

## FIFTY-SEVENTH DAY

Monday, April 16, 1984

The House of Representatives of the Twelfth Legislature of the State of Hawaii, Regular Session of 1984, convened at 11:30 o'clock a.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by Chaplain William Glaser of the First Church of Christ Scientist, Honolulu, after which the Roll was called showing all members present with the exception of Representatives Baker, Crozier, Hagino, Peters and Taniguchi, who were excused.

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

On motion by Representative Segawa, seconded by Representative Marumoto and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Second Day was approved.

By unanimous consent, reading of the Journal of the Fifty-Sixth Day was deferred.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 413 and 414) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 413) transmitting Senate Concurrent Resolution No. 73, urging a concerted effort by the United States Congress to permit Hawaii to enact amendments to its Prepaid Health Care Act without the restrictive wording of Section 514(b) of the Employment Retirement Income Security Act (ERISA), which was adopted by the Senate on April 13, 1984, was placed on file.

By unanimous consent, further action on S.C.R. No. 73 was deferred.

A communication from the Senate (Sen. Com. No. 414) returning House Concurrent Resolution No. 123, HD 1, which was adopted by the Senate on April 13, 1984, was placed on file.

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

Representative Medeiros introduced a group of 33 eighth and ninth grade students from the Redemption Academy in Kailua. They were accompanied by their teacher, Mr. Charles Scrugs.

Representative Say introduced Mr. Chang, "a very good friend of mine from the People's Republic of China who is here studying the local government and also the federal government."

Representative Menor introduced Mr. Manny Buenconsejo, "a person who has distinguished himself in community activities and has been very successful in his career. He is also a very close personal friend of mine. This person is an insurance salesman for All-State Insurance, was selected to be one of the millionaire sellers for his accomplishments in selling insurance. He was ranked first in the State and first in the Northwestern United States region in terms of insurance sales. He is also very active in the Mililani community with our churches and he is also a member of the Executive Board of the Hawaii Baptist Convention. He is also very active in the Democratic Party and he was, in the past, appointed by the Governor to be a member of the Commission on Health which, of course, has been working on the issues of medical costs and hospital facilities in our State."

At 11:44 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:46 o'clock a.m., the Chair directed the Clerk to note the presence of Representatives Crozier and Hagino.

## ORDER OF THE DAY

## DEFERRED RESOLUTION

S.C.R. No. 51 was referred to the Committee on Water, Land Use, Development and Hawaiian Affairs.

## SUSPENSION OF RULES

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

## UNFINISHED BUSINESS

Conf. Com. Rep. No. 1-84 on S.B. No. 2072-84, SD 1, HD 1, CD 1: .

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and S.B. No. 2072-84, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 9, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR THE METHOD OF PAYMENT OF LEGISLATIVE SALARIES", having been read throughout, passed Final Reading by a vote of 48 ayes, which was not less than two-thirds of all the members to which the House is entitled, with Representatives Baker, Peters and Taniguchi being excused.

The Chair directed the Clerk to note that S.B. No. 2072-84 had passed Final Reading at 11:48 o'clock a.m.

Conf. Com. Rep. No. 2-84 on H.B. No. 2402-84, SD 1, CD 1:

By unanimous consent, action was deferred one day.

## STANDING COMMITTEE REPORTS

Representative Nakasato, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 847-84) recommending that H.R. No. 197 be adopted.

On motion by Representative Nakasato, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and H.R. No. 197, entitled: "HOUSE RESOLUTION REQUESTING PROCLAMATION OF THE WEEK BEGINNING MAY 27, 1984, AS TOURISM WEEK IN HAWAII", was adopted.

Representative Nakasato, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 848-84) recommending that S.C.R. No. 43, SD 1, be referred to the Committee on Finance.

On motion by Representative Nakasato, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and S.C.R. No. 43, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A STATE TRAVEL INDUSTRY CONGRESS TO REVIEW AND ESTABLISH A UNIFIED POLICY DIRECTION FOR

THE VISITOR INDUSTRY", was referred to the Committee on Finance.

Representatives Taniguchi and Hashimoto, for the Committees on Transportation and Education, presented a joint report (Stand. Com. Rep. No. 849-84) recommending that H.R. No. 309, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Hayes, seconded by Representative Hashimoto and carried, the joint report of the Committees was adopted and H.R. No. 309, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO RECONSIDER ITS TEN-YEAR AGE LIMITATION POLICY FOR CONVENTIONAL SCHOOL BUSES", was referred to the Committee on Finance.

Representatives Say and Andrews, for the Committees on Water, Land Use, Development and Hawaiian Affairs and State General Planning, presented a joint report (Stand. Com. Rep. No. 850-84) recommending that H.R. No. 223, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Andrews and carried, the joint report of the Committees was adopted and H.R. No. 223, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO REPORT TO THE LEGISLATURE ON THE STATUS OF THE ECONOMIC PLANNING INFORMATION SYSTEM", was referred to the Committee on Finance.

Representatives Say and Andrews, for the Committees on Water, Land Use, Development and Hawaiian Affairs and State General Planning, presented a joint report (Stand. Com. Rep. No. 851-84) recommending that H.R. No. 226, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Andrews and carried, the joint report of the Committees was adopted and H.R. No. 226, HD 1, entitled: "HOUSE RESOLUTION REQUESTING FORMULATION OF AN ACTION PLAN FOR MODIFICATION OF THE LAND USE APPROVAL SYSTEM", was referred to the Committee on Finance.

Representatives Say and Andrews,

for the Committees on Water, Land Use, Development and Hawaiian Affairs and State General Planning, presented a report (Stand. Com. Rep. No. 852-84) recommending that H.C.R. No. 90, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Andrews and carried, the joint report of the Committees was adopted and H.C.R. No. 90, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING FORMULATION OF AN ACTION PLAN FOR MODIFICATION OF THE LAND USE APPROVAL SYSTEM", was referred to the Committee on Finance.

Representative Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 853-84) recommending that H.R. No. 336, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chun, seconded by Representative Ige and carried, the report of the Committee was adopted and H.R. No. 336, HD 1, entitled: "HOUSE RESOLUTION REQUESTING ESTABLISHMENT OF STATE STANDARDS FOR AIR QUALITY AND NOISE NEAR GEOTHERMAL EXPLORATION AND DEVELOPMENT AREAS", was referred to the Committee on Finance.

Representative Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 854-84) recommending that H.R. No. 171, as amended in HD 1, be adopted.

On motion by Representative Chun, seconded by Representative Ige and carried, the report of the Committee was adopted and H.R. No. 171, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE INCIDENCE OF TEENAGE SUICIDE IN HAWAII", was adopted.

Representatives Baker and Hagino, for the Committees on Health and Higher Education and the Arts, presented a joint report (Stand. Com. Rep. No. 855-84) recommending that H.R. No. 164 be adopted.

On motion by Representative Chun, seconded by Representative Hagino and carried, the joint report of the Committees was adopted and H.R. No. 164, entitled: "HOUSE RESOLUTION ENDORSING THE GOALS OF THE WESTERN CONSORTIUM FOR THE HEALTH PROFESSIONS", was

adopted.

Representatives Okamura, Baker and Say, for the Committees on Energy, Ecology and Environmental Protection; Health; and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 856-84) recommending that H.R. No. 236 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative Chun and carried, the joint report of the Committees was adopted and H.R. No. 236, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF PESTICIDE AND WATER QUALITY POLICIES, STATUTES, AND ADMINISTRATIVE RULES", was referred to the Committee on Finance.

Representatives Okamura, Baker and Say, for the Committees on Energy, Ecology and Environmental Protection; Health; and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 857-84) recommending that H.C.R. No. 93 be referred to the Committee on Finance.

On motion by Representative Okamura, seconded by Representative Chun and carried, the joint report of the Committees was adopted and H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF PESTICIDE AND WATER QUALITY POLICIES, STATUTES, AND ADMINISTRATIVE RULES", was referred to the Committee on Finance.

Representatives Takamine and Say, for the majority of the Committees on Agriculture and Water, Land Use, Development and Hawaiian Affairs, presented a joint report (Stand. Com. Rep. No. 858-84) recommending that H.R. No. 230, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Takamine, seconded by Representative Say and carried, the joint report of the majority of the Committees was adopted and H.R. No. 230, HD 1, entitled: "HOUSE RESOLUTION REQUESTING AN ASSESSMENT OF A METHOD TO PRODUCE DAIRY FEED WITHIN THE STATE", was referred to the Committee on Finance.

Representatives Say and Taniguchi, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Transportation, presented a joint report (Stand. Com. Rep. No.

859-84) recommending that H.R. No. 215, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Leong, seconded by Representative Hayes and carried, the joint report of the Committees was adopted and H.R. No. 215, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXPEDITE THE ACQUISITION OF THE REMAINING PORTION OF THE NIKE ACCESS ROAD", was referred to the Committee on Finance.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 860-84) recommending that H.C.R. No. 115 be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE REPORT ON THE FINAL COMPENSATION PLAN AND THE COST THEREOF", was adopted.

At 11:54 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 11:59 o'clock a.m., the Speaker assumed the rostrum.

#### INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 412) extending congratulations to City Bank on its 25th Anniversary was jointly offered by Representatives Kiyabu, Albano, Anderson, Baker, Blair, Chun, Hayes, Ikeda, Kawakami, Kiyabu-Saballa, Leong, Medeiros, Menor, Okamura, Segawa, Souki, Stanley, Tom, Tungpalan, Wong and Yoshimura and was read by the Clerk.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, H.R. No. 412 was adopted.

Representative Kiyabu then rose to introduce the honorees, stating:

"Mr. Speaker and members of this honorable body, I would like to, at this time, commend and thank City Bank for 25 years of service to Hawaii, and especially to Mr. Morita

who I have had some discussions with a few weeks back, and got to know that he has been committed to Hawaii and has deep concerns about Hawaii's future."

Representative Kiyabu then presented Mr. James Morita, Chairman of the Board of City Bank, and Mr. Richard Okinaka, President of City Bank.

Red carnation leis were presented to Mr. Morita by Representative Hashimoto and to Mr. Okinaka by Representative Wong, while Representatives Kiyabu and Kawakami presented the honorees with certified copies of the resolution.

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

Upon reconvening at 12:15 o'clock p.m., the Chair directed the Clerk to note the presence of Representative Taniguchi.

#### STANDING COMMITTEE REPORTS

Representative Nakasato, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 861-84) recommending that H.R. No. 375 be adopted.

On motion by Representative Nakasato, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and H.R. No. 375, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF SISTER-STATE/PREFECTURE RELATIONSHIPS BETWEEN HAWAII AND HIROSHIMA, KUMAMOTO, OKINAWA, TOKYO, AND YAMAGUCHI PREFECTURES", was adopted.

Representative Nakasato, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 862-84) recommending that H.C.R. No. 144 be adopted.

On motion by Representative Nakasato, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and H.C.R. No. 144, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF SISTER-STATE/PREFECTURE RELATIONSHIPS BETWEEN HAWAII AND HIROSHIMA, KUMAMOTO, OKINAWA, TOKYO, AND YAMAGUCHI PREFECTURES", was adopted.



## SUSPENSION OF RULES

On motion by Representative Segawa, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action on certain House bills.

RECONSIDERATION OF  
ACTION TAKEN

Representative Stanley moved that the House reconsider its action taken in disagreeing to the amendments proposed by the Senate to H.B. Nos. 2032-84, HD 1; 2333-84, HD 1; and 2340-84, HD 1, seconded by Representative Tom and carried.

Representative Stanley then gave notice of her intent to agree to the amendments proposed by the Senate to H.B. Nos. 2032-84, HD 1; 2333-84, HD 1; and 2340-84, HD 1.

DISPOSITION OF MATTERS  
PLACED ON THE CLERK'S DESK

By unanimous consent, H.B. No. 1120, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Say, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1120, HD 1, and H.B. No. 1120, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1120 had passed Final Reading at 12:19 o'clock p.m.

By unanimous consent, H.B. No. 1431, HD 2, as amended by the Senate, was taken from the Clerk's desk.

Representative Say moved that the House agree to the amendments proposed by the Senate to H.B. No. 1431, HD 2, and H.B. No. 1431, HD 2, SD 1, having been read throughout, pass Final Reading, seconded by Representative Kiyabu.

At 12:20 o'clock p.m., Representative Segawa asked for a recess, and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m.

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 1431, HD 2, and H.B. No. 1431, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

By unanimous consent, H.B. No. 1571, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Say, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1571, HD 2, and H.B. No. 1571, HD 2, SD 1, having been read throughout, passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives Anderson, Dang, Isbell and Marumoto voting no, and Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 1431 and 1571 had passed Final Reading at 12:22 o'clock p.m.

By unanimous consent, H.B. No. 2194-84, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Say, seconded by Representative Kawakami and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2194-84, HD 1, and H.B. No. 2194-84, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2194-84 had passed Final Reading at 12:23 o'clock p.m.

By unanimous consent, H.B. No. 2540-84, HD 1, as amended by the Senate, was taken from the Clerk's desk.

Representative Say moved that the House agree to the amendments proposed by the Senate to H.B. No. 2540-84, HD 1, seconded by Representative Takamine.

Representative Jones then rose and stated:

"Mr. Speaker, I rise to speak in favor of the motion with great

reservations.

Mr. Speaker, I do not feel the House should agree to a substantive change made by the Senate which was contrary to the intent of this House. The Senate changed the bill and added in 'cattle feed production.' In a rush of dealing with the hundreds of bills crossing over, Mr. Speaker, I can see how easy it can be to unintentionally miss these changes. However, because these changes which the Senate has made are very substantial, I think we could set a very dangerous precedence here.

Mr. Speaker, Rule 33.3 of our House Rules states that: 'The House shall not concur with substantive amendments made by the Senate to a House bill until the standing committee having primary responsibility for the subject matter contained in the bill has granted prior concurrence to such amendments.'

Mr. Speaker, the House standing committee having primary responsibility to this bill has not given prior concurrence in violation of the very rules that we have established. The House standing committee in this instance is the Committee on Water, Land Use, Development and Hawaiian Affairs; Agriculture; and State General Planning jointly acted on this issue and there seems to have been no decision at all made by committee on this. So, although at this point in time I am not going to cause any big fight on this motion, I feel that it is incumbent upon ourselves and the leadership of the Minority to let the Majority know, Mr. Speaker, that we believe in prior concurrence, that we were elected to properly represent our districts and this State, that the best interest of this State, Mr. Speaker, I feel would be that we not allow the Senate to run something by us without us, in committee, approving it first.

Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2540-84, HD 1.

Representative Say then moved that H.B. No. 2540-84, HD 1, SD 1, having been read throughout, pass Final Reading, seconded by Representative Takamine.

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

"Mr. Speaker, when the House passed their standing committee report and the bill, 289-84 on March 7th, we distinctly took out the section referring to beef raising. The Department of Land and Natural Resources also gave testimony which stated and indicated that beef raising is not in the same category as dairying which was the intent of the bill to allow dairying to be given to the dairy industry -- the people who raise dairy cattle -- to receive a lease without going to bid and auction.

Now, this means that we are now allowing beef produce -- people who are doing beef raising -- to go to the Department of Land and Natural Resources and say they want a lease without going out to bid. Because of this, the Department itself gave the testimony and said it would not be good, that beef raising is not in the same category and, therefore, should not be included in the bill. Therefore, when the House bill went over to the Senate, beef raising was taken out. When it came back, we didn't have beef raising but we have now cattle feed production in the bill.

To me, that is putting beef raising right back in because cattle beef production means pasturage. It means that you can raise cattle on pasture land and be exempt from the bidding process.

I asked that a letter be received from Mr. Ono of the Department of Land and Natural Resources to tell me that. . . assure me that cattle beef production did not include pasturage as I feel we were meaning to address dairy farmers only. Mr. Hamasu wrote on behalf of Mr. Ono that the term, 'cattle feed production', as used in the subject bill for administrative purposes will be interpreted to include only those activities related to the production of feed crops intended for confined animals. Well, a confined animal can be within a fence that is a mile long. The fence can be any size. A confined animal means within a restricted area. I know many of you have ranches or have been on ranches and I am sure you have seen fences, stonewalls, whatever size they may be -- that is a confined area.

So, therefore, to me, it really opens it up and it is saying that cattle feed production then does apply to cattle in a confined area and feed crop.

Under the law, under case law, Coe vs. Strove, it says the word 'crop'

may mean either gathering, gathered or growing crops. Pasture land can be ceded guinea grass; it can be ceded blue grass, different types of grasses for cattle; it can also be alfalfa which could be many acres. And so, what we are now saying is that we are opening up the lands of the State for pasturage without going out to bid. This means that the little guy who may want to get a lease may never know about it. It doesn't have that input so that persons can go directly now to the Department of Land and Natural Resources and say, I want that thousand acres. I am going to use it for pasturage and they haven't come up on your agenda at the Board meeting and they determine whether or not that person should have it without going out to bid or auction. This precludes others from throughout the State getting it. We have over 100,000 acres in pasturage under the State of Hawaii. Much of that is in my district. I am very concerned about this and I must say that it is basically because, at the present time, we have a rancher who has over 100,000 acres of ranch land, much of it State land, which he has been abusing and for three years has been milling koa logs, dead and alive, and shipping them to Honolulu in containers. The State has been trying to get him to abide by his lease which is pasturage, but milling has not really stopped yet.

So, knowing that these things can be abused, I really feel very strongly that we should look at why we pass this bill in the first place. It was for the dairy farmer. It was not meant for large ranchers and for people who are going out for pasturage. They are in a different category. The Department of Land and Natural Resources itself has testified that it did not mean for cattle processing to be a part of this bill. Therefore, I would like to request and suggest that all of you look very carefully at the bill before you vote on it and realize what it is doing and how it is opening up the doors, and I urge you all to vote no.

Thank you very much."

Representative Takamine then rose and stated:

"Mr. Speaker, I am speaking for the bill by way of an explanation.

First of all, I would like to suggest that this particular bill was discussed in both the Majority and the Minority Caucuses about a couple of weeks

ago, but only last week when this question was brought out, I have asked the Department of Land to . . . first to Mr. Ono whether he was comfortable and his position was in the affirmative. That is why I asked him to write us a letter and that letter referred to by the previous speaker omitted a sentence which says that, 'Production of forage crops for pasturage or grazing is excluded. . . .' and because we kept hearing more complaints this morning, we asked Mr. Ono to come over to the office and myself, as Chairman of the Agriculture Committee, Vice Chairman of the Agriculture Committee, the Chairman and Vice Chairman of the Lands Committee, and we went over the matter and Mr. Ono's remark was that, for the record -- you can put it in the Journal -- that this does not cover pasture lands.

Thank you, Mr. Speaker."

Representative Isbell, in rebuttal, stated:

"Mr. Speaker, in that sentence that he read, 'Production of forage crops for pasturage or grazing is excluded. . . .' -- my rebuttal is that I called Dr. Dean Kefford and asked him for his expertise on this since he is the head of the Department of Tropical Agriculture, and he was not sure of that so he asked his experts who are in the cattle feed division of the Department of Tropical Agriculture and they stated -- he called me on Saturday morning at 8:00 o'clock. It says, in their opinion, 'pasturage is not excluded in this bill under cattle feed production.'

Now, that is the experts and whether we put it in the Journal or not, when it goes into a court of law, it's the experts that are saying cattle feed production does not exclude pasturage, I question which would stand up.

Thank you very much."

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

"Mr. Speaker, I would like to have the remarks of Representative Isbell included as my own. (By reference only).

I would like to add that another technical point that was ascertained in looking over this bill by the attorneys and our Minority Attorneys' Office and that is that the definition of 'cattle' under the law of this State is very broad and includes all types of

grazing animals such as goats, sheep, and I don't know what else, but it is a very broad term, so that combining the terminology of this bill when you talk about cattle feed production, you are talking about the whole area of livestock as well as has been pointed out by Representative Isbell, pasturage acreage within the definition of what is a so-called confined animal space.

Presently, under our law, Mr. Speaker, there is a public notice procedure and a process of public bidding for the leases of State pasture land. That public notice procedure allows all interested parties the opportunity to be informed of the availability of State pasture leases. The public bidding process, in turn, permits all interested parties to bid on the leases and enables the State to obtain a maximum financial return on the leased pasture lands that it has available.

