies in Hawaii are in deep trouble. Since Congress failed to renew the Sugar Act in 1974, sugar prices in the United States have been on a wild roller coaster ride. Unfortunately, with more valleys than peaks.

In 1980, the price of sugar nationally as well as internationally soared. Fortunately, sugar companies in Hawaii recouped much of their losses that occurred in the 1976-79 years. Sugar experts believed prices would remain high in 1981. Instead, prices fell, causing record losses for our industry. Unfortunately, 1982 appears to be another such year.

The European common market provides a subsidy to sugar produced in their community of approximately 27 cents per pound. Sugar not consumed in that community is sold at 'dump' rates, largely to the U.S. market. At the same time, the U.S. Federal government is considering allowing Caribbean sugar to be sold in America without tariff or fees. These instances with the current world surplus of sugar, lower the price available to the Hawaiian sugar producers.

That's the bad news. The good news, or maybe I should say on the more positive side, beet sugar growers in the western U.S. are cutting back on production, and weather in Europe this Spring has been bad. Sugar producers around the world, downed by depressed world prices, are cutting back on their production, and the strong possibility that by 1984 or 1985,

we will again experience another upward 'hike' in sugar prices similar to those in 1974 and 1980.

For these reasons, Mr. Speaker, it is critical that we in Hawaii help out our sugar industry and the people they support over the present bad times in hopes of a better and more profitable future. This bill, a sugar stabilization fund is one way to give assistance.

I urge this House to allow continued discussion on this important matter by passing House Bill 2940-82, HD 2.

Thank you, Mr. Speaker."

Representative Shito then rose and requested that his remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Shito's remarks are as follows:

"Mr. Speaker, I concur with the remarks made by the Representative from the 24th District. In addition, Mr. Speaker, I would like to point out the effect on the economy of the State should our sugar industry continue to suffer losses that would require them to cease operations in Hawaii.

Although Hawaii's sugar companies and sugar workers are highly efficient and productive, cost of production in Hawaii is high in comparison to other producers serving the market. With the depressed prices, sugar parent company boards of directors are forced to take a hard look at continuing sugar operations.

There are nearly 8,000 workers in the industry and about 30,000 jobs directly and indirectly dependent on sugar. If the companies were to go out of business, general fund revenues would decline by about ten percent, welfare and related costs could increase by \$50,000,000 per year, unemployment rates could double statewide, and Hawaii's economy would suffer a blow from which it would be most difficult to recover.

Mr. Speaker, we need to find some way to avoid this awesome scenario. I urge the members to vote aye on this measure so that dialogue can continue.

Thank you."

Representative Rohlfing then rose and stated:



"Mr. Speaker, I rise to speak against this bill. I do so with some reluctance because, obviously, this industry is part of the State of Hawaii and very deeply inbedded in our consciousness and our concern. But the question of taxpayers' support of \$50,000,000 for any private industry is one which goes far beyond the safety net terminology which has been advanced by press releases and otherwise by the spokesman for the industry. There can be little question about the contribution that sugar makes to Hawaii's overall economy. But there is still some question about the real underlying condition of those who are involved in the sugar industry in the State of Hawaii.

1981 marks the first year in the last twenty-four that HC&S, for example, on Maui, lost money. I wish I could say the same thing. Needless to say, a lot depends on how each plantation does its bookkeeping. One or two years' losses in an industry affected by international competition does not, in my judgment, justify such far-reaching action as what we are proposing to do today. And I don't know what one dollar means but let me say this, I think that when we pass a bill with one dollar, we are facing what is going to come back tomorrow an unlimited blank check, maybe. I certainly don't like that idea.

Rather than act on an emergency basis, ad hock, Mr. Speaker, for one industry, I think we should think through the kind of criteria which we would establish before assisting any industry through appropriation of taxpayers' funds. If such support is to be given, then I think it must be provided with a clear pay-back guarantee and/or solid security in lieu of cash pay-back.

The sugar industry's proposal will allow a company that went out of business to renege on payments to the fund. Support should only be given to an industry which needs carefully drawn criteria that establishes as critically necessary to the State's economic viability. Under such a task, public money support would normally go only to businesses which directly serve the public with a life support function, and let's think about our industry under the jurisdiction of the Public Utilities Commission.

I think that if we are going to go with this kind of a measure where each unit of support is drawn by

the corporation, an equitable amount of the market value of that company's stock would be set aside in the name of the taxpayers in general. I think we also should take, if we are going to do this sort of thing, a mortgage on the land held by these companies. Certainly, the sugar industries of Hawaii have some very significant holdings of land and if we are going to put up taxpayers' money, citizens' money, then we should ask for this same kind of security that any bank or other fiscal institution would ask. I think we should have some seats on the board of directors of these companies in consonance with/or equivalent to the amount of investment that the public is placing in these companies. I think they should also provide. . . we should ask that the books be opened and that we take a look in return for the taxpayers' support.

Mr. Speaker, this is a far-reaching bill. It is a precedent that I think will come back to haunt the people here, all of us, if we do not ask the right questions, if we do not follow through on representing the public. That is what we are here for. We were elected to represent the people of this State, and surely, the sugar industry is part of our State. They are an integral part, and I heard Senator Inouye say we should do something about it. I agree we should help, but Mr. Speaker, we should look very carefully at the kind of measures that we support. We should be very careful to protect the public interest just as we would protect each and every interest the way they would protect it if they were investing their money.

Mr. Speaker, under the circumstances, as this bill exists today, we can only cast a negative vote.

Thank you, Mr. Speaker."

Representative Kamali'i then rose and stated:

"Mr. Speaker, I concur with the Minority Floor Leader, but I want to make it clear why I rise to speak against this and it is because, Mr. Speaker, and I know we are short on time, so let me just say this: When we insert one dollar in our measure, this proposal has gone from a \$50,000,000 fund to a very destabilizing one dollar.

I know that the members of the Finance Committee and of this House think that a dollar appropriation is the way of keeping a controversial measure alive. But what we effectively kill in that process is the opportunity

to publicly discuss and share our responses to the proposal. We are guaranteeing, Mr. Speaker, that this measure will, at best, be sent to the third house of this Legislature -- to Conference Committee where it will be decided by a fraction of the Legislature. And without the public.

This is a very important measure when we are speaking of a proposal of \$50 million, but when we send it to the Conference Committee and when we do that, we also kill the public confidence in our ability to deal effectively with the concern of major dimensions, and for these reasons, Mr. Speaker, I have voted against all sugar measures that have just one dollar.

Thank you."

Representative Dods then rose and requested that his remarks, against the measure, be inserted into the Journal and the Chair answered, "after review, so ordered."

Representative Dods' remarks are as follows:

"Mr. Speaker, I rise to speak against H.B. No. 2940-82, HD 2, in the strongest possible terms.

This bill proposes to give the sugar industry, which is only one segment of our economy, the kind of financial support that even the owners of failing sugar plantations are unwilling to provide. On the one hand, I commend the Finance Committee for reducing proposed State assistance by \$49,999,999 -- exclusive of debt service -- and, on the other hand, I totally object to the position this body is proposing to support by passing this bill.

Mr. Speaker, if we adopt this bill as it is, we are telling the Senate and the residents of this State, that the State House supports the use of public funds to bail out an industry which seems unwilling to take the necessary steps to save itself. This bill seems to establish a number of State policies:

(1) Public funds may be used to support large, high risk private ventures in immediate danger of failing;

(2) Public funds may be loaned to large, failing businesses without collateral and with questionable expectations or repayment; and

(3) Public funds may be used to bail out large businesses who supposedly have the administrative and managerial competence to keep themselves out of trouble, but small businesses who form the bulk of the State's economy, and who don't have the resources to mount an effective lobbying campaign, have to sit quietly on the sidelines while an unspecified amount of their taxes are used to bail out these large businesses.

Mr. Speaker, I realize that this bill only appropriates one dollar. However, the maximum amount of money that the sugar stabilization fund may accrue is \$100 million. Are we so blind that we don't see this bill as being only the tip of the iceberg? We should be concerned with what we are saying as policy in this bill rather than the one dollar being appropriated. Is this bill the best we can come up with after three months of looking at sugar industry problems? And if it is the best we can come up with, and we are willing to support this measure after only three months, why haven't we addressed the long-standing needs of the small businessmen, a sector of our economy which employs many more people than sugar does?

I must say that I oppose this bill because we have not moved to address the financial burdens and conditions of the 25,000 to 30,000 small businesses in this State. These businesses employ 100 or less individuals and generally don't have the capital and other resources that Puna Sugar and its parent company, AmFac, possess. However, these small businesses make up approximately 97 percent of all businesses in the State and provide most of the jobs. These small businesses are also subject to the same free market competitions as large businesses, and the same amount of bureaucratic red tape. Why should the sugar industry be given special treatment? I think they should take the same chances, run the same risks, and assume the same responsibilities as any other business in this State.

Mr. Speaker, this is one of the most important bills we will consider this session. It clearly sets public policy regarding the relationship between government and industry. This version, which we are being asked to endorse, does not strike me as being the product of clear thinking. We have not adequately considered other alternatives, or I think we would have come up with something better. We haven't placed the sugar industry in its true perspective

in terms of our State's total economy, or we would be addressing the problems of other less vocal, but equally important sectors of our economy. And, Mr. Speaker, we haven't adequately considered the long-term ramifications of adopting these policies, or we would have stated, in this bill, that we will only provide temporary assistance, and only up to a certain point. As I read the bill, the proposed section 155A-a(e) simply says the fund shall not accrue moneys in excess of \$100 million. We don't say who is providing the \$100 million. We could have said that the State will only provide so much in public funds, but we didn't.

Mr. Speaker, if we 'buy' the approach presented in this bill, we are saying that we would rather let a large private business use public funds at no or very low interest rather than using this money to replace lost federal funds to provide services to the State's needy. We are saying that large private businesses do not have to accept the consequences of their own decisions because the State will bail them out. We are saying that if you are a large business, you can ignore the competitive forces of the free market place that these large businesses chose to operate in, because the State, as a matter of public policy, will finance a large business simply to provide employment. I thought we had learned this lesson when we appropriated funds to provide jobs for employees of another sugar plantation which went out of business in Kohala. Haven't we learned anything since then, Mr. Speaker, or is it that the sugar companies have learned more than we have, since it seems that they want ten times from us today than the \$5 million we spent on Kohala.

If this House supports an open-ended loan program like this, which I believe is more a gift than a loan, what is going to happen when the public funds we give the sugar industry are used up? We may then confront the need to provide continuing assistance to these companies to see our investment of public funds go down the drain. Will we be strong enough to say, hold it, we don't have any more money for you? We seem strong enough to say that to small business owners now, why can't we say that to the sugar industry?

Mr. Speaker, I know that certain members of this body are opposed to legalized gambling. However, the approach we are taking with

this bill is the closest thing I have ever seen to shooting craps with public funds. We have no guarantees that the sugar industry will be viable even with State assistance -- no collateral to secure the loss of public funds -- and, Mr. Speaker, we are not actively and conscientiously considering the use of State funds to support the small businessmen who could conceivably provide some of the jobs to employ unemployed sugar workers.

I hope that my colleagues will join me in voting against this bill. We need to take a look at our entire economy, and not just one segment. The bill, as it presently stands, does not embody our best efforts, and I am deeply sorry that it does not. We can do better, and we should have. So, just as I think we should hold the sugar companies responsible for the bad decisions they make, I think we should be held responsible for the bad decisions we make. If we think a proposal such as this is bad, we should vote against it. We are not giving the sugar industry an example of good decision-making if we vote to support this measure, since I don't think they would vote for it if it were brought before them for a corporate decision. Why should we do what they are unwilling to do? How are we going to explain to other needy individuals the fact that they can't have any money because we are supporting this measure, which pretty much gives the sugar industry a blank check?

The idea of giving public funds to the subsidiaries of large corporations who have multi-million dollar profits -- even after you deduct sugar losses -- turns my stomach. I'm voting no on this, Mr. Speaker, and I encourage all my colleagues to do the same."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2940-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SUGAR STABILIZATION PROGRAM", having been read throughout, passed Third Reading by a vote of 39 ayes to 10 noes, with Representatives Anderson, de Heer, Dods, Ikeda, Isbell, Kamali'i, Liu, Medeiros, Monahan and Rohlfing voting no, and Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 650-82 on H.B. No. 1948-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee

was adopted and H.B. No. 1948-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 651-82 on H.B. No. 3143-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 3143-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Dods voting no, and Representatives Nakasato and Sakamoto being excused.

Stand. Com. Rep. No. 652-82 on H.B. No. 2742-82, HD 1:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2742-82, HD 1, entitled: "A BILL FOR

AN ACT RELATING TO TAX CREDIT FOR CHILD PASSENGER RESTRAINT SYSTEMS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Nakasato and Sakamoto being excused.

The Chair directed the Clerk to note that H.B. Nos. 2940-82, 1948-82, 3143-82 and 2742-82 had passed Third Reading at 11:59 o'clock p.m.

Stand. Com. Rep. No. 653-82 on H.B. No. 2449-82, HD 2:

On motion by Representative Kunimura, seconded by Representative Chun and carried, Stand. Com. Rep. No. 653-82 and H.B. No. 2449-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", were recommitted to the Committee on Finance "as a companion Senate bill has come over."

#### ADJOURNMENT

At 12:00 o'clock, midnight, the House of Representatives adjourned until tomorrow, Thursday, March 18, 1982.

## THIRTY-SIXTH DAY

Thursday, March 18, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 12:03 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Representative William W. Monahan, after which the Roll was called showing all members present with the exception of Representatives Nakasato and Sakamoto, who were excused.

By unanimous consent, reading of the Journal was deferred.

At this time, Representative Kunimura rose on a point of personal privilege and stated:

"Mr. Speaker, I rise because I felt threatened with a heart attack with session going so close to 12:00 o'clock. But, Mr. Speaker, I withdraw that and I want to say, 'congratulations, you made it.'"

At 12:05 o'clock a.m., Representative Yamada asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:27 o'clock a.m.

Representative Stanley then made the following motion:

"Mr. Speaker, I move that all Senate bills laying on the Clerk's desk today, Thursday, pass First Reading." The motion was seconded by Representative Rohlfing.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 90 to 204) were read by the Clerk and disposed of as follows:

A communication from the Senate (Sen. Com. No. 90) transmitting Senate Bill No. 505, SD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate

(Sen. Com. No. 91) transmitting Senate Bill No. 507, SD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 92) transmitting Senate Bill No. 544, SD2 entitled: "A BILL FOR AN ACT RELATING TO TAXATION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 93) transmitting Senate Bill No. 553, SD2 entitled: "A BILL FOR AN ACT RELATING TO TAXATION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 94) transmitting Senate Bill No. 561, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 95) transmitting Senate Bill No. 594, SD1 entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 96) transmitting Senate Bill No. 647, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 97) transmitting Senate Bill No. 732, SD1 entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 98) transmitting Senate Bill No. 906, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", which passed Third Reading in the Senate on March 17, 1982,

was placed on file.

A communication from the Senate (Sen. Com. No. 99) transmitting Senate Bill No. 1308, SD2 entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 100) transmitting Senate Bill No. 1630, SD1 entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 101) transmitting Senate Bill No. 2137-82 entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 102) transmitting Senate Bill No. 2145-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO RIDESHARING", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 103) transmitting Senate Bill No. 2147-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 104) transmitting Senate Bill No. 2160-82 entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT MONEYS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 105) transmitting Senate Bill No. 2167-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 106) transmitting Senate Bill No. 2169-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS", which

passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 107) transmitting Senate Bill No. 2173-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO TAXATION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 108) transmitting Senate Bill No. 2174-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 109) transmitting Senate Bill No. 2176-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 110) transmitting Senate Bill No. 2177-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 111) transmitting Senate Bill No. 2180-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 112) transmitting Senate Bill No. 2190-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE INFORMATION DATA CENTER", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 113) transmitting Senate Bill No. 2213-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 114) transmitting Senate Bill No. 2224-82, SD2 entitled:



"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 115) transmitting Senate Bill No. 2232-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 116) transmitting Senate Bill No. 2239-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 117) transmitting Senate Bill No. 2261-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 118) transmitting Senate Bill No. 2269-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 119) transmitting Senate Bill No. 2271-82 entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 120) transmitting Senate Bill No. 2279-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE USE OF FIREARMS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 121) transmitting Senate Bill No. 2286-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO SOCIAL WORKERS", which passed Third Reading in the Senate

on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 122) transmitting Senate Bill No. 2297-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 123) transmitting Senate Bill No. 2309-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 124) transmitting Senate Bill No. 2324-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO LAND USE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 125) transmitting Senate Bill No. 2343-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 126) transmitting Senate Bill No. 2345-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 127) transmitting Senate Bill No. 2346-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL FEES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 128) transmitting Senate Bill No. 2347-82 entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR VETERANS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 129) transmitting Senate Bill No. 2354-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO FEES COLLECTED FROM THE USERS OF SCHOOL BUILDINGS, FACILITIES,

GROUND AND EQUIPMENT", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 130) transmitting Senate Bill No. 2362-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 131) transmitting Senate Bill No. 2379-82 entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 132) transmitting Senate Bill No. 2381-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 133) transmitting Senate Bill No. 2386-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO SECURITIES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 134) transmitting Senate Bill No. 2388-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 135) transmitting Senate Bill No. 2389-82 entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 136) transmitting Senate Bill No. 2399-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 137) transmitting Senate Bill No. 2412-82 entitled: "A BILL FOR AN ACT RELATING

TO DISPOSITION OF CONVICTED DEFENDANTS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 138) transmitting Senate Bill No. 2419-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO FURLOUGHS FOR PRISONERS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 139) transmitting Senate Bill No. 2424-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS FOR POLITICAL CONTRIBUTIONS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 140) transmitting Senate Bill No. 2434-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 141) transmitting Senate Bill No. 2449-92, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE RIGHT TO FARM", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 142) transmitting Senate Bill No. 2454-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 143) transmitting Senate Bill No. 2455-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE STATE LAND USE COMMISSION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 144) transmitting Senate Bill No. 2463-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO TORT ACTIONS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate

(Sen. Com. No. 145) transmitting Senate Bill No. 2467-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 146) transmitting Senate Bill No. 2470-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 147) transmitting Senate Bill No. 2471-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 148) transmitting Senate Bill No. 2493-82 entitled: "A BILL FOR AN ACT RELATING TO FIDUCIARIES AND INVESTMENTS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 149) transmitting Senate Bill No. 2494-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LANDLORD-TENANT CODE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 150) transmitting Senate Bill No. 2496-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 151) transmitting Senate Bill No. 2505-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate

(Sen. Com. No. 152) transmitting Senate Bill No. 2506-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED USE OF LAW ENFORCEMENT SYMBOLS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 153) transmitting Senate Bill No. 2513-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES: FRANCHISE TAX", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 154) transmitting Senate Bill No. 2517-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO HEALTH", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 155) transmitting Senate Bill No. 2522-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO ALOHA STADIUM", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 156) transmitting Senate Bill No. 2524-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 157) transmitting Senate Bill No. 2550-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO FIREARMS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 158) transmitting Senate Bill No. 2555-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE OPERATED LOTTERY SYSTEM", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 159) transmitting Senate Bill No. 2556-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS", which passed Third Reading in the Senate on March

17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 160) transmitting Senate Bill No. 2561-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 161) transmitting Senate Bill No. 2565-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 162) transmitting Senate Bill No. 2566-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 163) transmitting Senate Bill No. 2573-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO ARRESTS GENERALLY", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 164) transmitting Senate Bill No. 2607-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 165) transmitting Senate Bill No. 2609-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL GROUP LIVING", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 166) transmitting Senate Bill No. 2636-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 167) transmitting

Senate Bill No. 2638-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO SALES AND TRANSFER OF REAL PROPERTY SITUATED IN HAZARDOUS AREAS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 168) transmitting Senate Bill No. 2674-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO TRAINING, EDUCATION, TRAINING AND WORK PROGRAMS FOR COMMITTED PERSONS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 169) transmitting Senate Bill No. 2682-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 170) transmitting Senate Bill No. 2709-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE ENCOURAGEMENT OF FEDERALLY CERTIFIED DEVELOPMENT COMPANIES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 171) transmitting Senate Bill No. 2710-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO HOTELS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 172) transmitting Senate Bill No. 2720-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 173) transmitting Senate Bill No. 2756-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE 1984 HAWAII STATEHOOD SILVER JUBILEE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 174) transmitting Senate Bill No. 2759-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN

APPROPRIATION THEREFOR", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 175) transmitting Senate Bill No. 2760-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 176) transmitting Senate Bill No. 2774-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO SENTENCING AND PAROLE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 177) transmitting Senate Bill No. 2807-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY HOUSING LOAN PROGRAMS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 178) transmitting Senate Bill No. 2808-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO HOUSING BY COUNTIES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 179) transmitting Senate Bill No. 2809-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LAND SALES PRACTICES ACT", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 180) transmitting Senate Bill No. 2814-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 181) transmitting Senate Bill No. 2816-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 182) transmitting Senate Bill No. 2823-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS SPECIAL FEES AND CHARGES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 183) transmitting Senate Bill No. 2824-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION OF ADULT EDUCATION SPECIAL FUNDS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 184) transmitting Senate Bill No. 2829-82 entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 185) transmitting Senate Bill No. 2849-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO SECONDHAND DEALERS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 186) transmitting Senate Bill No. 2851-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF VEHICLES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 187) transmitting Senate Bill No. 2868-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 188) transmitting Senate Bill No. 2869-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE SUPPORT OF CHILDREN", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 189) transmitting Senate Bill No. 2904-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO A WATER COMMISSION AND FORMULATION OF A STATE WATER CODE", which

passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 190) transmitting Senate Bill No. 2906-82 entitled: "A BILL FOR AN ACT RELATING TO QUALITY GROWTH POLICY", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 191) transmitting Senate Bill No. 2907-82 entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN RESEARCH CENTER FOR FUTURE STUDY", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 192) transmitting Senate Bill No. 2909-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF AN INTER-ISLAND ELECTRICAL POWER CABLE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 193) transmitting Senate Bill No. 2910-82 entitled: "A BILL FOR AN ACT RELATING TO TAXATION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 194) transmitting Senate Bill No. 2914-82 entitled: "A BILL FOR AN ACT RELATING TO STATE POPULATION AND PLANNING", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 195) transmitting Senate Bill No. 2915-82 entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATOR", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 196) transmitting Senate Bill No. 2919-82 entitled: "A BILL FOR AN ACT RELATING TO SECURITY FOR SPECIAL PURPOSE REVENUE BONDS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 197) transmitting Senate Bill No. 2920-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF PROPERTY INSURANCE RATES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 198) transmitting Senate Bill No. 2923-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO ABOLISHMENT OF THE PREMARITAL RUBELLA AND SYPHILIS TEST", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 199) transmitting Senate Bill No. 2924-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO A PATIENT'S RIGHT OF SELF-DETERMINATION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 200) transmitting Senate Bill No. 2926-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 201) transmitting Senate Bill No. 2955-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 202) transmitting Senate Bill No. 2971-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO LANDS FOR AGRICULTURE", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 203) transmitting Senate Bill No. 2978-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 204) transmitting Senate Bill No. 2994-82, SD2 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII DEVELOPMENT



AUTHORITY", which passed Third Reading in the Senate on March 17, 1982, was placed on file.

#### COMMITTEE REASSIGNMENT

Senate Bill No. 2197-82 was re-referred to the Committee on Finance.

#### ADJOURNMENT

At 1:28 o'clock a.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned to 11:30 o'clock a.m. tomorrow, Friday, March 19, 1982.

## THIRTY-SEVENTH DAY

Friday, March 19, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Deacon George Christiansen of the Roman Catholic Diocese of Honolulu, after which the Roll was called showing all members present with the exception of Representatives G. Hagino, Hashimoto, Ige, Isbell, Kamali'i, Kawakami, Kobayashi, Levin, Nakasato, Narvaes, Okamura, Sakamoto, Say, Takamine and Toguchi, who were excused.

By unanimous consent, reading of the Journal of the Thirty-Sixth Day was deferred.

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

Representative Tungpalan introduced 71 students from Waiiau Elementary School. They were accompanied by their teachers, Mrs. Coronel, Mrs. Okimoto and Mrs. Kawai.

Representative Marumoto introduced a group of fourth, fifth and sixth grade students from Wailupe Elementary School. They were accompanied by their teachers, Elsa Westlake (fourth grade), Fusaye Lim and Eliana Ko, student teacher (fifth grade), and Kiyoko Chung (sixth grade).

Representative Aki introduced 85 fifth grade students in the Social Studies, American History and Government Class from Kaimiloa Elementary School in Ewa Beach. They were accompanied by their teachers, Mrs. Hazel Ouye, Mrs. Sue Hasegawa and Mrs. Toni Miller.

Representative Nakamura introduced 25 fourth grade students from King's Bible School in Wahiawa. They were accompanied by their teacher, Mr. Ron Babba.

## ORDER OF THE DAY

## COMMITTEE REFERRALS

The following Senate bills were disposed of as follows:

S.B. Nos.Referred to:

- 2189-82 Jointly to the Committees on Public Employment and Government Operations and Judiciary
- 2228-82 Jointly to the Committees on Consumer Protection and Commerce and Public Employment and Government Operations
- 2245-82 Jointly to the Committees on Public Assistance and Human Services and Judiciary
- 2248-82 Committee on Youth and Elderly Affairs, then to the Committee on Judiciary
- 2288-82 Committee on Agriculture, then to the Committee on Finance
- 2304-82 Committee on Judiciary, then to the Committee on Finance
- 2322-82 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2366-82 Committee on Judiciary
- 2475-82 Committee on Judiciary, then to the Committee on Finance
- 2507-82 Committee on Judiciary
- 2520-82 Committee on Judiciary
- 2624-82 Committee on Judiciary
- 2642-82 Committee on Judiciary
- 2867-82 Committee on Judiciary, then to the Committee on Finance
- 2947-82 Committee on Culture and the Arts, then to the Committee on Finance
- 2970-82 Committee on Higher Education, then to the Committee on Finance
- 2993-82 Jointly to the Committees on Culture and the Arts and Judiciary

## STANDING COMMITTEE REPORT

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 668-82) recommending that S.B. No. 2197-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu

and carried, the report of the Committee was adopted and S.B. No. 2197-82, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that printed copies of S.B. No. 2197-82 were made available to the members of the House at 11:30 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 244) commending Irwin Malzman, also known as Captain Irwin, for his excellent traffic reports and voluntary assistance in search and rescue operations was jointly offered by Representatives Kiyabu, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kawakami, Kihano, Kunimura, Liu, Marumoto, Matsuura, Monahan, Morioka, Nakasato, Narvaes, Okamura, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Wong and Yamada and was read by the Clerk.

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, H.R. No. 244 was adopted.

At this time, Representative Kiyabu introduced Captain Irwin to the members of the House and audience.

Representative Hashimoto then

presented Captain Irwin with a red carnation lei and Representative Kiyabu presented him with a certified copy of the resolution.

At 11:44 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal aloha and congratulations to our honoree this morning."

Upon reconvening at 11:51 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Hashimoto, Ige, Isbell, Kawakami, Kobayashi, Levin and Toguchi.

By unanimous consent, the following resolution (H.R. No. 245) was referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 245) urging the Environmental Protection Agency and the Hawaii State Department of Health to consider reducing or eliminating water quality standards for sugar producers on Hawaii's Hilo coast was jointly offered by Representatives Takamine, Anderson, Andrews, Chun, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Kihano, Kiyabu, Lacy, Liu, Matsuura, Monahan, Morioka, Okamura, Say, Segawa, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan and Wong.

#### ADJOURNMENT

At 11:52 o'clock a.m., on motion by Representative Stanley, seconded by Representative Rohlfling and carried, the House of Representatives adjourned until 11:30 o'clock a.m. on Monday, March 22, 1982.

## THIRTY-EIGHTH DAY

Monday, March 22, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Mr. James Wada representing Baha'i Assembly, after which the Roll was called showing all members present with the exception of Representatives Andrews, Hashimoto, Monahan and Tungpalan, who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Thirty-Second and Thirty-Fourth Days.

On motion by Representative Stanley, seconded by Representative Kamali'i and carried, reading of the Journals was dispensed with and the Journals of the Thirty-Second and Thirty-Fourth Days were approved.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 205 and 206) were read by the Clerk and disposed of as follows:

A communication from the Senate (Sen. Com. No. 205) returning House Concurrent Resolution No. 101, which was adopted in the Senate on March 11, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 206) returning House Concurrent Resolution No. 109, which was adopted by the Senate on March 15, 1982, was placed on file.

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

Representative Fukunaga introduced Lt. Governor Jean King and Georgia Miller, who have worked hard for the passage of the ERA.

Representative Kihano introduced the executive director of the National Conference of State Legislators,

Mr. Earl Mackey. He also introduced Kathy Staat and Barbara Schlieff from the Senate staff in Austin, Texas.

Representative Aki introduced Girl Scout Troop 44 who were accompanied by their scout leaders, Bill and Kim Hoohuli and chaperone, Mrs. Sullivan.

## ORDER OF THE DAY

## COMMITTEE REFERRALS

The following Senate bills were disposed of as follows:

<u>S.B. Nos.</u>	<u>Referred to:</u>
103	Committee on Public Employment and Government Operations
1390	Committee on Public Employment and Government Operations, then to the Committee on Finance
2183-82	Jointly to the Committees on Youth and Elderly Affairs; and Judiciary
2198-82	Committee on Public Employment and Government Operations, then to the Committee on Finance
2201-82	Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
2218-82	Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Judiciary
2257-82	Committee on Finance
2280-82	Committee on Judiciary
2311-82	Committee on Public Employment and Government Operations, then to the Committee on Finance
2312-82	Committee on Public Employment and Government Operations, then to the Committee on Finance
2350-82	Committee on Education, then to the Committee on Judiciary
2376-82	Committee on Judiciary
2401-82	Jointly to the Committees on Youth and Elderly Affairs and

Judiciary

2452-82 Committee on Housing, then to the Committee on Public Employment and Government Operations, then to the Committee on Consumer Protection and Commerce

2514-82 Committee on Finance

2523-82 Committee on Employment Opportunities and Labor Relations

2527-82 Committee on Employment Opportunities and Labor Relations

2530-82 Committee on Employment Opportunities and Labor Relations

2548-82 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Consumer Protection and Commerce, then to the Committee on Finance

2600-82 Committee on Public Employment and Government Operations, then to the Committee on Finance

2615-82 Committee on Consumer Protection and Commerce

2627-82 Committee on Judiciary, then to the Committee on Finance

2643-82 Committee on Public Employment and Government Operations, then to the Committee on Finance

2646-82 Committee on Consumer Protection and Commerce

2668-82 Committee on Judiciary, then to the Committee on Finance

2765-82 Committee on Transportation, then to the Committee on Finance

2799-82 Committee on Finance

2825-82 Committee on Education, then to the Committee on Energy, Ecology and Environmental Protection

2866-82 Committee on Housing, then to the Committee on Finance

2871-82 Jointly to the Committees on Consumer Protection and Commerce; and Agriculture

2891-82 Committee on Finance

2903-82 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

2958-82 Jointly to the Committees on Ocean and Marine Resources; and Water, Land Use Development and Hawaiian Affairs

At 11:44 o'clock a.m., at the request of Representative Kamali'i, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:46 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 250 to 251) and concurrent resolution (H.C.R. No. 117) were read by the Clerk and disposed of as follows:

A resolution (H.R. No. 250) welcoming Ramon D. Bagatsing, Mayor of Manila, on his visit to Honolulu, Hawaii was jointly offered by Representatives Sakamoto, Albano, Chun, Fukunaga, Kunimura, Matsuura, Narvaes, Takitani, Taniguchi and Tungpalan.