If we pass this bill, Mr. Speaker, as it has been amended by the Senate, both procedures, in effect, will be deleted, and a large segment of the public would be denied opportunity to consider and possibly lease State pasture land. Additionally, it could open the door for possible abuse in the distribution of State lands for pasture purposes by the discretionary awarding of such leases.

Now, I heard the representation this morning that the Chairman of the Board of Land and Natural Resources doesn't plan, in his mind, to do so. There are other members of that Board of Land and Natural Resources, and I don't think he can flatly speak for what they will do nor, as has been pointed out by Representative Isbell in rebuttal, what will happen in the court of law under these circumstances? If someone challenges, what do we do?

I don't think we can write the law of the State by references to what somebody said to somebody and inserting it into the Journal. We write the laws of the State based on the language of the statutes which we adopt and ultimately written into law so that when we today accept the language in this bill and agree with the Senate and unless the measure is vetoed by the Governor, that is what the law is going to say. And as a lawyer, if I were arguing the case with someone who is saying I should be given a permit to use this lease to use it for pasture purposes, I go to the law, and the only way that I get

to the Journal as to what the law means is if there is an ambiguity in the law. Well, it's been very clear here that there is no clear defense for the terminology that's used in this bill.

Mr. Speaker, I remember the time back when we were writing this State land laws of this new State in the early 1960's, and it was my privilege to serve as a House conferee on the basic law that we wrote at that time, and one of the things that we used to fight with the Senate about on the Land Committee of the House of Representatives under the chairmanship of David McClung was the problem of preventing abuse in the management of the lands of our State, and that people who had special interest, be they plantation or be they ranchers, all those big guys, who had very much power in the State and, particularly in those days, had it in the State Senate, and we were trying to keep the laws so that they would be fair to everyone. And so one of the things that we did was we tried to close the kind of loophole which is being developed in this bill today. It is a big enough loophole to drive a truck through.

The present Senate, like the Senate of the early 1960's, would, in effect, have us subvert good land management practice. And so the question before this body today, my fellow colleagues, is: Do we join in such an action?

I feel that the passage of this measure will strike at the very heart of open government and potentially endanger equal access by all in the use of State lands and, therefore, I urge my colleagues to join me in voting this measure down on Final Reading.

Thank you, Mr. Speaker."

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

"Just a few words, Mr. Speaker. My family comes from the Big Island; they are all over it; none of them are rich. They own a few acres here and a few acres there. I ran for office on the precedence of openness in government and although I know this bill is not closing up the political process completely, it is closing it up a little bit.

A few weeks ago, several members of this House stood and said that they had never seen a more special interest bill -- the bill they were

talking about. I find it ironic that some of those members are not speaking against this bill today, Mr. Speaker, and I am actually disappointed in them. I do want to emphasize and underline in the Journal that this bill is not helping the small ranchers -- it is going to hurt them.

Thank you very much, Mr. Speaker, and I encourage my colleagues to vote against this bill."

At 12:40 o'clock p.m., Representative Anderson asked for a recess, and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:42 o'clock p.m.

Representative Marumoto then rose and requested a roll call vote on this measure whereupon the Chair asked for a show of hands on whether or not to have a roll call vote, and upon failure of a sufficient number in accordance with the Rules of the House, ruled that the request failed.

The motion was put by the Chair and carried, and H.B. No. 2540-84, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 42 ayes to 8 noes, with Representatives Anderson, Dang, Ikeda, Isbell, Jones, Marumoto, Medeiros and Rohlfing voting no, and Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2540-84 had passed Final Reading at 12:43 o'clock p.m.

By unanimous consent, H.B. No. 1726-84, HD 1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Kawakami, seconded by Representative Bunda and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1726-84, HD 1, and H.B. No. 1726-84, HD 1, SD 1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1726-84 had passed Final Reading at 12:45 o'clock p.m.

At 12:45 o'clock p.m., Representative Hirono asked for a recess and the Chair declared a recess, subject

to the call of the Chair.

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

By unanimous consent, H.B. No. 183, HD 2, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Hirono, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 183, HD 2, and H.B. No. 183, HD 2, SD 2, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 183 had passed Final Reading at 12:51 o'clock p.m.

#### RECONSIDERATION OF ACTION TAKEN

Representative Ige moved that the House reconsider its action taken in disagreeing to the amendments proposed by the Senate to H.B. No. 1794-84, HD 1, seconded by Representative Kiyabu and carried.

Representative Ige then gave notice of his intent to agree to the amendments proposed by the Senate to H.B. No. 1794-84, HD 1.

Representative Okamura then rose and requested waiver of the 48-hour notice for hearings on several resolutions and the Chair, "so ordered."

Representative Hee then rose and stated:

"Mr. Speaker and members of this House, by way of making an announcement to the members, now that the budget is well in process and hopefully will be decked on time.

Mr. Speaker, recently, there have been many questions regarding my status as a member of this House. By way of clarifying for the members of this honorable body and for the leadership, I would like to, at this time, with all sincerity, Mr. Speaker, say that while we are through the process of ending this, at times tumultuous session, how much it has been an honor for me, Mr. Speaker, to be working with this body. Mr. Speaker, as we look forward to the

closing of this session, as much as I plan to participate in the manner which will bring honor to the Ninth District which I am representing.

Recently, Mr. Speaker, many changes have come to my personal life, some of which I have shared with you. As you may know, Mr. Speaker and members of this House, that I am a native son of Kaneohe. And, Mr. Speaker, it is through this humble beginnings when Kaneohe was, as I knew it, a one horse town, that the opportunity to represent areas like old Kaneohe on Molokai presented itself.

Mr. Speaker, recently, my wife who I have introduced to this honorable body very proudly, has come upon the opportunity to once again return to Kailua to become a principal. This move for her, Mr. Speaker, is a professional move upward and, Mr. Speaker, along with that move, there have been many members of the community who have urged me to come home to Kaneohe.

Mr. Speaker and members of this House, I need to tell you that any such move would preclude my desire to represent the Ninth District in the best way possible. And at the same time, Mr. Speaker and members of this House, I would tell you now that ours is a team effort, that any decision on my part would preclude my wife's involvement and just as we have shared many times, Mr. Speaker, you and I both agree that it is the family, the ohana, which is most important. And as to that agreement and to that end, it is my wife who is number one with me, Mr. Speaker. It is my wife and this process.

Mr. Speaker and members of this House, as we close the session, I would like to announce my intentions to you and the members of this House to end the rumors which have been circulating about my involvement by saying, number one, I am here to serve the Ninth District; and to say number two, Mr. Speaker, at the proper time, I plan to announce my intentions to seek the Twenty-Third Senatorial seat.

Mr. Speaker and members of this House, I look forward to a closing session, a productive session, and a session which will bring honor to this body.

Thank you, Mr. Speaker and members of this House."

At this time, Representative Levin, on behalf of the members of the House, extended birthday greetings to Representative Hashimoto.

The Chair then stated:

"This body will stand in recess. The Journal will remain open for the purpose of receiving all Conference Committee Reports.

Again, all conferees are reminded to make themselves available for those meetings as well as signing those Conference Committee Reports."

At 1:00 o'clock p.m., the House of Representatives stood in recess for the purpose of receiving Conference Committee Reports.

#### CONFERENCE COMMITTEE REPORTS

Representatives Taniguchi and Wong, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2486-84, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 3-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Taniguchi and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2161-84, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 4-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 788, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 5-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1629-84, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 6-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Chun and Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the



Senate in H.B. No. 1729-84, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 7-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2142-84, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 8-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2163-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 9-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Chun and Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1932-84, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 10-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2308-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 11-84) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. Nos. 3-84 on H.B. No. 2486-84, HD 2, SD 1, CD 1; 4-84 on H.B. No. 2161-84, HD 2, SD 1, CD 1; 5-84 on H.B. No. 788, HD 1, SD 1, CD 1; 6-84 on H.B. No. 1629-84, HD 1, SD 2, CD 1; 7-84 on H.B. No. 1729-84, HD 1, SD 2, CD 1; 8-84 on H.B. No. 2142-84, HD 1, SD 2, CD 1; 9-84 on H.B. No. 2163-84, HD 1, SD 1, CD 1; 10-84 on H.B. No. 1932-84, HD 1, SD 2, CD 1; and 11-84 on H.B. No. 2308-84, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. Nos. 2486-84, HD 2, SD 1, CD 1; 2161-84, HD 2, SD 1, CD 1; 788, HD 1, SD 1, CD 1; 1629-84, HD 1, SD 2, CD 1; 1729-84, HD 1, SD 2, CD 1; 2142-84, HD 1, SD 2, CD 1; 2163-84, HD 1, SD 1,

CD 1; 1932-84, HD 1, SD 2, CD 1; and 2308-84, HD 1, SD 1, CD 1, were made available to the members of the House at 3:00 o'clock p.m.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1852-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 12-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1983-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 13-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1863-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 14-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2281-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 15-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1790-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 16-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2012-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 17-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Albano, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1311, HD 1, SD 1, presented a report (Conf. Com. Rep.

No. 18-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Taniguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the House in S.B. No. 300, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 19-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Say and Matsuura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the House in H.B. No. 2108-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 20-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Taniguchi and Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the House in H.B. No. 2337-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 21-84) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. Nos. 12-84 on H.B. No. 1852-84, HD 1, SD 1, CD 1; 13-84 on H.B. No. 1983-84, HD 1, SD 1, CD 1; 14-84 on H.B. No. 1863-84, HD 1, SD 1, CD 1; 15-84 on H.B. No. 2281-84, HD 1, SD 1, CD 1; 16-84 on H.B. No. 1790-84, HD 1, SD 1, CD 1; 17-84 on H.B. No. 2012-84, HD 1, SD 1, CD 1; 18-84 on H.B. No. 1311, HD 1, SD 1, CD 1; 19-84 on S.B. No. 300, SD 1, HD 1, CD 1; 20-84 on H.B. No. 2108-84, HD 1, SD 1, CD 1; and 21-84 on H.B. No. 2337-84, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. Nos. 1852-84, HD 1, SD 1, CD 1; 1983-84, HD 1, SD 1, CD 1; 1863-84, HD 1, SD 1, CD 1; 2281-84, HD 1, SD 1, CD 1; 1790-84, HD 1, SD 1, CD 1; 2012-84, HD 1, SD 1, CD 1; and 1311, HD 1, SD 1, CD 1; S.B. No. 300, SD 1, HD 1, CD 1; H.B. Nos. 2108-84, HD 1, SD 1, CD 1 and 2337-84, HD 1, SD 1, CD 1, were made available to the members of the House at 4:00 o'clock p.m.

Representatives Taniguchi and Say, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the

Senate in H.B. No. 1828-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 22-84) recommending to their respective Houses the final passage of the bill with certain recommendations.

Representative Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2224-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 23-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1989-84, SD 1, presented a report (Conf. Com. Rep. No. 24-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 538, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 25-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Nakasato and Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2275-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 26-84) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, further action on Conf. Com. Rep. Nos. 22-84 on H.B. No. 1828-84, HD 1, SD 1, CD 1; 23-84 on H.B. No. 2224-84, HD 1, SD 1, CD 1; 24-84 on H.B. No. 1989-84, SD 1, CD 1; 25-84 on H.B. No. 538, HD 1, SD 1, CD 1; and H.B. No. 2275-84, HD 1, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. Nos. 1828-84, HD 1, SD 1, CD 1; 2224-84, HD 1, SD 1, CD 1; 1989-84, SD 1, CD 1; 538, HD 1, SD 1, CD 1; and 2275-84, HD 1, SD 1, CD 1, were made available to the members of the House at 4:30 o'clock p.m.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in

S.B. No. 2087-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 27-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1872-84, HD 1, presented a report (Conf. Com. Rep. No. 28-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1740-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 29-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2073-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 30-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 29, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 31-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 26, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 32-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Taniguchi and Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2049-84, HD 1, presented a report (Conf. Com. Rep. No. 33-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Hayes and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments pro-

posed by the House in S.B. No. 2243-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 34-84) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. Nos. 27-84 on S.B. No. 2087-84, SD 1, HD 1, CD 1; 28-84 on S.B. No. 1872-84, HD 1, CD 1; 29-84 on S.B. No. 1740-84, SD 1, HD 1, CD 1; 30-84 on S.B. No. 2073-84, SD 1, HD 1, CD 1; 31-84 on S.B. No. 29, SD 1, HD 1, CD 1; 32-84 on S.B. No. 26, SD 1, HD 1, CD 1; 33-84 on S.B. No. 2049-84, HD 1, CD 1; and 34-84 on S.B. No. 2243-84, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. Nos. 2087-84, SD 1, HD 1, CD 1; 1872-84, HD 1, CD 1; 1740-84, SD 1, HD 1, CD 1; 2073-84, SD 1, HD 1, CD 1; 29, SD 1, HD 1, CD 1; 26, SD 1, HD 1, CD 1; 2049-84, HD 1, CD 1; and 2243-84, SD 1, HD 1, CD 1, were made available to the members of the House at 6:00 o'clock p.m.

Representative Andrews, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 177, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 35-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Okamura and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 267, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 36-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Andrews, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 271, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 37-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1220, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 38-84) recommending to their respective Houses the final passage of

the bill with certain amendments.

Representative Honda, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1450, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 39-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Hirono, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1796-84, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 40-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Hirono, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1799-84, SD 1, presented a report (Conf. Com. Rep. No. 41-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1821-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 42-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Hirono, Say and Andrews, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2597-84, SD 1, presented a report (Conf. Com. Rep. No. 43-84) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. Nos. 35-84 on H.B. No. 177, HD 1, SD 1, CD 1; 36-84 on H.B. No. 267, HD 2, SD 1, CD 1; 37-84 on H.B. No. 271, HD 1, SD 2, CD 1; 38-84 on S.B. No. 1220, HD 1, SD 1, CD 1; 40-84 on H.B. No. 1796-84, HD 2, SD 1, CD 1; 41-84 on H.B. No. 1799-84, SD 1, CD 1; 42-84 on H.B. No. 1821-84, HD 1, SD 1, CD 1; and H.B. No. 2597-84, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. Nos. 177, HD 1, SD 1, CD 1; 267, HD 2, SD 1, CD 1; and 271, HD 1, SD 2, CD 1; S.B. Nos. 1220, HD 1, SD 1,

CD 1; and 1450, SD 1, HD 1, CD 1; H.B. Nos. 1796-84, HD 2, SD 1, CD 1; 1799-84, SD 1, CD 1; 1821-84, HD 1, SD 1, CD 1; and 2597-84, SD 1, CD 1, were made available to the members of the House at 6:40 o'clock p.m.

Representative Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1933-84, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 44-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Stanley, Hirono and Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 328, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 45-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Chun, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2212-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 46-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Hirono and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2249-84, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 47-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2418-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 48-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Hagino and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2169-84, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 49-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Okamura and Stanley, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2075-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 50-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Shito and Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2028-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 51-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1784-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 52-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Shito and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1912-84, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 53-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Ige and Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1946-84, SD 2, presented a report (Conf. Com. Rep. No. 54-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1816-84, SD 1, presented a report (Conf. Com. Rep. No. 55-84) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. Nos. 44-84 on H.B. No. 1933-84, HD 2, SD 2, CD 1; 45-84 on S.B. No. 328, SD 1, HD 1, CD 1; 46-84 on S.B. No. 2212-84, SD 1, HD 1, CD 1; 47-84 on S.B. No. 2249-84, SD 2, HD 2, CD 1; 48-84 on H.B. No. 2418-84, HD 1,

SD 1, CD 1; 49-84 on H.B. No. 2169-84, HD 2, SD 2, CD 1; 50-84 on H.B. No. 2075-84, HD 1, SD 1, CD 1; 51-84 on H.B. No. 2028-84, HD 1, SD 1, CD 1; 52-84 on H.B. No. 1784-84, HD 1, SD 1, CD 1; 53-84 on H.B. No. 1912-84, HD 2, SD 1, CD 1; 54-84 on H.B. No. 1946-84, SD 2, CD 1; and 55-84 on H.B. No. 1816-84, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1933-84, HD 2, SD 2, CD 1; S.B. Nos. 328, SD 1, HD 1, CD 1; 2212-84, SD 1, HD 1, CD 1; and 2249-84, SD 2, HD 2, CD 1; H.B. Nos. 2418-84, HD 1, SD 1, CD 1; 2169-84, HD 2, SD 2, CD 1; 2075-84, HD 1, SD 1, CD 1; 2028-84, HD 1, SD 1, CD 1; 1784-84, HD 1, SD 1, CD 1; 1912-84, HD 2, SD 1, CD 1; 1946-84, SD 2, CD 1; and 1816-84, SD 1, CD 1, were made available to the members of the House at 7:30 o'clock p.m.

Representatives Chun and Stanley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 934, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 56-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Okamura and Bunda, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2203-84, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 57-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2026-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 58-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Taniguchi, Hashimoto and Ige, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1766-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 59-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Stanley and Crozier, for the Committee on Con-

ference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2006-84, SD 1, presented a report (Conf. Com. Rep. No. 60-84) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. Nos. 56-84 on S.B. No. 934, SD 1, HD 1, CD 1; 57-84 on H.B. No. 2203-84, HD 2, SD 1, CD 1; 58-84 on S.B. No. 2026-84, SD 1, HD 1, CD 1; 59-84 on S.B. No. 1766-84, SD 1, HD 1, CD 1; and 60-84 on S.B. No. 2006-84, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 934, SD 1, HD 1, CD 1; H.B. No. 2203-84, HD 2, SD 1, CD 1; S.B. Nos. 2026-84, SD 1, HD 1, CD 1; 1766-84, SD 1, HD 1, CD 1; and 2006-84, SD 1, CD 1, were made available to the members of the House at 8:45 o'clock p.m.

Representative Stanley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1729-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 61-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Chun and Stanley, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 761, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 62-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Ige and Hashimoto, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1575-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 63-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Ige, Chun and Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2257-84, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 64-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Say, Okamura and Andrews, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2184-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 65-84) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. Nos. 61-84 on S.B. No. 1729-84, SD 1, HD 1, CD 1; 62-84 on S.B. No. 761, HD 1, CD 1; 63-84 on S.B. No. 1575-84, SD 1, HD 1, CD 1; 64-84 on H.B. No. 2257-84, HD 2, SD 2, CD 1; and 65-84 on S.B. No. 2184-84, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. Nos. 1729-84, SD 1, HD 1, CD 1; 761, HD 1, CD 1; and 1575-84, SD 1, HD 1, CD 1; H.B. No. 2257-84, HD 2, SD 2, CD 1; and S.B. No. 2184-84, SD 1, HD 1, CD 1, were made available to the members of the House at 9:00 o'clock p.m.

Representatives Shito and Kawakami, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1744-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 66-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Taniguchi and Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2056-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 67-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1867-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 68-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Taniguchi and Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1693-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 69-84) recommending to their respective Houses



the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1815-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 70-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1745-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 71-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2085-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 72-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1694-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 73-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representative Shito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1702-84, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 74-84) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. Nos. 66-84 on S.B. No. 1744-84, SD 1, HD 1, CD 1; 67-84 on S.B. No. 2056-84, SD 1, HD 1, CD 1; 68-84 on S.B. No. 1867-84, SD 1, HD 1, CD 1; 69-84 on S.B. No. 1693-84, SD 1, HD 1, CD 1; 70-84 on S.B. No. 1815-84, SD 1, HD 1, CD 1; 70-84 on S.B. No. 1815-84, SD 1, HD 1, CD 1; 71-84 on S.B. No. 1745-84, SD 1, HD 1, CD 1; 72-84 on S.B. No. 2085-84, SD 1, HD 1, CD 1; 73-84 on S.B. No. 1694-84, SD 1, HD 1, CD 1; and 74-84 on S.B. No. 1702-84, SD 1, HD 1, CD 1, was deferred, and in accordance with Article III, Section

15, of the Constitution of the State of Hawaii, printed copies of S.B. Nos. 1744-84, SD 1, HD 1, CD 1; 2056-84, SD 1, HD 1, CD 1; 1867-84, SD 1, HD 1, CD 1; 1693-84, SD 1, HD 1, CD 1; 1815-84, SD 1, HD 1, CD 1; 1745-84, SD 1, HD 1, CD 1; 2085-84, SD 1, HD 1, CD 1; 1694-84, SD 1, HD 1, CD 1; and 1702-84, SD 1, HD 1, CD 1, were made available to the members of the House at 10:30 o'clock p.m.

Representatives Shito and Tungpalan, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2044-84, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 75-84) recommending to their respective Houses the final passage of the bill with certain amendments.

Representatives Hagino and Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1940-84, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 76-84) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. Nos. 75-84 on H.B. No. 2044-84, HD 1, SD 1, CD 1, and 76-84 on H.B. No. 1940-84, HD 2, SD 1, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. Nos. 2044-84, HD 1, SD 1, CD 1, and 1940-84, HD 2, SD 1, CD 1, were made available to the members of the House at 11:00 o'clock p.m.

Representatives Kiyabu and Albano, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1115, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 77-84) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 77-84 on S.B. No. 1115, SD 2, HD 2, CD 1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1115, SD 2, HD 2, CD 1, were made available to the members of the House at 11:15 o'clock p.m.

## GOVERNOR'S MESSAGE

A message from the Governor (Gov. Msg. No. 9) returning Senate Bill No. 20, SD 1, HD 2, as requested by the Senate and the House of Representatives, was read by the Clerk and placed on file.

## ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 17, 1984.

## FIFTY-EIGHTH DAY

Tuesday, April 17, 1984

The House of Representatives of the Twelfth Legislature of the State of Hawaii, Regular Session of 1984, convened at 11:38 o'clock a.m., with the Vice Speaker presiding.

The Divine Blessing was invoked by Reverend Christopher Eng representing Nuuanu Congregational Church, after which the Roll was called showing all members present with the exception of Representatives Baker, who was excused.

The Clerk proceeded to read the Journal of the House of Representatives of the Forty-Ninth and Fifty-First Days.

On motion by Representative Segawa, seconded by Representative Marumoto and carried, reading of the Journals was dispensed with and the Journals of the Forty-Ninth and Fifty-First Days were approved.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 415 to 458 and 465 to 467) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 415) advising the House of an error in the Senate communication dated April 10, 1984, on page 5 thereof, with reference to House Bill No. 2108-84, HD1, SD1, the name of Senator Machida should be deleted and replaced by the name of Senator Hagino, was placed on file.

A communication from the Senate (Sen. Com. No. 416) informing the House that the Senate had reconsidered its action taken on April 5, 1984, and that the amendments proposed by the House to Senate Bill No. 423, SD2, (HD1) were agreed to by the Senate on April 16, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 417) informing the House that the Senate had reconsidered its action taken on April 5, 1984, and that the amendments proposed by the House to Senate

Bill No. 1516-84 (HD1) were agreed to by the Senate on April 16, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 418) informing the House that the Senate had reconsidered its action taken on April 5, 1984, and that the amendments proposed by the House to Senate Bill No. 1835-84, SD1, (HD1), were agreed to by the Senate on April 16, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 419) transmitting Senate Concurrent Resolution No. 49, SD1, requesting the Department of Taxation to investigate the alleged nonpayment of the general excise tax by mainland contractors performing public works on military bases in Hawaii, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 420) transmitting Senate Concurrent Resolution No. 64, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 421) transmitting Senate Concurrent Resolution No. 72, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 422) transmitting Senate Concurrent Resolution No. 74, SD1, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 423) returning House Concurrent Resolution No. 49, HD1, which was adopted in the Senate on April 16, 1984, in an amended form, (SD1) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate

(Sen. Com. No. 424) returning House Concurrent Resolution No. 51, HD1, which was adopted in the Senate on April 16, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 425) returning House Bill No. 1466 entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF WAGES TO RELATIVES OF DECEASED EMPLOYEES", which passed Third Reading in the Senate on April 16, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 426) returning House Bill No. 1678-84 entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS", which passed Third Reading in the Senate on April 16, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 427) returning House Bill No. 1851-84, HD1 entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", which passed Third Reading in the Senate on April 16, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 428) returning House Concurrent Resolution No. 17 requesting the expediting of customs and immigration processing for foreign visitors to Hawaii, which was adopted by the Senate on April 16, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 429) returning House Concurrent Resolution No. 19, HD1, which was adopted in the Senate on April 16, 1984, in an amended form, (SD2) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 430) returning House Concurrent Resolution No. 20, HD1, which was adopted in the Senate on April 16, 1984, in an amended form, (SD2) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 431) returning House Concurrent Resolution No. 21, HD1, which was adopted in the Senate on April 16, 1984, in an amended form,

(SD2) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 432) returning House Concurrent Resolution No. 22, HD1, which was adopted in the Senate on April 16, 1984, in an amended form, (SD1) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 433) returning House Concurrent Resolution No. 23, HD1, which was adopted in the Senate on April 16, 1984, in an amended form, (SD2) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 434) returning House Concurrent Resolution No. 24, HD1, which was adopted in the Senate on April 16, 1984, in an amended form, (SD1) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 435) returning House Concurrent Resolution No. 25, HD1, which was adopted in the Senate on April 16, 1984, in an amended form, (SD2) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 436) returning House Concurrent Resolution No. 26, HD1, which was adopted in the Senate on April 16, 1984, in an amended form, (SD2) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 437) returning House Concurrent Resolution No. 27, HD1, which was adopted in the Senate on April 16, 1984, in an amended form, (SD1) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 438) returning House Concurrent Resolution No. 28, HD1, which was adopted in the Senate on April 16, 1984, in an amended form, (SD2) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 439) returning House Concurrent Resolution No. 29, HD1, which was adopted in the Senate on April 16, 1984, in an amended form, (SD2) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 440) returning House Concurrent Resolution No. 30, HD1, which was adopted in the Senate on April 16, 1984, in an amended form, (SD2) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 441) returning House Concurrent Resolution No. 35, HD1, which was adopted in the Senate on April 16, 1984, in an amended form, (SD1) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 442) transmitting Senate Concurrent Resolution No. 14, SD1, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 443) transmitting Senate Concurrent Resolution No. 37, SD1, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 444) transmitting Senate Concurrent Resolution No. 53, SD1, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 444) transmitting Senate Concurrent Resolution No. 53, SD1, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was

deferred.

A communication from the Senate (Sen. Com. No. 445) transmitting Senate Concurrent Resolution No. 59, SD1, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 446) transmitting Senate Concurrent Resolution No. 62, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 447) transmitting Senate Concurrent Resolution No. 76, SD1, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 448) transmitting Senate Concurrent Resolution No. 84, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 449) transmitting Senate Concurrent Resolution No. 92, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 450) transmitting Senate Concurrent Resolution No. 94, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 451) transmitting Senate Concurrent Resolution No. 95, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 452) transmitting Senate Concurrent Resolution No. 96, HD1, which was adopted by the

Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 453) transmitting Senate Concurrent Resolution No. 97, SD1, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 454) transmitting Senate Concurrent Resolution No. 100, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 455) transmitting Senate Concurrent Resolution No. 106, SD1, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 456) transmitting Senate Concurrent Resolution No. 114, SD1, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 457) transmitting Senate Concurrent Resolution No. 117, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 458) transmitting Senate Concurrent Resolution No. 135, which was adopted by the Senate on April 16, 1984, was placed on file.

By unanimous consent, action was deferred.

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

Representative Stanley introduced students from the fourth, fifth and sixth grades at Kaahumanu School who were accompanied by their

teacher, Mrs. Blanche Tanabe.

Representative Stanley introduced the senior government class at St. Andrew's Priory who were accompanied by their teacher, Mrs. Pat Black. Among these students was Lisa Cushing, one of Representative Stanley's student interns.

Representative Dang introduced 36 seniors from Our Redeemer Lutheran School who were accompanied by their teacher, Mrs. Lee Barton and their principal, Mr. Joseph Mannion.

At 11:45 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

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

#### ORDER OF THE DAY

##### COMMITTEE REASSIGNMENTS

The following resolutions were disposed of as follows:

##### H.R. Nos.      Re-referred to:

320      Higher Education and the Arts

##### S.C.R. Nos.

49      Committee on Finance

64      Committee on Water, Land Use, Development and Hawaiian Affairs, then to the Committee on Finance

72      Committee on Public Employment and Government Operations, then to the Committee on Finance

73      Committee on Employment Opportunities and Labor Relations

74      Committee on Housing, then to the Committee on Finance

#### SUSPENSION OF RULES

On motion by Representative Segawa, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of considering certain resolutions out of order.

#### INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 413 to 416) were read by the



Clerk and were disposed of as follows:

A resolution (H.R. No. 413) congratulating Hawaii's professional nurses on their National Recognition Day and recognizing Nurses Week in Hawaii was jointly offered by Representatives Chun, Albano, Anderson, Andrews, Apo, Baker, Blair, Bunda, Crozier, Dang, Gaulty, Hashimoto, Hayes, Hee, Hirono, Honda, Ige, Ikeda, Isbell, Jones, Kawakami, Kiyabu, Kiyabu-Saballa, Lardizabal, Leong, Levin, Marumoto, Medeiros, Menor, Morgado, Nakata, Okamura, Rohlfing, Say, Segawa, Shito, Souki, Stanley, Takamine, Tam, Taniguchi, Tom, Tungpalan, Wong, Yoshimura and Peters.

On motion by Representative Chun, seconded by Representative Hirono and carried, H.R. No. 413 was adopted.

"Mr. Speaker, it gives me great pleasure to bring to this body, again, a group of nurses and to remind you all that 'a nurse is a nurse is a nurse'."

Representative Chun then proceeded to introduce the following honorees:

Dr. Jean Lum, Dean of the University of Hawaii School of Nursing; Rosie Chang, President of the Hawaii Nurses Association; Marion Poirier, Executive Director of the Hawaii Nurses Association; LoRaine Carlson, President-Elect of the Hawaii Nursing Association; Dr. Hessel Flitter, Director of Nursing and Health Care Studies at Hawaii Loa College; Sallie Hamada, Nurse Coordinator of the Department of Health; and Adele Mitchell, Vice Chairman of the Board of Nursing.

Representative Chun then introduced a group of nurses in the gallery who had just completed touring the Capitol.

Representatives Segawa, Kiyabu, Blair, Hee, Tungpalan, Gaulty, Morgado, Yoshimura and Chun then presented leis and certified copies of the resolution to the honorees.

A resolution (H.R. No. 414) congratulating Alan Lui for being one the most outstanding high school student leaders in the State of Hawaii and honoring him for his extraordinary achievements at Aiea High School was jointly offered by Representatives Okamura, Hashimoto and Morgado.

On motion by Representative

Okamura, seconded by Representative Hashimoto and carried, H.R. No. 414 was adopted.

Representative Okamura rose and stated:

"Mr. Speaker and members of this honorable body, it is a real pleasure and honor for me to introduce an outstanding young man who truly makes a difference in people's lives. His contributions, thus far, in his young life is already more than what most individuals achieve in their lifetime.

"Alan served as a positive role model for others, young and old, to follow. His actions are always benefiting his fellow man. In addition, he is an honest, intelligent, hard working and very personable young man. In this day and age, when we hear of problems with drug and alcohol abuse, low achievement scores, violence and vandalism, and more and more of our top students electing to attend private schools, it is indeed refreshing to know that we have outstanding students, like Alan, who bring honor and restore our confidence in our public school system."

Representative Okamura then introduced Mr. Alan Lui, and his parents, Mr. and Mrs. Ed Lui, to the members of the House.

Representatives Hashimoto, Morgado and Kiyabu-Saballa presented leis to the honoree and his parents, and Representative Okamura presented the certified copy of the resolution.

Representative Okamura then added in closing:

"All of the achievements named in this resolution are only part of Alan's remarkable career, and I have no doubt that Alan will one day, be more than likely sitting here in this chamber as one of the future great leaders of Hawaii."

A resolution (H.R. No. 415) recognizing the achievements of and congratulating the Historic Hawai'i Foundation on its tenth anniversary was jointly offered by Representatives Marumoto, Say, Albano, Anderson, Andrews, Apo, Bunda, Chun, Crozier, Dang, Gaulty, Hashimoto, Hayes, Hee, Hirono, Honda, Ige, Ikeda, Isbell, Jones, Kawakami, Kim, Kiyabu, Kiyabu-Saballa, Lardizabal, Leong, Levin, Menor, Morgado, Nakasato, Nakata, Okamura, Segawa, Shito, Souki, Takamine, Tam,

Taniguchi, Tom, Wong, and Yoshimura.

On motion by Representative Marumoto, seconded by Representative Say and carried, H.R. No. 415 was adopted.

Representative Marumoto rose and stated:

"It is my distinct honor this morning to introduce two people to whom I have the highest regard. Phyllis Fox is the Director of the Historic Hawai'i Foundation and she has worked very hard, steadily forward for the preservation in Hawaii. She has organized; she has fund raised; she has met; she has taught; she has charmed.

"As for Mr. Richard A. Coons, the head of the firm of Touche Ross, I can say no less. As the outgoing president of Historic Hawai'i, he has devoted many hours, days, years, to the 'cause'. His leadership has propelled the organization into a strong, viable, influential force for preservation in Hawaii."

Representative Marumoto then introduced Ms. Phyllis Fox and Mr. Richard Coons to the members of the House.

Representatives Marumoto and Kawakami presented to the leis to the honorees and Representatives Hagino and Say presented certified copies of the resolution.

A resolution (H.R. No. 416) honoring Dr. Robert Kiste for his outstanding effort in strengthening the Pacific Island studies program and for his significant contribution to furthering a knowledge and understanding of it South Pacific region was jointly offered by Representative Rohlfing and Apo.

On motion by Representative Rohlfing, seconded by Representative Apo and carried, H.R. No. 416 was adopted.

Representative Rohlfing rose and stated:

"Mr. Speaker, it is an honor and privilege for me, today, to have sponsored the resolution adopted by this honorable body. I think the resolution largely speaks for itself in terms of Mr. Kiste's record and performance in the University of Hawaii and his role in working with Pacific region generally.

"I think that it's appropriate that today is April 17, also, and that some of us are quite aware that there's a celebration going on down south of here in Pago Pago with Flag Day, so there is a connection between today and the affairs of the Pacific.

"I think it's appropriate for us to recognize the work of our people in the academic world as it relates to this particular area as well as the others who work in the business world in the area. And so it is with a great deal of respect that I have for Dr. Kiste that I introduce to you, Mr. Speaker and members of this body, Dr. Robert Kiste and his wife."

Representatives Isbell and Blair presented leis to the honoree and his wife, and Representative Anderson presented the certified copy of the resolution.

Representative Rohlfing then introduced Karen Knutsen with the Pacific and Asian Affairs Council; Cheryl Nakahara and Judy Hemlet, who were seated in the gallery.

Representative Hee rose and stated:

"Mr. Speaker and members of this House, I had the distinct pleasure of working with Dr. Kiste. I don't know that he remembers me, but in 1978 when I received my master's degree in the Pacific Islands studies program. He had just come on board and one of his first duties was to sign a diploma that he knew nothing about, I guess. But through Dr. Kiste and the Pacific Islands program at the University of Hawaii, I had the honor and pleasure of having the opportunity to teach at Majuro in the Micronesian and Truk territories of the Pacific, as well as to study abroad in Tahiti and to take some trips to Samoa, Western and American Samoa. And it is a small way that I can repay the Pacific Islands program, which is a small program at the University of Hawaii, and certainly a program, if there's any place that there needs to be one, is in the center of the Pacific, and it is with my encouragement and support for that program, having gone through that program-  
having earned my master's degree."

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

The House of Representatives reconvened at 12:22 o'clock p.m.

## SUSPENSION OF RULES

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

## UNFINISHED BUSINESS

Conf. Com. Rep. No. 2-84 on H.B. No. 2402-84, SD1, SD1 on Final Reading:

By unanimous consent, action was deferred until Wednesday, April 18, 1984.

## STANDING COMMITTEE REPORTS

Representative Hagino, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 863-84) recommending that H.R. No. 169, as amended in HD1, be referred to the Committee on Legislative Management.

On motion by Representative Hagino, seconded by Representative Apo and carried, the report of the Committee was adopted and H.R. No. 169, HD1 entitled: "HOUSE RESOLUTION URGING A STUDY AND EVALUATION OF THE JOHN A. BURNS SCHOOL OF MEDICINE AND THE WILLIAM S. RICHARDSON SCHOOL OF LAW BY THE HOUSE OF REPRESENTATIVES' COMMITTEE ON HIGHER EDUCATION AND THE ARTS", was referred to the Committee on Legislative Management.

Representative Takamine, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 864-84) recommending that H.R. No. 28, as amended in HD1, be adopted.

On motion by Representative Takamine, seconded by Representative Nakata and carried, the report of the Committee was adopted and H.R. No. 28, HD1 entitled: "HOUSE RESOLUTION REQUESTING A REVIEW ON AGRICULTURAL LEASES", was adopted.

Representative Matsuura, for the Committee on Ocean and Marine Resources, presented a report (Stand. Com. Rep. No. 865-84) recommending that H.C.R. No. 150 be adopted.

On motion by Representative Matsuura, seconded by Representative Souki and carried, the report of the

Committee was adopted and H.C.R. No. 150 entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE DAY OF APRIL 18, 1984 AS "HAWAIIAN OCEAN DAY", was adopted.

Representative Say, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 866-84) recommending that H.R. No. 364, as amended in HD1, be adopted.

On motion by Representative Apo, seconded by Representative Matsuura and carried, the report of the Committee was adopted and H.R. No. 364, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION TO ASSIST ONGOING HIGH TECHNOLOGY DEVELOPMENTS, TO IDENTIFY HIGH TECHNOLOGY DEVELOPMENTS, TO IDENTIFY HIGH TECHNOLOGY DEVELOPMENT SITES ON A STATEWIDE BASIS, AND TO STREAMLINE PERMIT PROCEDURES AND RECOMMEND INCENTIVES FOR HIGH TECHNOLOGY DEVELOPMENTS", was adopted.

Representative Say, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 867-84) recommending that H.C.R. No. 138, as amended in HD1, be adopted.

On motion by Representative Apo, seconded by Representative Matsuura and carried, the report of the Committee was adopted and H.C.R. No. 138, HD1 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION TO ASSIST ONGOING HIGH TECHNOLOGY DEVELOPMENTS, TO IDENTIFY HIGH TECHNOLOGY DEVELOPMENT SITES ON A STATEWIDE BASIS, AND TO STREAMLINE PERMIT PROCEDURES AND RECOMMEND INCENTIVES FOR HIGH TECHNOLOGY DEVELOPMENTS", was adopted.

Representative Say, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 868-84) recommending that H.R. No. 353, as amended in HD1, be adopted.

On motion by Representative Apo, seconded by Representative Matsuura and carried, the report of the Committee was adopted and H.R. No. 353, HD1 entitled: "HOUSE RESOLUTION URGING THE UNITED STATES COMMITTEE ON ENERGY

AND NATURAL RESOURCES AND THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS OF THE UNITED STATES HOUSE TO FORMALLY REJECT ENUMERATED SECTION OF THE FINAL REPORT OF THE NATIVE HAWAIIANS STUDY COMMISSION, VOLUME 1", was adopted.

Representative Say, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 869-84) recommending that H.C.R. No. 132, as amended in HD1, be adopted.

On motion by Representative Apo, seconded by Representative Matsuura and carried, the report of the Committee was adopted and H.C.R. No. 132, HD1 entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES AND THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS OF THE UNITED STATES HOUSE TO FORMALLY REJECT ENUMERATED SECTIONS OF THE FINAL REPORT OF THE NATIVE HAWAIIANS STUDY COMMISSION", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 870-84) recommending that H.C.R. No. 78 be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.C.R. No. 78 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF ESTABLISHING A STATE ENVIRONMENTAL PROTECTION AGENCY, DEPARTMENT, OR COMPARABLE BODY TO COORDINATE AND ADDRESS MATTERS OF ENVIRONMENTAL QUALITY", was adopted.

Representative Say, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 871-84) recommending that H.R. No. 322, as amended in HD1, be referred to the Committee on Legislative Management.

On motion by Representative Say, seconded by Representative Matsuura and carried, the report of the Committee was adopted and H.R. No. 322, HD1 entitled: "HOUSE RESOLUTION ESTABLISHING AN INTERIM SUB-COMMITTEE TO STUDY AND RECOMMEND LEGISLATION TO IMPLEMENT THE PROVISIONS OF ARTICLE XII, SECTION 7 OF THE HAWAII STATE

CONSTITUTION RELATING TO TRADITIONAL AND CUSTOMARY RIGHTS OF NATIVE HAWAIIANS", was referred to the Committee on Legislative Management.