On motion by Representative Sakamoto, seconded by Representative Chun and carried, H.R. No. 250 was adopted.

At this time, Representative Sakamoto introduced Mayor Ramon D. Bagatsing of Manila.

Representative Chun presented the honoree with a lei and Representative Albano presented a certified copy of the resolution.

Representative Sakamoto then introduced Genaro Herrera, City Administrator of the City of Manila; Ramon Bagatsing, Jr., the Mayor's private secretary; Rod Navarro, consultant, City of Manila; and Toy Arre of the City and County of Honolulu, who were seated in the gallery.

At 11:50 o'clock a.m., the Chair declared a recess for the purpose of extending the personal welcome and Aloha of the members of the House to the honoree, subject to the call of the Chair.

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

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, the following resolution (H.R. No. 251) and concurrent resolution (H.C.R. No. 117) were adopted:

A resolution (H.R. No. 251) honoring professional secretaries on the occasion of Professional Secretaries Day, April 21, 1982 and Professional Secretaries Week, April 18-24, 1982 was jointly offered by Representatives Morioka, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

A concurrent resolution (H.C.R. No. 117) commemorating the tenth anniversary of the passage of the equal rights amendments in the State of Hawaii was jointly offered by Representatives Fukunaga, Aki, Baker, Blair, Chun, de Heer, Dods, D. Hagino, Hashimoto, Hirono, Ikeda, Kamali'i, Kihano, Kobayashi, Kunimura, Levin, Marumoto, Matsuura, Medeiros, Morioka, Nakamura, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Tungpalan and Waihee.

By unanimous consent, the following resolutions (H.R. Nos. 246 to 249 and 252 to 253) and concurrent resolutions (H.C.R. Nos. 116 and 118 to 121) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 246) requesting the Legislative Reference Bureau to conduct a study into current practices with respect to commercial leases and lease rent renegotiations was jointly offered by Representatives Shito, Waihee, Aki, Albano, Andrews, Baker, Blair, Chun, Dods, Fukunaga, D. Hagino, G. Hagino, Hirono, Honda, Ige, Kihano, Levin, Nakamura, Toguchi and Tungpalan.

A resolution (H.R. No. 247) requesting the Department of Health to continue the environmental monitoring program for radiological pollutants was offered by Representative Baker.

A resolution (H.R. No. 248) requesting a study on the feasibility of establishing state veterans homes on the islands of Hawaii, Maui, and Kauai was jointly offered by Representatives Segawa, Chun, Andrews, Honda, Isbell, Kawakami, Kobayashi, Kunimura, Levin, Matsuura, Monahan, Takamine, Takitani and Yamada.

A resolution (H.R. No. 249) requesting a study of the regular and land court recording systems of the Bureau of Conveyances was offered by Representative Blair.

A resolution (H.R. No. 252) respectfully requesting the United State Congress to amend federal tax laws to provide for the establishment of individual housing accounts to assist first-time home buyers throughout the nation to save money for a home was jointly offered by Representatives Shito, Aki, Albano, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, Hashimoto, Hirono, Honda, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Levin, Marumoto, Matsuura, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Say, Segawa, Takamine, Taniguchi, Wong and Yamada.

A resolution (H.R. No. 253) requesting a study of the proposed redesignation of odometer regulations, weights and measures, and petroleum product regulation in Hawaii Revised Statutes was offered by Representative Blair.

A concurrent resolution (H.C.R. No. 116) requesting a study of the regular and land court recording systems of the Bureau of Conveyances was offered by Representative Blair.

A concurrent resolution (H.C.R. No. 118) authorizing the Department of Land and Natural Resources to develop through private developers and capital certain lands for certain enumerated purposes was offered by Representative Peters.

A concurrent resolution (H.C.R. No. 119) supporting the Department of Land and Natural Resources' intent to expand the use of concession agreements to develop and operate camping and cabin rental facilities in certain state parks was offered by Representative Peters. (By request)

A concurrent resolution (H.C.R. No. 120) respectfully requesting the United State Congress to amend



federal tax laws to provide for the establishment of individual housing accounts to assist first-time home buyers throughout the nation to save money for a home was jointly offered by Representatives Shito, Aki, Albano, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, Hashimoto, Hirono, Honda, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Levin, Marumoto, Matsuura, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Say, Segawa, Takamine, Taniguchi, Wong and Yamada.

A concurrent resolution (H.C.R. No. 121) requesting a study of the proposed redesignation of odometer regulations, weights and measures, and petroleum product regulation in Hawaii Revised Statutes was offered by Representative Blair.

#### SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Kamali'i and carried, the rules were suspended for the purpose of considering bills

on Third Reading on the basis of a modified consent calendar.

#### THIRD READING

The following bill which was on the calendar for Third Reading, was read throughout and the following action taken:

#### S.B. No. 2197-82:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, S.B. No. 2197-82 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", was recommitted to the Committee on Finance.

#### ADJOURNMENT

At 12:15 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 11:30 o'clock a.m., tomorrow, Tuesday, March 23, 1982.

## THIRTY-NINTH DAY

Tuesday, March 23, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by the Reverend Kim On Chong, Chaplain (Retired) of Mid-Pacific Institute, after which the Roll was called showing all members present with the exception of Representatives Fukunaga, Kunimura, Peters, Waihee and Yamada, who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Thirty-Sixth and Thirty-Eighth Days.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, reading of the Journals was dispensed with and the Journals of the Thirty-Sixth and Thirty-Eighth Days were approved.

The Chair then directed the Clerk to note the presence of Representative Kunimura.

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

Representative Chun introduced 40 members of "The Family Singers" which is comprised of ten families and their children, as follows: Leni and Armando Espiritu, Prom and Norma Amoguis, Abner and Eleanor Velasco, Sam and Jeannette Villanueva, Onie and Chin Pascual, Rudy and Lita Lazo, Romeo and Theresa Torres, Esther and Irma Myape, Frances and Jim Diaz, Rene and Aurora Rada and Leo Cabus. They are visiting from Los Angeles, California.

Representative Okamura introduced ten Boy Scouts from Troop 147 from Aiea who are 7th to 12th graders. They were accompanied by Raymond Len, Assistant Scoutmaster; and parents, Amy Chagami, Geraldine Chagami and Janet Ohta.

Representative Shito introduced a group of students from the After School Care Program. These students range in grade level one to six from Mililani-Uka Elementary School, Mililani-Waena Elementary School,

and Kipapa Elementary School. They were accompanied by their teacher, Eugene Yamada, and chaperone, Sandy Cole.

Representative Kunimura introduced Mr. Dick Johnson, "the best hospital administrator."

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

Upon reconvening at 11:58 o'clock a.m., the Speaker assumed the rostrum.

The Chair then directed the Clerk to note the presence of Representative 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>
68	Committee on Employment Opportunities and Labor Relations
2143-82	Jointly to the Committees on Health and Consumer Protection and Commerce, then to the Committee on Finance
2144-82	Jointly to the Committees on Health and Consumer Protection and Commerce
2146-82	Committee on Judiciary, then to the Committee on Public Employment and Government Operations, then to the Committee on Finance
2152-82	Committee on Consumer Protection and Commerce
2181-82	Committee on Employment Opportunities and Labor Relations, then to the Committee on Transportation
2235-82	Committee on Consumer Protection and Commerce
2313-82	Committee on Consumer Protection and Commerce
2334-82	Jointly to the Committees on Consumer Protection and Commerce and Transportation, then to the Committee on Finance
2353-82	Jointly to the Committees on Education and Public Employment and

- Government Operations, then to the Committee on Finance
- 2377-82 Committee on Judiciary
- 2382-82 Committee on Health, then to the Committee on Consumer Protection and Commerce
- 2477-82 Committee on Consumer Protection and Commerce
- 2528-82 Committee on Employment Opportunities and Labor Relations
- 2531-82 Committee on Employment Opportunities and Labor Relations
- 2575-82 Jointly to the Committees on Judiciary and Public Employment and Government Operations, then to the Committee on Finance
- 2602-82 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 2696-82 Committee on Consumer Protection and Commerce
- 2831-82 Committee on Judiciary, then to the Committee on Finance
- 2890-82 Jointly to the Committees on Public Employment and Government Operations; and Employment Opportunities and Labor Relations, then to the Committee on Finance
- 2908-82 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs; and State General Planning, then to the Committee on Finance
- 2913-82 Committee on Employment Opportunities and Labor Relations, then to the Committee on Finance
- 505 Committee on Water, Land Use, Development and Hawaiian Affairs
- 507 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 544 Jointly to the Committees on Agriculture and Ocean and Marine Resources, then to the Committee on Finance
- 553 Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance
- 561 Committee on Ocean and Marine Resources
- 594 Committee on Consumer Protection and Commerce
- 647 Committee on Judiciary, then to the Committee on Legislative Management, then to the Committee on Finance
- 732 Committee on Finance
- 906 Committee on Higher Education, then to the Committee on Finance
- 1308 Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance
- 1630 Committee on Consumer Protection and Commerce, then to the Committee on Housing
- 2137-82 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2145-82 Jointly to the Committees on Transportation and Employment Opportunities and Labor Relations
- 2147-82 Committee on Judiciary
- 2160-82 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 2167-82 Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance
- 2169-82 Committee on Agriculture, then to the Committee on Finance
- 2173-82 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 2174-82 Committee on Judiciary, then to the Committee on Public Employment and Government Operations
- 2176-82 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2177-82 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2180-82 Committee on Public Assistance and Human Services, then to the Committee on Finance
- 2190-82 Committee on Judiciary
- 2213-82 Committee on Employment Opportunities and Labor Relations
- 2224-82 Committee on Water, Land Use, Development and Hawaiian

- Affairs, then to the Committee on Finance
- 2232-82 Committee on Consumer Protection and Commerce
- 2239-82 Committee on Consumer Protection and Commerce
- 2261-82 Committee on Finance
- 2269-82 Committee on Judiciary, then to the Committee on Finance
- 2271-82 Committee on Judiciary
- 2286-82 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2297-82 Jointly to the Committees on Judiciary and Public Employment and Government Operations, then to the Committee on Finance
- 2309-82 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs; and Agriculture, then to the Committee on Finance
- 2324-82 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2343-82 Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance
- 2345-82 Committee on Judiciary
- 2346-82 Committee on Education, then to the Committee on Finance
- 2347-82 Committee on Higher Education, then to the Committee on Finance
- 2354-82 Committee on Education, then to the Committee on Finance
- 2362-82 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2379-82 Committee on Judiciary
- 2381-82 Jointly to the Committees on Corrections and Rehabilitation; and Public Employment and Government Operations, then to the Committee on Finance
- 2386-82 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2388-82 Jointly to the Committees on Consumer Protection and Commerce and Housing
- 2389-82 Committee on Consumer Protection and Commerce
- 2399-82 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2412-82 Committee on Judiciary, then to the Committee on Finance
- 2419-82 Committee on Correction and Rehabilitation, then to the Committee on Finance
- 2424-82 Committee on Judiciary, then to the Committee on Finance
- 2434-82 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, then to the Committee on Finance
- 2449-82 Jointly to the Committees on Judiciary and Agriculture
- 2454-82 Jointly to the Committees on Judiciary and Consumer Protection and Commerce
- 2455-82 Jointly to the Committees on Housing and Water, Land Use, Development and Hawaiian Affairs
- 2463-82 Jointly to the Committees on Judiciary and Consumer Protection and Commerce
- 2467-82 Committee on Judiciary
- 2470-82 Committee on Health, then to the Committee on Finance
- 2471-82 Committee on Transportation, then to the Committee on Consumer Protection and Commerce
- 2493-82 Jointly to the Committees on Housing and Consumer Protection and Commerce
- 2494-82 Jointly to the Committees on Consumer Protection and Commerce and Housing
- 2496-82 Jointly to the Committees on Housing and Consumer Protection and Commerce
- 2505-82 Committee on Judiciary, then to the Committee on Finance
- 2506-82 Committee on Judiciary
- 2513-82 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2517-82 Committee on Consumer Protection and Commerce, then to the Committee on Finance

- 2522-82 Jointly to the Committees on Public Employment and Government Operations and Judiciary on Finance
- 2550-82 Committee on Judiciary
- 2555-82 Committee on Public Employment and Government Operations, then to the Committee on Judiciary, then to the Committee on Finance
- 2556-82 Jointly to the Committees on Consumer Protection and Commerce and Housing, then to the Committee on Finance
- 2561-82 Committee on Consumer Protection and Commerce
- 2565-82 Committee on Judiciary
- 2566-82 Committee on Judiciary, then to the Committee on Finance
- 2573-82 Committee on Judiciary, then to the Committee on Finance
- 2607-82 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 2609-82 Jointly to the Committees on Housing and Public Assistance and Human Services
- 2636-82 Jointly to the Committees on Health and Judiciary
- 2638-82 Committee on Consumer Protection and Commerce
- 2674-82 Committee on Corrections and Rehabilitation
- 2682-82 Jointly to the Committees on Health and Judiciary, then to the Committee on Finance
- 2710-82 Jointly to the Committees on Tourism and Consumer Protection and Commerce
- 2720-82 Committee on State General Planning, then to the Committee on Finance
- 2774-82 Committee on Judiciary, then to the Committee on Finance
- 2904-82 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 2906-82 Committee on State General Planning, then to the Committee on Finance
- 2907-82 Committee on State General Planning, then to the Committee on Finance
- 2909-82 Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance
- 2914-82 Committee on State General Planning, then to the Committee on Finance
- 2915-82 Committee on Ocean and Marine Resources, then to the Committee on Finance
- 2919-82 Committee on Health, then to the Committee on Finance
- 2920-82 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 2923-82 Committee on Health
- 2924-82 Jointly to the Committees on Health and Judiciary
- 2926-82 Committee on Health, then to the Committee on Finance
- 2955-82 Committee on Health, then to the Committee on Finance
- 2971-82 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, then to the Committee on Finance
- 2978-82 Committee on Health, then to the Committee on Finance
- 2994-82 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 2807-82 Committee on Housing, then to the Committee on Finance
- 2808-82 Committee on Housing, then to the Committee on Finance
- 2814-82 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 2816-82 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 2823-82 Committee on Education, then to the Committee on Finance
- 2824-82 Jointly to the Committees on Public Employment and Government Operations and Education, then to the Committee on Finance
- 2829-82 Committee on Water, Land Use, Development and Hawaiian

Affairs, then to the Committee on Finance

2849-82 Committee on Consumer Protection and Commerce, then to the Committee on Finance

2851-82 Committee on Transportation, then to the Committee on Finance

2868-82 Committee on Finance

2869-82 Committee on Judiciary, then to the Committee on Finance

2709-82 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

2756-82 Committee on Culture and the Arts, then to the Committee on Finance

2759-82 Committee on Public Employment and Government Operations, then to the Committee on Finance

2760-82 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs, and the Committee on Agriculture, then to the Committee on Finance

2809-82 Committee on Water, Land Use, Development and Hawaiian Affairs

2279-82 Committee on Judiciary

2524-82 Committee on Employment Opportunities and Labor Relations, then to the Committee on Finance

2910-82 Committee on Finance

#### DEFERRED RESOLUTIONS

The following resolutions were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
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75	Committee on Public Employment and Government Operations, then to the Committee on Finance
76	Committee on Education, then to the Committee on Finance
77	Committee on Public Employment and Government Operations, then to the Committee on Finance
78	Committee on State General Planning, then to the Committee on Finance, then to the Committee on Legislative Management

79	Committee on Public Employment and Government Operations, then to the Committee on Finance
80	Committee on Public Employment and Government Operations, then to the Committee on Finance
81	Committee on Transportation, then to the Committee on Finance
82	Committee on State General Planning, then to the Committee on Finance
83	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture
84	Jointly to the Committees on State General Planning and Public Employment and Government Operations
85	Committee on State General Planning, then to the Committee on Legislative Management
86	Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
87	Committee on Legislative Management, then to the Committee on Finance
88	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs, and State General Planning
89	Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
90	Committee on Consumer Protection and Commerce, then to the Committee on Finance
91	Committee on Public Employment and Government Operations, then to the Committee on Finance
92	Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Legislative Management
93	Committee on Public Employment and Government Operations, then to the Committee on Legislative Management
94	Committee on Public Employment and Government Operations, then to the Committee on Legislative Management
95	Committee on Water, Land



- Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 96 Committee on Finance, then to the Committee on Legislative Management
- 97 Jointly to the Committees on Public Employment and Government Operations and Education, then to the Committee on Finance
- 98 Jointly to the Committees on Public Employment and Government Operations and State General Planning, then to the Committee on Legislative Management
- 99 Committee on Public Employment and Government Operations, then to the Committee on Legislative Management
- 100 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 101 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 102 Committee on Public Employment and Government Operations, then to the Committee on Legislative Management
- 103 Committee on Public Employment and Government Operations, then to the Committee on Legislative Management
- 104 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 105 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Legislative Management
- 106 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 107 Committee on State General Planning, then to the Committee on Legislative Management
- 108 Jointly to the Committees on Energy, Ecology and Environmental Protection and Health
- 109 Jointly to the Committees on Corrections and Rehabilitation and Health, then to the Committee on Finance
- 110 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 111 Jointly to the Committees on Transportation and Energy, Ecology and Environmental Protection, then to the Committee on Finance
- 112 Jointly to the Committees on Education and Employment Opportunities and Labor Relations
- 114 Committee on Judiciary, then to the Committee on Finance
- 122 Jointly to the Committees on Public Employment and Government Operations and Energy, Ecology and Environmental Protection, then to the Committee on Finance
- 123 Committee on Culture and the Arts
- 125 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 126 Committee on Agriculture, then to the Committee on Finance
- 127 Committee on Judiciary, then to the Committee on Finance
- 128 Committee on Education
- 129 Committee on Employment Opportunities and Labor Relations
- 131 Jointly to the Committees on Judiciary and Health
- 132 Committee on Education
- 133 Committee on Public Assistance and Human Services, then to the Committee on Finance
- 140 Jointly to the Committees on Transportation and Health, then to the Committee on Finance
- 141 Committee on Transportation, then to the Committee on Finance
- 142 Committee on Tourism, then to the Committee on Finance
- 143 Jointly to the Committees on Energy, Ecology and Environmental Protection and Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 144 Jointly to the Committees on Housing and Public Employment and Government Operations

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| 145 | Committee on Health  | 181 | Committee on Energy, Ecology and Environmental Protection   |
| 146 | Committee on Judiciary, then to the Committee on Legislative Management  | 182 | Committee on Transportation   |
| 147 | Jointly to the Committees on Youth and Elderly Affairs and Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance | 183 | Committee on Tourism  |
| 156 | Committee on Agriculture, then to the Committee on Finance   | 184 | Committee on Consumer Protection and Commerce   |
| 157 | Committee on Education, then to the Committee on Finance   | 185 | Committee on Public Employment and Government Operations  |
| 158 | Committee on Transportation, then to the Committee on Finance  | 186 | Committee on Transportation   |
| 159 | Jointly to the Committees on Health and Education, then to the Committee on Finance  | 187 | Committee on Water, Land Use, Development and Hawaiian Affairs  |
| 160 | Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, then to the Committee on Finance               | 189 | Committee on Water, Land Use, Development and Hawaiian Affairs  |
| 161 | Committee on Housing   | 194 | Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance          |
| 162 | Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture   | 195 | Committee on Higher Education, then to the Committee on Finance   |
| 163 | Committee on Judiciary, then to the Committee on Finance   | 196 | Committee on Water, Land Use, Development and Hawaiian Affairs  |
| 164 | Jointly to the Committees on Judiciary and Corrections and Rehabilitation, then to the Committee on Legislative Management                     |     | <u>H.C.R. Nos.</u>  |
| 165 | Committee on Transportation, then to the Committee on Finance  | 27  | Committee on Transportation, then to the Committee on Finance   |
| 166 | Committee on Public Employment and Government Operations, then to the Committee on Finance   | 28  | Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture            |
| 169 | Jointly to the Committees on Youth and Elderly Affairs and Housing, then to the Committee on Finance   | 29  | Jointly to the Committees on State General Planning and Public Employment and Government Operations       |
| 170 | Jointly to the Committees on Energy, Ecology and Environmental Protection and Health, then to the Committee on Finance                         | 30  | Committee on State General Planning, then to the Committee on Legislative Management                      |
| 171 | Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance  | 31  | Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance          |
| 172 | Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance   | 32  | Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and State General Planning |
| 180 | Committee on Finance   | 33  | Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance          |
|     |  | 34  | Committee on Consumer Protection and Commerce, then to  |

- the Committee on Finance
- 35 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 36 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Legislative Management
- 37 Committee on Public Employment and Government Operations, then to the Committee on Legislative Management
- 38 Committee on Public Employment and Government Operations, then to the Committee on Legislative Management
- 39 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 40 Committee on Finance, then to the Committee on Legislative Management
- 41 Jointly to the Committees on Public Employment and Government Operations and Education, then to the Committee on Finance
- 42 Jointly to the Committees on State General Planning and Employment Opportunities and Labor Relations, then to the Committee on Finance
- 43 Jointly to the Committees on Public Employment and Government Operations and State General Planning, then to the Committee on Legislative Management
- 44 Committee on Public Employment and Government Operations, then to the Committee on Legislative Management
- 45 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 46 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 47 Committee on Public Employment and Government Operations, then to the Committee on Legislative Management
- 48 Committee on Public Employment and Government Operations, then to the Committee on Legislative Management
- 49 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 50 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Legislative Management
- 51 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 52 Committee on State General Planning, then to the Committee on Legislative Management
- 53 Jointly to the Committees on Energy, Ecology and Environmental Protection and Health
- 54 Jointly to the Committees on Corrections and Rehabilitation and Health, then to the Committee on Finance
- 55 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
- 56 Jointly to the Committees on Transportation and Energy, Ecology and Environmental Protection, then to the Committee on Finance
- 57 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 58 Committee on Education, then to the Committee on Finance
- 59 Committee on Public Employment and Government Operations
- 60 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 61 Committee on State General Planning
- 62 Committee on State General Planning, then to the Committee on Finance, then to the Committee on Legislative Management
- 63 Committee on State General Planning, then to the Committee on Finance, then to the Committee on Legislative Management
- 64 Committee on Public Employment and Government Operations, then to the Committee on Finance
- 65 Committee on State General Planning, then to the Committee on Finance

66 Jointly to the Committees on State General Planning; Corrections and Rehabilitation; and Judiciary, then to the Committee on Finance

67 Jointly to the Committees on State General Planning and Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

68 Jointly to the Committees on State General Planning and Ocean and Marine Resources, then to the Committee on Finance

69 Jointly to the Committees on State General Planning and Public Employment and Government Operations, then to the Committee on Finance

70 Committee on Judiciary, then to the Committee on Finance

77 Committee on Judiciary, then to the Committee on Finance

78 Committee on Education

79 Committee on State General Planning, then to the Committee on Finance, then to the Committee on Legislative Management

81 Committee on Agriculture

82 Jointly to the Committees on Housing and Public Employment and Government Operations

83 Committee on Health

85 Committee on Transportation, then to the Committee on Finance

86 Jointly to the Committees on Health and Education, then to the Committee on Finance

87 Committee on Agriculture

88 Committee on Judiciary

89 Committee on Water, Land Use, Development and Hawaiian Affairs

91 Committee on Transportation, then to the Committee on Finance

92 Jointly to the Committees on State General Planning and Water, Land Use, Development and Hawaiian Affairs

93 Committee on Judiciary

94 Jointly to the Committees on Water, Land Use, Development

and Hawaiian Affairs and Ocean and Marine Resources

96 Committee on Transportation

97 Committee on Consumer Protection and Commerce

98 Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

#### COMMITTEE REASSIGNMENTS

The following Senate Bills were re-referred as follows:

<u>S.B. Nos.</u>	<u>Re-referred to:</u>
2288-82	Committee on Finance
2947-82	Committee on Finance

#### STANDING COMMITTEE REPORT

Representative Baker, for the Committee on Energy, Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 669-82) recommending that H.R. No. 14, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Okamura and carried, the report of the Committee was adopted and H.R. No. 14, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE AMENDMENT OF PRESENT REGULATIONS OR THE ADOPTION OF NEW REGULATIONS TO INCLUDE THE MONITORING OF DISCHARGES GENERATED BY GEOTHERMAL ACTIVITIES", was referred to the Committee on Finance.

#### INTRODUCTION OF RESOLUTIONS

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, the following resolutions (H.R. Nos. 254 to 261, 263 and 264) were adopted:

A resolution (H.R. No. 254) expressing condolences and deepest sympathy to the family of the late Robert Beaumont was jointly offered by Representatives Sakamoto, Aki, Albano, Anderson, Baker, Chun, de Heer, Dods, Fukunaga, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunitura, Lacy, Levin, Liu, Marumoto, Matsuura, Morioka, Nakamura, Narvaes, Okamura, Say, Shito, Stanley, Takamine, Takitani, Taniguchi, Tungpalan, Waihee and Wong.

A resolution (H.R. No. 255) congratulating the Kailua High School Surfriders for winning the State Basketball Championship was jointly offered by Representatives Sakamoto, Aki, Albano, Anderson, Baker, Chun, de Heer, Dods, Fukunaga, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Morioka, Nakamura, Narvaes, Okamura, Say, Shito, Stanley, Takamine, Takitani, Taniguchi, Tungpalan, Waihee and Wong.

A resolution (H.R. No. 256) commending and congratulating the members and coaches of the 1982 Kaimuki Intermediate School Math League, winners of the annual Mathematics Papahana was jointly offered by Representatives Kiyabu, Kobayashi, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kawakami, Kihano, Kunimura, Liu, Marumoto, Matsuura, Monahan, Morioka, Nakasato, Narvaes, Okamura, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Wong and Yamada.

A resolution (H.R. No. 257) commending Castle Memorial Hospital for its contributions to the Windward community was jointly offered by Representatives Ige, Wong, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Yamada and Peters.

A resolution (H.R. No. 258) congratulating the Kaneohe No. 1 Boy's Soccer Team was jointly offered by Representatives Ige, Wong, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Yamada and Peters.

A resolution (H.R. No. 259) congratulating Kauwila Akau was jointly

offered by Representatives Ige, Wong, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Yamada and Peters.

A resolution (H.R. No. 260) congratulating the Wahines-O-Koolau of Kaneohe and their coach as runners-up for the 1981 American Youth Soccer Organization State Championship was jointly offered by Representatives Ige, Wong, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Yamada and Peters.

A resolution (H.R. No. 261) congratulating Reynolds Aluminum on the first anniversary of its recycling plant in Hawaii was jointly offered by Representatives Ige, Okamura, Chun, Aki, Albano, Anderson, Andrews, Baker, Blair, De Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

A resolution (H.R. No. 263) congratulating Gordon Bruce Mitchell for being selected as the Outstanding Handicapped Employee of the Year was jointly offered by Representatives Ige, Wong, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Peters.

A resolution (H.R. No. 264) congratulating

lating the Kaneohe Rowdies Soccer Team Boys 13-14 Division on winning the State Soccer Cup was jointly offered by Representatives Ige, Wong, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Peters.

By unanimous consent, the following resolution (H.R. No. 262) was referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 262) requesting a study on available methods of deter-

mining drug use by drivers and the development of standards for determining presumptions concerning driving under the influence of drugs was jointly offered by Representatives Nakamura, Albano, Anderson, Baker, Chun, Fukunaga, Hirono, Honda, Ikeda, Isbell, Kawakami, Kiyabu, Kunimura, Lacy, Matsuura, Shito, Takamine, Takitani, Taniguchi and Tungpalan.

At this time, Representative Kiyabu requested waiver of the 48-hour notice for hearings on H.B. No. 2197-82 and the Chair "so ordered."

#### ADJOURNMENT

At 12:01 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Wednesday, March 24, 1982.



## FORTIETH DAY

Wednesday, March 24, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Frank L. Turnbow representing Schofield Barracks, after which the Roll was called showing all members present with the exception of Representative Taniguchi, who was excused.

By unanimous consent, reading of the Journal was deferred.

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

Representative Kunimura introduced the members of the Lihue Ilimas 4-H Club: Sheri Yoshida, President; Mona Olivas, Vice President; Adela Basuel, Secretary; Janice Nakato, Treasurer; Sandra Johnston, Jennifer Uyeda, Laura Komoto, Gail Palacio, Crissy Giraldo, Florence Gandeza, Zelda Alao and Tami Taketa.

Representative Segawa introduced students from the Upward Bound Program at the University of Hawaii at Hilo: Kelly Badua, Sheryl Meyer, Raynette Ballio, Felita Dela Cruz, Larrijean Imai, Sophia Cabral, G. Piilani Kaawaloa, Donna Andres and Wanda Louis, who were accompanied by Jane Yamashiro, Director; Don Pakele, Counselor; Jammie Ballio, J. Keoni Lavea, S. Kaleo Perez and Giget Tabil.

Representative Nakasato introduced the Lanakila Flower Arranging Class.

Representative Kihano introduced Mr. and Mrs. Alex Azima and their daughter Rachel from Lansing, Michigan. They were seated with Mrs. Azima's mother, Mrs. Miriam Sakamoto from Waialua.

Representative Takitani introduced Mr. and Mrs. Pasqual and their three grandchildren and Lori Tungpalan, daughter of Representative Tungpalan.

Representative Kamali'i introduced Diane Morales, a commissioner for the Native Hawaiian Studies Commission.

Representative Tungpalan introduced two friends: Fire Captains Polo Simeona and Bill Adachi.

Representative Monahan introduced students from the Maui Community College's Upward Bound Program and their director, Leona Ryder and their counselors, Jim and Jenny Dowis.

## ORDER OF THE DAY

## COMMITTEE REFERRALS

S.B. No. 2261-82 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Finance.

S.B. No. 2825-82 was referred to the Committee on Energy, Ecology and Environmental Protection.

## INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 265 to 266) were read by the Clerk and disposed of as follows:

A resolution (H.R. No. 265) commending, expressing sincere appreciation, and extending best wishes for success to Major Ikuo Kiyohara was jointly offered by Representatives Waihee, Okamura, Chun, Albano, Aki, Anderson, Baker, Blair, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakasato, Narvaes, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Wong and Yamada.

On motion by Representative Waihee, seconded by Representative Okamura and carried, H.R. No. 265 was adopted.

Representative Waihee rose and stated:

"Mr. Speaker, I would like to honor an outstanding gentleman this morning, Major Ikuo Kiyohara.

"Major Kiyohara is the former post commander of the Aliamanu Military Reservation. During his long and distinguished military career as an air controller, green beret, demolitions expert, paratrooper to name a few, he has achieved much and earned many decorations.

"However, while these are certainly worthy achievements, we are here today to honor him for his deeds above and beyond the call of duty.

"Mr. Speaker, Major Kiyohara pioneered the establishment of a cooperative, working relationship between the military and our communities. He served as a liaison between the military families and the many principals of the schools in the Seventeenth and Eighteenth Districts, uniting diverse elements and tackling many problems. With his understanding of island life, Major Kiyohara orchestrated a more harmonious relationship between military personnel and our local citizens for the benefit of Hawaii's most critical resource, our children.

"Major Kiyohara is leaving our islands to continue his career in service to our country. Accordingly, we would like to thank him today and it is with regret that we bid him farewell.

"Mr. Speaker, I ask that Major Kiyohara stand and be recognized."

At this time, Representative Waihee introduced the honoree to the members of the House.

Representative Waihee introduced Odette Kiyohara, the honoree's wife, and his daughters, Jennifer and Lisa, and Mr. Richard Lee, principal at Red Hill Elementary School.

Representative Waihee introduced Mrs. Edith Lee, principal of Makalapa Elementary School and Lt. Col. Kermit Southern, the executive officer, deputy installation commander at Fort Shafter, who were seated in the gallery.

At this time, Representatives Chun and Fukunaga presented the honoree with leis, and Representative Waihee presented a certified copy

of the resolution.

A resolution (H.R. No. 266) honoring assemblymen Rudolfo Albano and Augusto Ortiz of the Phillipine Legislature on attending the American Society of Public Administrators Conference in Hawaii was jointly offered by Representatives Albano, Aki, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

On motion by Representative Albano, seconded by Representative Stanley and carried, H.B. No. 266 was adopted.

Representative Albano rose and stated:

"Mr. Speaker, when my committee clerk passed this resolution yesterday to get signatures from our colleagues, many of them asked if I'm related to Assemblyman Albano. Just look at our receding hairlines and thin hair, and there's no doubt that there's a relationship.

"Mr. Speaker, our honorees today have distinguished themselves in their chosen profession as well as in public service. Both are lawyers and have actively engaged in a practice of law before they went into elected public office.

"They have some similarities in their careers. Both have served in the three branches of government of the Phillipine government. Assemblyman Albano was elected Vice Governor of his province of Isabella, and was considered the youngest Vice Governor at that time. Assemblyman Ortiz was also elected as Vice Governor while the difference is that Assemblyman Ortiz was elected as Governor in the province of Sorsogon.

"Both were also appointed to the judiciary branch of government. Assemblyman Albano was appointed as a judge of the criminal circuit court, and Assemblyman Ortiz was appointed as judge of the Court of First Instance which is equivalent to our First Circuit Court here.

"And now, they are distinguished members of the Philippine Assembly known as the Batasang Pambansa of the Philippines.

"In view of the outstanding achievement of performance in the legislature of the Philippines, they were appointed, in addition to their responsibilities, as minister of state for civil service. And that is the reason why they are here attending the American Society of Public Administrators."

At this time, Representatives Tungpalan and Chun presented the honorees with leis, and Representative Kihano presented certified copies of the resolution.

Representative Albano introduced Mr. Lito Alcantara in the gallery.

Representative Kihano then rose and introduced Mr. J. Robert Dailey, Speaker of House of the State of Indiana, who was seated on the floor.

At this time, the Chair stated:

"Speaker Dailey, on behalf of the members of the House, thank you for visiting with us today. We hope that your stay will be a very comfortable and enjoyable one, and that you bathe in the Aloha spirit of this state."

At 12:07 o'clock p.m., the Chair declared a recess for the purpose of extending the personal Aloha of the members of the House to the honorees, subject to the call of the Chair.

The House of Representatives reconvened at 12:23 o'clock p.m.

On motion by Representative Stanley, seconded by Representative Kamali'i and carried, the following resolutions (H.R. Nos. 267 to 269 and 273 to 274) were adopted:

A resolution (H.R. No. 267) extending heartfelt sympathy to the family of the late Betty Lou "Lani" Nalanieha Kaikainahaole Chun was jointly offered by Representatives Baker, Liu, Aki, Albano, Anderson, Andrews, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine,

Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

A resolution (H.R. No. 268) commending the managers and coaches of the Palolo Little League for outstanding performance of their duties was jointly offered by Representatives Morioka, Say, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Shito, Segawa, Stanley, Takamine, Takitani, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

A resolution (H.R. No. 269) commending the volunteers in the Palolo Little League program for their dedicated service to the youth of the community was jointly offered by Representatives Morioka, Say, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Nakasato, Narvaes, Okamura, Rohlfing, Segawa, Shito, Stanley, Takamine, Takitani, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

A resolution (H.R. No. 273) congratulating the Leilehua High School boy's and girl's rifle teams on winning their respective 1982 Oahu Interscholastic Association rifle team championships was jointly offered by Representatives G. Hagino, Nakamura, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Monahan, Morioka, Nakasato, Narvaes, Okamura, Say, Shito, Takamine, Takitani, Taniguchi, Toguchi and Waihee.

A resolution (H.R. No. 274) congratulating the Waialua High School junior varsity wrestling team on winning the 1982 Oahu Interscholastic Association western division junior varsity wrestling championship was jointly offered by Representatives G. Hagino, Nakamura, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Monahan, Morioka, Nakasato, Narvaes,

Okamura, Say, Shito, Takamine, Takitani, Taniguchi, Toguchi and Waihee.

By unanimous consent, the following resolutions (H.R. Nos. 270 to 272 and 275) and concurrent resolutions (H.C.R. Nos. 122 to 123) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 270) requesting the State Health Planning and Development Agency to report on a plan for state health planning and resources development was jointly offered by Representatives Chun, Segawa, Aki, Albano, Anderson, Andrews, Blair, de Heer, Dods, Fukunaga, D. Hagino, Hashimoto, Honda, Ige, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Levin, Marumoto, Matsuura, Medeiros, Monahan, Nakamura, Nakasato, Sakamoto, Say, Shito, Stanley, Takamine, Takitani, Taniguchi, Tungpalan, Wong, Yamada and Peters.

A resolution (H.R. No. 271) requesting a review and study of Chapter 294, Hawaii Revised Statutes, relating to motor vehicle accident reparations was offered by Representative Blair.

A resolution (H.R. No. 272) requesting action to secure the transfer of federal funds allocated to H-3 to alternate projects was jointly offered by Representatives Taniguchi, Albano, Andrews, Baker, Chun, de Heer, Fukunaga, D. Hagino, G. Hagino, Hirono, Isbell, Kamali'i, Kobayashi, Levin, Marumoto, Matsuura, Morioka, Nakasato, Narvaes, Okamura, Takamine, Takitani, Waihee and Yamada.

A resolution (H.R. No. 275) urging the counties to adopt ordinances to insure construction of affordable housing in new housing developments was offered by Representative Shito.

A concurrent resolution (H.C.R. No. 122) requesting a review and study of Chapter 294, Hawaii Revised Statutes, relating to motor vehicle accident reparations was offered by Representative Blair.

A concurrent resolution (H.C.R. No. 123) authorizing the Department of Land and Natural Resources to develop through private developers and capital certain lands for certain enumerated purposes was offered by Representative Peters. (By request)

## SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar.

## THIRD READING

The following bill which was on the calendar for Third Reading, was read throughout and the following action taken:

### S.B. No. 2197-82:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, S.B. No. 2197-82 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", passed Third Reading by a vote of 50 ayes, with Representative Taniguchi being excused.

The Chair directed the Clerk to note that S.B. No. 2197-82 had passed Third Reading at 12:24 o'clock p.m.

Representative Anderson rose on a point of information and stated:

"Last night on television, and again this morning in the newspapers, I see that the Senate is having hearings with the Health Department, and I was wondering if this House is going to have any hearings regarding the milk situation or are we going to believe what we read in the newspapers . . ."

Representative Stanley interrupted with a request for a recess.

At 12:20 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:30 o'clock p.m.

Representative Narvaes rose on a point of information stating:

"Mr. Speaker, what's the answer to Whitney's question on whether we're going to have . . ."

The Chair interrupted stating:

"Would you mind asking him that question after the session?"

Representative Narvaes continued:

"I don't, Mr. Speaker . . . "

Representative Stanley interrupted with a request for a recess.

At 12:38 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:38 o'clock p.m.

#### ANNOUNCEMENTS

Representative G. Hagino rose and stated:

"Mr. Speaker, it is with extreme pride and pleasure that I announce

to you and this body that we now have a new member of this group. Her name is Carly, as in Carly Simon, and she was born to Jan and Brian Taniguchi at Kapiolani Hospital.

"I'm also happy to announce that mother, daughter and Dad are doing well."

#### ADJOURNMENT

At 12:20 o'clock p.m., on motion by Representative Stanley, seconded by Representative Kamali'i and carried, the House of Representatives adjourned until 11:30 o'clock a.m., tomorrow, Thursday, March 25, 1982.

## FORTY-FIRST DAY

Thursday, March 25, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by Dr. Dan Griffith of the Clift Temple Baptist Church who is visiting from Dallas, Texas, and a guest of the Reverend Kenneth Newman of the Hawaii Kai Baptist Church. The Roll was then called showing all members present with the exception of Representatives Ige, Ikeda, Kawakami, Kiyabu, Kunimura, Levin, Liu, Medeiros, Morioka, Nakamura, Peters, Segawa and Yamada, who were excused.

By unanimous consent, reading of the Journal of the Fortieth Day was deferred.

At 11:37 o'clock a.m., Representative Stanley asked for a recess and the Chair declared a recess, subject to the call of the Chair.

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

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

Representative Stanley introduced Jana and Cori Ireijo, Kimberly Ireijo and Jill Mizuuchi, "young visitors who are watching their father and their uncle help myself do my job here."

Representative Waihee introduced 30 seniors from Farrington High School. They were accompanied by their teacher, Diana Yamashiro.

## ORDER OF THE DAY

## DEFERRED RESOLUTIONS

The following resolutions and concurrent resolutions were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
197	Committee on Energy, Ecology and Environmental Protection
198	Committee on Public Assistance and Human Services, then to the Committee on Finance

208	Committee on Employment Opportunities and Labor Relations, then to the Committee on Finance
209	Committee on Corrections and Rehabilitation, then to the Committee on Finance
210	Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance
211	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Employment Opportunities and Labor Relations, then to the Committee on Finance
216	Committee on Employment Opportunities and Labor Relations, then to the Committee on Finance
217	Committee on Consumer Protection and Commerce
220	Committee on Education, then to the Committee on Finance
221	Committee on Public Employment and Government Operations, then to the Committee on Finance
222	Committee on Public Employment and Government Operations, then to the Committee on Finance
223	Committee on Public Employment and Government Operations, then to the Committee on Finance
224	Committee on Public Employment and Government Operations, then to the Committee on Finance
225	Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance
226	Committee on Energy, Ecology and Environmental Protection
227	Committee on Energy, Ecology and Environmental Protection
231	Committee on Higher Education, then to the Committee on Finance
232	Committee on Health
233	Committee on Housing
234	Committee on Health, then to the Committee on Finance
235	Jointly to the Committees on Agriculture and Water, Land Use, Development and Hawaiian

Affairs, then to the Committee on Finance	100 Committee on Culture and the Arts, then to the Committee on Legislative Management
236 Committee on Judiciary, then to the Committee on Finance	102 Committee on Consumer Protection and Commerce, then to the Committee on Finance
237 Jointly to the Committees on Youth and Elderly Affairs and Employment Opportunities and Labor Relations	103 Committee on Employment Opportunities and Labor Relations, then to the Committee on Finance
240 Jointly to the Committees on Youth and Elderly Affairs and Judiciary, then to the Committee on Finance	104 Committee on Youth and Elderly Affairs, then to the Committee on Finance
241 Committee on Judiciary	105 Committee on Education, then to the Committee on Finance
242 Committee on Energy, Ecology and Environmental Protection	106 Committee on Public Employment and Government Operations, then to the Committee on Finance
243 Jointly to the Committees on Public Employment and Government Operations and Energy, Ecology and Environmental Protection, then to the Committee on Finance	107 Committee on Public Employment and Government Operations, then to the Committee on Finance
245 Committee on Agriculture	108 Committee on Public Employment and Government Operations, then to the Committee on Finance
246 Committee on Housing, then to the Committee on Legislative Management	110 Committee on Higher Education, then to the Committee on Finance
247 Committee on Energy, Ecology and Environmental Protection	111 Committee on Health
248 Committee on Public Assistance and Human Services	112 Committee on Health, then to the Committee on Finance
249 Committee on Judiciary, then to the Committee on Finance	113 Jointly to the Committees on Youth and Elderly Affairs and Judiciary, then to the Committee on Finance
252 Committee on Housing	114 Committee on Judiciary
253 Committee on Consumer Protection and Commerce, then to the Committee on Finance	115 Committee on Water, Land Use, Development and Hawaiian Affairs
262 Committee on Judiciary, then to the Committee on Finance	116 Committee on Judiciary, then to the Committee on Finance
270 Committee on Health, then to the Committee on Finance	118 Committee on Water, Land Use, Development and Hawaiian Affairs
271 Committee on Consumer Protection and Commerce, then to the Committee on Finance	119 Committee on Water, Land Use, Development and Hawaiian Affairs
272 Committee on Transportation, then to the Committee on Finance	120 Committee on Housing
275 Committee on Housing	121 Committee on Consumer Protection and Commerce, then to the Committee on Finance
<u>H.C.R. Nos.</u>	122 Committee on Consumer
99 Committee on Energy, Ecology and Environmental Protection	



Protection and Commerce, then  
to the Committee on Finance

123 Committee on Water,  
Land Use, Development and Hawaiian  
Affairs

#### INTRODUCTION OF RESOLUTIONS

The following resolution (H.R.  
No. 276) and concurrent resolution  
(H.C.R. No. 124) were read by  
the Clerk and were disposed of  
as follows:

A resolution (H.R. No. 276) recog-  
nizing and congratulating Gary  
Yoshito Gibo as the National Winner  
of Ford Parts and Service Division's  
Certified Training Program Competition  
for 1981 was jointly offered by Repre-  
sentatives Marumoto, Taniguchi,  
Albano, Anderson, Andrews, Baker,  
Chun, Dods, Fukunaga, D. Hagino,  
Hashimoto, Hirono, Honda, Ige,  
Ikeda, Isbell, Kamali'i, Kawakami,  
Kiyabu, Kobayashi, Kunimura,  
Lacy, Liu, Monahan, Morioka, Narvaes,  
Okamura, Sakamoto, Segawa, Takamine,  
Takitani, Waihee, Wong and Yamada.

On motion by Representative Marumoto,  
seconded by Representative Taniguchi  
and carried, H.R. No. 276 was  
adopted.

Representative Marumoto proceeded  
to introduce the honoree, stating:

"Mr. Speaker, Gary Gibo is one  
of the many citizens of Hawaii who  
is honest, hardworking, and able.  
But he, like many others, does  
not become famous. Many of our  
workers are not recognized for  
their ability, diligence, and day-  
to-day devotion to duty. He represents  
the unsung heroes of this State.

Through his work, Gary has proven  
that he excels over 33,000 other  
service technicians across the country,  
and I think he should be recognized  
for this achievement. Gary has  
done Hawaii proud, and I am honored  
to introduce him to you today."

Representative Marumoto then  
asked Gary Gibo to stand and be  
recognized.

Representative Marumoto continued:

"That Gary was able to achieve  
first place was due in large part  
to his boss, James S. Markey, President  
and General Manager of Honolulu  
Ford. Jim encouraged and supported  
Gary's every effort."

Representative Marumoto then asked  
Mr. James Markey to stand and be  
recognized. Also accompanying them  
was Mr. Robin J. Cook, Vice President  
of Honolulu Ford.

Representatives Ikeda and Marumoto  
then presented floral leis to Gary,  
Mr. Markey and Mr. Cook, and certified  
copies of the resolution were given  
to the honoree and his boss, Mr. Markey.

A concurrent resolution (H.C.R.  
No. 124) congratulating the University  
of Hawaii on its Seventy-Fifth Anniversary  
was offered by Representative Aki.

On motion by Representative Aki,  
seconded by Representative Stanley  
and carried, H.C.R. No. 124 was  
adopted.

Representative Aki then rose and  
stated:

"Mr. Speaker, fellow members,  
ladies and gentlemen: I do not remember  
a time when I have been happier to  
have this chance to rise and speak  
in this chamber.

Today is the 75th anniversary of  
the University of Hawaii. In that  
period of time, the institution has  
grown to become one of the major  
universities of the world. All of us  
in Hawaii should be proud that we  
have had the strength and perseverance  
to build in this small island community  
an institution that is respected everywhere.

The University is one of the nation's  
leading research institutions. It provides  
a wide range of community services,  
essential to the improvement of individualized  
social groups and the political, economic  
structure of our Hawaiian society.  
Most importantly, it educates and  
trains our people of all ages. It provides  
individuals a chance to realize their  
potentials as human beings and for  
many of these people, it opens the  
opportunity for a richer, fuller life.

Mr. Speaker, it is my very great  
privilege to introduce to the House  
today, Mr. Robert M. Fujimoto, Chairman  
of the Board of Regents of the University  
of Hawaii, and Dr. Fujio Matsuda,  
President of the University. These  
men, and those who have preceded  
them, and the others who share their  
concerns with the University of Hawaii,  
deserve much of the credit for making  
it what it is today."

Representative Aki then asked Mr.  
Robert Fujimoto and Dr. Fujio Matsuda  
to stand and be recognized.

Representatives Stanley and Hashimoto then presented floral leis to Mr. Fujimoto and Dr. Matsuda while Representative Aki presented them with certified copies of the resolution.

Representative de Heer then rose and stated:

"Mr. Speaker, being that it is one of the largest, if not the largest, campus of the University of Hawaii located in the Manoa area, and being that it is the 75th anniversary, I would like to add my remarks to the remarks made by the Chairman of Higher Education.

We are all very proud of the accomplishments at the University of Hawaii, and I would like to take this opportunity, Mr. Speaker, to also address, I think, the scholarly and gentlemanly characteristics of the President of the University of Hawaii, Dr. Matsuda.

Recently, I was quoted in the student newspaper. . . I have been quoted in a lot of newspapers recently. . . inaccurately, as to the management of the University of Hawaii. Let me just say here and now that 75 years of our campus, I believe we have an outstanding institution that is bound to grow. I believe that Dr. Matsuda represents and carries himself the way that is most honorable and all of us in the State of Hawaii can be quite proud of.

I understand that tonight there will be a reception for the University, and I am sure many of us will be attending.

I would also like to, at this time, thank the many people as I am one of the products of the University, for better or worse, and I would like to thank them for the opportunity that they had that all of us can participate in Hawaii society today at the level that we do.

Thank you, Mr. Speaker."

At 11:51 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal congratulations and aloha to the honorees this morning."

Upon reconvening at 12:05 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Ige, Ikeda, Kawakami, Kiyabu, Kunimura, Liu, Nakamura and Yamada.

On motion by Representative Stanley,

seconded by Representative Rohlfing and carried, the following resolutions (H.R. Nos. 277 and 278) were adopted:

A resolution (H.R. No. 277) congratulating the members of the Koganji Temple on the Temple's dedication service was jointly offered by Representatives Taniguchi, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

A resolution (H.R. No. 278) commending and congratulating Betty Jones, Fritz Ludin, and the Dances We Dance Company for their outstanding cultural and artistic contributions to the people of Hawaii was jointly offered by Representative D. Hagino, Albano, Anderson, Andrews, Chun, Dods, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kihano, Lacy, Levin, Matsuura, Nakamura, Narvaes, Okamura, Shito, Stanley, Takamine, Tungpalan, Waihee and Wong.

By unanimous consent, the following resolutions (H.R. Nos. 279 to 283) and concurrent resolutions (H.C.R. Nos. 125 to 128) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 279) requesting the Department of Health and the Department of Agriculture to comprehensively study the problem of heptachlor in Hawaii's milk supply was jointly offered by Representatives Segawa, Kobayashi, Anderson, Blair, Chun, G. Hagino, Hashimoto, Kiyabu, Kunimura, Lacy, Shito, Takamine, Taniguchi and Toguchi.

A resolution (H.R. No. 280) expressing opposition in the strongest terms to the continuing escalation of U.S. military involvement in Central America and strongly urging the Reagan Administration to promptly withdraw all U.S. military advisors and cease all covert CIA operations in Central America was jointly offered by Representatives D. Hagino, Aki, Albano, Baker, Chun, de Heer, Fukunaga, G. Hagino, Hashimoto, Hirono, Ige, Ikeda, Kiyabu, Levin, Medeiros, Okamura, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Yamada and Peters.

A resolution (H.R. No. 281) requesting the Legislative Reference Bureau to

review different ways of preserving the major benefits or provisions of Hawaii's Prepaid Health Care Act in view of its preemption under federal law was jointly offered by Representatives D. Hagino, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kihano, Kiyabu, Lacy, Levin, Marumoto, Matsuura, Morioka, Nakamura, Okamura, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

A resolution (H.R. No. 282) requesting an investigation of the problem of the pesticide heptachlor in locally produced milk was offered by Representative de Heer.

A resolution (H.R. No. 283) urging the University of Hawaii at Manoa to comply with the requirement of Title IX, United States Constitution was jointly offered by Representatives Isbell, Aki, Albano, Anderson, Baker, Chun, Fukunaga, D. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Kamali'i, Kobayashi, Marumoto, Matsuura, Monahan, Say, Segawa, Stanley, Takamine, Takitani, Toguchi, Tungpalan and Wong.

A concurrent resolution (H.C.R. No. 125) requesting the Department of Health and the Department of Agriculture to comprehensively study the problem of heptachlor in Hawaii's milk supply was jointly offered by Representatives Segawa, Anderson, Blair, Chun, G. Hagino, Hashimoto, Kawakami, Kiyabu, Kobayashi, Kunimura, Lacy, Shito, Takamine, Taniguchi and Toguchi.

A concurrent resolution (H.C.R. No. 126) requesting the Legislative Reference Bureau to review different ways of preserving the major benefits or provisions of Hawaii's Prepaid Health Care Act in view of its preemption under federal law was jointly offered by Representatives D. Hagino, Albano, Aki, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kihano, Kiyabu, Lacy, Levin, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Narvaes, Okamura, Rohlfing, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

A concurrent resolution (H.C.R. No. 127) expressing opposition

in the strongest terms to the continuing escalation of U.S. military involvement in Central America and strongly urging the Reagan Administration to promptly withdraw all U.S. military advisors and cease all covert CIA operations in Central America was jointly offered by Representatives D. Hagino, Aki, Albano, Baker, Chun, de Heer, Fukunaga, G. Hagino, Hashimoto, Hirono, Ikeda, Kiyabu, Kobayashi, Levin, Medeiros, Okamura, Segawa, Shito, Stanley, Takamine, Taniguchi, Toguchi, Tungpalan, Waihee, Yamada and Peters.

A concurrent resolution (H.C.R. No. 128) requesting an investigation of the problem of the pesticide heptachlor in locally produced milk was offered by Representative de Heer.

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

Representative Kunimura introduced Mr. and Mrs. Seiji Tanigawa and their two children from the island of Kauai.

Representative Kihano introduced the Honorable James Keane, a member of the Illinois State Legislature, and Samuel Gove, an instructor of government and public affairs at the University of Illinois.

Representative Matsuura introduced David Yamada, brother of a former colleague, Kats Yamada.

Representative Dods was then recognized and he proceeded to say, "Mr. Speaker, going back to Miscellaneous Business."

At this point, Representative Stanley asked for a recess and at 12:07 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 2:24 o'clock p.m., the Speaker assumed the rostrum.

Representative Tungpalan then requested waiver of the 48-hour notice for hearings on H.R. No. 123 and the Chair "so ordered."

Representative Dods requested waiver of the 48-hour notice for hearings on the following Senate bills: S.B. Nos. 2145-82, 2471-82, 2851-82 and 2181-82, and the Chair "so ordered."

At 2:26 o'clock p.m., Representative Stanley asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives  
reconvened at 2:27 o'clock p.m.

At this time, Representative Stanley,  
on behalf of the members of the  
House, extended birthday greetings  
to Representative Albano.

#### ADJOURNMENT

At 2:30 o'clock p.m., on motion  
by Representative Stanley, seconded  
by Representative Rohlfing and carried,  
the House of Representatives adjourned  
until 11:30 o'clock a.m. on Monday,  
March 29, 1982.

## FORTY-SECOND DAY

Monday, March 29, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Mrs. Beth Sanborn representing First Church of Christ, Scientist, Honolulu, after which the Roll was called showing all members present with the exception of Representatives Anderson, Andrews, de Heer, Dods, Fukunaga, D. Hagino, Marumoto, Medeiros, Say, Takitani, Taniguchi, Tungpalan and Waihee, who were excused.

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

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, reading of the Journal was dispensed with and the Journal of the Fortieth Day was approved.

## SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 207) returning House Concurrent Resolution No. 124 which was adopted by the Senate on March 25, 1982, was read by the Clerk and placed on file.

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

Representative Chun introduced Virginia S. Nelson, M.D., Director of Pediatric Rehabilitation Unit, University of Michigan Mott Children's Hospital, and her children, Paul Evan Nelson and Eric Andrew Nelson. They were accompanied by Marguerite Simpson.

Representative Kiyabu introduced 27 third grade students from Epiphany School. They were accompanied by their teachers, Gail Fukumoto and Jennie Tsukumoto, and room mother, Christa Otake.

## ORDER OF THE DAY

## DEFERRED RESOLUTION

House Resolution No. 218 was

referred to the Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance.

## COMMITTEE REASSIGNMENTS

The following bills and resolution were re-referred as follows:

<u>S.B. Nos.</u>	<u>Re-referred to:</u>
2137-82	Committee on Consumer Protection and Commerce
2176-82	Committee on Consumer Protection and Commerce
2177-82	Committee on Consumer Protection and Commerce
2334-82	Jointly to the Committees on Consumer Protection and Commerce and Transportation
2382-82	Committee on Health
2386-82	Committee on Consumer Protection and Commerce
2189-82	Committee on Public Employment and Government Operations
2261-82	Jointly to the Committees on Consumer Protection and Commerce and Transportation, then to the Committee on Finance

H.R. No.

60 Committee on Employment Opportunities and Labor Relations, then to the Committee on Finance

## INTRODUCTION OF RESOLUTIONS

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, the following resolution (H.R. No. 287) was adopted:

A resolution (H.R. No. 287) congratulating Adelaide "Frenchy" DeSoto on being named "The 1981 Distinguished Citizen of the Year" by the Gannett Foundation was jointly offered by Representatives Kamali'i, Peters, Okamura, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura,

Nakasato, Narvaes, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Toguchi, Tungpalan, Waihee, Wong and Yamada.

By unanimous consent, the following resolutions (H.R. Nos. 284 to 286) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 284) requesting the Department of Land and Natural Resources to proceed with preliminary discussions with landowners with the intent to acquire by purchase and/or land exchange, any combination thereof, or by any other available alternatives, land for park purposes at Big Beach in Makena, Maui was jointly offered by Representatives Andrews, Monahan, Honda and Takitani.

A resolution (H.R. No. 285) requesting the Board of Education to evaluate, refine, and update the Department of Education's staffing guidelines for special education classes was jointly offered by Representatives Toguchi, Shito, Say, Aki, Anderson, Andrews, Baker, de Heer, Fukunaga, D. Hagino, G. Hagino, Hirono, Ikeda, Isbell, Levin, Marumoto, Matsuura, Monahan, Morioka, Okamura, Segawa, Takamine and Takitani.

A resolution (H.R. No. 286) relating to personnel preparation for the handicapped and encouraging the continuation of a joint University of Hawaii/Department of Education in a service training program for Department of Education teachers, administrators and support personnel was jointly offered by Representatives Toguchi, Say, Aki, Albano, Andrews, Anderson, Baker, de Heer, Fukunaga, D. Hagino, G. Hagino, Hirono, Ikeda, Isbell, Levin, Marumoto, Matsuura, Monahan, Morioka, Okamura, Sakamoto, Segawa, Takamine and Takitani.

A concurrent resolution (H.C.R. No. 129) requesting the Board of Education to evaluate, refine, and update the Department of Education's staffing guidelines for special education classes was jointly offered by Representatives Toguchi, Shito, Say, Aki, Albano, Anderson, Andrews, de Heer, Fukunaga, D. Hagino, G. Hagino, Hirono, Ikeda, Isbell, Levin, Marumoto, Matsuura, Monahan, Morioka, Okamura, Sakamoto, Segawa, Takamine and Takitani.

A concurrent resolution (H.C.R. No. 130) requesting the Department of Land and Natural Resources to proceed with preliminary discussions with landowners with the intent to acquire by purchase and/or land exchange, any combination thereof, or by any other available alternatives, land for park purposes at Big Beach in Makena, Maui was jointly offered by Representatives Andrews, Monahan, Honda and Takitani.

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 11:44 o'clock a.m.

#### ANNOUNCEMENTS

At this time, the Chair reminded the members of the House to make themselves available to meet all deadlines.

#### ADJOURNMENT

At 11:45 o'clock a.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, March 30, 1982.

## FORTY-THIRD DAY

Tuesday, March 30, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Elden Buck of the Korean Christian Church, after which the Roll was called showing all members present with the exception of Representatives Baker, Blair, Ikeda, Kobayashi, Kunimura, Lacy, Levin, Monahan, Nakamura, Narvaes, Sakamoto, Segawa, Shito, Toguchi and Yamada, who were excused.

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

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, reading of the Journal was dispensed with and the Journal of the Forty-Second Day was approved.

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

Representative Liu introduced 63 fifth grade students from Maemae Elementary School. They were accompanied by their teachers, Karen Moriyama, Alene Nakasone, Sharon Kaichi, and Sharon Mizuo.

Representative Okamura introduced 60 third grade students from Gus Webling Elementary School. They were accompanied by their teachers, Mrs. Patricia Yoshikawa and Mrs. Eloise Marr.

## ORDER OF THE DAY

## DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos. 279 to 286) and concurrent resolutions (H.C.R. Nos. 125 to 130) were disposed of as follows:

H.R. Nos.      Referred to:

279      Jointly to the Committees on Health and Agriculture, then to the Committee on Finance

280      Committee on Judiciary

281      Committee on Employment

Opportunities and Labor Relations, then to the Committee on Legislative Management

282      Jointly to the Committees on Health and Agriculture, then to the Committee on Finance

283      Committee on Higher Education, then to the Committee on Finance

284      Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

285      Committee on Education, then to the Committee on Finance

286      Jointly to the Committees on Education and Higher Education, then to the Committee on Finance

H.C.R. Nos.