Representative Say, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 872-84) recommending that S.C.R. No. 31, SD1, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Matsuura and carried, the report of the Committee was adopted and S.C.R. No. 31, SD1, HD1 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT OF WATER HAZARD WARNING MEASURES AT STATE AND COUNTY BEACH PARKS", was referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 873-84) recommending that H.R. No. 350, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Hashimoto, seconded by Representative Hee and carried, the report of the Committee was adopted and H.R. No. 350, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT ON THE EDUCATIONAL ASSISTANTS' TRAINING NEEDS SURVEY", was referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 874-84) recommending that H.R. No. 378, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Hashimoto, seconded by Representative Hee and carried, the report of the Committee was adopted and H.R. No. 378, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INVESTIGATE SPECIAL EDUCATION TEACHER CONCERNS", was referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 875-84) recommending that H.R. No. 241 be referred to the Committee on Finance.

On motion by Representative

Hashimoto, seconded by Representative Hee and carried, the report of the Committee was adopted and H.R. No. 241 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A STUDY ON SCHOOL EXHIBITING A HIGH TEACHER-TURNOVER RATE AND THE IMPACT ON STUDENT PERFORMANCE", was referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 876-84) recommending that H.R. No. 341 be referred to the Committee on Finance.

On motion by Representative Hashimoto, seconded by Representative Hee and carried, the report of the Committee was adopted and H.R. No. 341 entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF EFFICIENT ALTERNATIVES AND THE COSTS INCIDENT TO RESOLVING THE SCHOOL ATTENDANCE PROBLEM IN THE STATE OF HAWAII", was referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 877-84) recommending that H.R. No. 390 be referred to the Committee on Finance.

On motion by Representative Hashimoto, seconded by Representative Hee and carried, the report of the Committee was adopted and H.R. No. 390 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO RECOMMEND POSSIBLE ALTERNATIVE STRATEGIES FOR IMPLEMENTING THE GOALS OF THE HAWAIIAN STUDIES PROGRAM", was referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 878-84) recommending that H.R. No. 349 be referred to the Committee on Finance.

On motion by Representative Hashimoto, seconded by Representative Hee and carried, the report of the Committee was adopted and H.R. No. 349 entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND REPRESENTATIVES OF THE APPROPRIATE LEAGUES AND THE TEACHERS' UNION TO DEVELOP AN ADEQUATE COMPENSATION SCHEDULE FOR COACHES", was referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 879-84) recommending that H.R. No. 194 be referred to the Committee on Finance.

On motion by Representative Hashimoto, seconded by Representative Hee and carried, the report of the Committee was adopted and H.R. No. 194 entitled: "HOUSE RESOLUTION REQUESTING A REEVALUATION OF DEPARTMENT OF EDUCATION'S REDISTRICTING PLAN AND FEASIBILITY STUDY ON THE ESTABLISHMENT OF A NEW ELEMENTARY SCHOOL IN THE WAIANAE SCHOOL COMPLEX", was referred to the Committee on Finance.

Representatives Hashimoto and Baker, for the Committees on Education and Health, presented a joint report (Stand. Com. Rep. No. 880-84) recommending that H.R. No. 396, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Hashimoto, seconded by Representative Chun and carried, the joint report of the Committees was adopted and H.R. No. 396, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY AND MAKE RECOMMENDATIONS ON THE TRANSFERENCE OF ALL SCHOOL HEALTH SERVICES RELATED ACTIVITIES FROM THE DEPARTMENT OF HEALTH TO THE DEPARTMENT OF EDUCATION", was referred to the Committee on Finance.

Representatives Hashimoto and Baker, for the Committees on Education and Health, presented a joint report (Stand. Com. Rep. No. 881-84) recommending that H.R. No. 395 be referred to the Committee on Finance.

On motion by Representative Hashimoto, seconded by Representative Chun and carried, the report of the Committee was adopted and H.R. No. 395 entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO COOPERATE AND COORDINATE IN A STUDY ON THE FEASIBILITY OF ESTABLISHING INTERMEDIATE NURSING FACILITIES FOR THE CARE OF SEVERELY MULTIPLY HANDICAPPED CHILDREN", was referred to the Committee on Finance.

Representatives Say and Hirono, for the Committees on Water, Land Use,

Development and Hawaiian Affairs; and Housing, presented a joint report (Stand. Com. Rep. No. 882-84) recommending that H.R. No. 141, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Tam, seconded by Representative Hirono and carried, the joint report of the Committees was adopted and H.R. No. 141, HD1 entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF THE USE OF LAND READJUSTMENT SYSTEM FOR THE REDEVELOPMENT AND REVITALIZATION OF CERTAIN OLDER COMMUNITIES", was referred to the Committee on Finance.

Representatives Say and Nakasato, for the Committees on Water, Land Use, Development and Hawaiian Affairs; and Tourism, presented a joint report (Stand. Com. Rep. No. 883-84) recommending that S.C.R. No. 39, SD1, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Say, seconded by Representative Nakasato and carried, the joint report of the Committees was adopted and S.C.R. No. 39, SD1, HD1 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STATUS REPORT ON THE BIG ISLAND OCEAN RECREATION AND TOURISM PROJECT", was referred to the Committee on Finance.

Representatives Shito and Baker, for the Committees on Consumer Protection and Commerce; and Health, presented a joint report (Stand. Com. Rep. No. 884-84) recommending that H.R. No. 339, as amended in HD1, be referred to the Committee on Finance.

On motion by Representative Shito, seconded by Representative Chun and carried, the joint report of the Committees was adopted and H.R. No. 339, HD1 entitled: "HOUSE RESOLUTION CONCERNING THE SAFETY OF PATIENTS OF IMPAIRED PHYSICIANS LICENSED BY THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS", was referred to the Committee on Finance.

At 12:29 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

At this time, the Speaker assumed the rostrum.

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

By unanimous consent, H.B. Nos. 2032-84, HD1, SD1; 2333-84, HD1, SD1 and 2340-84, HD1, SD1, were taken from the Clerk's desk.

On motion by Representative Stanley, seconded by Representative Tom and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2032-84, HD1, and H.B. No. 2032-84, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2032-84 had passed Final Reading at 12:35 o'clock p.m.

On motion by Representative Stanley, seconded by Representative Tom and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2333-84, HD1, and H.B. No. 2333-84, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Representative Stanley then noted that H.B. No. 2333-84 was introduced and sponsored in behalf of the Prosecutor of the City and County of Honolulu.

The Chair directed the Clerk to note that H.B. No. 2333-84 had passed Final Reading at 12:36 o'clock p.m.

On motion by Representative Stanley, seconded by Representative Tom and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2340-84, HD1, and H.B. No. 2340-84, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Representative Stanley then noted that H.B. No. 2340-84 was introduced and sponsored in behalf of the Prosecutor of the City and County of Honolulu.

The Chair directed the Clerk to note that H.B. No. 2340-84 had passed Final Reading at 12:37 o'clock p.m.

By unanimous consent, H.B. Nos.



1549-84, HD1, SD1; and 1811-84, SD1 were taken from the Clerk's desk.

On motion by Representative Hagino, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1549-84, HD1, and H.B. No. 1549-84, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

On motion by Representative Hagino, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1811-84, HD1, and H.B. No. 1811-84, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 1549-84 and 1811-84 had passed Final Reading at 12:38 o'clock p.m.

#### SUSPENSION OF RULES

On motion by Representative Segawa, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action previously taken.

#### RECONSIDERATION OF ACTION TAKEN

Representative Takamine moved that the House reconsider its action taken on April 5, 1984, in disagreeing to the amendments proposed by the Senate to H.B. No. 1905-84, HD1, seconded by Representative Kiyabu and carried.

Representative Takamine then gave notice of his intent to agree to the amendments proposed by the Senate to H.B. No. 1905-84, HD1.

By unanimous consent, H.B. Nos. 1785-84, HD1, SD1; 1878-84, SD1; 1880-84, HD1, SD1; 1882-84, HD1, SD1; 2016-84, HD1, SD1; and 2196-84, HD1, SD1 were taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Kim and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1785-84, HD1, and H.B. No. 1785-84, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with

Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1785-84 had passed Final Reading at 12:42 o'clock p.m.

At 12:42 o'clock p.m., at the request of Representative Shito, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:43 o'clock p.m.

On motion by Representative Shito, seconded by Representative Kim and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1878-84, and H.B. No. 1878-84, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1878-84 had passed Final Reading at 12:43 o'clock p.m.

On motion by Representative Shito, seconded by Representative Kim and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1880-84, HD1, and H.B. No. 1880-84, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

On motion by Representative Shito, seconded by Representative Kim and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1882-84, HD1, and H.B. No. 1882-84, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 1880-84 and 1882-84 had passed Final Reading at 12:44 o'clock p.m.

Representative Shito moved that the House agree to the amendments proposed by the Senate to H.B. No. 2016-84, HD1, and H.B. No. 2016-84, HD1, SD1, having been read throughout, pass Final Reading, seconded by Representative Kim.

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

"Mr. Speaker, first of all, I would like to point out that Chapter 671 of the Hawaii Revised Statutes, Part III, which is being repealed by this

measure, came into being in response to the concerns of those who now ask for its repeal.

"Mr. Speaker, the patient's compensation fund was established in 1976 in response to a crisis. Across the nation, an increase in large court judgments against doctors resulted in a doubling and tripling of malpractice insurance rates. Some insurance companies threatened to end coverage if those premium increases were not approved by the state. Hawaii was not immune to the impending crisis; Hawaii's only medical malpractice insurance carrier (Argonaut Insurance Company) was threatening to discontinue coverage. This would have left Hawaii's medical profession without any protection.

"In response to this crisis, the 1975 Legislature passed what became Act 161, the 'Hawaii Medical Malpractice Underwriting Plan.' This 'contingency plan' would have gone into effect if no medical malpractice insurance was available.

"During the interim of that year, the state administration established a task force on medical malpractice insurance. This task force consisted of representatives from the medical, legal and insurance companies, union representatives and health consumers. The task force developed a consensus bill, which provided an integrated approach to compensate the injured and stabilize the cost of insurance premiums. It must be pointed out that the medical professions' involvement and input was considerable.

"Mr. Speaker, many of us may remember that Act 219 of the 1976 Legislative Session was a major undertaking. In speaking for its passage, the CPC Chairman said: ' . . . it's part of a doctor's duty to his patients, not only to provide good medical treatment, but, also to assure his patient that should there be non-intentional tort committed on the patient, that such patient can be adequately compensated.'

"However, Mr. Speaker, there were those who also realized that Act 219 was not the final answer to the medical malpractice issue. One member's remarks are particularly striking. He stated: 'No bill is designed to be inflexible and we must remember this, so that we will be able to change it according to society's needs . . . This is not the end of a solution to the problem . . .'

"Then in 1977, the Legislature made substantive amendments to Act 219 removed the requirement of basic coverage to practice; the patient's compensation fund no longer was the exclusive agency for providing excess coverage; the fund merely offered excess coverage; membership in the fund became strictly voluntary, and the fund freed basic carriers by becoming liable for the entire amount of damages (up to statutory maximum) of any claim instituted more than six years after the occurrence of medical tort.

"In his remarks on the bill, the CPC Chairman noted, and I quote, 'These changes came about from the input of the Act 219 Committee of the Hawaii Medical Association. And following the recommendations to the malpractice act we passed last year. Such being the case, Mr. Speaker, I urge all the members to vote for this amendment, which reflects the input of the doctors who are affected by this law.'

"Mr. Speaker, since 1977, Act 219 has remained virtually intact. A 1982 Star-Bulletin editorial's assessment of the state's program on medical malpractice noted that the law has served its purpose in making insurance more readily available and in stabilizing rates. It also noted that rates had even been reduced since the passage of the law.

"These changes were attributed to the medical claims conciliation panel which settled many cases out of court as well as the patients compensation fund which handled the largest judgments. The editorial concluded with this statement: "Overall the state program on medical malpractice insurance seems to be doing the job . . .

"Mr. Speaker, what a difference two years make. Due in part to the changes made in 1977, the patients' compensation fund now has \$1.5 million in assets and \$7 million in pending claims. There is no doubt that immediate action is needed to avoid a catastrophe. The Department of Commerce and Consumer Affairs proposal, which was reflected in the house version of this bill, was a comprehensive package of medical malpractice reform which would have strengthened the patients' compensation fund.

"However, Mr. Speaker, the medical profession's input, which has been so valuable to us in the past, has been

almost unanimous on this issue. Repeal the patient's compensation fund!

"Mr. Speaker, I would like to call this body's attention to a statement in the Senate Committee Report: 'Inasmuch as the unified testimony of the medical profession in opposition to the continuation of the patients' compensation fund contributed materially to the decision to terminate the fund, your committees assert that any future efforts of the medical profession to seek reinstitution of the fund will be evaluated with this factor in mind.'

"Mr. Speaker, I hope that future legislators will keep this statement in mind when history repeats itself because I believe it will. I hope that they will note that we had a choice. We could have worked to improve the law, we could have made it workable. But the medical profession asked us not to. When problems again begin to surface and when another crisis begins to manifest itself, you can be sure that they will be back here for relief.

"Thank you, Mr. Speaker."

Representative Shito rose and requested that his remarks in favor of H.B. No. 2016-84, HD1, SD1, be inserted in the Journal, and the Chair noting that there were no objections, "so ordered."

The remarks of Representative Shito are as follows:

"Mr. Speaker, I rise to speak in favor of H.B. No. 2016-84, HD1, SD1. This bill repeals the patient compensation fund which was established in 1976.

"Initially, the House position required mandatory participation of all doctors in the medical procession, mandatory exclusive participation in the patient fund, insurance medical tort reform and a limitation on the amount of fee an attorney can charge the claimant.

"Many months were spent with all parties involved, prior to making this decision to accept this repeal of the patient compensation fund. The problems of the patent compensation fund were numerous. The most important involved the question of insolvency and a means to preserve the patient compensation fund. It became evident, however, that the fund would be insolvent as a result of the claims that have arisen.

"Therefore, in order for the fund to become solvent, it became very evident that voluntary participation could not continue! The only viable solution was to make the patient compensation fund mandatory and to require mandatory participation by all medical doctors and hospitals.

"Mr. Speaker, during the process of the deliberation with the parties concerned, the position of the parties became unresolvable. Physicians were against mandatory participation and the plaintiff attorneys were against medical tort reform and a limitation on the amount of fees to be assessed. Conversely, the hospital and insurance companies favored mandatory participation. Thus, the position of the House was either that the patient compensation fund require mandatory participation or be repealed.

"As we repeal this act today, I am saddened by the reluctance of the concerned parties to reach an amicable agreement. For in the long run, the people who will suffer the most will be those victims of extreme medical malpractice. For this reason, I want to make it explicitly clear to all parties involved, especially to the opponents of mandatory participation, let the record show, Mr. Speaker, that it'll be my recommendation that it be the legislature's position to never reconsider the position we have taken today."

The motion was put by the Chair and carried, and H.B. No. 2016-84, HD1, SD1, passed Final Reading by a vote of 49 ayes, with Representative Rohlfing voting no and Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2016-84 had passed Final Reading at 12:52 o'clock p.m.

On motion by Representative Shito, seconded by Representative Kim and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2196-84, HD1, and H.B. No. 2196-84, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2196-84 had passed Final Reading at 12:53 o'clock p.m.

#### RECONSIDERATION OF ACTION TAKEN

Representative Shito moved that the

House reconsider its action taken on April 5, 1984, in disagreeing to the amendments proposed by the Senate to H.B. Nos. 1815-84, and 2054-84, HD1, seconded by Representative Kim and carried.

Representative Shito then gave notice of his intent to agree to the amendments proposed by the Senate to H.B. No. 1815-84, SD1 and 2054-84, HD1.

Representative Andrews moved that the House reconsider its action taken in disagreeing to the amendments proposed by the Senate to H.C.R. Nos. 21, HD1; 22, HD1; 23, HD1; 24, HD1; 25, HD1; 27, HD1; 28, HD1; 29, HD1; and 30, HD1, seconded by Representative Kiyabu and carried.

At 12:52 o'clock p.m., at the request of Representative Marumoto, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:59 o'clock p.m.

Representative Andrews then gave notice of his intent to agree to the amendments proposed by the Senate to H.C.R. Nos. 21, HD1; 22, HD1; 23, HD1; 24, HD1; 25, HD1; 27, HD1; 28, HD1; 29, HD1; and 30, HD1.

By unanimous consent, H.C.R. Nos. 19, HD1; 20, HD1; 26, HD1, as amended by the Senate, was taken from the Clerk's desk.

On motion by Representative Andrews, seconded by Representative Takamine and carried, the House disagreed to the amendments proposed by the Senate to H.C.R. Nos. 19, HD1, 20, HD1; and 26, HD1, and requested a conference on the subject matter of said amendments.

In accordance therewith, Representatives Andrews, Chairman; Morgado, Takamine, Hashimoto, Nakasato and Jones were appointed as Managers on the part of the House for the consideration of said amendments.

Representative Say moved that the House reconsider its action taken in disagreeing to the amendments proposed by the Senate to H.C.R. No. 41, HD1, and 49, HD1, seconded by Representative Andrews and carried.

Representative Say then gave notice of his intent to agree to the amendments proposed by the Senate to H.C.R. Nos. 41, HD1, and 49, HD1.

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

By unanimous consent, H.B. No. 1794-84, HD1, SD1, were taken from the Clerk's desk.

On motion by Representative Ige, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1794-84, HD1, and H.B. No. 1794-84, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1794-84 had passed Final Reading at 1:05 o'clock p.m.

#### CONFERENCE COMMITTEE REPORTS

Representative Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1640-84, HD1, SD1, presented a report (Conf. Com. Rep. No. 78-84) recommending to their respective Houses the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 78-84 on H.B. No. 1640-84, HD1, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies on H.B. No. 1640-84, HD1, SD1, CD1, were made available to the members of the House at 11:45 o'clock p.m.

Representatives Albano and Yoshimura, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1956-84, HD2, SD2, presented a report (Conf. Com. Rep. No. 79-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 79-84 on H.B. No. 1956-84, HD2, SD2, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1956-84, HD2, SD2, CD1, were made available to the members of the House at 11:45 o'clock a.m.

Representative Shito, for the Committee on Conference on the disagreeing vote of the House to the

amendments proposed by the Senate in H.B. No. 654, HD1, SD2,, presented a report (Conf. Com. Rep. No. 80-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 80-84 on H.B. No. 654, HD1, SD2, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 654, HD1, SD2, CD1, were made available to the members of the House at 11:45 o'clock p.m.

#### RECONSIDERATION OF ACTION TAKEN

Representative Okamura moved that the House reconsider its action taken on April 16, 1984, on Conf. Com. Rep. No. 57-84, seconded by Representative Kiyabu-Saballa and carried.

On motion by Representative Okamura, seconded by Representative Kiyabu-Saballa and carried, H.B. No. 2203-84, HD2, SD1, was recommitted to the Committee on Conference.

At 1:06 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:09 o'clock p.m.

#### ANNOUNCEMENTS

At 1:13 o'clock p.m., the Chair declared the House in recess and the Journal to remain open for the purpose of decking all Conference Committee reports.

#### CONFERENCE COMMITTEE REPORTS

Representative Kiyabu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1846-84, SD1, HD1, presented a report (Conf. Com. Rep. No. 81-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 81-84 on S.B. No. 1846-84, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii,

printed copies of S.B. No. 1846-84, SD1, HD1, CD1, were made available to the members of the House at 6:00 o'clock p.m.

Representatives Tungpalan and Kawakami, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1751-84, HD1, SD2, presented a report (Conf. Com. Rep. No. 82-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 82-84 on H.B. No. 1751-84, HD1, SD2, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1751-84, HD1, SD2, CD1, were made available to the members of the House at 6:00 o'clock p.m.

Representatives Okamura and Bunda, for the Committee on Conference to which was recommitted H.B. No. 2203-84, HD2, SD1, CD2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES", presented a report (Conf. Com. Rep. No. 83-84) recommending to their respective Houses the final passage of the bill in an amended form.

By unanimous consent, consideration of Conf. Com. Rep. No. 83-84 on H.B. No. 2203-84, HD2, SD1, CD2, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2203-84, HD2, SD1, CD2, were made available to the members of the House at 6:00 o'clock p.m.

Representative Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2092-84, HD1, SD2, CD1, presented a report (Conf. Com. Rep. No. 84-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 84-84 on H.B. No. 2092-84, HD1, SD2, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2092-84, HD1, SD2, CD1, were made available to the members of the House at 6:30 o'clock p.m.