125      Jointly to the Committees on Health and Agriculture, then to the Committee on Finance

126      Committee on Employment Opportunities and Labor Relations, then to the Committee on Finance

127      Committee on Judiciary

128      Jointly to the Committees on Health and Agriculture, then to the Committee on Finance

129      Committee on Education, then to the Committee on Finance

130      Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

## COMMITTEE REASSIGNMENTS

The following Senate bills were re-referred as follows:

S.B. Nos.      Re-referred to:

2304-82      Committee on Judiciary

2475-82      Committee on Judiciary

2913-82      Committee on Employment Opportunities and Labor Relations, then to the Committee on Judiciary

## STANDING COMMITTEE REPORTS

Representative D. Hagino, for the Committee on Employment Opportunities



and Labor Relations, presented a report (Stand. Com. Rep. No. 671-82) recommending that H.R. No. 60 be referred to the Committee on Finance.

On motion by Representative D. Hagino, seconded by Representative Albano and carried, the report of the Committee was adopted and H.R. No. 60, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF A STATE VOLUNTEER PROGRAM", was referred to the Committee on Finance.

Representative Shito, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 672-82) recommending that S.B. No. 2866-82, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Honda and carried, the report of the Committee was adopted and S.B. No. 2866-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", passed Second Reading and was referred to the Committee on Finance.

Representatives Blair and Dods, for the majority of the Committees on Consumer Protection and Commerce and Transportation, presented a joint report (Stand. Com. Rep. No. 673-82) recommending that S.B. No. 2261-82, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Taniguchi, seconded by Representative Stanley and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2261-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION", passed Second Reading and was referred to the Committee on Finance.

Representatives Toguchi and Takitani, for the Committees on Education and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 674-82) recommending that S.B. No. 2353-82, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Takitani and carried, the joint report of the Committees was adopted and S.B. No. 2353-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING

TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM", passed Second Reading and was referred to the Committee on Finance.

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

Upon reconvening at 11:51 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Levin, Shito and Yamada.

Representative Waihee then asked to make a late introduction and he introduced his friends from South Bend, Indiana, Mr. and Mrs. Carl Vance.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 288 and 289) were read by the Clerk and were disposed of as follows:

A resolution (H.R. No. 288) extending congratulations and best wishes to Jody Ige, the 1982 Cherry Blossom Queen, and her court was jointly offered by Representatives Hashimoto, Tungpalan, Fukunaga, Okamura, Chun, Aki, Anderson, Andrews, Dods, G. Hagino, Honda, Ige, Kamali'i, Kawakami, Kihano, Kiyabu, Liu, Marumoto, Nakasato, Narvaes, Rohlfing, Sakamoto, Say, Shito, Takamine, Taniguchi and Wong.

On motion by Representative Hashimoto, seconded by Representative Tungpalan and carried, H.R. No. 288 was adopted.

At this time, Representative Hashimoto introduced the Cherry Blossom Queen and her court, as follows: Queen Jody Lee Leiko Ige; Marlene Mariko Fujita, Princess; Carol Jean Imahiro and Carla Miyuki Shimabuku, Attendants; Nina Nariko Yonemura, Attendant and Miss Congeniality; and Amy Arakawa, Miss Popularity. They were accompanied by Mr. Steve Honda, General Chairman of the Cherry Blossom Festival.

A pikake lei was presented to Queen Jody and white carnation leis were presented to the attendants by Representatives Okamura, Andrews, G. Hagino, Say, Takitani and Nakasato. Certified copies of the resolution were presented to the honorees by Representatives Tungpalan, Fukunaga, Chun and Hashimoto.

A resolution (H.R. No. 289) welcoming and honoring the 1982 Nisei Week Queen and her court was jointly offered by Representatives D. Hagino, Say, Nakasato, Aki, Albano, Dods, Fukunaga,

Isbell, Kamali'i, Kihano, Marumoto, Narvaes, Rohlfing, Shito, Takamine, Takitani and Taniguchi.

On motion by Representative D. Hagino, seconded by Representative Say and carried, H.R. No. 289 was adopted.

Representative D. Hagino then rose to introduce the Nisei Week Queen and her court, as follows: Frances Shima, Nisei Week Queen; Jo Ann Wada, Miss Tomodachi; Angela Kato, First Princess; Stanny-yvonne Oishi, Princess; Leslie Matsuo, Princess; Kelly Murakawa, Princess; and Sandra Yoshimura, Princess. They were accompanied by Rory Oba of Los Angeles.

Representatives Nakasato, Matsuura, Albano, de Heer, Ige, Waihee and Taniguchi then presented floral leis to the honorees, while Representative D. Hagino presented them with certified copies of the resolution.

Representative Fukunaga then introduced Mr. and Mrs. Takaichi Fujita, parents of Marlene, and her "number one supporter, Alan Sasai."

Representative Okamura then introduced some members of the Japanese Junior Chamber of Commerce who also accompanied the group, as follows: Dale Nakasone, Mathew Miura, Kirk Sumida, Miles Mizumoto and Carl Shimazu.

At 12:06 o'clock p.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal aloha and congratulations to our honorees this morning."

Upon reconvening at 12:16 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives Blair, Ikeda, Narvaes and Sakamoto.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, the following resolutions (H.R. Nos. 292 and 293) and concurrent resolution (H.C.R. No. 132) were adopted:

A resolution (H.R. No. 292) congratulating Rudolph Hart for receiving the George Meany Award for outstanding service to youth as a volunteer scout leader was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto,

Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

A resolution (H.R. No. 293) congratulating the Laupahoehoe High School varsity basketball team on keeping the north division championship of the Big Island Interscholastic Federation for another year was jointly offered by Representatives Takamine, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

A concurrent resolution (H.C.R. No. 132) expressing support for Ocean Fair Week, April 14-16, 1982, at the University of Hawaii, Manoa Campus, was jointly offered by Representatives Toguchi, Matsuura, Aki, Anderson, Andrews, Baker, de Heer, Fukunaga, D. Hagino, G. Hagino, Hirono, Ige, Ikeda, Isbell, Levin, Marumoto, Monahan, Okamura, Sakamoto, Say, Segawa, Takamine and Takitani.

By unanimous consent, the following resolutions (H.R. Nos. 290 and 291 and 294 and 295) and concurrent resolutions (H.C.R. Nos. 131, 133 and 134) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 290) requesting a study of a statewide child care resource and referral system and child care training component for providers and families was jointly offered by Representatives Ige and Levin.

A resolution (H.R. No. 291) requesting a study of the Utah Department of Social Services' work experience and training program and similar programs of other states was jointly offered by Representatives Levin, Chun, Aki, Albano, D. Hagino, Kunimura, Matsuura, Narvaes, Shito and Waihee.

A resolution (H.R. No. 294) respectfully urging that the United States Congress and President Reagan evaluate all reasonable alternative approaches to the U.S. Caribbean aid package

before approving or otherwise permitting implementation of the Caribbean aid package was jointly offered by Representatives Takamine, Aki, Albano, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kawakami, Kihano, Kiyabu, Kunimura, Levin, Marumoto, Matsuura, Monahan, Morioka, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Taniguchi, Toguchi, Tungpalan, Waihee and Wong.

A resolution (H.R. No. 295) requesting the Director of the Department of Health to establish clear and equitable air quality standards was offered by Representative Baker.

A concurrent resolution (H.C.R. No. 131) requesting a study of the Utah Department of Social Services' work experience and training program and similar programs of other states was jointly offered by Representatives Levin, Chun, Aki, Albano, D. Hagino, Kunimura, Matsuura, Narvaes, Shito and Waihee.

A concurrent resolution (H.C.R. No. 133) requesting the Governor and the President of the University of Hawaii to allocate funds necessary to insure the continued operation of the Pesticide Hazard Assessment Project (PHAP) was offered by Representative Baker.

A concurrent resolution (H.C.R. No. 134) requesting the Director of the Department of Health to establish clear and equitable air quality standards was offered by Representative Baker.

At 12:20 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives stood in recess until 9:30 o'clock p.m. tonight.

#### NIGHT SESSION

The House of Representatives reconvened at 9:48 o'clock p.m.

The Chair directed the Clerk to note the presence of Representatives Baker, Kobayashi, Lacy, Nakamura, Segawa and Toguchi.

Representative Andrews introduced Mrs. Charlotte Nakamura, "a very good friend of mine from Maui" and a group of "some very fine ladies representing the home economists

from the University of Hawaii Cooperative Extension Program."

#### STANDING COMMITTEE REPORTS

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 675-82) recommending that S.B. No. 2709-82, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 2709-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENCOURAGEMENT OF FEDERALLY CERTIFIED DEVELOPMENT COMPANIES", passed Second Reading and was referred to the Committee on Finance.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 676-82) recommending that S.B. No. 2903-82, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 2903-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX", passed Second Reading and was referred to the Committee on Finance.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 677-82) recommending that S.B. No. 2218-82 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 2218-82, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES", passed Second Reading and was referred to the Committee on Judiciary.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 678-82) recommending that S.B. No. 2201-82, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Sakamoto,

seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 2201-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED", passed Second Reading and was referred to the Committee on Finance.

Representative Chun, for the Committee on Public Assistance and Human Services, presented a report (Stand. Com. Rep. No. 679-82) recommending that S.B. No. 2180-82, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chun, seconded by Representative Kobayashi and carried, the report of the Committee was adopted and S.B. No. 2180-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE", 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. 680-82) recommending that S.B. No. 2765-82, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2765-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS", 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. 681-82) recommending that S.B. No. 2851-82, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2851-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF VEHICLES", passed Second Reading and was referred to the Committee on Finance.

Representative Baker, for the Committee on Energy, Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 682-82) recommending that S.B.

No. 2343-82, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Okamura and carried, the report of the Committee was adopted and notwithstanding the recommendation of the committee report, S.B. No. 2343-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL", passed Second Reading and was referred to the Committee on Judiciary.

Representative Baker, for the Committee on Energy, Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 683-82) recommending that S.B. No. 2909-82, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.B. No. 2909-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF AN INTER-ISLAND ELECTRICAL POWER CABLE", passed Second Reading and was referred to the Committee on Finance.

Representative Baker, for the Committee on Energy, Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 684-82) recommending that S.B. No. 1308, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.B. No. 1308, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION", passed Second Reading and was referred to the Committee on Finance.

Representative Baker, for the Committee on Energy, Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 685-82) recommending that S.B. No. 553, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Baker, seconded by Representative Okamura and carried, the report of the Committee was adopted and S.B. No. 553, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was referred to the Committee on Finance.

Representative Takitani, for the

majority of the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 686-82) recommending that S.B. No. 2759-82, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, the report of the majority of the Committee was adopted and S.B. No. 2759-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR", passed Second Reading and was referred to the Committee on Finance, with Representative Rohlfling voting no.

Representative Takitani, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 687-82) recommending that S.B. No. 2816-82, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and S.B. No. 2816-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE", passed Second Reading and was referred to the Committee on Finance.

Representative Takitani, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 688-82) recommending that S.B. No. 2173-82, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and S.B. No. 2173-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was referred to the Committee on Finance.

Representative Takitani, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 689-82) recommending that S.B. No. 2160-82 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and S.B. No. 2160-82, entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT MONEYS", passed Second Reading and was referred to the Committee on Finance.

Representative Takitani, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 690-82) recommending that S.B. No. 1390, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and S.B. No. 1390, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEIZURE OF UNLICENSED DOGS", passed Second Reading and was referred to the Committee on Finance.

At 9:51 o'clock p.m., Representative Rohlfling asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:53 o'clock p.m.

Representatives Takitani and D. Hagino, for the Committees on Public Employment and Government Operations and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 691-82) recommending that S.B. No. 2890-82, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative D. Hagino and carried, the joint report of the Committees was adopted and S.B. No. 2890-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", passed Second Reading and was referred to the Committee on Finance.

Representative Takitani, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 692-82) recommending that S.B. No. 2600-82, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and S.B. No. 2600-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT", passed Second Reading and was referred

to the Committee on Finance.

Representative Takitani, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 693-82) recommending that S.B. No. 2643-82, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and S.B. No. 2643-82, SD 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.

Representative Takitani, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 694-82) recommending that S.B. No. 1447, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and S.B. No. 1447, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM", passed Second Reading and was referred to the Committee on Finance.

Representative Takitani, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 695-82) recommending that S.B. No. 2312-82, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and S.B. No. 2312-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT OF STATE FUNDS", passed Second Reading and was referred to the Committee on Finance.

Representative Takitani, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 696-82) recommending that S.B. No. 2607-82, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative Tungpalan

and carried, the report of the Committee was adopted and S.B. No. 2607-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and was referred to the Committee on Finance.

Representative Takitani, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 697-82) recommending that S.B. No. 2311-82, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and S.B. No. 2311-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES FOR STATE FUNDS", passed Second Reading and was referred to the Committee on Finance.

Representative Baker, for the majority of the Committee on Energy, Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 698-82) recommending that S.B. No. 2167-82, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

By unanimous consent, action was deferred to the end of the calendar.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 699-82) recommending that S.B. No. 2513-82, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 2513-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed Second Reading and was referred to the Committee on Finance.

Representative Ige, for the majority of the Committee on Youth and Elderly Affairs, presented a report (Stand. Com. Rep. No. 700-82) recommending that S.B. No. 2248-82, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Ige, seconded by Representative Shito and carried, the report of the majority of the Committee was adopted and S.B. No. 2248-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PATERNITY STATUTE OF LIMITATIONS",



passed Second Reading and was referred to the Committee on Judiciary.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 701-82) recommending that S.B. No. 2524-82, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative D. Hagino, seconded by Representative Albano and carried, the report of the Committee was adopted and S.B. No. 2524-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was referred to the Committee on Finance.

Representative Takitani, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 702-82) recommending that S.B. No. 2198-82 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, the report of the Committee was adopted and S.B. No. 2198-82, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COMPENSATION CLAIMS ADJUSTMENTS", 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. 703-82) recommending that S.B. No. 2471-82, SD 2, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Representative Dods, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2471-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Representative Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 704-82) recommending that S.B. No. 2350-82, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Toguchi,

seconded by Representative Say and carried, the report of the Committee was adopted and S.B. No. 2350-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS", passed Second Reading and was referred to the Committee on Judiciary.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 705-82) recommending that S.B. No. 1630, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Housing.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 1630, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was referred to the Committee on Housing.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 706-82) recommending that S.B. No. 2517-82, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 2517-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", passed Second Reading and was referred to the Committee on Finance.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 707-82) recommending that S.B. No. 2399-82, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 2399-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES", passed Second Reading and was referred to the Committee on Finance.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 708-82) recommending that S.B. No. 2913-82, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.



On motion by Representative D. Hagino, seconded by Representative Albano and carried, the report of the Committee was adopted and S.B. No. 2913-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was referred to the Committee on Judiciary.

Representative Matsuura, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 709-82) recommending that S.B. No. 2915-82, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Matsuura, seconded by Representative G. Hagino and carried, the report of the Committee was adopted and S.B. No. 2915-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATOR", 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. 710-82) recommending that S.B. No. 397, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Dods, seconded by Representative Taniguchi and carried, the report of the majority of the Committee was adopted and S.B. No. 397, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was referred to the Committee on Finance, with Representative Ikeda voting no.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 711-82) recommending that S.B. No. 2566-82, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2566-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES", passed Second Reading and was referred to the Committee on Finance.

Representatives Nakamura and Takitani, for the Committees on

Judiciary and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 712-82) recommending that S.B. No. 2297-82, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Takitani and carried, the joint report of the Committees was adopted and S.B. No. 2297-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was referred to the Committee on Finance.

Representative Nakamura, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 713-82) recommending that S.B. No. 2869-82, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the majority of the Committee was adopted and S.B. No. 2869-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SUPPORT OF CHILDREN", passed Second Reading and was referred to the Committee on Finance.

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

The House of Representatives reconvened at 10:57 o'clock p.m.

#### MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 698-82 on S.B. No. 2167-82, SD 1, HD 1:

On motion by Representative Baker, seconded by Representative Okamura and carried, the report of the majority of the Committee was adopted and S.B. No. 2167-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT", passed Second Reading and was referred to the Committee on Finance.

#### STANDING COMMITTEE REPORTS

Representative Toguchi, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 714-82) recommending that S.B. No. 2346-82, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Toguchi moved that the report of the majority of the Committee be adopted and S.B. No. 2346-82, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Stanley.

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

"Mr. Speaker, even though the bill has been worked on and the House draft that the Chairman has worked on is an improvement, there is no need at this time, as far as I can see, for us to go ahead and pass the bill that I believe will have one segment of the community pitted against the other. Now, this may not be the proper vehicle but, Mr. Speaker, the Federal government supposedly is to pay for every immigrant that come to this State and that is not being done. Consequently, constitutionality-wise, I think that it is improper for us to say that one segment of this community has to be treated differently than anybody else.

Now, either we pass two bills or we take our time, look at this, hold it, and find out next year if it is something that we really need. We don't know how many dollars we're going to actually lose. We have turned down a lottery bill. We are giving back a hundred dollars per person in taxes; we have a possibility of \$50 after that, and I don't think it is fair for us to, all of a sudden, say we don't have to be taxed in this area, and yet, we are passing this because we need the additional revenue.

Now, I am not saying, Mr. Speaker, that the educational system is not in need of dollars. But I am saying that I don't believe that we have to rush into this. If we are going to be able to tell the community that we need the dollars, then I think we ought to do some homework and we ought to do some real campaigning out there to let them know exactly why this bill is needed, why those federal dollars have to come into this State, and we also have to let them know that that's our dollars. You know, federal dollars is not something that is just coming out of the blue and it is magic -- we all pay for it. And I want to make sure if I am paying for something, I want to get what I am getting for that dollar.

For that reason, Mr. Speaker,

I would hope that this bill not pass in the Finance Committee. I am not going to be there to speak against it and that is the only reason I am speaking against it tonight on Second Reading.

Thank you very much."

Representative Toguchi then rose to speak in favor of the bill, stating:

"Mr. Speaker, I just wanted to, first of all, clarify the title as printed on the agenda. The agenda says, 'Educational Fees Payable by Military Family Students'. I would like to point out to my colleagues here that that section of the Senate draft has been completely eliminated. It is not in the present House draft.

Thank you."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and S.B. No. 2346-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL FEES", passed Second Reading and was referred to the Committee on Finance, with Representatives Anderson, Ikeda, Kamali'i, Liu, Marumoto, Medeiros, Monahan, Nakamura, Narvaes, Rohlfing and Wong voting no.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 715-82) recommending that S.B. No. 2269-82, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2269-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 716-82) recommending that S.B. No. 2970-82, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Toguchi and carried, the report of the Committee was adopted and S.B. No. 2970-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", passed Second Reading and was referred to the Committee on Finance.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 717-82) recommending that S.B. No. 2994-82, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 2994-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY", passed Second Reading and was referred to the Committee on Finance.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 718-82) recommending that S.B. No. 2224-82, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 2224-82, SD 2, HD 1, 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.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 719-82) recommending that S.B. No. 2814-82, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 2814-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Second Reading and was referred to the Committee on Finance.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 720-82) recommending that S.B. No. 2904-82, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee

on Finance.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 2904-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A WATER COMMISSION AND FORMULATION OF A STATE WATER CODE", 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. 721-82) recommending that S.B. No. 2955-82, SD 2, 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 S.B. No. 2955-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL 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. 722-82) recommending that S.B. No. 2470-82, SD 2, 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 S.B. No. 2470-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF 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. 723-82) recommending that S.B. No. 2926-82, SD 1, 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 S.B. No. 2926-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS", 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. 724-

82) recommending that S.B. No. 2919-82, SD 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 S.B. No. 2919-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY FOR SPECIAL PURPOSE REVENUE BONDS", 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. 725-82) recommending that S.B. No. 2978-82, SD 1, 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 S.B. No. 2978-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION", passed Second Reading and was referred to the Committee on Finance.

Representatives Segawa and Nakamura, for the Committees on Health and Judiciary, presented a joint report (Stand. Com. Rep. No. 726-82) recommending that S.B. No. 2682-82, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Nakamura and carried, the joint report of the Committees was adopted and S.B. No. 2682-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 727-82) recommending that S.B. No. 2347-82, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Toguchi and carried, the report of the Committee was adopted and S.B. No. 2347-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS FOR VETERANS", passed Second Reading and was referred to the Committee on Finance.

Representatives Sakamoto and Takamine, for the majority of the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, presented a joint report (Stand. Com. Rep. No. 728-82) recommending that S.B. No. 2434-82, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Sakamoto, seconded by Representative Takamine and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2434-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS", passed Second Reading and was referred to the Committee on Finance, with Representative Kawakami voting no.

Representatives Sakamoto and Takamine, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Agriculture, presented a joint report (Stand. Com. Rep. No. 729-82) recommending that S.B. No. 2971-82, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Sakamoto, seconded by Representative Takamine and carried, the joint report of the Committees was adopted and S.B. No. 2971-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS FOR AGRICULTURE", passed Second Reading and was referred to the Committee on Finance.

Representative Aki, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 730-82) recommending that S.B. No. 906, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Segawa, seconded by Representative Toguchi and carried, the report of the majority of the Committee was adopted and S.B. No. 906, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", passed Second Reading and was referred to the Committee on Finance, with Representatives Ige and Sakamoto voting no.

At this time, Representative Kiyabu requested waiver of the 48-hour notice for meetings on all bills that have been referred to the Finance Committee, and the Chair "so ordered."

## ADJOURNMENT

At 11:07 o'clock p.m., on motion  
by Representative Stanley, seconded  
by Representative Rohlfing and

carried, the House of Representatives  
adjourned to 11:00 o'clock a.m.  
tomorrow, Wednesday, March 31,  
1982.

## FORTY-FOURTH DAY

Wednesday, March 31, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:00 o'clock a.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by Reverend Joe Sanders representing Nuuanu Baptist Church, after which the Roll was called showing all members present with the exception of Representatives Say and Taniguchi, who were excused.

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

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, reading of the Journal was dispensed with and the Journal of the Thirty-Seventh Day was approved.

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

Representative Isbell introduced Terrance Cassidy from Kona who is on the Police Commission.

Representative Segawa introduced 19 student lobbyists from the Big Island who were accompanied by student coordinators, Ms. Beth Fujimoto, Ms. Luann Aki; faculty advisor, Mrs. Helen Kobayashi; and Department of Education, District Personnel Specialist, Mr. Wallace Aki.

Representative Nakasato introduced Mr. Stanley Morikawa, Principal of Kaewai School.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENT

Senate Bill No. 486 was re-referred to the Committee on Finance.

## INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 296) was read by the Clerk and disposed of as follows:

A resolution (H.R. No. 296) extending congratulations and

applauding the efforts of the members of Aiea High School's Project R.I.S.E. in attaining the finals in the Carole Kai parade and bed race and in enhancing their own growth and development in their school and community was jointly offered by Representatives Waihee, Okamura, Chun, Hashimoto, Tungpalan, Aki, Anderson, Baker, Blair, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakasato, Narvaes, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Toguchi, Wong and Yamada.

On motion by Representative Okamura, seconded by Representative Hashimoto and carried, H.R. No. 296 was adopted.

Representative Okamura then rose and stated:

"Mr. Speaker and members of the House, today, we have with us a very special group of people -- Aiea High School students who are all members of the Project R.I.S.E. Program.

"Project R.I.S.E., so named as call letters for 'resourceful individuals seeking education', is a program unique to Aiea High School that brings together an array of students, both academically as well as socially. Through this program, students are able to become an active and contributing part of school and community life, and promotes the development of a higher self-esteem and a more harmonious educational atmosphere.

"But again, Mr. Speaker, these people are special not only because they are members of Project R.I.S.E., but also because they have pulled together and shown us what they can do as a team. I am proud to say that Representative Waihee and myself sponsored this team of students in the 1982 Carole Kai bed race.

"Under the excellent guidance of their teacher, Shirley Labarios, the Project R.I.S.E. team was the youngest entrant in the race and ran to take their division championship. They finished among the top eight

finalists out of an overwhelming field of 75 entries. They are a group that should be commended not only for their participation in such a worthy program as Project R.I.S.E., but in running for such a worthy cause.

"And so it is with great pride, Mr. Speaker, that I present those who participated in the Carole Kai bed race and ran to become winners in every sense of the word, and their dedicated instructor who helped lead them to victory."

Representative Okamura then introduced the runners from Project R.I.S.E.: Lowell Ceno, Dwayne Hilton, Pūnefu Kapeli, Gordon Robly, Mike Soares, Brian Viernes, Bruce Yokum, Jason Yoshii and Nathan Yoshimura.

Representative Okamura then introduced Robert Abiva, manager, and Shirley Labarios, project coordinator.

At this time, leis were presented to the honorees, and Representative Okamura presented certified copies of the resolution.

Representative Okamura then introduced the supporters of the runners that were seated in the gallery.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, the following resolution (H.R. No. 299) was adopted:

A resolution (H.R. No. 299) congratulating and commending the Kamehameha Schools for Boys and Girls for the 60th Annual Kamehameha Song Contest was jointly offered by Representatives Say, Nakasato, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kunimura, Lacy, Levin, Marumoto, Matsuura, Monahan, Morioka, Narvaes, Okamura, Sakamoto, Segawa, Shito, Stanley, Takamine, Takitani, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

At 11:27 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the privilege of meeting the honorees."

The House of Representatives reconvened at 11:35 o'clock a.m.

At this time, the Speaker assumed the rostrum.

By unanimous consent, the following resolutions (H.R. Nos. 297 to 298 and 300) and concurrent resolutions (H.C.R. Nos. 135 to 137) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 297) requesting a study on the acquisition of real property in Kailua, Oahu, for agricultural park and watershed purposes was jointly offered by Representatives Ige, Wong, Sakamoto and Takamine.

A resolution (H.R. No. 298) requesting a study on the feasibility of modifying the medical assistance program to make eligible elderly persons who meet the medical assistance income standard but who do not meet the present resource standard because they own their own home was jointly offered by Representatives Ige, Levin, Aki, Chun, Honda, Kobayashi, Kunimura, Liu, Nakamura, Shito, Takamine, Toguchi and Wong.

A resolution (H.R. No. 300) requesting a management audit and review of the operations of the Department of Transportation's Airports Division was offered by Representative Dods.

A concurrent resolution (H.C.R. No. 135) requesting a study on the acquisition of real property in Kailua, Oahu, for agricultural park and watershed purposes was jointly offered by Representatives Ige, Wong, Sakamoto and Takamine.

A concurrent resolution (H.C.R. No. 136) requesting a study on the feasibility of modifying the medical assistance program to make eligible elderly persons who meet the medical assistance income standard but who do not meet the present resource standard because they own their homes was jointly offered by Representatives Ige, Levin, Aki, Chun, Honda, Kobayashi, Kunimura, Liu, Nakamura, Shito, Takamine, Toguchi and Wong.

A concurrent resolution (H.C.R. No. 137) requesting a management audit and review of the operations of the Department of Transportation's Airport Divisions was jointly offered by Representatives Dods, Kihano, Stanley, Waihee, Yamada and Peters.



Representative D. Hagino then requested that the 48-hour notice requirement for hearings be waived on H.R. No. 281 and H.C.R. No. 126 and the Chair stated:

"So ordered."

#### ADJOURNMENT

At 11:37 o'clock a.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 1, 1982.

## FORTY-FIFTH DAY

Thursday, April 1, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by the Reverend Steven DeVoss, Associate Pastor of the Hawaii Kai Baptist Church, after which the Roll was called showing all members present with the exception of Representatives de Heer, Kunimura, Nakamura, Okamura, Rohlfing and Toguchi, who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Thirty-Ninth and Forty-First Days.

On motion by Representative Stanley, seconded by Representative Kamali'i and carried, reading of the Journals was dispensed with and the Journals of the Thirty-Ninth and Forty-First Days were approved.

By unanimous consent, reading of the Journal of the Forty-Fourth Day was deferred.

## GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 9) informing the House that on March 31, 1982, he signed Senate Bill No. 2197-82 as Act 2, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", was read by the Clerk and was placed on file.

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

Representative Medeiros introduced 60 fifth grade students from Kailua Elementary School. They were accompanied by their teachers, Mrs. Burbank and Gerry Sato, and a parent, Mrs. Mayberry.

Representative Aki introduced 9 students from the Campbell High School Orthopedic Unit. They were accompanied by their teachers, Mrs. Lyla Tatafu, Representative Morioka's daughter, and Miss Chris Lawson, and aides, Mrs. Maggie Soares and Ms. Harri Daos.

Representative Liu introduced 63 fifth grade students from Maemae Elementary School. They were accompanied by their teachers, Mrs. Mugiishi and Mr. Sasaki, and parents, Mrs. Shizuru and Mrs. Kawaguchi.

Representative Matsuura introduced a former colleague, Mits Uechi, "a very dear friend of mine, a person who was pretty much instrumental in encouraging me to run for the House."

Representative Hirono introduced 9 friends from the Moiliili Community Center, Japanese Class, as follows: Mrs. Yuriko Kadekaru, Mr. Jensuke Ikene, Mrs. Bernice Nakashima, Mrs. Ayame Fujii, Mrs. Fujie Takata, Mrs. Koto Tanaka, Mrs. Yukiye Suzuki and Mrs. Haruko Kaneshiro. They were accompanied by their teacher, Mrs. Shizuko Mukaida.

Representative Kunimura then rose and made the following observation:

"Mr. Speaker, I have known this man for many, many years -- many times as an adversary, but I have never known and seen him so happy. Honest to goodness, people always say that once a politician, always a politician. Well, I am pretty sure this man epitomizes the truth that you can take the country out of that brand of cigarette. . .but you can't take it. . .something like that, but you can take. . .I quit smoking three years ago, but you know something, you can take politics out of a man -- he proves that, but you cannot take the wisdom that he has gained in these halls and, Mr. Speaker, I hope, and this is an advice to the younger members of these halls, that they ought to go and call on Mits Uechi because he can share with you the trials and tribulations on how to get bills passed, how to kill and smell bad bills. This man is a walking encyclopedia of the political process, and I do this morning, Mr. Speaker, and I hope you all join me, that we ought to take our hats off to guys like Mits that gave unselfishly for so many years to the political process of this State.

Thank you."

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

The following concurrent resolutions

were re-referred as follows:

<u>H.C.R. Nos.</u>	<u>Re-referred to:</u>
9	Jointly to the Committees on Agriculture and State General Planning
10	Jointly to the Committees on Education and State General Planning
11	Jointly to the Committees on Health and State General Planning
12	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and State General Planning
13	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and State General Planning
14	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and State General Planning
15	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs; Culture and the Arts; and State General Planning
16	Jointly to the Committees on Tourism and State General Planning
17	Jointly to the Committees on Energy, Ecology and Environmental Protection and State General Planning
18	Jointly to the Committees on Housing and State General Planning
19	Jointly to the Committees on Transportation and State General Planning
20	Jointly to the Committees on Higher Education and State General Planning

#### STANDING COMMITTEE REPORTS

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 731-82) recommending that S.B. No. 2642-82, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Taniguchi, seconded by Representative Blair and carried, the report of the Committee

was adopted and S.B. No. 2642-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 732-82) recommending that S.B. No. 2376-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Taniguchi, seconded by Representative Blair and carried, the report of the Committee was adopted and S.B. No. 2376-82, entitled: "A BILL FOR AN ACT RELATING TO TIME LIMITATIONS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 733-82) recommending that S.B. No. 2366-82, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Taniguchi, seconded by Representative Blair and carried, the report of the Committee was adopted and S.B. No. 2366-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING REPORT", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 734-82) recommending that S.B. No. 2475-82, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Taniguchi, seconded by Representative Blair and carried, the report of the Committee was adopted and S.B. No. 2475-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 735-82) recommending that S.B. No. 2520-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Taniguchi, seconded by Representative Blair and carried, the report of the Committee was adopted and S.B. No. 2520-82, entitled: "A BILL FOR AN ACT RELATING

TO NOTARIES PUBLIC", passed Second Reading and was placed on the calendar for Third Reading.