Representatives Stanley and Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2320-84, HD2, SD1, CD1, presented a report (Conf. Com. Rep. No. 85-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 85-84 on H.B. No. 2320-84, HD2, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2320-84, HD2, SD1, CD1, were made available to the members of the House at 6:30 o'clock p.m.

Representative Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1874-84, SD1, CD1, presented a report (Conf. Com. Rep. No. 86-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 86-84 on H.B. No. 1874-84, SD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1874-84, SD1, CD1, were made available to the members of the House at 6:30 o'clock p.m.

Representatives Takamine and Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1906-84, HD1, SD2, CD1, presented a report (Conf. Com. Rep. No. 87-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 87-84 on H.B. No. 1906-84, HD1, SD2, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 1906-84, HD1, SD2, CD1, were made available to the members of the House at 8:00 o'clock p.m.

Representative Kiyabu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1788-84, SD1, HD1, CD1, presented a report (Conf. Com. Rep.

No. 88-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 88-84 on S.B. No. 1788-84, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1788-84, SD1, HD1, CD1, were made available to the members of the House at 9:15 o'clock p.m.

Representatives Albano and Kiyabu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2125-84, SD2, HD2, CD1, presented a report (Conf. Com. Rep. No. 89-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 89-84 on S.B. No. 2125-84, SD2, HD2, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 2125-84, SD2, HD2, CD1, were made available to the members of the House at 9:15 o'clock p.m.

Representatives Albano and Kiyabu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 20, SD1, HD2, CD1, presented a report (Conf. Com. Rep. No. 90-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 90-84 on S.B. No. 20, SD1, HD2, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 20, SD1, HD2, CD1, were made available to the members of the House at 10:00 o'clock p.m.

Representatives Albano and Kiyabu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 878, SD2, HD2, CD1, presented a report (Conf. Com. Rep. No. 91-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consider-



ation of Conf. Com. Rep. No. 91-84 on S.B. No. 878, SD2, HD2, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 878, SD2, HD2, CD1, were made available to the members of the House at 10:00 o'clock p.m.

Representative Kiyabu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1709-84, SD1, HD1, CD1, presented a report (Conf. Com. Rep. No. 92-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 92-84 on S.B. No. 1709-84, SD1, HD1, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of S.B. No. 1709-84, SD1, HD1, CD1, were made available to the members of the House at 1:00 o'clock p.m.

Representatives Taniguchi and Kiyabu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2151-84, HD2, SD2, CD1, presented a report (Conf. Com. Rep. No. 93-84) recommending to their respective House the final passage of the bill with certain amendments.

By unanimous consent, consideration of Conf. Com. Rep. No. 93-84 on H.B. No. 2151-84, HD2, SD2, CD1, was deferred, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, printed copies of H.B. No. 2151-84, HD2, SD2, CD1, were made available to the members of the House at 10:00 o'clock p.m.

#### ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 11:30 o'clock a.m., tomorrow, Wednesday, April 18, 1984.

## FIFTY-NINTH DAY

Wednesday, April 18, 1984

The House of Representatives of the Twelfth Legislature of the State of Hawaii, Regular Session of 1984, convened at 11:30 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Chaplain Roosevelt Winfrey, Jr. of Fort Shafter, after which the Roll was called showing all members present with the exception of Representatives Baker and Kim, who were excused.

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

On motion by Representative Segawa, seconded by Representative Marumoto and carried, reading of the Journal was dispensed with and the Journal of the Fifty-Third Day was approved.

By unanimous consent, reading of the Journal of the Fifty-Eighth Day was deferred.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 459 to 491-A) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 459) informing the House that Senate Bill No. 423, SD 2, HD 2, passed Final Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 460) informing the House that Senate Bill No. 1516, HD 1, passed Final Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 461) informing the House that Senate Bill No. 1835-84, SD 1, HD 1, passed Final Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 462) informing the House that the Senate reconsidered its action taken on April 5, 1984, and that the amendments proposed by the House to Senate Bill No. 1841-84, SD 2, (HD 1) were agreed to by the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 463) informing the House that the Senate reconsidered its action taken on April 5, 1984, and that the amendments proposed by the House to Senate Bill No. 2209-84, SD 2, (HD 2), were agreed to by the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 464) informing the House that the Senate reconsidered its action taken on April 5, 1984, and that the amendments proposed by the House to Senate Bill No. 2119-84, SD 2, (HD 2), were agreed to by the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 465) transmitting Senate Concurrent Resolution No. 98, SD 1, which was adopted by the Senate on April 17, 1984, was placed on file.

By unanimous consent, further action on S.C.R. No. 98, SD 1, was deferred.

A communication from the Senate (Sen. Com. No. 466) transmitting Senate Concurrent Resolution No. 99, which was adopted by the Senate on April 17, 1984, was placed on file.

By unanimous consent, further action on S.C.R. No. 99 was deferred.

A communication from the Senate (Sen. Com. No. 467) transmitting Senate Concurrent Resolution No. 130, which was adopted by the Senate on April 17, 1984, was placed on file.

By unanimous consent, further action on S.C.R. No. 130 was deferred.

A communication from the Senate (Sen. Com. No. 468) returning House Concurrent Resolution No. 110, HD 1, requesting the Board of Land and Natural Resources to lease the former Hale Mohalu site to an eleemosynary organization for youth athletic and recreation activities, which was adopted by the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 469) returning House Bill No. 789, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", which passed

Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 470) returning House Bill No. 1723-84, entitled: "A BILL FOR AN ACT RELATING TO BILLS ACCOMPANYING VOUCHERS", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 471) returning House Bill No. 1754-84, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 472) returning House Bill No. 1764-84, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 473) returning House Bill No. 1765-84, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 474) returning House Bill No. 1766-84, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 475) returning House Bill No. 1786-84, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 476) returning House Bill No. 1800-84, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 477) returning House Bill No. 1984-84, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL BANKING", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 478) returning House Bill No. 2053-84, entitled: "A BILL FOR AN ACT RELATING TO THE REAL ESTATE RECOVERY FUND", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 479) returning House Bill No. 2093-84, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 480) returning House Bill No. 2103-84, entitled: "A BILL FOR AN ACT RELATING TO LICENSEES UNDER THE INTOXICATING LIQUOR LAW", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 481) returning House Bill No. 2160-84, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 482) returning House Bill No. 2187-84, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 483) returning House Bill No. 2332-84, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLACE TO KEEP FIREARMS", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 484) returning House Bill No. 2383-84, entitled: "A BILL FOR AN ACT RELATING TO JOURNALS", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 485) returning House Bill No. 2497-84, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 486) returning House Bill No. 2568-84, entitled: "A BILL FOR AN ACT RELATING TO THE

HIGH TECHNOLOGY DEVELOPMENT CORPORATION", which passed Third Reading in the Senate on April 17, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 487) informing the House that the Governor has returned, as requested, Senate Bill No. 20, SD 1, HD 2, and the Senate has reconsidered its action taken on April 5, 1984, in agreeing to the amendments proposed by the House. In consequence thereof, the President has, on April 13, 1984, appointed Senators Yamasaki, Chairman; Kawasaki and Soares, as Managers on the part of the Senate for the consideration of said amendments, was placed on file.

A communication from the Senate (Sen. Com. No. 488) returning Senate Bill No. 1948-84, SD 2, and Senate Bill No. 1949-84, as requested by the House on April 13, 1984, for reconsideration, was placed on file.

A communication from the Senate (Sen. Com. No. 489) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Concurrent Resolution No. 19, HD 1, (D 2), and the request for a conference on the subject matter of said amendments, the President has, on April 17, 1984, appointed Senators Aki, Chairman; Hagino, Fernandes Salling, Henderson, A. Kobayashi, Solomon and Chang, as Managers on the part of the Senate for the consideration of said amendments, was placed on file.

A communication from the Senate (Sen. Com. No. 490) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Concurrent Resolution No. 20, HD 1, (SD 2), and the request for a conference on the subject matter of said amendments, the President has, on April 17, 1984, appointed Senators Aki, Chairman; Solomon, Abercrombie, Toguchi and A. Kobayashi, as Managers on the part of the Senate for the consideration of said amendments, was placed on file.

A communication from the Senate (Sen. Com. No. 491) informing the House that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Concurrent Resolution No. 26, HD 1, (SD 2), and the request for a conference on the subject matter of said amendments, the President has, on April 17, 1984, appointed

Senators Aki, Chairman; Kuroda and A. Kobayashi, as Managers on the part of the Senate for the consideration of said amendments, was placed on file.

A communication from the Senate (Sen. Com. No. 491-A) informing the House that the Senate has reconsidered its action taken on April 5, 1984, and that the amendments proposed by the House to Senate Bill No. 2180-84, HD 1, were agreed to by the Senate on April 17, 1984, was placed on file.

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

Representative Tam introduced a group of fifth grade students from Maemae Elementary School. They were accompanied by their teachers, Miss Doris Mizuguchi and Miss Karen Moriyama.

Representative Kiyabu-Saballa introduced the following students from Ilima Intermediate School who are participating in the Legislative Awareness Program, as follows: Betty Pagdala, Josephine dela Cruz, Shannon Tanganan, Denise Cannon and Jessica Namaka. They were accompanied by Mr. Norman Pang, Coordinator of the Legislative Awareness Program and the Social Studies Department Chairman.

#### ORDER OF THE DAY

#### DEFERRED RESOLUTIONS

The following Senate Concurrent Resolutions were disposed of as follows:

#### S.C.R. Nos. Referred to:

- 14 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 37 Committee on Ocean and Marine Resources, then to the Committee on Finance
- 53 Jointly to the Committees on Consumer Protection and Commerce and Judiciary, then to the Committee on Finance
- 59 Committee on Consumer Protection and Commerce, then to the Committee on Finance
- 62 Committee on Water, Land Use, Development and Hawaiian Affairs,

- then to the Committee on Finance
- 76 Committee on Corrections and Rehabilitation, then to the Committee on Finance
- 84 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Consumer Protection and Commerce
- 92 Committee on Judiciary, then to the Committee on Finance
- 94 Committee on Judiciary, then to the Committee on Finance
- 95 Committee on Corrections and Rehabilitation
- 96 Committee on Judiciary, then to the Committee on Finance
- 97 Committee on Judiciary, then to the Committee on Finance
- 100 Committee on Judiciary
- 106 Committee on Corrections and Rehabilitation, then to the Committee on Finance
- 114 Committee on Judiciary, then to the Committee on Finance
- 117 Committee on Judiciary, then to the Committee on Finance
- 135 Committee on Energy, Ecology and Environmental Protection, then to the Committee on Finance
- 98 Committee on Judiciary, then to the Committee on Finance
- 99 Committee on Judiciary, then to the Committee on Finance
- 130 Jointly to the Committees on Water, Land Use, Development and Hawaiian Affairs and Energy, Ecology and Environmental Protection, then to the Committee on Finance

#### COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolutions were re-referred as follows:

#### H.R. No.      Re-referred to:

- 389 Committee on Consumer Protection and Commerce

#### H.C.R. Nos.

- 36 Jointly to the Committees on

Agriculture; Water, Land Use, Development and Hawaiian Affairs; and State General Planning

- 148 Committee on Consumer Protection and Commerce

#### S.C.R. No.

- 72 Committee on Public Employment and Government Operations

#### INTRODUCTION OF RESOLUTION

A resolution (H.R. No. 418) congratulating Jensen S.L. Hee on his selection as an outstanding state government administrator was jointly offered by Representatives Chun, Kiyabu, Albano, Anderson, Andrews, Apo, Blair, Bunda, Crozier, Dang, Grauly, Hagino, Hashimoto, Hayes, Hee, Honda, Ige, Ikeda, Isbell, Jones, Kawakami, Kihano, Kim, Kiyabu-Saballa, Lardizabal, Leong, Levin, Marumoto, Matsuura, Medeiros, Menor, Morgado, Nakasato, Nakata, Okamura, Rohlfing, Say, Segawa, Shito, Souki, Stanley, Takamine, Tam, Taniguchi, Tom, Tungpalan, Wong, Yoshimura and Peters, and was read by the Clerk.

On motion by Representative Chun, seconded by Representative Kiyabu and carried, H.R. No. 418 was adopted.

Representative Chun then rose to introduce the honoree, stating:

"Mr. Speaker and members of this honorable body, it gives me great pleasure to say some good things about a very deserving person. Mr. Hee says that in all of his 27 years of service, this is a first for him."

Representative Chun then asked Mr. Jensen Hee to stand and be recognized.

A floral lei was presented to Mr. Hee by Representative Chun while Representative Kiyabu presented the honoree with a certified copy of the resolution.

At 11:51 o'clock a.m., the Chair declared a recess, subject to the call of the Chair, "for the purpose of allowing us to extend our personal aloha and congratulations to our honoree this morning."

Upon reconvening at 11:57 o'clock a.m., Representative Isbell was given permission to make a late introduction and she introduced a group of 12

students in grades five to eight from Kealakehe School in Kona (Hawaii). They were accompanied by Marsha Toyama, their teacher, Dr. Joseph Hinten, their counselor; and parents, Mrs. Vicky Medeiros and Mr. Harry Unemura.

#### STANDING COMMITTEE REPORTS

Representative Stanley, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 885-84) recommending that H.R. No. 199, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.R. No. 199, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO SUBMIT RECOMMENDATIONS ON THE APPROPRIATE LEGISLATIVE ACTION TO GRANT VOTING RIGHTS OF THE SAMOAN U.S. NATIONALS", was referred to the Committee on Finance.

Representative Tungpalan, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 886-84) recommending that H.R. No. 369, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Tungpalan, seconded by Representative Levin and carried, the report of the Committee was adopted and H.R. No. 369, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO REVIEW AND PRESENT JUSTIFICATION FOR THE DIFFERENCE BETWEEN THE TEMPORARY DISABILITY INSURANCE BENEFITS AVAILABLE TO MOST EMPLOYEES OF THE PRIVATE SECTOR", was referred to the Committee on Finance.

Representative Tungpalan, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 887-84) recommending that H.R. No. 359 be referred to the Committee on Finance.

On motion by Representative Tungpalan, seconded by Representative Levin and carried, the report of the Committee was adopted and H.R. No. 359, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO INVESTIGATE

ALLEGED NONPAYMENT OF UNEMPLOYMENT COMPENSATION CONTRIBUTIONS BY MAINLAND CONTRACTORS PERFORMING FEDERAL PUBLIC WORKS ON UNITED STATES MILITARY BASES IN HAWAII", was referred to the Committee on Finance.

Representative Tungpalan, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 888-84) recommending that H.C.R. No. 136 be referred to the Committee on Finance.

On motion by Representative Tungpalan, seconded by Representative Levin and carried, the report of the Committee was adopted and H.C.R. No. 136, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO INVESTIGATE ALLEGED NONPAYMENT OF UNEMPLOYMENT COMPENSATION CONTRIBUTIONS BY MAINLAND CONTRACTORS PERFORMING FEDERAL PUBLIC WORKS ON UNITED STATES MILITARY BASES IN HAWAII", was referred to the Committee on Finance.

Representative Tungpalan, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 889-84) recommending that H.R. No. 358 be referred to the Committee on Finance.

On motion by Representative Tungpalan, seconded by Representative Levin and carried, the report of the Committee was adopted and H.R. No. 358, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO INVESTIGATE THE ALLEGED LACK OF WORKERS' COMPENSATION COVERAGE FOR EMPLOYEES OF MAINLAND CONTRACTORS ENGAGED IN FEDERAL PUBLIC WORKS PROJECTS ON UNITED STATES MILITARY BASES IN HAWAII", was referred to the Committee on Finance.

Representative Tungpalan, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 890-84) recommending that H.C.R. No. 135 be referred to the Committee on Finance.

On motion by Representative Tungpalan, seconded by Representative Levin and carried, the report of the Committee was adopted and H.C.R. No. 135, entitled: "HOUSE



CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO INVESTIGATE THE ALLEGED LACK OF WORKERS' COMPENSATION COVERAGE FOR EMPLOYEES OF MAINLAND CONTRACTORS ENGAGED IN FEDERAL PUBLIC WORKS PROJECTS ON UNITED STATES MILITARY BASES IN HAWAII", was referred to the Committee on Finance.

Representatives Ige and Tungpalan, for the Committees on Human Services and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 891-84) recommending that H.R. No. 351, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ige, seconded by Representative Tungpalan and carried, the joint report of the Committees was adopted and H.R. No. 351, HD 1, entitled: "HOUSE RESOLUTION REQUESTING COORDINATED AND CONSISTENTLY REPORTED INFORMATION ON ELDERLY EMPLOYMENT AND RELATED ISSUES", was referred to the Committee on Finance.

Representative Ige, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 892-84) recommending that H.R. No. 352 be referred to the Committee on Finance.

On motion by Representative Ige, seconded by Representative Leong and carried, the report of the Committee was adopted and H.R. No. 352, entitled: "HOUSE RESOLUTION REQUESTING A RECOMMENDATION ON THE BEST MEANS TO ADEQUATELY MEET THE NEEDS OF THE DEAF COMMUNITY FOR THE TELECOMMUNICATION DEVICE FOR THE DEAF RELAY SERVICE", was referred to the Committee on Finance.

Representatives Ige and Stanley, for the Committees on Human Services and Judiciary, presented a joint report (Stand. Com. Rep. No. 893-84) recommending that H.R. No. 333 be referred to the Committee on Finance.

On motion by Representative Ige, seconded by Representative Stanley and carried, the joint report of the Committees was adopted and H.R. No. 333, entitled: "HOUSE RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE STATE MEDICAID FRAUD CONTROL UNIT", was referred to the Committee on Finance.

Representatives Ige, Baker and Shito, for the Committees on Human Services; Health; and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 894-84) recommending that H.R. No. 340 be referred to the Committee on Finance.

On motion by Representative Ige, seconded by Representative Chun and carried, the joint report of the Committees was adopted and H.R. No. 340, entitled: "HOUSE RESOLUTION RELATING TO THE ROLE OF GERIATRIC NURSE PRACTITIONERS IN IMPROVING THE QUALITY OF HEALTH CARE OF THE AGED", was referred to the Committee on Finance.

Representatives Baker and Ige, for the Committees on Health and Human Services, presented a joint report (Stand. Com. Rep. No. 895-84) recommending that H.R. No. 282, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Chun, seconded by Representative Ige and carried, the joint report of the Committees was adopted and H.R. No. 282, HD 1, entitled: "HOUSE RESOLUTION CONCERNING THE REGULATION OF BOARDING AND CARE HOMES", was referred to the Committee on Finance.

Representative Ige, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 896-84) recommending that H.R. No. 334, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Ige, seconded by Representative Leong and carried, the report of the Committee was adopted and H.R. No. 334, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY OF ESTABLISHING A NEW DIVISION UNDER THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO ADMINISTER THE MEDICAID PROGRAM", was referred to the Committee on Finance.

Representative Ige, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 897-84) recommending that H.R. No. 272 be referred to the Committee on Finance.

On motion by Representative Ige, seconded by Representative Leong and carried, the report of the Committee was adopted and H.R. No. 272, entitled: "HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO CONDUCT A STUDY ON HOW TO ECONOMICALLY AND REGULARLY USE EXISTING SOURCES OF INFORMATION TO IDENTIFY UNREPORTED ASSETS AND INCOME OF WELFARE APPLICANTS", was referred to the Committee on Finance.

Representative Hashimoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 898-84) recommending that H.C.R. No. 126, as amended in HD 1, be adopted.

On motion by Representative Crozier, seconded by Representative Hee and carried, the report of the Committee was adopted and H.C.R. No. 126, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC SCHOOLS OF THE STATE TO DEDICATE THE SONG: 'EIA MAKOU' TO THE SILVER JUBILEE STATEHOOD CELEBRATION", was adopted.

Representatives Say and Hashimoto, for the Committees on Water, Land Use, Development and Hawaiian Affairs and Education, presented a joint report (Stand. Com. Rep. No. 899-84) recommending that S.C.R. No. 44, as amended in HD 1, be adopted.

On motion by Representative Say, seconded by Representative Hashimoto and carried, the joint report of the Committees was adopted and S.C.R. No. 44, HD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE FINDINGS AND RECOMMENDATIONS OF THE UNITED STATES SENATE COMMITTEE ON APPROPRIATIONS, SUBCOMMITTEES ON LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES, NATIVE HAWAIIAN EDUCATIONAL ASSESSMENT PROJECT", was adopted.