#### INTRODUCTION OF RESOLUTIONS

A resolution (H.R. No. 307) recognizing the importance of pidgin English and commending the promoters of pidgin for their work was jointly offered by Representatives D. Hagino, Tungpalan, Say, Albano, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kamali'i, Kobayashi, Lacy, Levin, Marumoto, Nakamura, Nakasato, Okamura, Sakamoto, Shito and Taniguchi and was read by the Clerk.

On motion by Representative Stanley, seconded by Representative Kamali'i and carried, H.R. No. 307 was adopted.

By unanimous consent, the following resolutions (H.R. Nos. 301 to 306) and concurrent resolutions (H.C.R. Nos. 138 and 139) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 301) requesting the Legislative Reference Bureau to conduct a study of the feasibility of creating a State Workers' Compensation Fund was jointly offered by Representatives D. Hagino, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Fukunaga, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Lacy, Levin, Medeiros, Nakamura, Nakasato, Okamura, Sakamoto, Shito, Takitani, Taniguchi, Tungpalan and Yamada.

A resolution (H.R. No. 302) expressing concern over the characterization of the spirit of aloha as a commercial entity in a recent advertising campaign regarding tourism in Hawaii was jointly offered by Representatives Andrews, Say, Chun, de Heer, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Kobayashi, Lacy, Takamine, Takitani, Taniguchi and Tungpalan.

A resolution (H.R. No. 303) requesting the Department of Taxation to study the feasibility of amending Hawaii's income tax laws to allow single heads of households with dependent persons to claim the same standard tax deduction as married couples with dependents filing jointly was jointly offered by Representatives D. Hagino, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga,

G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kamali'i, Kiyabu, Kobayashi, Lacy, Levin, Liu, Marumoto, Matsuura, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Segawa, Shito, Takamine, Taniguchi, Tungpalan and Wong.

A resolution (H.R. No. 304) urging President Ronald Reagan and the United States Congress to take the necessary steps towards establishing a mutual, temporary freeze with the Soviet Union on nuclear arms production as a first, essential step towards establishing a permanent, international nuclear weapons ban was jointly offered by Representatives D. Hagino, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kamali'i, Levin, Matsuura, Nakamura, Narvaes, Okamura, Sakamoto, Segawa, Shito, Takamine, Takitani, Taniguchi, Tungpalan and Wong.

A resolution (H.R. No. 305) requesting the Department of Regulatory Agencies to review the feasibility and advisability of establishing an open competitive rating system for all classes or lines of insurance was jointly offered by Representatives D. Hagino, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Lacy, Levin, Matsuura, Nakamura, Nakasato, Okamura, Sakamoto, Takamine, Taniguchi, Tungpalan and Wong.

A resolution (H.R. No. 306) requesting the Hawaii Housing Authority to modify and accelerate its cost-buster housing program was jointly offered by Representatives Shito, Ige and Honda.

A concurrent resolution (H.C.R. No. 138) requesting the Legislative Reference Bureau to conduct a study of the feasibility of creating a State Workers' Compensation Fund was jointly offered by Representatives D. Hagino, Albano, Anderson, Andrews, Baker, Chun, de Heer, Fukunaga, G. Hagino, Hirono, Ikeda, Isbell, Lacy, Levin, Medeiros, Nakasato, Sakamoto, Shito, Takamine, Takitani, Taniguchi, Tungpalan and Yamada.

A concurrent resolution (H.C.R. No. 139) requesting the Department of Regulatory Agencies to review the feasibility and advisability of establishing an open competitive rating system for all classes or lines of insurance was jointly offered by Representatives D. Hagino, Aki, Albano, Anderson, Andrews, Baker, Chun, de Heer, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Lacy, Levin, Matsuura, Nakamura, Nakasato,

Okamura, Sakamoto, Shito, Takamine, Taniguchi, Tungpalan and Wong.

At this time, Representative Segawa requested the waiver of the 48-hour notice for meetings on H.C.R. No. 125 and H.R. No. 279, and the Chair "so ordered."

At 11:47 o'clock a.m., Representative Kamali'i asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 12:04 o'clock p.m., the Chair directed the Clerk to note the presence of Representatives de Heer, Kunimura, Nakamura, Okamura and Toguchi.

Representative Hashimoto then asked to make a late introduction and introduced Mrs. Jean Andrews, wife of Representative Andrews, who was seated in the gallery.

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

The House of Representatives reconvened at 12:09 o'clock p.m.

#### COMMITTEE REASSIGNMENTS

The Chair, at this time, re-referred the following Senate bills:

<u>S.B. Nos.</u>	<u>Re-referred to:</u>
544	Committee on Finance only
2309-82	Committee on Finance only
2760-82	Committee on Finance only

Representative Kunimura then rose and requested that the 48-hour notice for meetings be waived and the Chair "so ordered."

#### ADJOURNMENT

At 12:10 o'clock p.m., on motion by Representative Stanley, seconded by Representative Kamali'i and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Friday, April 2, 1982.

## FORTY-SIXTH DAY

Friday, April 2, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Father Terrance Watanabe representing Lady of Good Council, after which the Roll was called showing all members present with the exception of Representatives Aki, Kihano and Yamada, who were excused.

The Clerk proceeded to read the Journals of the House of Representatives of the Forty-Third, Forty-Fourth and Forty-Fifth Days.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, reading of the Journals was dispensed with and the Journals of the Forty-Third, Forty-Fourth and Forty-Fifth Days were approved.

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

Representative Isbell introduced Julia Kaupu and her nephew, Reginald Kaumekeiwa, Steven Kuauhuia and Kamla Kuauhuia from Milolii, Kona, on the Big Island.

Representative Tungpalan introduced 90 fifth grade students from Waiau School. They were accompanied by the teachers, Eden Lee, Shirley Sakaguchi and Ruby Lee; student teacher, Brenda Barret, and parent, Mrs. Yamada.

Representative Takitani introduced members of the Japanese Language Club from Baldwin High School who were accompanied by their teachers, Mrs. Shibano, Mrs. Moriyasu and Mr. Omuro.

Representative Hashimoto introduced 30 gifted students from Pearlridge Elementary School. They were accompanied by their teacher, Mrs. Sue Ruff, and parent, Jeanette Chang.

## ORDER OF THE DAY

## DEFERRED RESOLUTIONS

The following resolutions (H.R. Nos.

290 and 291, 294 and 295, 297, 298 and 300) and concurrent resolutions (H.C.R. Nos. 131 and 133 to 137) were disposed of as follows:

<u>H.R. Nos.</u>	<u>Referred to:</u>
290	Committee on Youth and Elderly Affairs, then to the Committee on Finance
291	Committee on Public Assistance and Human Services, then to the Committee on Finance
294	Committee on Judiciary
295	Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance
297	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs; and Agriculture, then to the Committee on Finance
298	Jointly to the Committees on Youth and Elderly Affairs; and Public Assistance and Human Services, then to the Committee on Finance
300	Committee on Transportation, then to the Committee on Finance

H.C.R. Nos.

131	Committee on Public Assistance and Human Services, then to the Committee on Finance
133	Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance
134	Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance
135	Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs; and Agriculture, then to the Committee on Finance
136	Jointly to the Committees on Youth and Elderly Affairs; and Public Assistance and Human Services, then to the Committee on Finance
137	Committee on Transportation, then to the Committee on Finance

## COMMITTEE REASSIGNMENT

House Resolution No. 286 was re-referred to the Committee on Education, then to the Committee on Finance.

At this time, Representative de Heer rose on a point of personal privilege, stating:

"Mr. Speaker, I would like to discuss the abuses of power that are occurring in this House."

Representative Stanley rose and stated:

"Mr. Speaker, I believe that the Representative who is addressing you is out of order."

The Chair stated:

"Representative de Heer, the Chair rules you out of order. That matter is not before the House this morning."

Representative de Heer continued:

"Mr. Speaker, parliamentary inquiry."

The Chair answered:

"State your inquiry."

Representative de Heer stated:

"At whose criteria do you determine what. . ."

Representative Stanley interrupted on a point of order, stating:

"Mr. Speaker, I believe that you have ruled the speaker out of order and that we should proceed with the Order of the Day."

The Chair asked:

"Representative de Heer, shall we proceed with the Order of the Day?"

Representative de Heer replied:

"Not until my question is answered."

The Chair stated:

"I believe your question has been answered. You've been ruled out of order."

At 11:50 o'clock a.m., at the

request of Representative Dods, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:04 o'clock p.m.

## STANDING COMMITTEE REPORTS

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 736-82) recommending that S.B. No. 2947-82, SD 1, 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 Kiyabu and carried, the report of the Committee was adopted and S.B. No. 2947-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO 75th ANNIVERSARY COMMISSION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 737-82) recommending that S.B. No. 2190-82, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2190-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE INFORMATION CENTER", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 738-82) recommending that S.B. No. 2345-82, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2345-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 739-82) recommending that S.B. No. 2379-82, as amended in HD 1, pass Second Reading and be placed on



the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2379-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 740-82) recommending that S.B. No. 2137-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 2137-82 entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Blair and Dods, for the Committees on Consumer Protection and Commerce and Transportation, presented a joint report (Stand. Com. Rep. No. 741-82) recommending that S.B. No. 2334-82, 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 Dods and carried, the joint report of the Committees was adopted and S.B. No. 2334-82, HD 1, entitled: "A BILL FOR AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF CHAPTER 290 RELATING TO ABANDONED VEHICLES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 742-82) recommending that S.B. No. 2467-82, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2467-82, SD 1, HD 1, entitled: "A BILL FOR AN

ACT RELATING TO FIREARMS AND AMMUNITIONS", passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 2947-82, SD 1, HD 1; 2379-82, HD 1; 2334-82, HD 1; and 2467-82, SD 1, HD 1, were made available to the members of the House at 11:30 o'clock a.m.

#### INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 308) was read by the Clerk and was disposed of as follows:

A resolution (H.R. No. 308) congratulating Representative and Mrs. Brian Taniguchi on the birth of their baby girl was jointly offered by Representatives Yamada, Takitani, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Toguchi, Tungpalan, Waihee, Wong and Peters.

On motion by Representative Takitani, seconded by Representative Kawakami and carried, H.R. No. 308 was adopted.

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, the following resolution (H.R. No. 309) was adopted:

A resolution (H.R. No. 309) welcoming the 1982 American Institute of Architects Convention and extending warmest Aloha to AIA members and their families was jointly offered by Representatives Morioka, Anderson, Baker, Blair, Chun, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Marumoto, Matsuura, Monahan, Nakamura, Nakasato, Narvaes, Okamura, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Toguchi, Tungpalan, Waihee, Wong, Yamada and Peters.

## SUSPENSION OF RULES

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

## THIRD READING

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

S.B. No. 2376-82:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, S.B. No. 2376-82 entitled: "A BILL FOR AN ACT RELATING TO TIME LIMITATIONS", passed Third Reading by a vote of 48 ayes, with Representatives Aki, Kihano and Yamada being excused.

The Chair directed the Clerk to note that S.B. No. 2376-82 had passed Third Reading at 12:10 o'clock p.m.

S.B. No. 2475-82, SD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, S.B. No. 2475-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES", passed Third Reading by a vote of 48 ayes, with Representatives Aki, Kihano and Yamada being excused.

The Chair directed the Clerk to note that S.B. No. 2475-82 had passed Third Reading at 12:11 o'clock p.m.

S.B. No. 2520-82:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, S.B. No. 2520-82, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES", passed Third Reading by a vote of 48 ayes, with Representatives Aki, Kihano and Yamada being excused.

The Chair directed the Clerk to note that S.B. No. 2520-82 had passed Third Reading at 12:11 o'clock p.m.

## ANNOUNCEMENTS

At this time, the Chair reminded the members of the House to make them-

selves available. "Today is the deadline for decking all Senate Bills with House drafts."

The Chair then declared the House in recess until 9:30 o'clock p.m. this evening.

## NIGHT SESSION

The House of Representatives reconvened at 10:00 o'clock p.m.

## STANDING COMMITTEE REPORTS

Representatives Tungpalan and Nakamura, for the Committees on Culture and the Arts and Judiciary, presented a joint report (Stand. Com. Rep. No. 743-82) recommending that S.B. No. 2993-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tungpalan, seconded by Representative Nakamura and carried, the joint report of the Committees was adopted and S.B. No. 2993-82, entitled: "A BILL FOR AN ACT RELATING TO FATHER DAMIEN DEVEUSTER DAY", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 744-82) recommending that S.B. No. 2868-82, SD 1, 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 Morioka and carried, the report of the Committee was adopted and S.B. No. 2868-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the majority of the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 745-82) recommending that S.B. No. 2528-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Albano and carried, the report of the majority of the Committee was adopted and S.B. No. 2528-82, entitled: "A BILL FOR AN ACT RELATING

TO WORKERS' COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Takitani, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 746-82) recommending that S.B. No. 2189-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tungpalan, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2189-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL", passed Second Reading and was placed on the calendar for Third Reading.

Representative Matsuura, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 747-82) recommending that S.B. No. 561, SD2, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative G. Hagino, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and S.B. No. 561, SD2, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 748-82) recommending that S.B. No. 2513-82, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 748-82 on S.B. No. 2513-82, SD1, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2513-82, SD1, HD2, were made available to the members of the House at 9:30 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 749-82) recommending that S.B. No. 2765-82, SD1, as amended in

HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 749-82 on S.B. No. 2765-82, SD1, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2765-82, SD1, HD2, were made available to the members of the House at 9:30 o'clock p.m.

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 750-82) recommending that S.B. No. 397, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 750-82 on S.B. No. 397, SD2, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 397, SD2, HD2, were made available to the members of the House at 9:30 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 751-82) recommending that S.B. No. 2269-82, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 751-82 on S.B. No. 2269-82, SD2, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2269-82, SD2, HD2, were made available to the members of the House at 9:30 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 752-82) recommending that S.B. No. 2816-82, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 752-82 on S.B. No. 2816-82, SD2, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2816-82, SD2, HD2, were made available to the members of the House at 9:30 o'clock

p.m.

Representative Takitani, for the Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 753-82) recommending that S.B. No. 103, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Tungpalan, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 103, HD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 754-82) recommending that S.B. No. 2523-82, SD2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Albano and carried, the report of the Committee was adopted and S.B. No. 2523-82 entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 755-82) recommending that S.B. No. 594, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 594, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the majority of the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 756-82) recommending that S.B. No. 2527-82, SD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D.

Hagino, seconded by Representative Albano and carried, the report of the majority of the Committee was adopted and S.B. No. 2527-82, SD1 entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 757-82) on S.B. No. 553, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 757-82 on S.B. No. 553, SD2, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 553, SD2, HD2, were made available to the members of the House at 9:30 o'clock p.m.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 758-82) recommending that S.B. No. 2550-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2550-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO FIREARMS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 759-82) recommending that S.B. No. 2646-82, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 2646-82, HD1 entitled: "A BILL FOR AN ACT RELATING TO PATIENTS' COMPENSATION FUND", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Shito and Blair, for the Committees on Housing

and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 760-82) recommending that S.B. No. 2496-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Shito, seconded by Representative Blair and carried, the joint report of the Committees was adopted and S.B. No. 2496-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Ige and Nakamura, for the Committees on Youth and Elderly Affairs and Judiciary, presented a joint report (Stand. Com. Rep. No. 761-82) recommending that S.B. No. 2401-82, SD2, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Ige, seconded by Representative Nakamura and carried, the joint report of the Committees was adopted and S.B. No. 2401-82, SD2, HD1 entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT", passed Second Reading and was placed on the calendar for Third Reading.

Representative Segawa, for the Committee on Health, presented a report (Stand. Com. Rep. No. 762-82) recommending that S.B. No. 2382-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kobayashi, seconded by Representative Chun and carried, the report of the Committee was adopted and S.B. No. 2382-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Segawa and Blair, for the Committees on Health and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 763-82) recommending that S.B. No. 2144-82, SD2, as amended in HD1, pass Second Reading and be placed on the calendar

for Third Reading.

On motion by Representative Kobayashi, seconded by Representative Blair and carried, the joint report of the Committees was adopted and S.B. No. 2144-82, SD2, HD1 entitled: "A BILL FOR AN ACT RELATING TO DRUGS", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Segawa and Nakamura, for the Committees on Health and Judiciary, presented a joint report (Stand. Com. Rep. No. 764-82) recommending that S.B. No. 2636-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kobayashi, seconded by Representative Nakamura and carried, the joint report of the Committees was adopted and S.B. No. 2636-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 765-82) recommending that S.B. No. 2389-82, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 2389-82, HD1 entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 766-82) recommending that S.B. No. 2386-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 2386-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO SECURITIES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the

Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 767-82) recommending that S.B. No. 2471-82, SD2, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 767-82 on S.B. No. 2471-82, SD2, HD1, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2471-82, SD2, HD1, were made available to the members of the House at 9:30 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 768-82) recommending that S.B. No. 486, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 486, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 769-82) recommending that S.B. No. 2926-82, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 769-82 on S.B. No. 2926-82, SD1, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2926-82, SD1, HD2, were made available to the members of the House at 9:30 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 770-82) recommending that S.B. No. 2814-82, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 770-82 on S.B. No. 2814-82, SD2, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Consti-

tution of the State of Hawaii, printed copies of S.B. No. 2814-82, SD2, HD2, were made available to the members of the House at 9:30 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 771-82) recommending that S.B. No. 2915-82, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 771-82 on S.B. No. 2915-82, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2915-82, HD2, were made available to the members of the House at 9:30 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 772-82) recommending that S.B. No. 262, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 772-82 on S.B. No. 262, SD1, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 262, SD1, HD2, were made available to the members of the House at 9:30 o'clock p.m.

Representatives Chun and Nakamura, for the Committees on Public Assistance and Human Services and Judiciary, presented a joint report (Stand. Com. Rep. No. 773-82) recommending that S.B. No. 2245-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chun, seconded by Representative Nakamura and carried, the joint report of the Committees was adopted and S.B. No. 2245-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 774-82) recommending that S.B. No. 2304-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third



Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2304-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO LOBBYING", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 775-82) recommending that S.B. No. 2696-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

\* On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 2696-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 776-82) recommending that S.B. No. 2531-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Albano and carried, the report of the Committee was adopted and S.B. No. 2531-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 777-82) recommending that S.B. No. 2288-82, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 2288-82, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE",

passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 778-82) recommending that S.B. No. 1287, SD1, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 778-82 on S.B. No. 1287, SD1, HD1, was deferred until Monday, April 5, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1287, SD1, HD1, were made available to the members of the House at 9:30 o'clock p.m.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 779-82) recommending that S.B. No. 400, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 400, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO INTEREST", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 780-82) recommending that S.B. No. 1308, SD2, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 780-82 on S.B. No. 1308, SD2, HD1, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1308, SD2, HD1, were made available to the members of the House at 9:30 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 781-82) recommending that S.B. No. 2682-82, SD1, as amended in HD2, pass Third Reading.



By unanimous consent, consideration of Stand. Com. Rep. No. 781-82 on S.B. No. 2682-82, SD1, HD1, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2682-82, SD1, HD2, were made available to the members of the House at 9:30 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 782-82) recommending that S.B. No. 2955-82, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 782-82 on S.B. No. 2955-82, SD2, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2955-82, SD2, HD2, were made available to the members of the House at 9:30 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 783-82) recommending that S.B. No. 2470-82, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 783-82 on S.B. No. 2470-82, SD2, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2470-82, SD2, HD2, were made available to the members of the House at 9:30 o'clock p.m.

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 784-82) recommending that S.B. No. 536, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 784-82 on S.B. No. 536, SD2, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 536, SD2, HD2, were made available to the members of the

House at 9:30 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 785-82) recommending that S.B. No. 544, SD2, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 544, SD2, HD1 entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 786-82) recommending that S.B. No. 2638-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the majority of the Committee was adopted and S.B. No. 2638-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO SALES AND TRANSFER OF REAL PROPERTY SITUATED IN HAZARDOUS AREAS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 787-82) recommending that S.B. No. 1447, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 787-82 on S.B. No. 1447, SD1, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1447, SD1, HD2, were made available to the members of the House at 9:30 o'clock p.m.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 788-82) recommending that S.B. No. 2147-82, SD2, as amended in HD1, pass Second Reading and be placed

on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2147-82, SD2, HD1 entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Ige and Nakamura, for the Committees on Youth and Elderly Affairs and Judiciary, presented a joint report (Stand. Com. Rep. No. 789-82) recommending that S.B. No. 2183-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Ige, seconded by Representative Nakamura and carried, the joint report of the Committees was adopted and S.B. No. 2183-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES", passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 2868-82, SD1, HD1; 2189-82, SD1, HD1; 561, SD2, HD1; 103, HD1; 594, SD1, HD1; 2550-82, SD1, HD1; 2646-82, HD1; 2496-82, SD1, HD1; 2401-82, SD2, HD1; 2382-82, SD1, HD1; 2144-82, SD2, HD1; 2636-82, SD1, HD1; 2389-82, HD1; 2386-82, SD1, HD1; 486, HD1; 2245-82, SD1, HD1; 2304-82, SD1, HD1; 2696-82, SD1, HD1; 2531-82, SD1, HD1; 2288-82, HD1; 400, SD1, HD1; 544, SD2, HD1; 2638-82, SD1, HD1; 2147-82, SD2, HD1; and 2183-82, SD1, HD1, were made available to the members of the House at 9:30 o'clock p.m.

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 11:05 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 790-82) recommending that S.B. No. 2759-82, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 790-82 on S.B. No. 2759-82, SD1, HD2, was deferred until Monday, April 5, 1982, and in accordance with

Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2759-82, SD1, HD2, were made available to the members of the House at 11:05 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 791-82) recommending that S.B. No. 2346-82, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 791-82 on S.B. No. 2346-82, SD2, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2346-82, SD2, HD2, were made available to the members of the House at 11:05 o'clock p.m.

At this time, the Chair re-referred S.B. No. 1925, SD1 to the Committee on Employment Opportunities and Labor Relations.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 792-82) recommending that S.B. No. 1925, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Albano and carried, the report of the Committee was adopted and S.B. No. 1925, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 793-82) recommending that S.B. No. 2399-82, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 793-82 on S.B. No. 2399-82, SD2, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2399-82, SD2, HD2, were made available to the members of the House at 11:05 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 794-82) recommending that S.B. No. 2829-82, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 2829-82, HD1 entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 795-82) recommending that S.B. No. 1697, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 795-82 on S.B. No. 1697, SD1, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1697, SD1, HD2, were made available to the members of the House at 11:05 o'clock p.m.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 796-82) recommending that S.B. No. 2561-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 2561-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 797-82) recommending that S.B. No. 2477-82, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative

Hirono and carried, the report of the Committee was adopted and S.B. No. 2477-82, HD1 entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 798-82) recommending that S.B. No. 2615-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 2615-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 799-82) recommending that S.B. No. 65, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 65, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO LAND TRUSTS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Blair, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 800-82) recommending that S.B. No. 1859, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.B. No. 1859, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO MERGERS OR CONSOLIDATIONS", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Nakamura and

Blair, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 801-82) recommending that S.B. No. 2454-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Hirono and carried, the joint report of the Committees was adopted and S.B. No. 2454-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Blair and Takitani, for the Committees on Consumer Protection and Commerce and Public Employment and Government Operations, presented a joint report (Stand. Com. Rep. No. 802-82) recommending that S.B. No. 2228-82, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Blair, seconded by Representative Tungpalan and carried, the joint report of the Committees was adopted and S.B. No. 2228-82, HD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed Second Reading and was placed on the calendar for Third Reading.

Representatives Blair and Shito, for the Committees on Consumer Protection and Commerce and Housing, presented a joint report (Stand. Com. Rep. No. 803-82) recommending that S.B. No. 2388-82, SD1, as amended in HD1, 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 S.B. No. 2388-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 804-82) recommending that S.B. No. 732, SD1, as amended in HD1, pass Second Reading and be placed

on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 732, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 805-82) recommending that S.B. No. 2309-82, SD2, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 2309-82, SD2, HD1 entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 806-82) recommending that S.B. No. 365, SD2, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 806-82 on S.B. No. 365, SD2, HD1, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 365, SD2, HD1, were made available to the members of the House at 11:05 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 807-82) recommending that S.B. No. 2709-82, SD1, as amended in HD1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 807-82 on S.B. No. 2709-82, SD1, HD1, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2709-82, SD1, HD1, were made available to the members of the House at 11:05 o'clock p.m.

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 808-82) recommending

that S.B. No. 2978-82, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 808-82 on S.B. No. 2978-82, SD1, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2978-82, SD1, HD2, were made available to the members of the House at 11:05 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 809-82) recommending that S.B. No. 2353-82, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 809-82 on S.B. No. 2353-82, SD1, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2353-82, SD1, HD2, were made available to the members of the House at 11:05 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 810-82) recommending that S.B. No. 2904-82, SD1, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 810-82 on S.B. No. 2904-82, SD1, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2904-82, SD1, HD2, were made available to the members of the House at 11:05 o'clock p.m.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 811-82) recommending that S.B. No. 2350-82, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 811-82 on S.B. No. 2350-82, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of

Hawaii, printed copies of S.B. No. 2350-82, HD2, were made available to the members of the House at 11:05 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 812-82) recommending that S.B. No. 2434-82, SD2, as amended in HD2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 812-82 on S.B. No. 2434-82, SD2, HD2, was deferred until Monday, April 5, 1982, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2434-82, SD2, HD2, were made available to the members of the House at 11:05 o'clock p.m.

Representatives Dods and D. Hagino, for the majority of the Committees on Transportation and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 813-82) recommending that S.B. No. 2145-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Dods, seconded by Representative D. Hagino and carried, the joint report of the majority of the Committees was adopted and S.B. No. 2145-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO RIDESHARING", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 814-82) recommending that S.B. No. 2624-82, SD1, as amended in HD1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2624-82, SD1, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL", passed Second Reading and was placed on the calendar for Third Reading.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 815-82) recommending that S.B. No. 2760-82, SD2, as amended in HD1,

pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 2760-82, SD2, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS", passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 1925, SD1, HD1; 2829-82, HD1; 2562-82, SD1, HD1; 2477-82, HD1; 2615-82, SD1, HD1; 65, SD1, HD1; 2309-82, SD2, HD1; 2145-82, SD1, HD1; 2624-82, SD1, HD1; and

2760-82, SD2, HD1, were made available to the members of the House at 11:05 o'clock p.m.

At 11:22 o'clock p.m., at the request of Representative Stanley, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:34 o'clock p.m.

#### ADJOURNMENT

At 11:35 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 11:30 o'clock a.m., Monday, April 5, 1982.

## FORTY-SEVENTH DAY

Monday, April 5, 1982

The House of Representatives of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Commander David Schuster, Chaplain of Barber's Point, after which the Roll was called showing all members present with the exception of Representatives Blair, Wong and Yamada, who were excused.

By unanimous consent, reading of the Journal of the Forty-Sixth Day was deferred.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. No. 208 to 221) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 208) transmitting Senate Concurrent Resolution No. 42, SD 1, requesting President Reagan and the Congress of the United States to establish a National Academy of Peace, which was adopted by the Senate on April 2, 1982, was placed on file.

By unanimous consent, further action on S.C.R. No. 42, SD 1, was deferred.

A communication from the Senate (Sen. Com. No. 209) returning House Concurrent Resolution No. 132, which was adopted by the Senate on March 31, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 210) returning House Bill No. 1964-82, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS", which passed Third Reading in the Senate on April 1, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 211) returning House Bill No. 2178-82, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE", which passed Third Reading in the Senate on April 1, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 212) returning House Bill No. 2208-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF QUALIFIED STATE APPRAISERS AS WELL AS INDEPENDENT APPRAISERS TO DETERMINE THE VALUE OF REMNANTS", which passed Third Reading in the Senate on April 1, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 213) returning House Bill No. 2333-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATIVE REFERENCE BUREAU", which passed Third Reading in the Senate on March 31, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 214) returning House Bill No. 2507-82, entitled: "A BILL FOR AN ACT RELATING TO TRIALS", which passed Third Reading in the Senate on April 1, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 215) returning House Bill No. 2822-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES RELATED TO DRUGS AND INTOXICATING COMPOUNDS", which passed Third Reading in the Senate on April 1, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 216) returning House Bill No. 1963-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DONATION OF FOOD", which passed Third Reading in the Senate on April 1, 1982, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 217) returning House Bill No. 2585-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE", which passed Third Reading in the Senate on April 1, 1982, in an amended form, was placed on file.

A communication from the Senate (Sen. Com. No. 218) returning House Bill No. 2751-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS GENERALLY", which passed Third Reading in the Senate on April 1, 1982, in an amended form, was placed on file.

By unanimous consent, H.B. Nos. 1963-82, HD 1; 2585-82, HD 1; and 2751-82, HD 1, as amended by the



Senate, were placed on the Clerk's desk and, in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. Nos. 1963-82, HD 1, SD 1; 2585-82, HD 1, SD 1; and 2751-82, HD 1, SD 1, were made available to the members of the House at 11:30 o'clock a.m.

A communication from the Senate (Sen. Com. No. 219) returning House Bill No. 2934-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931", which passed Third Reading in the Senate on April 1, 1982, was placed on file.

A communication from the Senate (Sen. Com. No. 220) returning House Bill No. 3091-82, entitled: "A BILL FOR AN ACT RELATING TO ELECTION REGISTRATION FOR THE OFFICE OF HAWAIIAN AFFAIRS", which passed Third Reading in the Senate on April 1, 1982, in an amended form, was placed on file.

By unanimous consent, H.B. No. 3091-82, as amended by the Senate, was placed on the Clerk's desk and, in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 3091-82, SD 1, were made available to the members of the House at 11:30 o'clock a.m.

At this time, Representative Narvaes introduced to the members of the House his cousin, Tommy, who was seated in the gallery.

#### ORDER OF THE DAY

#### SUSPENSION OF RULES

On motion by Representative Stanley, seconded by Representative Rohlfing and carried, the rules were suspended for the purpose of considering a resolution

#### INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 310) extending congratulations to Meredith Lenell, recipient of the Hawaii Women Lawyers' First Annual Outstanding Woman Lawyer of the Year Award was jointly offered by Representatives Isbell, Hirono, Fukunaga, Chun, Anderson, Baker, Blair, de Heer, Dods, G.

Hagino, Hashimoto, Ige, Ikeda, Kamali'i, Kawakami, Kiyabu, Kobayashi, Levin, Marumoto, Matsuura, Medeiros, Narvaes, Okamura, Rohlfing, Sakamoto, Say, Segawa, Shito, Stanley, Takamine, Takitani, Taniguchi, Tungpalan and Wong and was read by the Clerk.

On motion by Representative Isbell, seconded by Representative Hirono and carried, H.R. No. 310 was adopted.

At this time, Representative Isbell rose and introduced the honoree, Ms. Meredith Lenell, of Kona, to the members of the House and audience. She was accompanied by Nancy Stivers of the Hawaii Women Lawyers Association.

Floral leis were presented to Ms. Lenell by Representative Rohlfing and to Ms. Stivers by Representative Liu. Representative Monahan presented them with certified copies of the resolution.

At 11:56 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of extending our personal aloha and congratulations to our honorees this morning."

Upon reconvening at 12:01 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Yamada.

#### SUSPENSION OF RULES

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

#### UNFINISHED BUSINESS

Stand. Com. Rep. No. 748-82 on S.B. No. 2513-82, SD 1, HD 2:

Representative Kiyabu moved that the report of the Committee be adopted and S.B. No. 2513-82, SD 1, HD 2, having been read throughout, pass Third Reading, seconded by Representative Andrews.

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

"Mr. Speaker, presently the counties have all the authority to enact the real property taxes and I see no reason on Earth why the State should pass a higher tax on any group of people

when the counties have the authority to raise taxes.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2513-82, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES: FRANCHISE TAX", having been read throughout, passed Third Reading by a vote of 45 ayes to 4 noes, with Representatives Andrews, Honda, Monahan and Takitani voting no, and Representatives Blair and Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2513-82 had passed Third Reading at 12:03 o'clock p.m.

Stand. Com. Rep. No. 749-82 on S.B. No. 2765-82, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Morioka and carried, the report of the Committee was adopted and S.B. No. 2765-82, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Blair and Wong being excused.

Stand. Com. Rep. No. 750-82 on S.B. No. 397, SD 2, HD 2:

By unanimous consent, action was deferred to the end of the calendar.

Stand. Com. Rep. No. 751-82 on S.B. No. 2269-82, SD 2, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 2269-82, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Blair and Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2765-82 and 2269-82 had passed Third Reading at 12:04 o'clock p.m.

Stand. Com. Rep. No. 752-82 on S.B. No. 2816-82, SD 2, HD 2:

Representative Kunimura moved that the report of the Committee be adopted and S.B. No. 2816-82, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kiyabu.

Representative Kobayashi then rose to speak in favor of the bill, with slight reservations, stating:

"The bill as considered in Finance Committee, I believe, may have had a small oversight. We discussed the provisions of adding to the bill the power for the Director of Budget and Finance to adopt rules pursuant to Chapter 91. That was not included.

Presently, the bill allows for rule making but only to two specific sections applying to contracts and to monitoring and evaluation, but there is no overall provision for rules relating to the whole chapter involved in this bill.

Thank you."

Representative Marumoto then rose to speak in favor of the bill, with reservation stating:

"Mr. Speaker, I agree with the intent of the bill but I find it rather confusing. What this bill really amounts to is that a purchase of service. . .when is the purchase of service not a purchase of service when the State grants a purchase of service?

There will also be a problem with the term 'provider' which is not amended. We have in Congress a situation now and can ask ourselves the question: When is a provider not a provider when the State asks an agency to be a provider?

So, I think we can look into these problems in Conference Committee.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2816-82, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE", having been read throughout, passed Third Reading by a vote of 45 ayes, with Representatives Blair and Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2816-82 had passed Third Reading at 12:06 o'clock p.m.

Stand. Com. Rep. No. 757-82 on

S.B. No. 553, SD 2, HD 2:

Representative Kunimura moved that the report of the majority of the Committee be adopted and S.B. No. 553, SD 2, HD 2, pass Third Reading, seconded by Representative Kiyabu.

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

Upon reconvening at 12:08 o'clock p.m., Representative Narvaes rose and asked for a conflict ruling, saying that he is the owner of a solar company, whereupon the Chair ruled "no conflict."

Representative Narvaes then spoke against the bill, stating:

"Mr. Speaker, as the bill was sent over by the Senate, I could pretty much buy it because what they were looking at doing was increasing the tax credit, and the bill, as it was passed out of the Energy Committee, I could also buy the bill because it also left the Senate bill basically intact -- increase the State tax credit for solar systems from ten percent to 20 percent.

But what the Finance Committee did is they basically reduced that tax credit back to ten percent. That is okay. But, Mr. Speaker, what I believe we are doing with this bill is hurting basically the solar industry. You see, Mr. Speaker, every time government gets involved, what happens is that a whiplash effect happens. You see, when the public hears that the government is going to give a larger tax credit, people who are going to be getting solar systems wait -- they don't buy the systems, and the industry gets hurt. When government comes in and says that they are going to put a cap; for instance on what this bill does, then people rush out and they go and buy solar systems. So what government should do today is to leave the present laws that apply to the industry basically alone. And what this bill does is to put a cap on the amount of tax credit that people can claim and it is going to hurt certain projects. There are many projects that are very borderline, and the present State tax credit is the difference between a positive or negative decision for getting a solar system.

Mr. Speaker, these are some of my concerns. My concern is also that the Finance Committee has amended the bill to such a form that the Senate may agree with it and I hope something can be done on that side to kill this bill and leave the present laws alone."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and S.B. No. 553, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative Narvaes voting no, and Representatives Blair and Wong being excused.

Stand. Com. Rep. No. 767-82 on S.B. No. 2471-82, SD 2, HD 1:

On motion by Representative Hirono, seconded by Representative Dods and carried, the report of the Committee was adopted and S.B. No. 2471-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Blair and Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 553 and 2471-82 had passed Third Reading at 12:10 o'clock p.m.

Stand. Com. Rep. No. 769-82 on S.B. No. 2926-82, SD 1, HD 2:

On motion by Representative Kunimura, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 2926-82, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Blair and Wong being excused.

Stand. Com. Rep. No. 770-82 on S.B. No. 2814-82, SD 2, HD 2:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 2814-82, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Blair and Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2926-82 and 2814-82 had passed Third Reading at 12:11 o'clock p.m.

Stand. Com. Rep. No. 771-82  
on S.B. No. 2915-82, HD 2:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 2915-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MARINE AFFAIRS COORDINATOR", having been read throughout, passed Third Reading by a vote of 48 ayes to 1 no, with Representative D. Hagino voting no, and Representatives Blair and Wong being excused.

Stand. Com. Rep. No. 772-82  
on S.B. No. 262, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 262, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DELINQUENT PENALTIES FOR LATE RENEWAL OF MOTOR VEHICLE REGISTRATIONS", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Blair and Wong being excused.

Stand. Com. Rep. No. 778-82  
on S.B. No. 1287, SD 1, HD 1:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 1287, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Blair and Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2915-82, 262 and 1287 had passed Third Reading at 12:12 o'clock p.m.

Stand. Com. Rep. No. 780-82  
on S.B. No. 1308, SD 2, HD 1:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 1308, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL

PROTECTION", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Blair and Wong being excused.

Stand. Com. Rep. No. 781-82 on  
S.B. No. 2682-82, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 2682-82, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Blair and Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 1308 and 2682-82 had passed Third Reading at 12:13 o'clock p.m.

Stand. Com. Rep. No. 782-82 on  
S.B. No. 2955-82, SD 2, HD 2:

Representative Kiyabu moved that the report of the Committee be adopted and S.B. No. 2955-82, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kunimura.

Representative Segawa then rose to speak in favor of the bill, stating:

"Mr. Speaker, Senate Bill 2955-55, SD 2, HD 1, is a bill for an act for emergency medical services. As you are aware, this matter was a matter of discretion and some controversy earlier in the session. As you are also aware, the cost of health care is rising dramatically, but in our quest to provide the best health care possible to the people of our State, we have made certain commitments in spite of rising costs.

In 1978, through Act 148, the Legislature established a State system to provide uniform emergency medical services throughout the State. At that time, the State decided that the State would be responsible for this program. The City and County and the County of Hawaii had already established emergency medical service systems. However, because of the flow of federal dollars and a desire on the part of the Legislature to expand into a statewide system with quality standards, Act 148 was established to accomplish these objectives. Mr. Speaker, this program started in 1979 with an appropriation of \$687,000 to start this program. Next year, this program will be in

excess of \$14 million.

As you can see, like many other health programs, this is an expensive one. While the bill we have before us will not curtail the rising cost of these services, this bill is intended to give the responsibility of providing the direct services to the counties while maintaining a statewide system.

Furthermore, this bill would not allow the counties the right to reject their responsibility in providing these services and throw it back to the State as the City and County of Honolulu intended to do next year. As I previously mentioned, Mr. Speaker, this bill will not cut the cost of these services as the bill provides for 100 percent funding for these services by the State, and it would be the ultimate accomplishment when a fair and reasonable method of reimbursement with responsibility for spending can be devised in the future.

Mr. Speaker, emergency medical services which has been accepted by the public in the same vein that they expect police and fire services can really accomplish a better service under this bill.

On this basis, I urge all my colleagues to vote aye on this bill.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2955-82, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Blair and Wong being excused.

The Chair directed the Clerk to note that H.B. No. 2955 had passed Third Reading at 12:17 o'clock p.m.

Stand. Com. Rep. No. 783-82 on S.B. No. 2470-82, SD 2, HD 2:

Representative Kiyabu moved that the report of the Committee be adopted and S.B. No. 2470-82, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kunimura.

Representative Ikeda then rose to speak in favor of the bill, stating:

"Mr. Speaker, this bill will authorize

the Department of Health to provide services to veterans and residents who served in Southeast Asia and may have been exposed to the chemical herbicide 'Agent Orange.'

This State will be providing assistance to a group that has been unable to get help from the Federal government. We are not providing compensation, but we are providing assistance through testing to confirm cases of exposure to herbicide poisoning, as well as genetic counseling and screening. Moreover, there is a very real urgency to begin to understand the dangers imposed by defoliants such as Agent Orange. It has been discovered that these very toxic chemicals have entered the environment and food chain, and may eventually pose a health risk to all of us. The information we may gain from this program may prove valuable in providing ways to better diagnose and treat those who have been exposed to these chemicals.

Mr. Speaker, I would like to also commend the Chairmen of the House Health and Finance Committees for having the wisdom and foresight to perceive the dangers involved; the need to assist the veterans in our community; and for expressing their concern by supporting this bill. They have done much to restore this group's confidence in our governmental system.

If this bill passes this Legislature, Mr. Speaker, Hawaii will be only the third state in this nation to acknowledge the problem, and to adopt legislation providing this type of assistance to its veterans.

Therefore, I strongly urge my fellow colleagues to vote favorably on this measure.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2470-82, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH", having been read throughout, passed Third Reading by a vote of 49 ayes, with Representatives Blair and Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2470-82 had passed Third Reading at 12:20 o'clock p.m.

Stand. Com. Rep. No. 784-82 on S.B. No. 536, SD 2, HD 2:

Representative Kiyabu moved that the report of the majority of the Committee be adopted and S.B. No. 536, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kunimura.

Representative Chun then rose to speak in favor of the bill, stating:

"Mr. Speaker, Senate Bill 536, SD 2, HD 2, had been cleansed as noted by the House Draft 2, to meet certain objections. The purposes of this bill are: (1) to conform conditions of eligibility for the State's general assistance program with conditions of eligibility under comparable federally funded financial assistance programs; and (2) to require that families must first establish eligibility for assistance for federally funded programs before applying to the State funded general assistance program.

Mr. Speaker, the arguments posed this bill are: (1) Hawaii is just accepting the Reagan mandate making our State's general assistance program conform to federal standards without a whimper. Do we have a choice?

Is the State willing to fund all welfare programs with State funds? If we are willing, then the answer is no -- we do not need to conform to federal mandate.

However, Mr. Speaker, our policy has always been to maximize federal dollars, and we must, because we cannot afford not to do so. Therefore, the answer is yes; we must follow the federal mandate, and we must pass this law.

Mr. Speaker, of all the 50 states in the nation, Hawaii gives the most liberal benefits to her poor. Because of President Reagan's cuts, Hawaii's general assistance gives more benefits than comparable general assistance programs. Since that has happened, federally funded AFDC (aid to families with dependent children) families have transferred to the general assistance programs. We cannot prevent them from doing so, and we cannot blame them. If I am a welfare recipient, I would do the same -- go where the money is! As a result, the State pays more because general assistance is fully State funded while AFDC is federally funded. This law, Mr. Speaker, will prevent assistance shopping because it says that 'before a family can transfer to general assistance, such persons have first been determined

ineligible for a comparable federally funded financial assistance program.'

Mr. Speaker, if we do not pass this law, we will find welfare recipients from other states coming to Hawaii to take advantage of our general assistance program because we give more benefits. By making it uniform with the federal programs, we will prevent such state shopping. We then can give our benefits to our own poor because we have our own share of them.

The second argument posed against this bill is that 'if any adult member of the assistance unit fails to comply with the requirement or conditions of the general assistance program, the entire assistance unit shall be disqualified.'

At first glance, indeed it is cruel. Why should the poor children suffer for the actions of their parents? Because the father refuses to work and he would rather go fishing or whatever, the poor kids will be penalized.

Mr. Speaker, I would rather go fishing myself and so would Representative Lacy, but all of us have a responsibility to perform. If that father wants love, affection and companionship of his family, he must be a responsible parent and at least comply with the work requirement asked of him by the State. If he refuses, the mother has a choice.

She can tell her husband, 'Darling, I love you so and so does our children. But love alone will not put food in their mouths nor shelter over their heads. So I am asking you to please leave so we can apply and qualify for AFDC.'

There again, Mr. Speaker, he has a choice -- work or leave!

My attorney friends and fellow legislators tell me I am advocating separation of families by my action. Mr. Speaker, I am not! All this bill is asking for is that a parent be responsible, cooperate with the State, seek employment, participate in public work projects and, if that earning is not enough, that family shall be eligible for supplemental general assistance.

If I were to agree with my colleagues and disqualify the adult member only, it would be like the parent saying to me: 'Chun, you do not need to include me. Just take care of my family. I do not want to work; I do not want to comply with your requirements; leave me alone -- I want to go fishing. But, you better take care of my family



or I will take you to court.'

My answer to him is: 'Pepito, welfare is for the needy. Welfare is not for the lazy!'

That, Mr. Speaker, is the essence of the whole problem. I, therefore, ask my fellow legislators to vote yes on this bill. Failure to pass this bill will cost the State an estimated \$2,052,960 for 1983 and \$4,466,880 for 1984, excluding the people that will come from other states to take advantage of our general assistance program.

Thank you, Mr. Speaker."

Representative Kunimura then rose and remarked:

"I am pretty sure Representative Chun meant that welfare is for the needy and not the greedy."

Representative Waihee then rose to speak against the measure, stating:

"Mr. Speaker, my basic problem with this bill is that we automatically track the federal requirements set down by the present administration. I think that before we follow anybody else's lead, we ought to look at the merits of each case. In this case, rather than following the guidelines set down automatically by the Reagan administration, most of which we have all shown great concern with, Mr. Speaker, we ought to look at how we want our program to go in the future.

What we are in fact doing with this bill, Mr. Speaker, is actually, as Reagan reduces the number of people which the Federal government is unwilling to help, without forethought, we also reduce our pool. In many instances, Mr. Speaker, we are no better than the people we are criticizing if we pass such a bill.

Mr. Speaker, many of our forefathers, many of us, fought for the rights which we are going to give up by the passage of this kind of legislation. It is the symbol of our State that our dedication to social justice came when we said it was most important that the children be taken care of. Let us stand for justice; let us stand for social justice. Let us make up our own minds, Mr. Speaker, and not automatically track what somebody is doing 7000 miles away.

Thank you."

Representative D. Hagino then rose to speak against the bill, stating:

"I wasn't intending to speak against it but, however, I would like to speak against it because of some of the remarks made earlier. It was pointed out that many of the people who are poor, on welfare, could do various things to bootstrap themselves out of their predicament and one of the suggestions was their public works projects where the husband or wife could participate on and thereby not go on welfare.

As I said, there are other reasons why I am opposed to this bill, but the main point is this: We have seen these public works, public service programs, curtailed by the Federal government and by our own actions. And so, one of the means. . . in fact, what has been pointed out as one of the best ways of helping the poor get out of their predicament by public works projects -- we have slammed the door on that avenue of escape for them.

So, on one hand we said, 'hey, go work!'; on the other hand, we took away their jobs, and I think that this bill represents part of the obstacles that we have put against the poor and the people on welfare from ever getting out of their lot in life and I wonder, sometimes, if we don't feel somehow that we need the system where we will always have poor people in order to justify the kind of way of life we have for the rest of us."

Representative Kunimura then rose and stated:

"Mr. Speaker, it amazes me that the opponent of this bill brands this bill as being against the poor. This bill does not do that. This was my suspicion in the beginning, but after examining this bill, when the amendment was proposed, that this bill does more than what was said here. It is not against the poor but it protects the poor against the leeches who leech on to the poor.

Mr. Speaker, if this bill takes away one red penny from the deserving poor, I will recommit this bill, with your permission, immediately. But what this bill does it to protect the poor that need help, and this is why I rose and said what Representative Chun meant was that welfare is for the needy and not the greedy. I think we have had enough. A very, very small percentage, Mr. Speaker, take advantage of welfare -- very small --



and we want to make sure that as our dollar dwindles, that the needy is protected against the leeches.

Thank you."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and S.B. No. 536, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Third Reading by a vote of 43 ayes to 7 noes, with Representatives Albano, Baker, D. Hagino, Hirono, Okamura, Taniguchi and Waihee voting no, and Representative Wong being excused.

Stand. Com. Rep. No. 787-82  
on S.B. No. 1447, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 1447, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 536 and 1447 had passed Third Reading at 12:31 o'clock p.m.

Stand. Com. Rep. No. 790-82  
on S.B. No. 2759-82, SD 1, HD 2:

Representative Kiyabu moved that the report of the Committee be adopted and S.B. No. 2759-82, SD 1, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kunimura.

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

"Mr. Speaker, in rising to speak against this bill, I wish to point out that I am addressing that part of the bill which deals with the salary of the President of the University. According to this bill, the salary will be set according to the salaries of department heads. I think, Mr. Speaker, this is wrong and, in fact, will lead to the further deterioration of our University.

In the past, the salary of the President of the University was set a little higher at \$45,000 in recognition that our University is a unique institution.

Why the Finance Committee has now set the salary with that of the department heads, I do not understand, and I believe that the President's salary should be such that we could attract the best qualified person for the job. If this bill passes, I do not believe this is going to happen, and it will definitely deteriorate our University further. I am hopeful that this oversight will be corrected in Conference Committee.

Thank you, Mr. Speaker."

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

"This bill, Mr. Speaker, is in a form that I am very proud of, and I feel that this bill does not need any conference to repair any oversight, or omission, or deletion.

Mr. Speaker, in answering the previous speaker's criticism on one small section of this bill, if you remember, Mr. Speaker, I would have been here twenty years come November. I was here when we made the University unique. I was here when from a plain cow college, and I mean a cow college that had Varney Circle and only a few buildings, into a splendid University.

Mr. Speaker, if salary is going to mean attracting good people -- yes, in certain areas like great professors, Nobel Prize winners, people in positions that is recognized throughout the world as pillars of higher education, Mr. Speaker, I have no qualms. I am willing to recommend a salary of even \$100,000 or \$150,000. But, Mr. Speaker, the President of the system. . . first of all, does this State which has only one large campus and a small campus in Hilo, and a community college that shouldn't belong to the University system under the Board of Regents, have a statewide administration? Additional costs was created because we felt so strongly about trying to build a very unique, a very prestigious, a very important place of higher learning.

Mr. Speaker, my aspiration for the University has been dashed so many times, I feel more threatened than the driftwood against the cliffs of Napali Coast. Mr. Speaker, it's about time a clear message be sent that this State, where we have equal pay for equal work, that there will be no discrimination. This bill, Mr. Speaker, before it came to the Finance Committee, the salary of the Superintendent of Education was set by the Board of Education, but still yet, lower than the President of the University, and I felt that letting boards, commissions

and otherwise do the important task of setting up standards was a complete erosion of the intentment of the creation of the Legislature by the Constitutional Convention and I, therefore, felt that it was about time that this body, the Legislature, take back this delegation of authority. It threads, Mr. Speaker, almost on a borderline of illegal delegation of authority under the Constitution. If we are going to treat the University so differently, how about the Department of Land and Natural Resources? The argument was that the Board of Regents was created by the Constitution. So was the Board of Land and Natural Resources. How about the Hawaiian Homes Commission which was created, not by only the Constitution of the State of Hawaii, but in concurrence with the act of Congress in the Admission's Act? Why can't the commissioners of Hawaiian Homes set salaries too?

Mr. Speaker, this bill now, I am very proud to say, does what it was intended to do and I would say that setting a ceiling for the University President and letting the Board of Regents set the salary is like saying, you have exactly twelve by twelve to waltz in. I don't think it is the intent of this Legislature to do that. So, what the Finance Committee did was to set the proper perimeter, that the salaries of the administration and the salaries of the administrators be set by the Legislature.

Thank you, and I urge all members to vote in favor of this bill."

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

"In opposing this bill, I am confident that I speak for most of Hawaii's citizens.

It must be evident to all the members of this House, and even to our ostrich-like State administration, that these are difficult times for all America. The latest national unemployment figures show that over nine million Americans are unemployed -- about 9 percent of the work force. Many previously stable and profit-making businesses are facing losses which threaten their continued existence. Inventories of manufactured goods are high, factory shutdowns and closing fill the pages of our American daily papers, car sales are vulnerable. All over America, there is a certain air of gloom and uncertainty regarding the future of our economy.

Right here in Hawaii, we can see the effects of this national economic turn down. Sugar is on the decline, leading the industry to come to us for assistance. The pineapple industry just reopened its major cannery after a temporary shutdown. One of our two major inter-island airlines faces such economic problems that it has asked its employees to reduce benefits and forego wage increases just so that the airline can stay in business. According to First Hawaiian Bank's Economic Report of February, 1982, our construction industry is down and requests for building permits have hit an all time low, and if it weren't for public works projects, the construction industry activity will be practically non-existent. Real estate is in the doldrums. As for tourism, ask a Hilo hotel owner now how he is doing and you're asking for an earful.

And, surely, we haven't forgotten the pressures from Washington. Major federal program reductions threaten to severely curtail domestic social programs. We have already heard some eloquence on this very subject this morning.

Our national leaders, almost daily, ask for the nation to tighten the public belt, to do more with less, improve productivity so as to better compete with lower-cost foreign merchandise. There is no doubt that we are in a serious recession. The only doubts concern how deep the recession will be and how long it will last.

Unlike recessions in the past, here in Hawaii, this one has enveloped nearly everyone. Our business community is stagnated and cash short, interest rates are still out of sight, costs have not stopped rising, and profits have declined accordingly. It appears to be a truism that the most inefficient organization known is the governmental bureaucracy. A review of our still-continuing milk problems should provide sufficient current evidence to support that premise. And now, with many of our people unemployed and underemployed, with local businesses facing major problems, and with a patently inefficient State government, we, the representatives of those citizens whose living costs are rising, whose social support programs are being cut, whose health is threatened by inefficient bureaucrats, we are asked to give a hefty pay raise to already highly paid senior officials of this government. Somehow, Mr. Speaker, in my opinion, it doesn't track.

Why aren't we doing what Pennsylvania has done in meeting these kinds of problems? The Governor of that state recently noted, and I quote: 'We have learned to do more with less by implementing more than \$190 million in specific cost-saving measures -- reducing state employees by 4500, eliminating over 7000 vacancies to ensure that the reduced state complement is continued in the future, reducing the mileage driven by state employees in state cars by 39 million miles per year and eliminating 1200 cars from the state motor fleet, reducing involvement in areas which are inappropriate for government such as operation of state general hospitals.'

If the man on the street needs to tighten his belt in order to keep his job, why should public officials be treated any differently? What about the student who no longer will get the educational aid? And the elderly whose medicare coverage doesn't cover? Why should airline employees be asked to take what is essentially a pay cut and the State officials get a pay raise? How can we, the members of this House, in all conscience, vote for a more than 20 percent pay raise for high paid government leaders when our citizens are truly finding it very difficult to pay their escalating utility bills, food bills, transportation costs, property taxes, and medical bills? Do we have to be the fifth highest tax state and the seventh per capita in state debt?

To many of you, this pay raise may seem like a drop in the bucket. But it is the spirit and the matter of leadership by example that is important. Rejection of this bill would be a clear signal that this House is not insensitive to the needs of the people of this State. I believe that it behooves the leadership of this State, from the Governor down, to set an example for all of our people in these times. I believe it is important for this House to reject this bill, and in so doing, to express our support to the hundreds of sugar, pineapple, airline and other industry employees who have faced reality and courageously tightened their belts. Can these people expect us to do any less?

Thank you, Mr. Speaker."

Representative Kamali'i then rose to speak against the measure, stating:

"Mr. Speaker, there are great

many members of the Legislature who believe that executive pay raises should not be considered a political issue, and that to do so is somehow unfair or partisan. Well, let me just emphasize, Mr. Speaker, that pay raises are, and should be, political issues and that I will do all that I can, in the coming election, to make it an issue. The average household income for the citizens of Hawaii is about \$24,000. Why should the Governor make nearly three times that amount? The taxpayers, not the department heads of this State, are the people that we should be answerable to, and I have seen no public demonstration or demonstrations demanding that the Director of Transportation or the Director of Health are not receiving enough money.

On the surface, it seems inequitable for anyone not to receive a pay raise over the last six years. But when those salaries are more than adequate by almost any measure, then aren't we begging the real question -- shouldn't the public salaries be set by fairness and raised only when patently unfair? More than 90 percent of our citizens would gladly receive \$42,000 a year even when confronted with the possibility that they wouldn't get a raise in another six years. And when it comes to the salaries of elected officials, that kind of consideration weighs even heavier.

For both the Governor and the Lieutenant Governor of this State, a great many additional services are provided by public fund beyond salary. I know that this has been brought up before, and it has been calculated before, the value of the cars, the drivers, the expenses and addition to that pay base. And if we did, isn't that a constantly increasing compensation, particularly in the instance of the Governor? The people of this State provide the house, domestic staff, entertainment -- allotments which approach nearly \$200,000 in excess of his salary, and that compensation is clearly adequate and may be even unfair.

Further, the benefits paid elected officials are far in excess of that considered normal for private sectors. Again, in the name of providing that same compensation for duties performed, I could argue, Mr. Speaker, for reduction in gubernatorial salary and be comfortable. Instead, though, I will confine myself to a very strong opposition to any increase. Perhaps, if the Governor truly cared about the compensation paid his employees, he would have appreciated the political cost of this move and separated his pay from the

others. Since this separation did not occur, then I must vote against the entire package. Everyone of us here has suffered some economic hardship for public service and that it as it should be. The people need to know that we are working for them and not for the money. The Governor seems to have lost sight of that priority.

Thank you."

Representative Stanley then rose to speak in favor of the bill, stating:

"I wish to make briefly three points in urging all the members of the House to vote in favor of this bill: First, the Governor and his cabinet have not received a pay raise since 1976, therefore the raise that is being proposed by this measure is, in fact, a very modest four percent to five percent for each year. Second, when we look at pay questions, what we are supposed to look at is the responsibility and authority of the position and not the personalities; and third, I think that every member of the Governor's cabinet and the system of this government, without regard to who holds the office, exercise the responsibilities as a public servant and that we, as this body, would be remiss if we did not pay them commensurate with that in mind.

With these remarks, I urge all members to vote aye."

Representative Takitani then rose to speak in favor of the bill, stating:

"Mr. Speaker, the people that we refer to in this bill deserve this raise, especially in these rough times that we face today. We need good people to lead our State and the matter of fact is we are losing a lot of good people. Why? Because you get what you pay for.

This bill is not overly generous. I believe it is a very, very responsible position and posture taken by this House. What I don't understand, Mr. Speaker, is just several weeks ago, we passed pay increases for firefighters in excess of 20 percent over two years. I don't recall hearing a single no vote. Why is that, Mr. Speaker? Is it because firefighters have unions and they give endorsements? And cabinet members don't have unions and don't give endorsements? I don't know -- I don't understand that.

I would just like to say, Mr. Speaker,

in closing, that we have a situation presently where civil service employees are being paid higher wages than our department heads, and this is ridiculous. And, in my opinion, a vote against this bill is ridiculous.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2759-82, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR", having been read throughout, passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Aki, de Heer, Dods, Kamali'i Liu, Monahan, Narvaes and Rohlfing voting no, and Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2759-82 had passed Third Reading at 12:52 o'clock p.m.

Stand. Com. Rep. No. 791-82 on S.B. No. 2346-82, SD 2, HD 2:

By unanimous consent, action was deferred to the end of the calendar.

Stand. Com. Rep. No. 793-82 on S.B. No. 2399-82, SD 2, HD 2:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 2399-82, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

Stand. Com. Rep. No. 795-82 on S.B. No. 1697, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 1697, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO JOB-SHARING IN THE DEPARTMENT OF EDUCATION", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2399-82 and 1697 had passed Third Reading at 12:53 o'clock p.m.

Stand. Com. Rep. No. 806-82  
on S.B. No. 365, SD 2, HD 1:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 365, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

Stand. Com. Rep. No. 807-82  
on S.B. No. 2709-82, SD 1, HD 1:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 2709-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENCOURAGEMENT OF FEDERALLY CERTIFIED DEVELOPMENT COMPANIES", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 365 and 2709-82 had passed Third Reading at 12:54 o'clock p.m.

Stand. Com. Rep. No. 808-82  
on S.B. No. 2978-82, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the majority of the Committee was adopted and S.B. No. 2978-82, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CANCER COMMISSION", having been read throughout, passed Third Reading by a vote of 49 ayes to 1 no, with Representative Andrews voting no, and Representative Wong being excused.

Stand. Com. Rep. No. 809-82  
on S.B. No. 2353-82, SD 1, HD 2:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 2353-82, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2978-82 and 2353-82 had passed Third Reading at 12:55 o'clock p.m.

At 12:56 o'clock p.m., Representative Sakamoto asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:57 o'clock p.m.

Stand. Com. Rep. No. 810-82 on  
S.B. No. 2904-82, SD 1, HD 2:

Representative Kiyabu moved that the report of the Committee be adopted and S.B. No. 2904-82, SD 1, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kunimura.

Representative Kamali'i then rose and requested that her remarks, in favor of the bill, be inserted into the Journal and the Chair, noting that there were no objections, "so ordered."

Representative Kamali'i's remarks are hereby inserted:

"Mr. Speaker, this measure would create and fund the first year of a projected three-year effort to systematically and conscientiously formulate a State water agency and code as mandated by our State Constitution. Such an effort is long over-due and vital to the future well-being of the State of Hawaii.