At 12:05 o'clock p.m., the House of Representatives stood in recess until 8:00 o'clock p.m. tonight.

#### NIGHT SESSION

The House of Representatives reconvened at 8:19 o'clock p.m.

At this time, the Chair directed the Clerk to note the presence of Representative Kim.

#### SUSPENSION OF RULES

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

#### UNFINISHED BUSINESS

Conf. Com. Rep. No. 2-84 on H.B. No. 2402-84, SD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 3-84 on H.B. No. 2486-84, HD 2, SD 1, CD 1:

On motion by Representative Taniguchi, seconded by Representative Wong and carried, the report of the Committee was adopted and H.B. No. 2486-84, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF VEHICLES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2486-84 had passed Final Reading at 8:20 o'clock p.m.

Conf. Com. Rep. No. 4-84 on H.B. No. 2161-84, HD 2, SD 1, CD 1:

On motion by Representative Taniguchi, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 2161-84, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AMENDMENTS TO THE BICYCLE LAWS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 5-84 on H.B. No. 788, HD 1, SD 1, CD 1:

Representative Stanley moved that the report of the Committee be adopted and H.B. No. 788, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Tom.

Representative Dang then rose and

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

Representative Dang's remarks are as follows:

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

I agree with the motivation for this bill which is to keep the courts from becoming burdened each year with having to receive and store the records of notaries public. Under this bill, it is only when the notary resigns, dies or is removed from or abandons office, or when the notary's term expires without reappointment that the notary records will be deposited with the Court.

My reservation with this bill is a practical one. By making the notary public responsible for these records, we are placing the burden on them to store and also safeguard these records over a period of what could be years. Occasionally, in certain litigation matters, these records may need to be produced and also the contents of these records may be at issue; that is, to show that a certain person personally appeared before a particular notary and acknowledged signing a certain document. If for one reason or another, those records are missing, lost, destroyed or even altered, certain evidentiary and proof problems will arise when the credibility of the notary and the person who appeared before that notary are called into question. Those problems would be minimized if these types of records were annually placed in the possession of a responsible and independent third party like the courts, which takes steps to safeguard and also microfilm these records.

For these reasons, Mr. Speaker, I support this bill with reservations."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 788, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 2161-84 and 788 had passed Final Reading at 8:21 o'clock p.m.

Conf. Com. Rep. No. 6-84 on H.B. No. 1629-84, HD 1, SD 2, CD 1:

On motion by Representative Grauly, seconded by Representative Tom and carried, the report of the Committee was adopted and H.B. No. 1629-84, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1629-84 had passed Final Reading at 8:22 o'clock p.m.

Conf. Com. Rep. No. 7-84 on H.B. No. 1729-84, HD 1, SD 2, CD 1:

On motion by Representative Chun, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.B. No. 1729-84, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVOLUNTARY CIVIL COMMITMENT UNDER MENTAL HEALTH LAW", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1729-84 had passed Final Reading at 8:23 o'clock p.m.

Conf. Com. Rep. No. 8-84 on H.B. No. 2142-84, HD 1, SD 2, CD 1:

Representative Andrews moved that the report of the Committee be adopted and H.B. No. 2142-84, HD 1, SD 2, CD 1, having been read throughout, pass Final Reading, seconded by Representative Tom.

Representative Stanley 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 Stanley's remarks are as follows:

"Mr. Speaker, I rise to speak in favor of H.B. No. 2142-84, HD 1, SD 2, CD 1.

I'm making numerous amendments to H.B. No. 2142-84 to qualify for federal funds. It is the intention of the committee to allow the Judge in

the instance of the first offense to have some discretion for the Judge to order a restricted, provisional or conditional license for sixty days in addition to the thirty day prompt suspension with absolute prohibition from operating a motor vehicle during suspension of license. In ordering a restricted, provisional or conditional license, the Judge may or may not make an order to restrict the offender's use of a motor vehicle. The Judge could order a continued absolute suspension of the license but the Act does not require the Judge to do so. These are some instances where the Judge, in his or her discretion, may, under the offender, only to drive to and from work or to drive in cases of emergencies only, or to drive to and from work because they live in a rural area without public transportation."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2142-84, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 9-84 on H.B. No. 2163-84, HD 1, SD 1, CD 1:

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.B. No. 2163-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 2142-84 and 2163-84 had passed Final Reading at 8:24 o'clock p.m.

Conf. Com. Rep. No. 10-84 on H.B. No. 1932-84, HD 1, SD 2, CD 1:

On motion by Representative Chun, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.B. No. 1932-84, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 11-84 on H.B. No. 2308-84, HD 1, SD 1, CD 1:

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.B. No. 2308-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 12-84 on H.B. No. 1852-84, HD 1, SD 1, CD 1:

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.B. No. 1852-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM DESERTION AND NONSUPPORT ACT (MODIFIED)", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 1932-84, 2308-84 and 1852-84 had passed Final Reading at 8:25 o'clock p.m.

At 8:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:27 o'clock p.m.

Conf. Com. Rep. No. 13-84 on H.B. No. 1983-84, HD 1, SD 1, CD 1:

On motion by Representative Kim, seconded by Representative Tom and carried, the report of the Committee was adopted and H.B. No. 1983-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A DUTY TO ASSIST IN CERTAIN CIRCUMSTANCES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1983-84 had passed Final Reading at 8:28 o'clock p.m.

Conf. Com. Rep. No. 14-84 on H.B. No. 1863-84, HD 1, SD 1, CD 1:

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.B. No. 1863-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1863-84 had passed Final Reading at 8:29 o'clock p.m.

Conf. Com. Rep. No. 15-84 on H.B. No. 2281-84, HD 1, SD 1, CD 1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and H.B. No. 2281-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 16-84 on H.B. No. 1790-84, HD 1, SD 1, CD 1:

On motion by Representative Shito, seconded by Representative Hirono and carried, the report of the Committee was adopted and H.B. No. 1790-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS NAMES AND MARKS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 17-84 on H.B. No. 2012-84, HD 1, SD 1, CD 1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and H.B. No. 2012-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 2281-84, 1790-84 and 2012-84 had passed Final Reading at 8:30 o'clock p.m.

Conf. Com. Rep. No. 18-84 on H.B. No. 1311, HD 1, SD 1, CD 1:

Representative Tam moved that the report of the Committee be adopted and H.B. No. 1311, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Gaulty.

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

Representative Medeiros's remarks are as follows:

"Mr. Speaker, I am supporting this bill with grave reservations.

I agree wholeheartedly that the public should have as much notice as possible of the hearings of public agencies in order to make arrangements to attend and to prepare testimony. However, there are times when these agencies must meet quickly to handle an emergency situation. Although most agencies in this situation are covered under Section 92-8, HRSA, and may hold an emergency meeting without the six calendar days notice if it finds there is an imminent peril to the public health, safety, or welfare. But there are agencies which need to hold emergency meetings and do not fit into the specific exemptions of Section 92-8. It is these agencies I am concerned about."

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

"Mr. Speaker, in essence, this bill is a sunshine bill or an open government bill. Under present State law, government boards and commissions are required to provide public notice of any meeting at least three days before the meeting is held. This bill would enable the general public to be notified of public meetings at least six days before the meeting. The present prior notice requirement of three days is insufficient. It is generally known that the mail usually takes anywhere from two to three days to be delivered. Thus, the general public is not allowed sufficient time to prepare to attend public meetings or to voice their opinions on issues which may affect their livelihoods, their communities and their lifestyles. Insufficient public notice invites criticism of closed door decisions and discourages citizen participation in

the democratic society of government. Prior to my election into the House of Representatives, I experienced this problem.

In addition to allowing more sufficient notice of government meetings to the general public, the change proposed by this bill would also allow legislators and other government officials to be better informed of upcoming meetings of various boards and commissions who would be allowed to be more effective in communicating with our constituents and represent their concerns.

In the year 1984, it seems especially appropriate to emphasize that the ordinary citizen must not become the victim of a government which mandates and dominates him. We need to be reaffirmed that our democratic system must be based on the principle of government that is of the people, by the people and for the people. For us in Hawaii, the sunshine act would be part of that reaffirmation.

In closing, I ask all of my colleagues to vote yes.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1311, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 19-84 on S.B. No. 300, SD 1, HD 1, CD 1:

On motion by Representative Taniguchi, seconded by Representative Hayes and carried, the report of the Committee was adopted and S.B. No. 300, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ALARM SYSTEMS", having been read throughout, passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Menor and Morgado voting no, and Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1311 and S.B. No. 300 had passed Final Reading at 8:34 o'clock p.m.

Conf. Com. Rep. No. 20-84 on

H.B. No. 2108-84, HD 1, SD 1, CD 1:

On motion by Representative Crozier, seconded by Representative Matsuura and carried, the report of the Committee was adopted and H.B. No. 2108-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING REGULATIONS", having been read throughout, passed Final Reading by a vote of 45 ayes to 5 noes, with Representatives Anderson, Ikeda, Isbell, Marumoto and Rohlfing voting no, and Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2108-84 had passed Final Reading at 8:35 o'clock p.m.

Conf. Com. Rep. No. 21-84 on H.B. No. 2337-84, HD 1, SD 1, CD 1:

Representative Taniguchi moved that the report of the Committee be adopted and H.B. No. 2337-84, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Stanley.

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

"Mr. Speaker, I wish to have it noted, for the record, that I introduced this bill on behalf of the prosecutor of the City and County of Honolulu, and that Representative Taniguchi as Chairman of the Transportation Committee did an excellent job in preparing this bill for final passage."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2337-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAIL LIGHTS ON VEHICLES", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Morgado voting no, and Representative Baker being excused.

Conf. Com. Rep. No. 22-84 on H.B. No. 1828-84, HD 1, SD 1, CD 1:

On motion by Representative Taniguchi, seconded by Representative Crozier and carried, the report of the Committee was adopted and H.B. No. 1828-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", having



been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 2337-84 and 1828-84 had passed Final Reading at 8:37 o'clock p.m.

Conf. Com. Rep. No. 23-84 on H.B. No. 2224-84, HD 1, SD 1, CD 1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and H.B. No. 2224-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2224-84 had passed Final Reading at 8:38 o'clock p.m.

Conf. Com. Rep. No. 24-84 on H.B. No. 1989-84, SD 1, CD 1:

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.B. No. 1989-84, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PATERNITY", having been read throughout, passed Final Reading by a vote of 40 ayes to 11 noes, with Representatives Crozier, Hagino, Hirono, Ikeda, Kiyabu-Saballa, Leong, Levin, Marumoto, Menor, Okamura and Rohlfing voting no, and Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1989-84 had passed Final Reading at 8:39 o'clock p.m.

Conf. Com. Rep. No. 25-84 on H.B. No. 538, HD 1, SD 1, CD 1:

Representative Stanley moved that the report of the Committee be adopted and H.B. No. 538, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Tom.

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

"Mr. Speaker, I would like to note for the record that this measure is a

crime measure addressed at an important issue before our community."

The motion was put by the Chair and carried, and the report of the Committee was adopted and H.B. No. 538, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO IMITATION CONTROLLED SUBSTANCES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 538 had passed Final Reading at 8:40 o'clock p.m.

At 8:40 o'clock p.m., Representative Hirono asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:41 o'clock p.m.

Conf. Com. Rep. No. 26-84 on H.B. No. 2275-84, HD 1, SD 1, CD 1:

On motion by Representative Nakasato, seconded by Representative Shito and carried, the report of the Committee was adopted and H.B. No. 2275-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY", having been read throughout, passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives Albano, Crozier, Gaulty and Nakata voting no, and Representative Baker being excused.

Conf. Com. Rep. No. 27-84 on S.B. No. 2087-84, SD 1, HD 1, CD 1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and S.B. No. 2087-84, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2275-84 and S.B. No. 2087-84 had passed Final Reading at 8:42 o'clock p.m.

Conf. Com. Rep. No. 28-84 on S.B. No. 1872-84, HD 1, CD 1:

On motion by Representative Shito,

seconded by Representative Kim and carried, the report of the Committee was adopted and S.B. No. 1872-84, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 29-84 on S.B. No. 1740-84, SD 1, HD 1, CD 1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and S.B. No. 1740-84, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. Nos. 1872-84 and 1740-84 had passed Final Reading at 8:43 o'clock p.m.

Conf. Com. Rep. No. 30-84 on S.B. No. 2073-84, SD 1, HD 1, CD 1:

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and S.B. No. 2073-84, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE SALARIES", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Crozier voting no, and Representative Baker being excused.

Conf. Com. Rep. No. 31-84 on S.B. No. 29, SD 1, HD 1, CD 1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and S.B. No. 29, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 32-84 on S.B. No. 26, SD 1, HD 1, CD 1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and S.B. No. 26, SD 1, HD 1, CD 1, entitled: "A BILL FOR

AN ACT RELATING TO MOTOR VEHICLES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. Nos. 2073-84, 29 and 26 had passed Final Reading at 8:44 o'clock p.m.

At 8:44 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 8:45 o'clock p.m.

Conf. Com. Rep. No. 33-84 on S.B. No. 2049-84, HD 1, CD 1:

On motion by Representative Taniguchi, seconded by Representative Hayes and carried, the report of the Committee was adopted and S.B. No. 2049-84, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 34-84 on S.B. No. 2243-84, SD 1, HD 1, CD 1:

On motion by Representative Hayes, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S.B. No. 2243-84, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. Nos. 2049-84 and 2243-84 had passed Final Reading at 8:46 o'clock p.m.

Conf. Com. Rep. No. 35-84 on H.B. No. 177, HD 1, SD 1, CD 1:

Representative Andrews moved that the report of the Committee be adopted and H.B. No. 177, HD 1, SD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Morgado.

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

"Mr. Speaker, even if this bill is a shadow of its former self, it reduces

the coverage of the State Planning Act to government entities, primarily the State, with the counties kind of reluctant fellow travellers, I have some objections to this bill. It supposedly no longer covers the private sector but I feel that indirectly it may have some impact on it. In its present emasculated state, I feel that it remains a barrier to change its flexibility. You serve some legislative prerogative and I think all of this emanates in some semantic gobbledygook and flowery phrases.

There is another bill on the calendar this evening which asks us to retain the advisory committees and the people on them for four or eight years and that may be longer than any of us are here. Advisory bodies will be formulating changes and bringing suggestions before us. Although they are experts, I say we don't really need them as a form of direction that are ongoing for many years. We can bring in suggested changes to the laws and the budget, and the CIP, and our State direction without benefit of advisory committees.

In addition, yearly, the Governor gives the direction he wants to go and explains the thrust of his programs. With that and input from the community and circumstances of the moment, the Legislature acts and appropriates in a timely manner.

Some of these advisory members may politically outlive legislators and the Governor.

I am a little confused by the use of the word 'guidelines' in this measure. At one point, it says that guidelines are not mandatory in some instances and in the next breath, the guidelines are mandatory in the budget process, the executive and legislative branches must follow it, land use decisions must emanate from it, all State agencies must follow it, the CIP must be based upon it. I think, somehow or another, this will impact on the private sector.

And on the whole, this entire bill is constant verbiage. For instance, the definition of 'conform,' or 'in conformance with,' or 'to be in conformance with the overall theme, goals, objectives and policies means the weighing of the overall theme, goals, objectives and policies of this chapter and a determination that an action, decision, rule or State programs is consistent with the overall theme, and fulfills one or more

of the goals, objectives or policies of this chapter.'

To me, it is a little difficult to understand and very pretty language in it, but, to me, it signifies practically nothing. It says one thing should take into consideration another thing and this bill provides linkages and we change all the word 'action' to 'guidelines.'

I think this is a document worthy of this year, Mr. Speaker -- 1984. It sounds like new speak, and we have had reference to that before. I feel that this entire document is borne of political necessity back in 1978. It came as a promise of a preferred future and has only given us an illusion of an anti business climate here in this State and over-regulation.

The Governor's own committee on doing business in Hawaii has said that the State Plan has not helped in planning for economic development and that indeed it is 'ambiguous and priorities cannot be established among competing interests.' I feel that there might be an over-emphasis on agriculture to the detriment of housing and tourism which are treated more like ugly stepsisters.

For this and many other reasons, Mr. Speaker, I will be voting no on this measure.

Thank you."

Representative Rohlfing then rose and stated:

"Mr. Speaker, just a footnote. My colleague has reminded me and if I may, I speak in favor with reservations.

Of one of the laws that has been established for bureaucrats and it is called the Law of Obfuscation and the law goes in this tenor: Beware of English; its use can expose your inaction. Use bureaucrats, the language destined to be intentionally ambiguous. And I think that was what my colleague was talking about tonight.

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. 177, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", having been read throughout, passed Final Reading by a vote of 48

ayes to 2 noes, with Representatives Anderson and Marumoto voting no, and Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 177 had passed Final Reading at 8:52 o'clock p.m.

Conf. Com. Rep. No. 36-84 on H.B. No. 267, HD 2, SD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 267, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTROL OF PETROLEUM PRODUCTS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 267 had passed Final Reading at 8:53 o'clock p.m.

Conf. Com. Rep. No. 37-84 on H.B. No. 271, HD 1, SD 2, CD 1:

On motion by Representative Andrews, seconded by Representative Morgado and carried, the report of the Committee was adopted and H.B. No. 271, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Marumoto voting no, and Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 271 had passed Final Reading at 8:54 o'clock p.m.

Conf. Com. Rep. No. 38-84 on H.B. No. 1220, HD 1, SD 1, CD 1:

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.B. No. 1220, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COSTS OF COURT", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 39-84 on S.B. No. 1450, SD 1, HD 1, CD 1:

On motion by Representative Honda, seconded by Representative Andrews

and carried, the report of the Committee was adopted and S.B. No. 1450, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PAROLE", having been read throughout, passed Final Reading by a vote of 47 ayes to 3 noes, with Representatives Ikeda, Isbell and Jones voting no, and Representative Baker being excused.

Conf. Com. Rep. No. 40-84 on H.B. No. 1796-84, HD 2, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Tam and carried, the report of the Committee was adopted and H.B. No. 1796-84, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AUTHORITY", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1220, S.B. No. 1450 and H.B. No. 1796-84 had passed Final Reading at 8:55 o'clock p.m.

Conf. Com. Rep. No. 41-84 on H.B. No. 1799-84, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative Tam and carried, the report of the Committee was adopted and H.B. No. 1799-84, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 42-84 on H.B. No. 1821-84, HD 1, SD 1, CD 1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and H.B. No. 1821-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTORS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 43-84 on H.B. No. 2597-84, SD 1, CD 1:

On motion by Representative Hirono, seconded by Representative

Say and carried, the report of the Committee was adopted and H.B. No. 2597-84, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 1799-84, 1821-84 and 2597-84 had passed Final Reading at 8:56 o'clock p.m.

Conf. Com. Rep. No. 44-84 on H.B. No. 1933-84, HD 2, SD 2, CD 1:

On motion by Representative Kiyabu, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 1933-84, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 45-84 on S.B. No. 328, SD 1, HD 1, CD 1:

On motion by Representative Stanley, seconded by Representative Shito and carried, the report of the Committee was adopted and S.B. No. 328, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1933-84 and S.B. No. 328 had passed Final Reading at 8:57 o'clock p.m.

Conf. Com. Rep. No. 46-84 on S.B. No. 2212-84, SD 1, HD 1, CD 1:

On motion by Representative Chun, seconded by Representative Apo and carried, the report of the Committee was adopted and S.B. No. 2212-84, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Levin voting no, and Representative Baker being excused.

The Chair directed the Clerk to note that S.B. No. 2212-84 had passed Final Reading at 8:58 o'clock p.m.

At 8:59 o'clock p.m., Representative Kiyabu asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:04 o'clock p.m.

#### RECONSIDERATION OF ACTION TAKEN

Representative Kiyabu moved that the House reconsider its action taken earlier on Conf. Com. Rep. No. 44-84 on H.B. No. 1933-84, HD 2, SD 2, CD 1, seconded by Representative Chun and carried.

By unanimous consent, action on Conf. Com. Rep. No. 44-84 on H.B. No. 1933-84, HD 2, SD 2, CD 1, was deferred one day.