The Commission established by this measure would report directly to the State Legislature, and I find that determination of accountability reasonable and responsible. The primary jurisdiction and responsibility for the ultimate water resources agency and its powers does reside with the Legislature, and that balance is maintained by this bill.

More important, though, is that this work will begin almost immediately. And the requirement of reports from this Commission prior to each of three legislative sessions will permit on-going review and direction from us. As a process, then, we may expect the members of this House, of the Senate, and the public to be kept up-to-date and increasingly more knowledgeable about the complex and intricate issues surrounding ground and surface water resources.

This gradual examination should

prepare us for the otherwise monumental task of promulgating a State water code.

My only hesitation is that life-time funding for the Water Commission is not included in this measure. Our experience with the Tax Review Commission makes me leary of this one-shot appropriation. However, next year, the Commission would again be in line for a biennial appropriation, and I would hope that such two-year funding would be approved.

'Water is our most precious resource' -- and this careful appraisal of how best to manage and to allocate that resource is deserving of our support.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2904-82, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO A WATER COMMISSION AND FORMULATION OF A STATE WATER CODE", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2904-82 had passed Third Reading at 12:58 o'clock p.m.

Stand. Com. Rep. No. 811-82 on S.B. No. 2350-82, HD 2:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2350-82, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2350-82 had passed Third Reading at 12:59 o'clock p.m.

Stand. Com. Rep. No. 812-82 on S.B. No. 2434-82, SD 2, HD 2:

By unanimous consent, action was deferred to the end of the calendar.

#### INTRODUCTION OF RESOLUTIONS

On motion by Representative Stanley, seconded by Representative Rohlfling

and carried, the following resolutions (H.R. Nos. 317 and 318) and concurrent resolution (H.C.R. No. 141) were adopted:

A resolution (H.R. No. 317) extending congratulations and commending the St. Andrews Priory Drill Team for their outstanding and award winning performance at the Miss Texas Drill Team Pageant was jointly offered by Representatives Sakamoto, Hashimoto, Albano, Anderson, Andrews, Baker, Blair, Chun, Dods, Fukunaga, D. Hagino, G. Hagino, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee and Wong.

A resolution (H.R. No. 318) expressing sympathy and condolences to the family of the late Gerald Victor Lopen was jointly offered by Representatives Ikeda, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfling, Sakamoto, Say, Segawa, Shito, Takamine, Takitani, Taniguchi, Toguchi, Tungpalan, Waihee, Wong and Yamada.

A concurrent resolution (H.C.R. No. 141) commending Leimomi Mo'okini Lum for the operation and management of the Mo'okini Heiau was jointly offered by Representatives Takamine, Albano, Anderson, Andrews, Baker, Blair, Chun, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Nakasato, Narvaes, Okamura, Rohlfling, Say, Segawa, Shito, Stanley, Takitani, Taniguchi, Toguchi, Waihee and Yamada.

By unanimous consent, the following resolutions (H.R. Nos. 311 to 316 and 319 to 321) and concurrent resolutions (H.C.R. Nos. 140, 142 and 143) were referred to the Committee on Legislative Management and further action was deferred:

A resolution (H.R. No. 311) requesting the Board of Regents of the University of Hawaii to prepare a proposal to strengthen the skills and competency of all prospective teachers in the University's degree programs in education in dealing



more effectively with students with behavioral and attitudinal problems was offered by Representative Okamura.

A resolution (H.R. No. 312) requesting the Legislative Reference Bureau, with the assistance and cooperation of the State Motor Vehicle Insurance Commissioner, to study the feasibility of making certain specified reforms in Hawaii's motor vehicle insurance laws was offered by Representative Okamura.

A resolution (H.R. No. 313) requesting the Board of Education to establish a task force to develop programs directed at encouraging and developing in all students, appropriate attitudes and behaviors essential for academic competence and entry level employment was offered by Representative Okamura.

A resolution (H.R. No. 314) requesting the Legislative Auditor to review the Department of Health's practices in employing psychiatrists for its community based mental health programs was jointly offered by Representatives Segawa, Aki, Albano, Anderson, Andrews, Baker, Chun, Dods, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Kihano, Kobayashi, Lacy, Levin, Liu, Matsuura, Medeiros, Morioka, Nakamura, Narvaes, Sakamoto, Shito, Stanley, Takitani, Taniguchi, Tungpalan, Wong and Yamada.

A resolution (H.R. No. 315) requesting the Department of Land and Natural Resources to study the feasibility of acquiring the land presently occupied by the Waipahu Cultural Garden Park was jointly offered by Representatives Kihano, Albano, Anderson, Andrews, Baker, Chun, Dods, Fukunaga, G. Hagino, Hashimoto, Honda, Ige, Isbell, Kamali'i, Kawakami, Kobayashi, Lacy, Levin, Monahan, Morioka, Nakasato, Narvaes, Rohlfing, Say, Segawa, Shito, Stanley, Tungpalan and Wong.

A resolution (H.R. No. 316) requesting a study on alternative solutions to the problems surrounding the transportation of diversified agricultural products in Hawaii was jointly offered by Representatives Takamine, Albano, Andrews, Blair, D. Hagino, G. Hagino, Hashimoto, Hirono, Kawakami, Kiyabu, Levin, Matsuura, Nakamura, Nakasato, Okamura, Say, Shito, Stanley, Taniguchi, Toguchi, Tungpalan and Waihee.

A resolution (H.R. No. 319) declaring the week of May 8 through 15, 1982 Hawaii Gifted and Talented Children's

Week was jointly offered by Representatives Toguchi, Say, Aki, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, G. Hagino, Hashimoto, Hirono, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Okamura, Rohlfing, Sakamoto, Segawa, Shito, Stanley, Takamine, Takitani, Tungpalan, Waihee, Wong, Yamada and Peters.

A resolution (H.R. No. 320) respectfully requesting Governor George R. Ariyoshi to proclaim April 17 through April 24, 1982, as Ground Zero Week in Hawaii was jointly offered by Representatives D. Hagino, Baker, Taniguchi, Tungpalan, Aki, Blair, Dods, Fukunaga, G. Hagino, Hirono, Honda, Ige, Ikeda, Kihano, Kunimura, Levin, Morioka, Nakasato, Okamura, Shito, Stanley, Takitani and Wong.

A resolution (H.R. No. 321) requesting the Department of Land and Natural Resources to devise a more effective means of bringing certain dispositions of land or interests therein to the attention of the Legislature was offered by Representative Sakamoto.

A concurrent resolution (H.C.R. No. 140) requesting the Legislative Auditor to review the Department of Health's practices in employing psychiatrists for its community based mental health programs was jointly offered by Representatives Segawa, Aki, Albano, Anderson, Andrews, Baker, Chun, Dods, D. Hagino, G. Hagino, Hashimoto, Hirono, Honda, Ige, Ikeda, Kawakami, Kihano, Kobayashi, Lacy, Levin, Liu, Matsuura, Medeiros, Morioka, Nakamura, Narvaes, Sakamoto, Shito, Stanley, Takitani, Taniguchi, Tungpalan, Wong and Yamada.

A concurrent resolution (H.C.R. No. 142) declaring the week of May 8 through 15, 1982 Hawaii Gifted and Talented Children's Week was jointly offered by Representatives Toguchi, Say, Aki, Albano, Anderson, Andrews, Baker, Blair, Chun, de Heer, Dods, Fukunaga, D. Hagino, G. Hagino, Hashimoto, Hirono, Ige, Ikeda, Isbell, Kamali'i, Kawakami, Kihano, Kiyabu, Kobayashi, Kunimura, Lacy, Levin, Liu, Marumoto, Matsuura, Medeiros, Monahan, Morioka, Nakamura, Okamura, Rohlfing, Sakamoto, Segawa, Shito, Stanley, Takamine, Takitani, Tungpalan, Waihee, Wong, Yamada and Peters.

A concurrent resolution (H.C.R. No. 143) respectfully requesting Governor George R. Ariyoshi to proclaim April 17 through April 24, 1982, as Ground



Zero Week in Hawaii was jointly offered by Representatives D. Hagino, Baker, Taniguchi, Tungpalan, Aki, Blair, Dods, Fukunaga, G. Hagino, Hirono, Honda, Ige, Ikeda, Kihano, Kunimura, Levin, Morioka, Nakasato, Okamura, Shito, Stanley, Takitani and Wong.

### THIRD READING

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

#### S.B. No. 2642-82, HD 1:

By unanimous consent, action was deferred to the end of the calendar.

#### S.B. No. 2366-82, SD 1, HD 1:

By unanimous consent, action was deferred to the end of the calendar.

#### S.B. No. 2947-82, SD 1, HD 1:

On motion by Representative Kiyabur, seconded by Representative Kunimura and carried, S.B. No. 2947-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO 75TH ANNIVERSARY COMMISSION", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2947-82 had passed Third Reading at 12:59 o'clock p.m.

#### S.B. No. 2190-82, SD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, S.B. No. 2190-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL JUSTICE INFORMATION DATA CENTER", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

#### S.B. No. 2345-82, SD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, S.B. No. 2345-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

#### S.B. No. 2379-82, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, S.B. No. 2379-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

#### S.B. No. 2137-82:

On motion by Representative Blair, seconded by Representative Hirono and carried, S.B. No. 2137-82, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

#### S.B. No. 2334-82, HD 1:

On motion by Representative Blair, seconded by Representative Dods and carried, S.B. No. 2334-82, HD 1, entitled: "A BILL FOR AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF CHAPTER 290 RELATING TO ABANDONED VEHICLES", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2190-82, 2345-82, 2379-82, 2137-82, and 2334-82 had passed Third Reading at 1:00 o'clock p.m.

#### S.B. No. 2467-82, SD 1, HD 1:

Representative Nakamura moved that S.B. No. 2467-82, SD 1, HD 1, having been read throughout, pass Third Reading.

Representative Taniguchi then asked for a recess and at 1:01 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 1:02 o'clock p.m., Representative Taniguchi seconded the motion.

The motion was put by the Chair and carried, and S.B. No. 2467-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITIONS", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

#### S.B. No. 2993-82:

On motion by Representative Tungpalan, seconded by Representative Nakamura and carried, S.B. No. 2993-82, entitled: "A BILL FOR AN ACT RELATING TO FATHER DAMIEN DEVEUSTER DAY", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

S.B. No. 2868-82, SD 1, HD 1:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, S.B. No. 2868-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2467-82, 2993-82 and 2868-82 had passed Third Reading at 1:02 o'clock p.m.

S.B. No. 2528-82:

On motion by Representative Albano, seconded by Representative Takitani and carried, S.B. No. 2528-82, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Anderson, Andrews, Isbell, Lacy, Liu, Monahan, Narvaes and Rohlfing voting no, and Representative Wong being excused.

S.B. No. 2189-82, SD 1, HD 1:

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, S.B. No. 2189-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2528-82 and 2189-82 had passed Third Reading at 1:03 o'clock p.m.

S.B. No. 561, SD 2, HD 1:

On motion by Representative Matsuura, seconded by Representative G. Hagino and carried, the report of the Committee was adopted and S.B. No. 561, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative

Wong being excused.

S.B. No. 103, HD 1:

On motion by Representative Takitani, seconded by Representative Tungpalan and carried, S.B. No. 103, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

S.B. No. 2523-82, SD 2:

On motion by Representative Albano, seconded by Representative Takitani and carried, S.B. No. 2523-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 561, 103 and 2523-82 had passed Third Reading at 1:04 o'clock p.m.

S.B. No. 594, SD 1, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, S.B. No. 594, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 594 had passed Third Reading at 1:05 o'clock p.m.

S.B. No. 2527-82, SD 1:

Representative Albano moved that S.B. No. 2527-82, SD 1, having been read throughout, pass Third Reading, seconded by Representative Takitani.

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

"Mr. Speaker, I would just like to point out that nowhere in this bill does it say what a hanai child is, length of time. . . is that the one we are on, Mr. Speaker? I see you looking down and I was afraid I might be on the wrong bill. . .

Nowhere in the bill does it say exactly how long a hanai child lives with a person to be eligible for workmen's compensation. Nowhere in the bill does it say that if the child's parents --

real parents -- passes away and he or she is eligible for workmen's compensation, that there could possibly be double payments.

The way this bill is written out, Mr. Speaker, it is a very emotional thing. Even in the hearings that we had, and we tried to point out that it is very difficult to put down in a workmen's compensation bill like this, exactly, a little more stipulation than they have in a normal type of a death certificate or whatever for a hanai child to become eligible. If that child lives with me for a long period and I am paying for all benefits and I want to legally put him into my inheritance, that's fair. He would be part of my hanai, or my family. But to put it in a workmen's compensation whereby you do not explain that if this child is only with the person for one week, that he or she may not be eligible if the parent is still alive and still has that child on their own benefit, he or she may not be eligible, I think is wrong. I think we have to do a lot more work than to just pass something very emotional to cover a few people because that is what came out in the hearing that there have been a few cases that a child has been denied something because we don't have it in a clear-cut law, and I don't believe that this is clear-cut.

Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and S.B. No. 2527-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Third Reading by a vote of 44 ayes to 6 noes, with Representatives Anderson, Isbell, Lacy, Liu, Monahan and Rohlfing voting no, and Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2527-82 had passed Third Reading at 1:07 o'clock p.m.

#### S.B. No. 2550-82, SD 1, HD 1:

By unanimous consent, action was deferred to the end of the calendar.

#### S.B. No. 2646-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, S.B. No. 2646-82, HD 1, entitled: "A BILL FOR AN

ACT RELATING TO PATIENTS' COMPENSATION FUND", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

#### S.B. No. 2496-82, SD 1, HD 1:

On motion by Representative Shito, seconded by Representative Blair and carried, S.B. No. 2496-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2646-82 and 2496-82 had passed Third Reading at 1:08 o'clock p.m.

#### S.B. No. 2401-82, SD 2, HD 1:

On motion by Representative Ige, seconded by Representative Nakamura and carried, S.B. No. 2401-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2401-82 had passed Third Reading at 1:09 o'clock p.m.

#### S.B. No. 2382-82, SD 1, HD 1:

On motion by Representative Segawa, seconded by Representative Kobayashi and carried, S.B. No. 2382-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

#### S.B. No. 2144-82, SD 2, HD 1:

On motion by Representative Segawa, seconded by Representative Blair and carried, S.B. No. 2144-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRUGS", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

#### S.B. No. 2636-82, SD 1, HD 1:

On motion by Representative Segawa, seconded by Representative Nakamura and carried, S.B. No. 2636-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT", passed Third Reading by a vote of

50 ayes, with Representative Wong being excused.

S.B. No. 2389-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, S.B. No. 2389-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2382-82, 2144-82, 2636-82 and 2389-82 had passed Third Reading at 1:10 o'clock p.m.

S.B. No. 2386-82, SD 1, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, S.B. No. 2386-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

S.B. No. 486, HD 1:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, S.B. No. 486, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2386-82 and 486 had passed Third Reading at 1:11 o'clock p.m.

S.B. No. 2245-82, SD 1, HD 1:

On motion by Representative Chun, seconded by Representative Nakamura and carried, S.B. No. 2245-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

S.B. No. 2304-82, SD 1, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, S.B. No. 2304-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYING",

passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2245-82 and 2304-82 had passed Third Reading at 1:12 o'clock p.m.

S.B. No. 2696-82, SD 1, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, S.B. No. 2696-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER COOPERATIVE ASSOCIATIONS", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

S.B. No. 2531-82, SD 1, HD 1:

Representative Albano moved that S.B. No. 2531-82, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Takitani.

Representative Anderson then rose and requested a conflict ruling saying that he is a distributor of vacuum cleaners, and the Chair ruled "no conflict."

The motion was put by the Chair and carried, and S.B. No. 2531-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2696-82 and 2531-82 had passed Third Reading at 1:13 o'clock p.m.

S.B. No. 2288-82, HD 1:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, S.B. No. 2288-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2288-82 had passed Third Reading at 1:14 o'clock p.m.

S.B. No. 400, SD 1, HD 1:

By unanimous consent, action was deferred to the end of the calendar.

S.B. No. 544, SD 2, HD 1:

By unanimous consent, action was deferred to the end of the calendar.

S.B. No. 2638-82, SD 2, HD 1:

By unanimous consent, action was deferred to the end of the calendar.

S.B. No. 2147-82, SD 2, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, S.B. No. 2147-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2147-82 had passed Third Reading at 1:14 o'clock p.m.

At 1:15 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:17 o'clock p.m.

At 1:18 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives stood in recess until 3:00 o'clock p.m. this afternoon.

## AFTERNOON SESSION

The House of Representatives reconvened at 3:27 o'clock p.m.

## THIRD READING

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

S.B. No. 2183-82, SD 1, HD 1:

On motion by Representative Ige, seconded by Representative Nakamura and carried, S.B. No. 2183-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

S.B. No. 1925, SD 1, HD 1:

On motion by Representative Hirono,

seconded by Representative Albano and carried, S.B. No. 1925, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2183-82 and 1925 had passed Third Reading at 3:28 o'clock p.m.

S.B. No. 2829-82, HD 1:

By unanimous consent, action was deferred to the end of the calendar.

S.B. No. 2561-82, SD 1, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, S.B. No. 2561-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

S.B. No. 2477-82, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, S.B. No. 2477-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

S.B. No. 2615-82, SD 1, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, S.B. No. 2615-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT OF UTILITY SERVICES", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2561-82, 2477-82 and 2615-82 had passed Third Reading at 3:29 o'clock p.m.

S.B. No. 65, SD 1, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, S.B. No. 65, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND TRUSTS", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

S.B. No. 1859, SD 1, HD 1:

On motion by Representative Blair, seconded by Representative Hirono and carried, S.B. No. 1859, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MERGERS OR CONSOLIDATIONS", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

S.B. No. 2454-82, SD 1, HD 1:

On motion by Representative Nakamura, seconded by Representative Blair and carried, S.B. No. 2454-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 65, 1859 and 2454-82 had passed Third Reading at 3:30 o'clock p.m.

S.B. No. 2228-82, HD 1:

On motion by Representative Blair, seconded by Representative Takitani and carried, S.B. No. 2228-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

S.B. No. 2388-82, SD 1, HD 1:

On motion by Representative Blair, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 2388-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2228-82 and 2388-82 had passed Third Reading at 3:31 o'clock p.m.

S.B. No. 732, SD 1, HD 1:

Representative Kiyabu moved that S.B. No. 732, SD 1, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kunimura.

Representative Kamali'i then rose to

speak against the bill, stating:

"Mr. Speaker, I am not alone in my serious questioning of the authorization for general obligation bonds contained in this bill. In a recent report from the Legislative Auditor, serious charges about deficiencies in the bond funds were raised.

In fact, Mr. Speaker, there is already a deficit in the necessary State backing for these bonds. Intensifying this deficit is general fund borrowing by the Governor in excess of \$50 million.

When we consider that this Legislature has been acting on the presumption that this \$50 million would be replaced by the issuance of bonds, there is a haunting suspicion that the Governor may have effectively and improperly exceeded the State spending limit under the guise of so-called borrowing. This situation will certainly be accurate if that money is not replaced by the end of this fiscal year.

In a letter addressed to the leadership of this House, the Governor explained this lack of repayment on the non-sale of existing authorizations for general bonds.

Are we now expected to accept (1) that the sale of those replacement bonds will occur in time; and (2) that the bond market is attractive enough to assure even greater sales to exceed bonds already authorized.

For myself, I doubt both of those assumptions.

And on that basis, I cannot place myself in the position of acceding to even greater demands on the bonded indebtedness of this State.

We cannot put ourselves in the further irresponsible role, then, of compounding our existing bond problems with ever increasing authorizations. All that we are building is a house of cards. . . and a greater burden placed on such an uncertain base should not be agreed with by this Legislature.

Until such time as we are again on firm ground, I must vote against this measure.

Thank you."

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

"I did not intend to speak on this measure, but with very serious allegations made here on the floor of this House,

I feel it is incumbent upon, not only myself, but the majority members of this House and members of the Committee on Finance, to defend this bill.

The reason given for the opposition in passing Senate Bill 732, SD 1, HD 1, was the suspicion of the Governor over-expending beyond the bond ceiling. That is farthest from the truth, Mr. Speaker. The only reason why this bill has been offered in the Senate and now concurred by the House, with slight amendments, is to satisfy the constitutional requirement on bonds that we hope to . . . on projects that we hope to approve and the bill that was, a few minutes ago, deferred to the end of the calendar.

And as far as the \$50 million that was mentioned about borrowing from the general fund surplus, that practice, Mr. Speaker, has been going on, not to circumvent. . . was not the intent to circumvent using of surplus general fund money in lieu of bond fund, but rather, to help the construction industry to keep projects going on in this State, and the contracts that were let prior to the selling of the bond, that it became necessary, not only this last go round. . . and last year, Mr. Speaker, we were \$130 million into the surplus general fund and that was refunded by the sale of the bond.

But recently, Mr. Speaker, because of the ceiling put on by the Special Session for one year -- 12 percent ceiling -- the State was not able to successfully sell the bonds. They came out little over 13 percent and this, Mr. Speaker, if we want to kill it, we may, but I feel that the facts must be stated for the record, and if the Governor is wrong, then he should be hanged, but I don't intend to see any innocent person maligned or hanged and this is the reason why I am rising to speak in favor of this bill, because this bill is a companion measure of the community input project bill that we just deferred to the end of the calendar.

Thank you, Mr. Speaker."

Representative Kamali'i, in rebuttal, stated:

"Mr. Speaker, I said that there was a possibility and a suspicion that this might happen. But let me explain why I am concerned.

It is true of what the Chairman

of Finance is saying, but let me also state that with the Legislative Auditor's report, an examination of selected aspects of the State's general obligation bond fund, the Auditor reported that the general obligation bond fund is inadequate to meet current and future anticipated CIP requirements, and the fund is in a deficit position and it cannot meet current CIP commitments without replenishing of its bond resources.

And in the letter that the Governor wrote to Speaker Peters on March 24, 1982, that the State of Hawaii received no bids for an issue of \$75 million State of Hawaii general obligation bonds of 1982 series that is dated March 1st, it is a concern with the state of the economy in the nation. I think it is a concern for all of us. The fact that the Governor is taking out CIP money out of our general revenues, I think, is a practice that should not continue, and it is because of this that it is my concern.

Thank you."

Representative Kunimura then rose and stated:

"Mr. Speaker, and that was my concern that if it was just a supposition that these things were going on, anything let out by the electronic medium may be accepted as a fact. And if I may share with this honorable body, Mr. Speaker, it was many, many years ago, in a quaint little village in a small little country in Europe, one of the neighbors who maligned another neighbor for some deed that person was not guilty of, and upon realizing that great wrong done to his neighbor, this person went to the village wiseman to inquire how he could atone for his sin. And the law of the broken pillow -- the torn pillow, the feathers from the pillow, was then born. The village wiseman said, 'Tonight when you go home, tear your pillow and place each feather on the doorstep of the community and after the night wind blows, tomorrow morning, pick up every feather, and when you do account for every feather, then you have been atoned for your sin.'

And, Mr. Speaker, so often in life, because of our silence, we would have been party to a sin.

Thank you."

The motion was put by the Chair and carried, and S.B. No. 732, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS", having been read throughout, passed Third Reading by a vote of 48 ayes



to 2 noes, with Representatives Kamali'i and Rohlfing voting no, and Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 732 had passed Third Reading at 3:40 o'clock p.m.

S.B. No. 2309-82, SD 2, HD 1:

Representative Kiyabu moved that S.B. No. 2309-82, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kunimura.

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

"I am not against small business, Mr. Speaker, but I have grave doubts that this bill and a bill later on our agenda, will, in fact, help our small businessmen in this community.

First of all, there is a potential Constitutional cloud over attempting to define an industrial enterprise to include retail or wholesale selling. In my research of the Constitutional Convention in 1978, and in trying to recall the discussion on that provision, I found nothing to warrant the expansion of the term 'industrial enterprise' to include the selling of goods or services at retail or wholesale level. This alone, Mr. Speaker, may make the issuance of such bonds impossible.

Secondly, the bill does not define 'goods or services' for the purposes of this bill. This is a problem because what, in fact, may occur is that certain types of retail businesses that I don't think need the help in this area will be the type of establishments most able to receive assistance or getting investments on the market. I am talking about the K-Mart Stores, Sears, Penny's, Burger King, McDonalds -- these are the types of businesses that have gotten these types of bonds in other jurisdictions. Are these the small businesses that we want to help? I really don't think so.

Furthermore, assuming that we could package projects of small businesses in such a way that they can be marketed, businesses in this area -- this type of retailing and wholesaling area -- are the most susceptible to market forces. They are the first kind of businesses to go under in times of high inflation, or in times of deep recession. They are very much dependent on disposable

income.

Hence, though the State is not responsible, either morally or legally, to back up these bonds, I would posit for this body that the failure of one project in this area could impinge upon the State's ability to market bonds -- special purpose revenue bonds -- not only in this area, but in others at subsequent issues, in which case, we would end up either paying higher interest rates or else we may not be able to sell them at all. It would also caution us from going into this area because of the wide variety of enterprises that can come under the area of retail and wholesaling. How will we come up with criteria to judge when something is in a public purpose? Is a drive-in or a group of drive-ins -- food outlets -- a public purpose versus perhaps a shopping center that includes clothing stores, hardware stores, large grocery/department stores? It is the types of enterprises that invite very subjective judgments and it lends itself to abuse.

Finally, Mr. Speaker, there is a question of whether or not we should be venturing into an area where there is so much competition. We have special purpose revenue bonds for hospitals, electric companies, telephone companies; also, as our present law outlines, manufacturing and industrial enterprises, as defined presently.

I believe that it was the intent of the Constitutional Convention and the amendments as ratified by the voters to only get into this area where there is, perhaps, a semi-monopolistic or clear area where there is not the normal market forces working in. This is not the case in the retail or wholesaling area.

For these reasons, Mr. Speaker, I hope we reconsider passage of this bill. Those of you on the Finance Committee who voted in favor of it to think twice because this bill, I believe, will set a very dangerous precedent.

Thank you, Mr. Speaker."

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

"If we go through the entire agenda of this morning and this afternoon, you will find measures after measures, Mr. Speaker, causing small businesses to help finance the operation of the State of Hawaii and the county.

Mr. Speaker, as I said earlier today,

I would have been in this legislative halls. . . I would have been in the State Legislature twenty years come November, and only once in a blue moon have I seen this Territorial Legislature and the State Legislature help small business. And this particular area, Mr. Speaker, lot of the things brought up by the opponent of the bill has merits, if you look at it from one facet. But again, the very Constitution that the opponent is making reference to created three branches of government -- the administrative, the legislative, and the judicial branches -- and I feel that when questions of constitutionality in areas so serious as this when small business need some attention and some help to get low interest money, that I feel I cannot afford myself to become judge and jury, but rather, if there is some constitutional question, let the third branch, the judiciary branch of the State of Hawaii, decide that question.

And so this bill was offered to afford at least the beginning opportunity for small business to have some relief from the very heavy burden of doing business and keeping their head above water.

Thank you."

Representative Marumoto then rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, there has been some question raised as to the constitutionality of this measure but I will leave that determination to others.

As the bill stands, it would include commercial operations -- retail and wholesale -- to be able to receive tax free special purpose revenue bonds. In allowing lower cost money to private entities, we can help business lower their cost which hopefully. . . ultimately could lead to lower cost to the consumer. It will assist businesses to obtain loans at an affordable price when interest rates from private sources are presently prohibitively high.

Commercial use of industrial revenue bonds have found wide use across the country and if this Legislature deems it essential for Hawaii businesses to have the same opportunity, then I would ask the conferees on this bill to consider additional language to ensure there will be no abuse of this system.

Congress, in granting these bonds, tax-free status, intended special

revenue bonds to be used in economically distressed areas with high unemployment. New industries could be created, older ones rejuvenated, run-down neighborhoods could be revitalized, and many new jobs could be created.

Unfortunately, it has not always worked that way and we have seen some abuse in the use of these bonds. Large companies, such as K-Mart and McDonalds, have made repeated use of this type of money. The intended public purpose of helping such large businesses is questionable.

I ask that conferees add language which mandates the Legislature to consider the following factors before authorizing these bonds. We must ask ourselves these questions: First and foremost, does the authorization fulfill a public purpose? Will it unfairly compete with similar enterprises in the vicinity? Is the area in which it will be used economically depressed? Is the unemployment in the area inordinately high? Will the business create more jobs? The answers do not always have to be yes, Mr. Speaker, but if these bonds are judiciously utilized, it will be a great benefit to the citizens of the State. But abuse of the same will cause us some grief.

Thank you for allowing me to express my reservations, Mr. Speaker."

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

"Mr. Speaker, I would like to join with my colleague, Representative Liu, in his remarks, and also with Representative Marumoto to the extent that I think that if those questions were answered in this bill, then we wouldn't have a problem. So, I think that, at the present time and the way the bill is written, I don't think we have a choice but to vote no."

The motion was put by the Chair and carried, and S.B. No. 2309-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS", having been read throughout, passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Ikeda, Isbell, Kamali'i, Liu, Medeiros, Monahan, Narvaes and Rohlfing voting no, and Representative Wong being excused.

#### S.B. No. 2145-82, SD 1, HD 1:

On motion by Representative Dods, seconded by Representative D. Hagino and carried, S.B. No. 2145-82, SD 1, HD 1, entitled: "A BILL FOR AN

ACT RELATING TO RIDESHARING", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2309-82 and 2145-82 had passed Third Reading at 3:52 o'clock p.m.

S.B. No. 2624-82, SD 1, HD 1:

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, S.B. No. 2624-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY COUNSEL", passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2624-82 had passed Third Reading at 3:53 o'clock p.m.

S.B. No. 2760-82, SD 2, HD 1:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, S.B. No. 2760-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS", passed Third Reading by a vote of 42 ayes to 8 noes, with Representatives Ikeda, Kamali'i, Lacy, Liu, Medeiros, Monahan, Narvaes and Rohlfing voting no, and Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2760-82 had passed Third Reading at 3:54 o'clock p.m.

At 3:55 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:57 o'clock p.m.

MATTERS DEFERRED FROM  
EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 750-82  
on S.B. No. 397, SD 2, HD 2:

Representative Kiyabu moved that the report of the majority of the Committee be adopted and S.B. No. 397, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kunimura.

Representative Ikeda then rose to speak against the measure, stating:

"Mr. Speaker, consistency is an essential element of fairness. Whether harsh or lenient in the application of our laws, our assumption is, or should be, that each citizen is accorded the equal protection or application of the laws. This principle is most conspicuous in our courts as they apply to the state or federal 14th Amendment of their respective Constitutions. We should conform all our legislative enactments to these constitutional mandates.

Thus, when there are exceptions or exemptions to our laws, we risk violating the underlying rule of justice required by the 14th Amendment. This risk is also present in our tax laws. And I find this bill unfair.