#### UNFINISHED BUSINESS

Conf. Com. Rep. No. 47-84 on S.B. No. 2249-84, SD 2, HD 2, CD 1:

On motion by Representative Hirono, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S.B. No. 2249-84, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 48-84 on H.B. No. 2418-84, HD 1, SD 1, CD 1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and H.B. No. 2418-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHIROPRACTORS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 49-84 on H.B. No. 2169-84, HD 2, SD 2, CD 1:

On motion by Representative Hagino, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 2169-84, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION", having been read throughout, passed Final Reading by a vote of 50 ayes,

with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. No. 2249-84 and H.B. Nos. 2418-84 and 2169-84 had passed Final Reading at 9:05 o'clock p.m.

Conf. Com. Rep. No. 50-84 on H.B. No. 2075-84, HD 1, SD 1, CD 1:

On motion by Representative Okamura, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.B. No. 2075-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 51-84 on H.B. No. 2028-84, HD 1, SD 1, CD 1:

On motion by Representative Shito, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2028-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 2075-84 and 2028-84 had passed Final Reading at 9:06 o'clock p.m.

Conf. Com. Rep. No. 52-84 on H.B. No. 1784-84, HD 1, SD 1, CD 1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and H.B. No. 1784-84, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 53-84 on H.B. No. 1912-84, HD 2, SD 1, CD 1:

On motion by Representative Shito, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No.

1912-84, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CLUBS", having been read throughout, passed Final Reading by a vote of 49 ayes to 1 no, with Representative Souki voting no, and Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 1784-84 and 1912-84 had passed Final Reading at 9:07 o'clock p.m.

Conf. Com. Rep. No. 54-84 on H.B. No. 1946-84, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 55-84 on H.B. No. 1816-84, SD 1, CD 1:

On motion by Representative Shito, seconded by Representative Honda and carried, the report of the Committee was adopted and H.B. No. 1816-84, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1816-84 had passed Final Reading at 9:08 o'clock p.m.

At 9:09 o'clock p.m., Representative Chun asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:10 o'clock p.m.

Conf. Com. Rep. No. 56-84 on S.B. No. 934, SD 1, HD 1, CD 1:

On motion by Representative Chun, seconded by Representative Stanley and carried, the report of the Committee was adopted and S.B. No. 934, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 58-84 on S.B. No. 2026-84, SD 1, HD 1, CD 1:

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and S.B. No.



2026-84, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER CRIME", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 59-84 on S.B. No. 1766-84, SD 1, HD 1, CD 1:

On motion by Representative Taniguchi, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and S.B. No. 1766-84, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL VEHICLES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. Nos. 934, 2026-84 and 1766-84 had passed Final Reading at 9:11 o'clock p.m.

Conf. Com. Rep. No. 60-84 on H.B. No. 2006-84, SD 1, CD 1:

On motion by Representative Crozier, seconded by Representative Stanley and carried, the report of the Committee was adopted and H.B. No. 2006-84, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 61-84 on S.B. No. 1729-84, SD 1, HD 1, CD 1:

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and S.B. No. 1729-84, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2006-84 and S.B. No. 1729-84 had passed Final Reading at 9:12 o'clock p.m.

Conf. Com. Rep. No. 62-84 on S.B. No. 761, SD 1, HD 1, CD 1:

On motion by Representative Chun, seconded by Representative Stanley and carried, the report of the Committee was adopted and S.B. No.

761, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. No. 761 had passed Final Reading at 9:13 o'clock p.m.

Conf. Com. Rep. No. 63-84 on S.B. No. 1575-84, SD 1, HD 1, CD 1:

Representative Ige moved that the report of the Committee be adopted and S.B. No. 1575-84, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Hashimoto.

Representative Menor then rose and stated:

"Mr. Speaker, I rise to speak in favor of this particular bill but with certain strong reservations.

Mr. Speaker, I believe that this bill, in general, is a bill that I can support, given the fact that I think it moves in the right direction. It seeks to define those child care arrangements to providers that are to be excluded from regulation and, in addition, it attempts to provide for the public disclosure of complaints relating to certain child care facilities. But I do have some reservations that I would like to outline.

I guess one of my biggest reservations is the fact that with respect to the provision on the public disclosure of complaints relating to child care facilities, while there is a general requirement that the complaint be made public for the benefit of parents within ten working days from the time the complaint has been made, there is an exemption for complaints that relate to the possible commission of criminal offenses. What causes me concern about that, Mr. Speaker, is that I believe that it undercuts the rights of parents to be informed about whether or not a particular child care facility might be meeting certain standards that ought to be met and by having this kind of information about complaints, the parents would then have the option to make an independent judgment about whether or not his or her child should remain in the particular facility.

Therefore, I think what we are talking about here is the parental

right to know and I think that that is very critical in a situation where criminal offenses have been charged, particularly for the crimes that say rape or sodomy in which I believe a parent should have the right to be informed about a particular complaint with respect to child care facility to make an independent judgment about the welfare and benefit of either her particular child.

Because of this exemption or complaints relating to criminal offenses that all information, including complaints about criminal offenses, must be kept confidential until the completion of the investigation. That causes me some concern.

The second concern that I have that I just kind of recognized this afternoon is that if you look at page 8 of the bill, under the old law the penalty for a child care provider that violates a regulation would have been a \$200 fine. Under the amendment in this bill, we have now increased the penalty to basically make a violation of a regulation a criminal penalty. The language in the bill specifically states that a violation of a regulation by a child care provider that is not excluded is tantamount to a misdemeanor which, under our State law of course, carries a possible maximum penalty of \$1,000 fine or one year of imprisonment. And what causes me concern about that is that if you look at page 3 of the bill, under page 3, the Department of Social Services and Housing is given the discretion to exclude certain organizations or child care providers after enough information has been collected and what that means is that there is a distinct possibility that there are, in fact, child care providers who ought to be excluded but are not being excluded because we lack the information. And the concern I have is until the Department of Social Services and Housing makes a determination that a particular child care provider is entitled to an exemption, that child care provider, whether it is appropriate or not, would be subject to a criminal penalty -- a misdemeanor, more specifically, as stated in this bill. I think that that is a matter of concern that has caused some reservation in terms of my consideration of this bill.

Also, I would like to point out a possible constitutional problem. I believe that the constitutional problem is the violation of the equal protection clause and to state the law with the equal protection very generally.

Whenever you have a law that treats groups of people differently, or takes two groups of people differently that are similarly situated and a criminal penalty attached to it, then you have got to have standards to guide the appropriate authority that may be making this distinction, and I believe that under the bill that we have now, the DSSH would have a fairly broad discretion to make these distinctions as to what child care providers should be regulated and the providers who should not be regulated without adequate standards and that causes me some discomfort as to the possibility that the equal protection clause may be violated.

Another reason why I think the equal protection clause might be violated is because whenever you treat two groups of people differently, the law basically states that the Legislature must have an adequate basis, a rational basis, or an adequate amount of facts to justify the distinction. But under this bill, because we have given discretion to the DSSH in the future to gather more information about certain child care providers, what that indicates is that at least with respect to some child care providers, we are not excluding them for regulation simply because we don't have enough information, and that is the very reason why we have delegated the authority to the DSSH. And yet these child care providers which, in the future, may be entitled to an exemption after all the information is gathered would still be subject to criminal penalty and would be treated unequally.

Given the constitutional arguments of the dimensions of this problem and the other points that I have raised, I will vote in favor of this bill but I hope that when the bill is eventually passed up to the Governor, that he will take into account our reservations and will give this bill the kind of exhaustive legal and analytical review that I believe that if, in fact, we are to have a law in the book that it will, in fact, be a very good piece of legislation.

Thank you very much, Mr. Speaker."

Representative Chun then rose and stated:

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

Mr. Speaker, when this bill left the

House as House draft 1, it was acceptable. It was acceptable to me for the main thing that even now, as a law, we are trying to clean the statutes so it could be enforceable. But the Conference Committee put back the same language which made the statutes unenforceable at all. I am taking particular attention to page 1, lines 13 and 14 that any organization or 'agency for the purpose of providing care for a child or two or more children with or without charging a fee during any part of a twenty-four hour day,' must be licensed.

Mr. Speaker, I have stood before this House before because of that statement. I am a mother of six. When I was raising my children, it was then hard for a mother to do the housework and at the same time have the kids running under foot so you arrange with your neighbor to give you a respite. You take your children to the neighbor across the street for two or three hours while you do your housework, do your shopping, and you in return do the same favor to your neighbor so that she can do her housework and do her own shopping, and you are not exchanging money for a fee.

This bill now brings it right back where it was before. If we are going to pass a law that is enforceable, then let's clean up the statutes. So much work had gone into this bill; so much work in such a way that all of us here had an input in it.

I must agree with Representative Menor's statements tonight and I would like the Clerk to adopt his comments as if they were mine, and I also would like to ask my fellow Representatives here that, next year, we should really work to clean up this bill.

Thank you, Mr. Speaker."

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, I rise to speak in support of S.B. No. 1575-84, SD 1, HD 1, CD 1, a bill which strengthens licensing requirements for child care facilities while allowing parents of preschool aged children a fair means to determine the safety of a child

care facility to which their children will be entrusted.

Mr. Speaker, this bill will help clarify ambiguities of the current law governing the licensing of child care facilities. For example, under this bill, programs must exclusively provide training in activities such as sports, foreign language, music, dance, drama, Hawaiian language or martial arts to qualify for the exclusion. If such training is only incidental to a program's more general child care function, State licensing regulations would then apply. As another example, this bill excludes a relative and a neighbor or a friend who only occasionally takes care of children from State licensing.

Also, this bill raises the penalty for violating licensing regulations from the present fine of up to \$200, to a new maximum imprisonment of one year, the penalty for committing a misdemeanor.

Mr. Speaker, in the process of this bill becoming law, a more critical issue developed. An unfortunate incident resulted in the public's desire to view the inspection and complaint records of the child care facilities. It was felt the concerned parent had the right to have access to information that may be crucial to their child's safety.

Mr. Speaker, it was obvious in the testimony we received that the impact of recent events have shaken the public's confidence in the security of day care arrangements. The Committee deliberated long and hard over the many facets of this issue. It became apparent that there were several primary considerations which had to be balanced: (1) To what extent does a parent have the right to review records of child care facilities that they may have the opportunity to place their children; (2) The need to support child care providers who provide an essential service that continues to be in very short supply; and (3) The legal and administrative responsibilities of the Department of Social Services and Housing which must administer child care regulations as part of its immense scope of operations.

Mr. Speaker, your Committee members worked hard to come to a reasonable solution. There were very strong feelings that the public has the right to know. We strived to balance the need to protect vulnerable children as well as the privacy of the individual.

Mr. Speaker, the drafting of this bill never foresaw the terrible incident recently befalling three young children at Windward United Preschool, but I believe that the added protections provided in this bill for young children are very much in accord with our special concerns at this time. I cannot claim that this bill will prevent such sad occurrences in the future. But I do believe that this bill will make our existing laws easier to administer, that it will provide better regulatory oversight for child and youth programs, and, most of all, that our children will enjoy a greater degree of protection from those to whom we entrust our children's care and supervision.

Mr. Speaker, Senate Bill 1575-84, SD 1, HD 1, CD 1, may not be the panacea in all instances, but it is a step in the right direction and worthy of this body's support.

Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1575-84, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. No. 1575-84 had passed Final Reading at 9:22 o'clock p.m.

Conf. Com. Rep. No. 64-84 on H.B. No. 2257-84, HD 2, SD 2, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 65-84 on S.B. No. 2184-84, HD 2, SD 2, CD 1:

Representative Say moved that the report of the Committee be adopted and S.B. No. 2184-84, SD 1, HD 1, CD 1, having been read throughout, pass Final Reading, seconded by Representative Okamura.

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

"Mr. Speaker, I think it must be recognized that Senate Bill No. 2184-84, CD 1, is far from a perfect bill. Unclear in parts, and put together in a rush, it is seriously flawed. Nevertheless, it is an

improvement over the original Senate Bill 2814-84 that was sent over by the Senate, and it is better than House draft 1, in recognizing the need for public hearings. Moreover, it should accomplish its purpose which is to unshackle thermal power from the restraints imposed by our action last year in passing Act 296.

I think it is important that Chairman Say be acknowledged and given the praise he deserves for getting us a geothermal bill this year when he realized that one was necessary to allow thermal power to proceed with its development phase of operations.

It is also important to acknowledge and praise the work of our conferees who guided this bill through conference while maintaining the House position. On the one hand, this was not difficult because the main concern among the Senate conferees was shared by the House; namely, that a court might interpret Senate Bill 2184-84 as being intended to affect or influence the current litigation involving the State, Campbell Estate, the Volcano Community Association and others.

Nevertheless, it was difficult to satisfy the House desire to keep the Committee Report short and simple because the Senators wanted to put language in the Committee Report to say specifically that there was no intention on the part of the Legislature to affect or interfere with the litigation, and this the House conferees resisted and prevailed on, out of fear of causing greater confusion for the courts.

I had the experience of sitting in on both Conference Committee deliberations from beginning to end, and was able to observe the effectiveness of both sides.

The Senators argued persuasively that there was no intention on the part of the Senate to interfere with the pending lawsuits involving geothermal development, but we can be very proud of the House conferees who did such a good job of defending the House position. They acknowledged that the House also did not want to interfere in any way with any ongoing litigation, but they believed that there was no need to put the language into the Committee Report because the bill was clear enough, that Section 3 of the bill only intended to get the Land Board to act expeditiously on the geothermal subzones at Kahauale'a. All agreed

that the bill, as written, would not interfere with any litigation and the Committee Report should be kept as matter-of-fact as possible.

Among the most persuasive statements were those made by Representative Kawakami who said that, and I quote: 'I am very comfortable that I can look at myself in the mirror and know that it does not affect the litigation,' and Representative Matssura who asked why a disclaimer needed to be 'on this bill and not on others? This bill has nothing to do with the lawsuit.' Representative Okamura asked: 'Why have this language? Could this add to further confusion, and delay the judicial process?' When Senator Aki said that, 'it is common knowledge that we are not trying to influence the litigation,' and Senator Chang said that we 'certainly do not intend that this will affect the litigation,' and Senator Ann Kobayashi said, 'we do not want it to affect the lawsuit.' Our Energy Chairman said, 'Do not misinterpret that we feel otherwise; only that it will add to the confusion.'

Thus, Representatives Say, Okamura, and the others were able to persuade the Senate to go along with the House position, thereby attaining two goals at one time: Maintaining the essence of the House version of the bill, and still making it clear that the legislative intent was not to interfere with the litigation.

That having been established, I think we can feel reasonably comfortable when we all look at ourselves in the mirror after voting in favor of this measure.

Thank you, Mr. Speaker."

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

"Mr. Speaker, I believe that geothermal is a very important resource that must be worked on very expeditiously in the next few years. I attended a national conference on energy some years ago and it was mentioned that the fossil fuel that we have is probably good for another ten years and considering the world problems, the limitation of fossil fuel, I believe it's very imperative that we move along this very, very rapidly and with very limited litigation. If all of these people who claim the large geothermal fuel, well, let's put it on the line. Let's limit the litigation and let's work forward and complete this geothermal project for the good of the

State of Hawaii.

Thank you so much, Mr. Speaker."

Representative Say then rose and stated:

"Mr. Speaker, let me just say a few comments in support that I would like to rebut the first speaker that the credit should not lie upon my shoulders, but the shoulders of the Speaker of the House and all the leadership of this particular body that we have which is the Majority Caucus.

Thank you."

Representative Hee then rose and stated:

"Mr. Speaker, I rise in favor of dumping this bill. My voice seems to have come back all of a sudden.

Mr. Speaker and my fellow colleagues, most of you realize that I would be remiss if I did not rise once again to voice my objections to this bill and in doing so, it is somewhat ironic that for the very reasons of the first speaker, that I rise to speak against this bill.

I think, Mr. Speaker, this Committee Report which says in part, and I quote: 'The purpose of this bill is to clarify the rights of lessees...' when, in fact, what this bill does, in my view, is obscure the rights of the lessees, principally by apparently choosing to ignore or choosing to ignore the documentation which would say specifically what the Legislature intends with respect to geothermal. It specifically says what the Conference Committee and the House and the Senate had meant with Section 3 by saying, in effect, during the deliberations, to say that Section 3 does not or is not intended to violate or jeopardize the impending litigation is to obscure or to delay the court proceedings. To say those things and say, for those reasons we should not put it in the Conference Committee Report is to say, let's not go to the doctor. We might find out we have cancer. If we mean, Mr. Speaker, that Section 3 is not intended to affect the Volcano Community Association's impending litigation, let's say it. I think that is what we have been saying from the second passage. . .second reading.

Those are the concerns that I expressed to you up to four minutes to midnight that it's not the bill; it's not that we are against geothermal --

no one is against geothermal. That has never been the issue. The issue has been one of process. The issue has been one of due process, and the issue has been one of up-front litigation proceedings -- the community at the Volcano Community Association and our involvement in this bill as policy makers.

Mr. Speaker, if I said, with respect to Act 296, as policy makers, it is my view that we circumvented the Land Use Commission by drafting the bill which became Act 296 which said that the Department of Land and Natural Resources shall designate geothermal subzones. That is not our job. That is the job of the Department of Land and Natural Resources. But we chose to circumvent the Land Use Commission on that and that's fine as long as we all know that and we recognize that.

Mr. Speaker, if that is policy, then so be Act 296. That was the policy. That was the decision of this body, and now came Conference Committee Report 65-84 that says a new policy shall be enacted, and that policy shall be grandfathering. But, only grandfather in thermal power and only grandfather in Barnwell but don't grandfather in Campbell and through Mid-Pacific -- for them, let's give them special preference. Let's give them the treatment of the first preference of designation of the subzones. That's a new policy.

I think it becomes a question of policy, Mr. Speaker. Whose policy? And the question, Mr. Speaker, of the rights of the Volcano Community Association in their litigation. We chose, by setting this policy, Mr. Speaker, to say, let's not say in the Committee Report that it is the intent of the Legislature that we do not mean to affect ongoing litigation. Let's obscure the fact and let's act like we never knew that it existed, and for these reasons, Mr. Speaker, and for the reasons that I look in the mirror every day, I vote against this bill.

Thank you."

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

"Mr. Speaker, I wish to make it very clear that I am not against the development of geothermal energy as an alternate source of energy to fossil fuel. However, I oppose the bill in its present form because of its probable influence on a current legal dispute involving the conservation

district use permit which was granted to the Campbell Estate for geothermal energy exploration on the Big Island.

Attorneys representing the Volcano Community Association, Sierra Club, Audoborn Society and others have argued that geothermal energy development should not be permitted on conservation lands without the zoning change. In all probability, passage of this legislation will influence the court case initiated by the plaintiffs.

Section 3 on pages 6 and 7 of this bill states that the Board of Land and Natural Resources shall determine, on or before December 31st of this year, whether the permit area should be designated as a geothermal resource subzone.

As such, I feel that we should not interfere with the pending court actions unless the present law is unclear. In this case, there is no proof of such. There is no assurance that Section 3 would not influence the court case. Therefore, I vote no.

Thank you."

Representative Nakata then rose and stated:

"Mr. Speaker, I had not intended to speak this evening on this particular bill but I am moved to do so.

Let us look at the situation a little more than a year ago. . ."

At this point, the Chair interrupted and asked:

"Representative Nakata, are you for or against the bill?"

Representative Nakata answered:

"I am speaking against the bill. I am sorry."

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

"A year ago, one of the three developers of geothermal was shackled by court action. They came to the Legislature to help remove that. Suddenly, the bill turned into something to deshackle all three, which is what we did, even though those of us who were opposed to the original bill had no intention of stopping the other two.

This year's bill began to free those



two. It does that but it also speeds up the process unshackling the third one. I don't think it is right. I think we are undercutting the Volcano Community Association. We did that last year and I think, this year, we are speeding up the process.

Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2184-84, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY", having been read throughout, passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives Grauly, Hee, Nakata and Tam voting no, and Representative Baker being excused.

The Chair directed the Clerk to note that S.B. No. 2184-84 had passed Final Reading at 9:36 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Hashimoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 900-84) recommending that H.R. No. 383, as amended in HD 1, be adopted.

On motion by Representative Hashimoto, seconded by Representative Hee and carried, the report of the Committee was adopted and H.R. No. 383, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONDUCT A REVIEW OF THE APPROVAL PROCESS FOR COMPUTER PURCHASE REQUESTS", was adopted.

Representative Hashimoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 901-84) recommending that H.R. No. 323, as amended in HD 1, be adopted.