This bill is extremely discriminatory and it would open a Pandora's box. Currently, the use tax is imposed at a rate of 4 percent of the purchase price or value of items purchased outside the State to be imported and used within the State. With the passage of this bill, we would be deviating from the original intent of the use tax. Exemptions from the use tax in existing law apply only to items of a temporary nature, items bought on the mainland to be used here and then returned. For instance, the equipment that will be used at Barbers Point in the construction of that deep draft harbor would qualify under this exemption. Even the exemption for leased aircraft seems legitimate because they are also returned to the mainland.

Mr. Speaker, Act 144, passed in 1974, exempted high-speed oceangoing vehicles used for passenger transportation from paying the use tax. Since then, we've had Sea Flite and the Oceanic Independence, both of which received exemptions.

Now, the intent is to exempt barges and barge equipment from the use tax. But in this case, the logic of applying exemptions to the use tax breaks down. There is no rational basis for applying such an exemption because the equipment to be brought in is not of a temporary nature and will be used on a permanent basis. If the logic is to encourage the development of barge service between the islands, that service, which is a monopoly, is already well established.

Moreover, both the Federal and State governments have initiated changes in the tax laws that allow for accelerated depreciation on equipment. These changes should provide strong-enough

encouragement for the barge company to upgrade and purchase new equipment. There would therefore seem to be no reason for the State to provide additional incentives.

If we give this exemption to the barges, shouldn't we also give it to the airlines, the tour bus companies, taxis, the trucking industry, and the farmers, among others? They also purchase heavy equipment for their businesses. The State is already being sued by the liquor dealers because we exempted okolehao and rum from the liquor tax, and until this suit is settled, \$53 million in taxes are being withheld. In addition, the airlines are disputing the payment of the public service tax and that could cost us more than \$20 million in possible revenue losses.

In the 1980-81 fiscal year, Mr. Speaker, the 4 percent use tax brought the State \$11.5 million in revenues.

In this period of fiscal austerity, Hawaii cannot afford to become involved in such extended litigations that will tie up millions of dollars in uncollected tax revenues. Also, it seems very unwise to be giving away potential revenues as tax exemptions at a time when funding by the Federal government may be drying up.

My conclusion, Mr. Speaker, is that this bill will be discriminatory in favoring one business over others in the application of tax laws, and may very well wind up with the State being sued in court over this very issue. In light of these arguments, I urge you to vote against this measure.

Thank you, Mr. Speaker."

Representative D. Hagino then rose to speak against the bill, stating:

"Mr. Speaker, I can't see how we can pass this bill after, earlier this session, we passed a bill -- a House bill -- relating to water carriers. Some of the justifications used in support of this bill fall flat when we considered the water carriers bill which we passed which granted certain automatic rate increases.

I regret that, at that time, I voted in favor of that bill. I make up for it now by voting against Senate Bill No. 397, SD 2, HD 2."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and S.B. No. 397, SD 2, HD 2,

entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading by a vote of 39 ayes to 11 noes, with Representatives Baker, D. Hagino, G. Hagino, Hirono, Ikeda, Isbell, Kamali'i, Monahan, Okamura, Rohlfing and Toguchi voting no, and Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 397 had passed Third Reading at 4:04 o'clock p.m.

Stand. Com. Rep. No. 791-82 on S.B. No. 2346-82, SD 2, HD 2:

Representative Kiyabu moved that the report of the Committee be adopted and S.B. No. 2346-82, SD 2, HD 2, having been read throughout, pass Third Reading, seconded by Representative Kunimura.

Representative Monahan then rose and stated that he had an amendment to offer.

Representative Yamada, on a point of order, stated:

"Mr. Speaker, there is no amendment in front of us."

Representative Monahan asked for a recess and at 4:05 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 4:25 o'clock p.m., Representative Monahan withdrew his proposed amendment and was recognized to speak in favor of the bill, with reservations.

Representative Monahan stated:

"Mr. Speaker, I rise to speak in behalf of this bill with some reservations, and let me tell you why I feel that there are some lines in this bill which I feel should be deleted. The particular lines that I am concerned with, if you happen to have the bill in front of you, are on page 3 and page 4, and they refer to the negotiating process in our attempt to secure federal assistance to education. In essence, the lines state that the Governor is authorized to declare that the tax revenues of the State may not be expended for educating federally-connected students in the public schools.

Let me speak to that.

All of us are concerned that Hawaii receives its fair share of federal impact aid to education as are in Public Law 81874. Sometimes, however, in our

zeal to help our State, we may lose perspective of Hawaii's relationship to the Federal government. We are a small State with two Senators out of a hundred, both not in the majority party, and only two Congressmen out of 435, who are not of the same party as the administration. We represent one to hundred and twentieth of the country's population and one to hundred and twentieth of the country's problems. In view of this perspective, it seems to me it would be prudent to strike over a strident note in our appeal for federal funds. We are appealing to lawmakers, like ourselves, in Washington, who are trying to cope with the country's needs in a fiscally responsible way. Hawaii is a long way from the pressing problems in New York, Chicago and Los Angeles.

In light of this, I don't think a position that implies a threat makes much sense. A less belligerent approach is even more attractive in view of the fact that the federal impact issue is still very much alive in Washington and being debated now on Capitol Hill. And no decision has been reached.

The sentence that bothers me in the bill implies that the State would hold the education of the children of federal employees hostage unless the Federal government complies with our wishes. By deleting this thought, I feel the State is not placed in an adversary position with the Federal government, but rather, joins a mutual concern with other states over the education and welfare of our children.

This bill, as it is written, states we have two classes of kids -- our kids and theirs, the children of federal employees. I don't like that implication. The children who attend our schools are all our kids, God bless them.

Certainly, we can gain the headlines of our local papers by ransoming the education of children, but if we want more than publicity, I suggest that we approach in a more conciliatory fashion so that we can approach the Federal government in a cooperative, collegial basis. And do we want to make a temporary impression on local constituents, or do we really want to get the job done?

Thank you, Mr. Speaker, for allowing me to express my concerns."

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

"Mr. Speaker, sometimes when we propose legislation in anticipation of a problem, we create an even greater problem. That is precisely the potential of this bill.

Mr. Speaker, any legislation has the potential effect of dividing our community, creating ill-will in our military neighborhood, and after all the work that we have done with the community relationships between the civilians and the military is not worthy of consideration at this time.

Mr. Speaker, we have passed a number of bills this session to help our economy. We are worried about problems which has faced the sugar industry, we are worried about the downturn in our tourism; and yet, Mr. Speaker, we are considering passing this bill which would make second-class citizens of our military population. Has anyone considered the impact that a military withdrawal would be in this State? I do, Mr. Speaker, and I am sure you do, since our income is the second in the State from the military personnel.

I believe that this type of legislation, Mr. Speaker, and this type of action, at this particular time, should be voted as unfavorable.

Thank you, Mr. Speaker."

Representative Toguchi then rose to speak in favor of the bill, stating:

"Mr. Speaker, there has been much public discussion and debate on this bill and what the State's response should be to the anticipated cutbacks in federal impact aid funds. Mr. Speaker, there seems to be much public confusion and apprehension as to what this bill, as amended, really provides. Let me, therefore, briefly clarify these issues today.

Mr. Speaker, previous drafts of Senate Bill No. 2346-82 provided for the imposition of an education fee on families residing on federal property and who were not domiciliaries of this State. These drafts also authorized the Board of Education to initiate court action to collect this fee. I wish to make it absolutely clear, Mr. Speaker, that these provisions are no longer contained in the present House draft.

Mr. Speaker, the present draft of the bill which we have before us

is solely designed to ensure that the Federal government pays its fair share of the cost of educating children of federally-connected families. In no way does the bill impose any fee on these families. Neither does it seek to discriminate against or place any special burden on these families. On the contrary, Mr. Speaker, I strongly believe that these families have as much to gain from this bill as any other family in the State.

In view of the potential harm to public education, threatened by the cutbacks in impact aid, I would suggest that federally-connected families should join together with other families of this State in supporting the passage of this bill.

Mr. Speaker, the problem we are trying to address in this bill is the drastic cutback in federal impact aid funds which we, as a State, are faced with. In fiscal year 1981, we received \$16.7 million of these funds. This year, we have received to date only \$7.6 million of impact aid and whether any more funds are forthcoming is still very uncertain. For the next fiscal year, Mr. Speaker, President Reagan's proposal provides a total of just \$7.9 million impact aid to Hawaii. It should be obvious to everyone, Mr. Speaker, that Hawaii is facing very serious fiscal problems in view of the anticipated reduction in impact aid funds.

Mr. Speaker, we have very few viable alternatives with which to address this major cutback in resources for education. The cutback in impact aid threatens the continuation of support services in our schools -- services which are vital to the children of both federally-connected families and civilian families of this State.

This bill represents a sincere attempt to avoid impairing the quality of education provided to all children in the State and again I say, all children in the State, an attempt to address a critical fiscal problem which cannot be ignored or responsibly deferred, and a good faith attempt to secure the cooperation of the Federal government in implementing the provisions of its own impact aid law.

Mr. Speaker, I urge my colleagues in the House to pass Senate Bill 2346-82, Senate Draft 2, House Draft 2.

Thank you, Mr. Speaker."

Representative Kobayashi then rose to speak in favor of the bill, with reservations, stating:

"This bill recognizes that certain individuals do not pay State income tax and that certain individuals do not pay property tax because they live on federal land. This fact is recognized by the Federal government in the creation of federal impact aids to various states. However, states have been unsuccessful in getting what might be called their 'fair share.' The so-called 'fair share' that Hawaii received per pupil is something in the order of three hundred some odd dollars per pupil per year. This compares to \$2500 in operating costs that are required to educate a child in our public school system. This \$2500 does not count capital outlays nor payments or interests, so we have a great gap between the three hundred some odd dollars and the twenty-five hundred odd dollars plus that the State of Hawaii spends for the education of children in our public school system.

The bill attempts to give the Governor a basis for negotiating with the Federal government in securing some of this 'fair share.' The problem here is that it is difficult to negotiate with the Federal government. Someone in Finance Committee suggested that it might be easier to negotiate with the Soviet Union. But even if we do negotiate successfully with the Federal government, we have another problem. Congress might not appropriate the funds necessary to support the negotiated position. In fact, this has already taken place. Congress now authorizes federal impact aids far greater than the sum we presently receive. This is the old authorization versus appropriations federal game where they recognize, through authorization, an appropriate sum of money to do the job, but then do not appropriate. This is the difficulty we are faced here.

I rise to speak with reservation because I think this is an important problem that should be further discussed and can be further refined if it is definitely going to Conference Committee. And hopefully there, perhaps we might work in a language that would somehow, perhaps, combine some features of the House position with some features of the federal position so that, indeed, we may gain our fair share of the cost of educating the children of Hawaii.



Thank you."

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

"Mr. Speaker, our Finance Chairman said earlier this afternoon that we didn't want to give any one group, or any one person, the authority to spend our dollars or to negotiate and I believe, at that time, we were talking about the Board of Regents for the University of Hawaii. And yet, this bill says that we are going to give the Governor that kind of authority to negotiate millions of dollars as he sees fit, and I think that is a political way of saying we are going to play games. Fifteen percent, I understand, is the most we have ever received in federal aid and all of a sudden, now that we have a new administration, we are asking for a lot more dollars.

I would like to know, Mr. Speaker, when we passed the bill earlier this afternoon relating to public assistance, we said there that we would give assistance to a child -- full-time student -- enrolled in public, private, secondary equivalent, and these are for immigrants that the Federal government said we have to take in. Now, we are not saying we want to make sure that they get paid for these dollars in school first before these kids can go to school. We don't seem to care about that.

I don't think it is fair, Mr. Speaker, that we are not going to really be losing anything, other than time, if we would send in a resolution to look at the problem. Regardless of what everybody says, there is nothing wrong with saying we want the federal dollars because it is due us. But it is not saying we are not going to get anything either. We might be shortchanged a little bit but we just passed a bill not too long ago for the use tax.

You know, how can we say we need money here and we get rid of it there? I don't think that it is fair. I don't think that it is fair that the people out there are not going to understand this. We might, here today, but that is not what the news media is going to come out with. The way it is written, the public is going to think we are against them -- the military public -- and I don't think that that's fair in the least, not to take our time.

I would hope that everybody would vote no on this bill, Mr. Speaker."

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

"This bill, as it came over from the Senate, if it were not amended, certainly, I am pretty sure and I can bet you my bottom dollar that this bill would never see the light of day in these chambers today. But because of the work done in taking the poison and the sting out of that bill, Mr. Speaker. . . we worked on this bill also and we decided to let it out.

Now, originally, as I know it, as the bill was drafted and reported out from the other house, the military personnel and their dependents were very much disturbed that we would charge them tuition, but after the proper amendments were made by the House Education Committee, they were very, very satisfied.

Now, mention was made about my statement about the Board of Regents setting the salary. That power was granted to the Board of Regents by the Legislature of the State of Hawaii. And there is an old, old law -- I think that's the Eleventh or Twelfth Commandment, and it says, what God gives, no can take; what God creates, we cannot destroy. What Legislature give, can take back, and that is what we did with that bill.

Mr. Speaker, the Constitution of the State of Hawaii did not give the kind of power to the Legislature to negotiate with the Federal government. It is a power reserved by the State Constitution for the fellow that sits up there on the Waikiki end of the fifth floor -- the administration. And this bill gives the direction and authority that at what trigger point the Governor of the State of Hawaii shall utilize the federal statutes on impact aid. Okay?

Mr. Speaker, another mention was made about Hawaii being second-class citizens, and I don't mention about resolutions to the Congress of the United States because they haven't invented the hearing aid that would help the Congress of the United States to listen to the tiny little voice of the states. But I tell you what? We have not yet, but someday, maybe during our time, pass a resolution by both houses of the Legislature petitioning the United Nations to restore the monarchy because there are some proof that the legal government of the Kingdom of Hawaii was overthrown with the participation of American Marines. And maybe if the United Nations would get off their duff, maybe Uncle Sam in Washington will listen to these small,



little chirps coming out of the smallest state in the union. But I will never, Mr. Speaker, send a petition requesting, please Mr. Uncle Sam, listen to our woes. He's deaf, so I say this, we are not second class -- we are number one in the nation because we are derived from a sovereign monarchy. The others were either bought or traded off, or they were rebels. Okay?

So, Mr. Speaker, this is a good bill. We are within the law, not only State law and Constitution, but the federal law, and we are a group of law-abiding people. And after this, maybe, Mr. Speaker, we get together and hammer together a resolution, not to the Congress of the United States, but to the United Nations.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2346-82, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATIONAL FEES", having been read throughout, passed Third Reading by a vote of 43 ayes to 7 noes, with Representatives Anderson, G. Hagino, Ikeda, Kamali'i, Marumoto, Medeiros and Rohlfing voting no, and Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2346-82 had passed Third Reading at 4:44 o'clock p.m.

S.B. No. 2642-82, HD 1 on Third Reading:

On motion by Representative Taniguchi, seconded by Representative Dods and carried, S.B. No. 2642-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

S.B. No. 2366-82, SD 1, HD 1, on Third Reading:

On motion by Representative Taniguchi, seconded by Representative Dods and carried, S.B. No. 2366-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING REPORT", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representa-

tative Wong being excused.

S.B. No. 400, SD 1, HD 1, on Third Reading:

On motion by Representative Blair, seconded by Representative Hirono and carried, S.B. No. 400, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2642-82, 2366-82 and 400 had passed Third Reading at 4:45 o'clock p.m.

S.B. No. 544, SD 2, HD 1, on Third Reading:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, S.B. No. 544, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

S.B. No. 2638-82, SD 1, HD 1, on Third Reading:

On motion by Representative Blair, seconded by Representative Hirono and carried, S.B. No. 2638-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALES AND TRANSFER OF REAL PROPERTY SITUATED IN HAZARDOUS AREAS", having been read throughout, passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Andrews, Matsuura, Nakamura and Segawa voting no, and Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 544 and 2638-82 had passed Third Reading at 4:46 o'clock p.m.

S.B. No. 2829-82, HD 1, on Third Reading:

Representative Kiyabu moved that S.B. No. 2829-82, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kunimura.

Representative Rohlfing then rose and stated that he had an amendment to offer.

At 4:47 o'clock p.m., the Chair declared a recess, subject to the call

of the Chair.

The House of Representatives reconvened at 5:45 o'clock p.m.

Representative Rohlfling then rose and stated:

"Mr. Speaker, I rise to withdraw the amendment that I have offered and request permission to speak in favor of the bill, with reservations."

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

"Mr. Speaker, I think that it is no surprise that I was concerned about this particular provision in the capital improvements bill; that is the one relating to the Waikiki War Memorial Natatorium. And that is because I was committed, a long time ago, to try and preserve this, along with a group that was able to get a decision from the State Supreme Court stopping the destruction some nine/ten years ago. I am still concerned on the subject and would have vastly preferred that the appropriation in this bill contain the word 'restoration' as opposed to 'demolition' of the Natatorium."

The Natatorium is a unique structure -- largest salt water pool in the United States. If I may just note a few things in this regard because I would hope that in conference that this can be, if it is going to come out, and any appropriation that has to do with the Natatorium, that it will come out in terms of a restoration fund.

One of the great problems on this subject matter is that the opposition to some of the things that has been proposed has been primarily to the idea of the potential commercial use of the Natatorium and not necessarily to have to do with the restoration. It was just the assumption of many people that there would not be sufficient funds from the public treasury to provide for restoration.

Some years ago, when the question came up, the Engineering Association of Hawaii. . . and I say first came up in terms of the federal engineers doing the destruction project -- demolition project -- the Engineering Association of Hawaii made a study, a thorough study, before they took the position that it should be restored. A lot of figures have been bandied about in hearings, in the press, and what have you, with respect to this question.

Back in 1973, that Association that made a thorough study came up with the fact that the low bid on the demolition plan would have cost \$1.4 million and the restoration plan would have cost \$1.6 million. Now, that was 1973 figures and you can obviously add a substantial amount to that in either case, and we probably could debate figures all night. But there is very good evidence that the demolition is going to cost somewhere close to the amount which it would cost to restore, or at least a possible restoration plan such as was advocated by the Engineering Association.

The restoration, if it ever occurred, could provide, not only recreational swimming, but aquacades and other related outdoor activities of swimming nature. The handicapped have indicated their very real interest in the maintenance of this facility. There could be, as there were many years ago, or some years ago, life-saving classes, scuba classes and so forth, and the restoration of this aquatic facility could very well complement the Aquarium.

Also, Mr. Speaker, I think that in talking about restoration versus demolition, we are losing too many buildings, too many things of a heritage before our time now, and I think that we should remember sometimes that historical buildings have a meaning beyond their front facade, as such, and that they have a historic relationship to the continuity of the culture and the activities of the people, recreation-wise as well as art-wise, or as well as various forms of expression. The Natatorium is on the United States Register of Historic Places, and Senator Dan Inouye was one of the people who was very much in the forefront of obtaining that kind of a designation. I think that, under the circumstances, we have not had a full set of hearings on this appropriation and I think that it is premature to call for the demolition of the Natatorium.

Mr. Speaker, I will be voting in favor of the measure, but with reservations on this, and with the hope that in the coming several weeks that the Conference Committee of the Senate will arrive at a different solution than it is facing us today. I will say this, that one thing about the House Republicans -- we are independent thinkers and there are members of this group over here very strongly in favor of the demolition, representing their constituents who feel that way. There are a lot of constituents in this State which we share. Whether we are elected from districts or not, we have statewide responsibilities

as well as district responsibilities, and some of the facilities that we concern ourselves with have connections across district boundaries.

And, Mr. Speaker, with that, I thank you for the opportunity to express my opinion on this particular portion of this bill."

Representative Kamalii then rose and stated:

"Mr. Speaker, I didn't have any intentions to speak for the CIP, but I am very grateful for the opportunity, and it is true that all of us have diverse opinions on many issues and it really doesn't matter whether you are on the same aisle or the other. And I respect my colleague from Kahala for his words, but I also represent everyone in this State as also the fact that the Waikiki Natatorium is in my district.

But there are a great many people in this State who remember the Waikiki Natatorium with fondness and with abiding recognition of the important role that it has played in the development of swimming skills in the islands. I, myself, competed for many years at the Natatorium. I also had the pleasure of winning several medals in my youth, so I do have a lot of fondness for the Natatorium.

But those days and that usefulness, however, seem to have passed, and the Waikiki Natatorium is now a dangerous and crumbling shadow which should be demolished to make way for needed recreational space and park use. It is almost an insult to permit that to continue and to have the memories of today's children etched to the substandard and hazardous conditions of the Natatorium as it is known today. I have a great deal of sympathy for those who want to somehow retain those memories of the Natatorium and restoring or reconstructing what was the glory of the Natatorium in my youth.

But, what we must remember instead is that when the Natatorium held the centerpiece of island swimming, there were no other Olympic-size pools in the islands. Today, just on the island of Oahu, there are competitions, demonstrations and training areas throughout the State. Just in our own 6th Senatorial district, which is where the Natatorium is located, I can think of similar and safe pools at Manoa Recreational Center, at the University of Hawaii, Roosevelt High School, and if we

go beyond the district but still within convenient driving distances, there are at least four other Olympic pools.

What is significantly different from the heyday of the Natatorium and public need for the rest of the century is beach park areas. While our population continues to expand, our park areas remain constant. What must be reasserted for the Natatorium area is that public swimming and the encouragement of safe water activities will continue. Alternative plans for some kind of commercial development in order to afford maintaining the pool, the designation of that site must be opposed and forbidden. I think it is within. . . we have discussed this on the Waikiki Task Force, in voting for the demolition of the Natatorium, that we preserve the memorial part of that park in honor of the war dead, and I think that is an honor.

I urge my colleagues, whoever is on conference, to remember our memories but to look forward to the future and a safe, sandy beach in Waikiki.

Thank you."

The motion was put by the Chair and carried, and S.B. No. 2829-82, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS", having been read throughout, passed Third Reading by a vote of 50 ayes, with Representative Wong being excused.

Stand. Com. Rep. No. 812-82 on S.B. No. 2434-82, SD 2, HD 2:

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 2434-82, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS", having been read throughout, passed Third Reading by a vote of 45 ayes to 5 noes, with Representatives Anderson, Andrews, Marumoto, Monahan and Shito voting no, and Representative Wong being excused.

The Chair directed the Clerk to note that S.B. Nos. 2829-82 and 2434-82 had passed Third Reading at 5:55 o'clock p.m.

S.B. No. 2550-82, SD 1, HD 1, on Third Reading:

Representative Nakamura moved that S.B. No. 2550-82, SD 1, HD 1, having been read throughout, pass

Third Reading, seconded by Representative Taniguchi.

Representative Chun then rose to speak against the bill, with reservations, stating:

"Mr. Speaker, I am opposed to the bill because it has no limitation as to how many years a person with a first permit conforming to the ten days' check can go on purchasing subsequent guns without going through the ten days' check.

Mr. Speaker, by voting yes, with reservations, I can be a member of the Conference Committee, as promised by the Chairman of the Judiciary Committee, and can have a chance to correct this loophole.

Thank you, Mr. Speaker."

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

"Mr. Speaker, I have very grave concerns regarding this bill as it has been presented to us by the Committee on Judiciary.

Mr. Speaker, the subject of gun control has long been a controversial as well as a conflicting subject to the members of this body, as well as to the public. On one hand, I believe, we have the arguments about the personal rights of persons in trying to protect themselves. On the other hand, I believe this body, as well as the public, has been very concerned about the many killings that have come about through the use of guns or handguns.

I believe, Mr. Speaker, that when this Act 230 was passed last year by this body, there was a great concern regarding the impulsive buying of handguns by persons who became outraged over an incident or an argument and have run down to get permits to purchase handguns. In fact, this Act provides that an applicant who goes in for a permit shall sign a waiver at the time of application upon forms to be specified by the Department of the Attorney General, allowing the Chief of Police of the county issuing permits access to any records which have a bearing on the mental health of the applicant.

Mr. Speaker, I believe this paragraph here was inserted because of such concerns. Now, this bill, as it reads now says: 'Persons who have previously obtained permits subject to the ten-day waiting period required by

this subsection may be issued permits in less than ten days upon subsequent applications.'

Mr. Speaker, an applicant for another gun subsequently must go through the same procedures of applying for a handgun and must put in his written application, and it also provides that if a person has already had his fingerprints and his photographs registered, that this would be waived.

Now, the only thing we are doing is to eliminate the ten-day waiting period. And as I recall, the purpose of this ten-day waiting period was to provide for the screening of this person who may have a conviction or who may now be mentally disturbed, subsequent to obtaining his first permit for a handgun as it provides on this statute.

Mr. Speaker, I really prevail upon this body to consider the merits of this bill which really eliminates the ten-day period after the person goes in for his subsequent application for a handgun. This has no limitations as to how long a person can be allowed this privilege of owning a handgun, and it can be five years from this date that this law is approved. What happens to a person in those five years even is unknown, but because he has already been provided with a permit which provides for the ten-day waiting period, he can have this ten-day waiting period waived. And it is true that we hope that the person who provides the affirmation of these applications will be responsible but, Mr. Speaker, persons who do this are only humans. I believe there is the responsibility that in trying to do his job that it is so easy for him not to be so careful and I have had certain experiences with people who have become disturbed, and if you look at many of them, it is difficult to tell the difference whether the ordinary person may not be in a stable state himself.

But my concern is why, within a period of less than a year, we are now eliminating the ten-day waiting period. And on this basis, Mr. Speaker, I have been assured that this bill will be worked on in conference and I can take the word of the Chairman of this House who moved this bill out. But in dealing with the opposite body, I am not too confident that this matter may come up for conference. And, Mr. Speaker, on this basis, I must vote no on this bill and urge my colleagues to really consider the merits of this bill and vote no also."

The motion was put by the Chair and carried, and S.B. No. 2550-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS", having been read throughout, passed Third Reading by a vote of 40 ayes to 10 noes, with Representatives de Heer, D. Hagino, Hashimoto, Hirono, Honda, Ige, Kiyabu, Kobayashi, Kunimura and Segawa voting no, and Representative Wong being excused.

The Chair directed the Clerk to note that S.B. No. 2550-82 had passed Third Reading at 6:04 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Honda, for the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 816-82) recommending that S.B. No. 2674-82, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Honda, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 2674-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAINING, EDUCATION, TRAINING AND WORK PROGRAMS FOR COMMITTED PERSONS", passed Second Reading and was placed on the calendar for Third Reading.

Representative Nakamura, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 817-82) recommending that S.B. No. 2377-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the majority of the Committee was adopted and S.B. No. 2377-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", passed Second Reading and was placed on the calendar for Third Reading, with Representatives Ikeda and Narvaes voting no.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 818-82) recommending that S.B. No. 2213-82, SD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D.

Hagino, seconded by Representative Albano and carried, the report of the Committee was adopted and S.B. No. 2213-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", passed Second Reading and was placed on the calendar for Third Reading.

Representative D. Hagino, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 819-82) recommending that S.B. No. 2530-82 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative D. Hagino, seconded by Representative Albano and carried, the report of the Committee was adopted and S.B. No. 2530-82, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading.

Representative Sakamoto, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 820-82) recommending that S.B. No. 505, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Sakamoto, seconded by Representative Fukunaga and carried, the report of the Committee was adopted and S.B. No. 505, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that printed copies of S.B. Nos. 2674-82, SD 1; 2377-82; 2213-82, SD 2; 2530-82; and 505, SD 1, were made available to the members of the House at 3:30 o'clock p.m.

The Chair then directed the Clerk to note the presence of Representative Wong.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 821-82) recommending that S.B. No. 2343-82, SD 1, HD 1, pass Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2343-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSAL", having been read throughout, passed Third Reading by a vote of 51 ayes.

Representative Nakamura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 822-82) recommending that S.B. No. 2913-82, SD 1, HD 1, pass Third Reading.

On motion by Representative Nakamura, seconded by Representative Taniguchi and carried, the report of the Committee was adopted and S.B. No. 2913-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2343-82 and 2913-82 had passed Third Reading at 6:06 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 823-82) recommending that S.B. No. 2517-82, SD 2, HD 1, pass Third Reading.

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 2517-82, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", having been read throughout, passed Third Reading by a vote of 51 ayes.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 824-82) recommending that S.B. No. 2524-82, SD 1, HD 1, pass Third Reading.

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 2524-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to note that S.B. Nos. 2517-82 and 2524-82 had passed Third Reading at 6:07 o'clock p.m.

Representative Kunimura, for the majority of the Committee on Finance, presented a report (Stand. Com. Rep. No. 825-82) recommending that S.B. No. 2224-82, SD 2, HD 1, pass Third Reading.

Representative Kiyabu moved that the report of the majority of the Committee be adopted and S.B.

No. 2224-82, SD 2, HD 1, having been read throughout, pass Third Reading, seconded by Representative Kunimura.

Representative Marumoto then rose to speak in favor of the bill, with reservations, stating:

"Mr. Speaker, this bill purports to allow the DPED to contract the industrial products associations, but I feel that this bill does much more than that.

According to my reading of the measure, it allows the Department to write all contracts that is one dollar and up -- the sky's the limit -- without going through a bid procedure. I don't know whether that is the intent of the measure but it is a bit loose to allow a very important Department that much latitude. As long as we realize what we are doing and we are aware of it, I think it is all right to vote on it.

Thank you very much."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2224-82, SD 2, HD 1, 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 43 ayes to 8 noes, with Representatives de Heer, Ikeda, Isbell, Kamali'i, Lacy, Levin, Liu and Narvaes voting no.

The Chair directed the Clerk to note that S.B. No. 2224-82 had passed Third Reading at 6:09 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 826-82) recommending that S.B. No. 2566-82, SD 1, HD 1, pass Third Reading.

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 2566-82, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES", having been read throughout, passed Third Reading by a vote of 51 ayes.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 827-82) recommending that S.B. No. 2257-82, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee

was adopted and S.B. No. 2257-82, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE TAXATION", passed Second Reading and was placed on the calendar for Third Reading.

The Chair directed the Clerk to note that printed copies of S.B. No. 2257-82, SD 1, were made available to the members of the House at 3:30 o'clock p.m.

Representative Kunimura, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 828-82) recommending that S.B. No. 2866-82, SD 2, pass Third Reading.

On motion by Representative Kiyabu, seconded by Representative Kunimura and carried, the report of the Committee was adopted and S.B. No. 2866-82, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", having been read throughout, passed Third Reading by a vote of 51 ayes.

The Chair directed the Clerk to

note that S.B. Nos. 2566-82 and 286682 had passed Third Reading at 6:10 o'clock p.m.

#### SENATE COMMUNICATION

A communication from the Senate (Sen. Com. No. 221) returning House Concurrent Resolution No. 141, which was adopted by the Senate on April 5, 1982, was read by the Clerk and placed on file.

At 6:11 o'clock p.m., Representative Yamada asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 6:15 o'clock p.m.

#### ADJOURNMENT

At 6:17 o'clock p.m., on motion by Representative Stanley, seconded by Representative Rohlfing and carried, the House of Representatives adjourned until 11:00 o'clock a.m. tomorrow, Tuesday, April 6, 1982.