On motion by Representative Crozier, seconded by Representative Hee and carried, the report of the Committee was adopted and H.R. No. 323, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE PUBLIC SCHOOLS OF THE STATE TO DEDICATE THE SONG: 'EIA MAKOU' TO THE SILVER JUBILEE STATEHOOD CELEBRATION", was adopted.

Representative Hashimoto, for the Committee on Education, presented a report (Stand. Com. Rep. No. 902-84) recommending that H.R. No. 348 be adopted.

On motion by Representative Hashimoto, seconded by Representative Hee and carried, the report of the Committee was adopted and H.R. No. 348, entitled: "HOUSE RESOLUTION DECLARING THE WEEK OF MAY 12 THROUGH 19, 1984 HAWAII GIFTED AND TALENTED CHILDREN'S WEEK", was adopted.

Representatives Hashimoto and Ige, for the Committees on Education and Human Services, presented a joint report (Stand. Com. Rep. No. 903-84) recommending that H.R. No. 149, as amended in HD 1, be adopted.

On motion by Representative Hashimoto, seconded by Representative Ige and carried, the joint report of the Committees was adopted and H.R. No. 149, HD 1, entitled: "HOUSE RESOLUTION INSTRUCTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT A PLAN OF ACTION IN EDUCATING HIGH SCHOOL STUDENTS IN REGARDS TO CHILD AND SPOUSE ABUSE", was adopted.

Representatives Hashimoto and Tungpalan, for the Committees on Education and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 904-84) recommending that H.R. No. 145 be adopted.

On motion by Representative Hashimoto, seconded by Representative Tungpalan and carried, the joint report of the Committees was adopted and H.R. No. 145, entitled: "HOUSE RESOLUTION REQUESTING A REPORT CONCERNING CAREER AND EMPLOYMENT GUIDANCE PROGRAMS IN THE PUBLIC HIGH SCHOOLS OF THE STATE OF HAWAII", was adopted.

Representatives Hashimoto and Tungpalan, for the Committees on Education and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 905-84) recommending that H.C.R. No. 62 be adopted.

On motion by Representative Hashimoto, seconded by Representative Tungpalan and carried, the joint report of the Committees was adopted and H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT CONCERNING CAREER AND EMPLOYMENT GUIDANCE PROGRAMS IN THE PUBLIC HIGH SCHOOLS OF THE STATE OF HAWAII", was adopted.

Representative Albano, for the



Committee on Public Employment and Government Operations, presented a report (Stand. Com. Rep. No. 906-84) recommending that S.C.R. No. 72 be adopted.

On motion by Representative Albano, seconded by Representative Yoshimura and carried, the report of the Committee was adopted and S.C.R. No. 72, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE REPORT ON THE FINAL COMPENSATION PLAN AND THE COST THEREOF", was adopted.

Representative Nakasato, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 907-84) recommending that S.C.R. No. 71, SD 1, as amended in HD 1, be adopted.

On motion by Representative Nakasato, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and S.C.R. No. 71, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE LEGISLATURE'S SUPPORT FOR THE AUSTRALIAN FEDERATION (AFTA) OF TRAVEL AGENTS CONVENTION AT KEAUHOU-KONA, HAWAII FROM JULY 27, TO AUGUST 2, 1985", was adopted.

Representatives Taniguchi and Takamine, for the Committees on Transportation and Agriculture, presented a joint report (Stand. Com. Rep. No. 908-84) recommending that H.R. No. 356 be adopted.

On motion by Representative Taniguchi, seconded by Representative Takamine and carried, the joint report of the Committees was adopted and H.R. No. 356, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO MAINTAIN A WHARFAGE FEE SCHEDULE THAT FACILITATES THE GROWTH OF THE LOCAL AGRICULTURE INDUSTRY", was adopted.

At 9:40 o'clock p.m., Representative Say asked for a recess and the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 9:47 o'clock p.m., the Vice Speaker assumed the rostrum.

Representative Say, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 909-84) recommending that S.C.R. No. 51, SD 1, as amended in

HD 1, be adopted.

On motion by Representative Nakata, seconded by Representative Matsuura and carried, the report of the Committee was adopted and S.C.R. No. 51, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO KAHANA VALLEY STATE PARK", was adopted.

Representative Say, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 910-84) recommending that H.R. No. 380, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Matsuura and carried, the report of the Committee was adopted and H.R. No. 380, HD 1, entitled: "HOUSE RESOLUTION EXPRESSING CONCERN REGARDING THE USE OF KAHOLAWE AS A SHELLING TARGET BY THE DEPARTMENT OF THE NAVY AND RIMPAC 1984 PARTICIPANTS", was adopted.

Representative Say, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 911-84) recommending that H.R. No. 370, as amended in HD 1, be adopted.

Representative Apo then rose and stated:

"Mr. Speaker, just a few brief remarks on House Resolution 370 and H.C.R. 141, in favor of the motion.

I would just like to point out, Mr. Speaker, to this body that on August 18th and 19th of this year, at Long Beach Stadium, the sport of Polynesian canoe racing will be on exhibit for Olympic officials. There will be approximately eight countries participating in that event.

With respect to surfing, Mr. Speaker, I would like to also point out that many years ago, surfing was Hawaii's gift of sport to the world and it was very, very unfortunate that it took a group of Californians to recognize the economic potential which, today, now forms the basis of a multi-million dollar industry, unfortunately not in Hawaii, but in California, and I would hope that with continued support of the State in the sport of canoe paddling, that we might not have history repeat itself and lose the vast economic potential in that area. And for that reason, I

support this resolution and will vote for it.

Thank you."

On motion by Representative Apo, seconded by Representative Matsuura and carried, the report of the Committee was adopted and H.R. No. 370, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE RECOGNITION OF SURFING AND POLYNESIAN CANOEING AS AN OLYMPIC SPORT", was adopted.

Representative Say, for the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 912-84) recommending that H.C.R. No. 141, as amended in HD 1, be adopted.

On motion by Representative Apo, seconded by Representative Matsuura and carried, the report of the Committee was adopted and H.C.R. No. 141, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE RECOGNITION OF SURFING AND POLYNESIAN CANOEING AS AN OLYMPIC SPORT", was adopted.

Representative Takamine, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 913-84) recommending that H.R. No. 29, as amended in HD 1, be adopted.

Representative Say then rose and stated:

"Mr. Speaker, I rise in support with deep reservations.

Mr. Speaker, the Chairman of the Agriculture Committee will be leaving us tomorrow and I personally hope, before all of us here this evening, that he would reconsider his actions taken last year that he would run for office this year again to follow up on this particular problem which is the agricultural park that we have throughout the State, Mr. Speaker. So, I hope to see you, Representative Takamine, here next Fall representing the Honokaa district.

Thank you."

Representative Isbell then rose and stated:

"Mr. Speaker, there will probably be a Representative Takamine here next year.

Thank you very much."

On motion by Representative Takamine, seconded by Representative Nakata and carried, the report of the Committee was adopted and H.R. No. 29, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REVIEW OF THE AGRICULTURAL PARKS LAW", was adopted.

Representative Takamine, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 914-84) recommending that H.R. No. 292, as amended in HD 1, be adopted.

On motion by Representative Takamine, seconded by Representative Nakata and carried, the report of the Committee was adopted and H.R. No. 292, HD 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES SECRETARY OF AGRICULTURE TO REVISE THE SUGAR IMPORT QUOTA DOWNWARD", was adopted.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 915-84) recommending that H.R. No. 326, as amended in HD 1, be adopted.

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and H.R. No. 326, HD 1, entitled: "HOUSE RESOLUTION REQUESTING CLARIFICATION OF EXEMPTIONS FOR HOTEL OPERATIONS FROM REAL ESTATE LICENSING REQUIREMENTS", was adopted.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 916-84) recommending that H.C.R. No. 128, as amended in HD 1, be adopted.

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and H.C.R. No. 128, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CLARIFICATION OF EXEMPTIONS FOR HOTEL OPERATIONS FROM REAL ESTATE LICENSING REQUIREMENTS", was adopted.

Representative Tungpalan, for the Committee on Employment Opportunities and Labor Relations, presented a report (Stand. Com. Rep. No. 917-84) recommending that H.R. No. 387 be adopted.

On motion by Representative

Tungpalan, seconded by Representative Levin and carried, the report of the Committee was adopted and H.R. No. 387, entitled: "HOUSE RESOLUTION RECOGNIZING AND URGING CONTINUED EDUCATIONAL EFFORTS ABOUT THE PROPER USES OF VIDEO DISPLAY TERMINALS", was adopted.

Representative Stanley, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 918-84) recommending that H.R. No. 365 be adopted.

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.R. No. 365, entitled: "HOUSE RESOLUTION IN SUPPORT OF NON-PROFIT PUBLIC INTEREST LAW PROGRAMS", was adopted.

Representative Stanley, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 919-84) recommending that H.C.R. No. 140 be adopted.

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.C.R. No. 140, entitled: "HOUSE CONCURRENT RESOLUTION IN SUPPORT OF NON-PROFIT PUBLIC INTEREST LAW PROGRAMS", was adopted.

Representative Stanley, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 920-84) recommending that H.R. No. 316 be adopted.

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.R. No. 316, entitled: "HOUSE RESOLUTION RECOGNIZING APRIL 29--MAY 5, 1984 AS LAW WEEK 1984", was adopted.

Representative Stanley, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 921-84) recommending that H.C.R. No. 124 be adopted.

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.C.R. No. 124, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING APRIL 29--MAY 5, 1984 AS LAW WEEK 1984", was adopted.

Representative Hagino, for the Committee on Higher Education and

the Arts, presented a report (Stand. Com. Rep. No. 922-84) recommending that H.R. No. 320, as amended in HD 1, be adopted.

On motion by Representative Hagino, seconded by Representative Apo and carried, the report of the Committee was adopted and H.R. No. 320, HD 1, entitled: "HOUSE RESOLUTION RELATING TO STUDENT RIGHTS AND RESPONSIBILITIES AND ACADEMIC GRIEVANCE PROCEDURES AT THE UNIVERSITY OF HAWAII", was adopted.

Representative Hagino, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 923-84) recommending that H.C.R. No. 125, as amended in HD 1, be adopted.

On motion by Representative Hagino, seconded by Representative Apo and carried, the report of the Committee was adopted and H.C.R. No. 125, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO STUDENT RIGHTS AND RESPONSIBILITIES AND ACADEMIC GRIEVANCE PROCEDURES AT THE UNIVERSITY OF HAWAII", was adopted.

Representative Hagino, for the Committee on Higher Education and the Arts, presented a report (Stand. Com. Rep. No. 924-84) recommending that H.R. No. 293 be adopted.

On motion by Representative Hagino, seconded by Representative Apo and carried, the report of the Committee was adopted and H.R. No. 293, entitled: "HOUSE RESOLUTION REQUESTING THAT THE ATTORNEY GENERAL OF THE STATE OF CALIFORNIA AND THE SUPERIOR COURT OF THE COUNTY OF LOS ANGELES GRANT A CERTAIN HYPERBARIC CHAMBER TO THE HYPERBARIC TREATMENT CENTER, JOHN A. BURNS SCHOOL OF MEDICINE, UNIVERSITY OF HAWAII", was adopted.

Representatives Ige and Baker, for the Committees on Human Services and Health, presented a joint report (Stand. Com. Rep. No. 925-84) recommending that H.R. No. 335, as amended in HD 1, be adopted.

On motion by Representative Ige, seconded by Representative Chun and carried, the joint report of the Committees was adopted and H.R. No. 335, HD 1, entitled: "HOUSE RESOLUTION ENCOURAGING AN INCREASE IN THE USE OF

GERIATRIC NURSE PRACTITIONERS", was adopted.

Representatives Ige and Tungpalan, for the Committees on Human Services and Employment Opportunities and Labor Relations, presented a joint report (Stand. Com. Rep. No. 926-84) recommending that H.R. No. 227 be adopted.

On motion by Representative Ige, seconded by Representative Tungpalan and carried, the joint report of the Committees was adopted and H.R. No. 227, entitled: "HOUSE RESOLUTION URGING EMPLOYERS TO DEVELOP POLICIES TO RETAIN, HIRE AND PROMOTE OLDER WORKERS", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 927-84) recommending that H.R. No. 311 be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 311, entitled: "HOUSE RESOLUTION REQUESTING THE STATE BOARD OF EDUCATION TO SUBMIT A PLAN FOR THE EDUCATION OF THE CHILDREN OF THE NIIHAU ISLAND COMMUNITY", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 928-84) recommending that H.R. No. 180, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 180, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE FAMILY COURT TO STUDY AND IMPLEMENT MEDIATION BETWEEN THE PARTIES IN CHILD CUSTODY CASES", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 929-84) recommending that H.R. No. 7 be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 7, entitled: "HOUSE RESOLUTION REQUESTING AN ANALYSIS OF CURRENT FISHERY POLICIES AND LONG-TERM IMPACT OF FISHING", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 930-84) recommending that H.R. No. 102, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 102, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE GOVERNOR OF THE STATE OF HAWAII IMMEDIATELY ESTABLISH AND FUND A STATE COMMISSION FOR THE PRESERVATION OF FORT DERUSSY", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 931-84) recommending that H.R. No. 396, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 396, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY AND MAKE RECOMMENDATIONS ON THE TRANSFERENCE OF ALL SCHOOL HEALTH SERVICES RELATED ACTIVITIES FROM THE DEPARTMENT OF HEALTH TO THE DEPARTMENT OF EDUCATION", was adopted, with Representative Matsuura voting no.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 932-84) recommending that H.R. No. 395 be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 395, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO COOPERATE AND COORDINATE IN A STUDY ON THE FEASIBILITY OF ESTABLISHING INTERMEDIATE NURSING FACILITIES FOR THE CARE OF SEVERELY MULTIPLY HANDICAPPED CHILDREN", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 933-84) recommending that H.R. No. 349 be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R.

No. 349, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND REPRESENTATIVES OF THE APPROPRIATE LEAGUES AND THE TEACHERS' UNION TO DEVELOP AN ADEQUATE COMPENSATION SCHEDULE FOR COACHES", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 934-84) recommending that H.R. No. 309, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 309, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO RECONSIDER ITS TEN-YEAR AGE LIMITATION POLICY FOR CONVENTIONAL SCHOOL BUSES", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 935-84) recommending that H.R. No. 246, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 246, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON GENERAL AVIATION'S CONTRIBUTION TO THE STATE OF HAWAII", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 936-84) recommending that H.R. No. 240 be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 240, entitled: "HOUSE RESOLUTION REQUESTING ALLEVIATION OF TRAFFIC CONGESTION ON THE WAIPAHU ON-RAMP TO THE HONOLULU-BOUND H-1 FREEWAY", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 937-84) recommending that H.R. No. 218, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 218, HD 1, entitled: "HOUSE

RESOLUTION REQUESTING THE INCLUSION OF VOLCANO COMMUNITY IN THE CURRENT HEALTH SURVEY OF PUNA BY THE STATE DEPARTMENT OF HEALTH", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 938-84) recommending that H.R. No. 215, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 215, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXPEDITE THE ACQUISITION OF THE REMAINING PORTION OF THE NIKE ACCESS ROAD", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 939-84) recommending that H.R. No. 206 be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 206, entitled: "HOUSE RESOLUTION REQUESTING THE MAYOR OF THE COUNTY OF HAWAII AND THE CHAIRPERSON OF THE HAWAII COUNTY COUNCIL TO ASSEMBLE AN ECONOMIC TRANSITION ASSISTANCE TEAM TO AID THOSE AFFECTED BY THE CLOSING OF THE PUNA SUGAR COMPANY", was adopted.

At 9:55 o'clock p.m., Representative Crozier asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:56 o'clock p.m.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 940-84) recommending that H.C.R. No. 84 be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAYOR OF THE COUNTY OF HAWAII AND THE CHAIRPERSON OF THE HAWAII COUNTY COUNCIL TO ASSEMBLE AN ECONOMIC TRANSITION ASSISTANCE

TEAM TO AID THOSE AFFECTED BY THE CLOSING OF THE PUNA SUGAR COMPANY", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 941-84) recommending that H.R. No. 195, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 195, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE IMPACT OF STAGGERED WORK HOURS FOR STATE EMPLOYEES", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 942-84) recommending that H.R. No. 174 be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 174, entitled: "HOUSE RESOLUTION RELATING TO A PLAN FOR THE TRANSFER OF THE ADMINISTRATION AND FUNCTION OF THE SOCIAL REHABILITATION OF CONFINED ADULTS PROGRAM TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 943-84) recommending that H.R. No. 19, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 19, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE CONCEPT OF SHIFTING RELIANCE IN EXISTING STATE LOAN PROGRAMS FROM DIRECT LOANS BY THE STATE TO THE GUARANTEE OF LOANS MADE BY PRIVATE LENDERS", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 944-84) recommending that S.C.R. No. 39, SD 1, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S.C.R. No. 39, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION

REQUESTING A STATUS REPORT ON THE BIG ISLAND OCEAN RECREATION AND TOURISM PROJECT", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 945-84) recommending that S.C.R. No. 31, SD 1, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S.C.R. No. 31, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT OF WATER HAZARD WARNING MEASURES AT STATE AND COUNTY BEACH PARKS", was adopted.

Representative Stanley, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 946-84) recommending that H.R. No. 201 be adopted.

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.R. No. 201, entitled: "HOUSE RESOLUTION SUPPORTING U.S. SENATOR MATSUNAGA'S BILL S. 2116 WHICH PROVIDES REDRESS AND REPARATIONS FOR AMERICANS AND RESIDENT ALIENS OF JAPANESE ANCESTRY AND ALASKAN ALEUTS WHO WERE SUBJECTED TO FORCED EVACUATION AND INCARCERATED IN DETENTION CAMPS DURING WORLD WAR II", was adopted.

Representative Stanley, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 947-84) recommending that H.C.R. No. 83 be adopted.

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING U.S. SENATOR MATSUNAGA'S BILL S. 2116 WHICH PROVIDES REDRESS AND REPARATIONS FOR AMERICANS AND RESIDENT ALIENS OF JAPANESE ANCESTRY AND ALASKAN ALEUTS WHO WERE SUBJECTED TO FORCED EVACUATION AND INCARCERATED IN DETENTION CAMPS DURING WORLD WAR II", was adopted.

Representative Stanley, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 948-84) recommending that H.C.R.



No. 97 be adopted.

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.C.R. No. 97, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT CONGRESS ENACT LEGISLATION MANDATING THE APPOINTMENT OF AT LEAST ONE HAWAII RESIDENT AS REPRESENTATIVE OR ALTERNATE REPRESENTATIVE ON THE SOUTH PACIFIC COMMISSION", was adopted.

Representative Stanley, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 949-84) recommending that H.R. No. 247 be adopted.

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.R. No. 247, entitled: "HOUSE RESOLUTION REQUESTING THAT CONGRESS ENACT LEGISLATION MANDATING THE APPOINTMENT OF AT LEAST ONE HAWAII RESIDENT AS REPRESENTATIVE OR ALTERNATE REPRESENTATIVE ON THE SOUTH PACIFIC COMMISSION", was adopted.

Representatives Takamine, Say and Andrews, for the Committees on Agriculture; Water, Land Use, Development and Hawaiian Affairs; and State General Planning, presented a joint report (Stand. Com. Rep. No. 950-84) recommending that H.C.R. No. 36 be adopted.

On motion by Representative Takamine, seconded by Representative Say and carried, the joint report of the Committees was adopted and H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ESTABLISHMENT OF A JOINT INTERIM COMMITTEE TO OVERSEE THE PROGRESS OF THE STATE OF HAWAII LAND EVALUATION AND SITE ASSESSMENT COMMISSION DURING THE 1984 INTERIM PERIOD", was adopted.

Representative Nakasato, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 951-84) recommending that S.C.R. No. 58 be referred to the Committee on Finance.

On motion by Representative Nakasato, seconded by Representative Lardizabal and carried, the report of the Committee was adopted and S.C.R. No. 58, entitled: "SENATE CONCURRENT RESOLUTION RE-

QUESTING A FEASIBILITY STUDY RELATING TO THE CONCEPT OF HAWAII AS 'THE HEALING ISLANDS'", was referred to the Committee on Finance.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 952-84) recommending that H.C.R. No. 92, HD 1, be adopted.

On motion by Representative Takamine, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.C.R. No. 92, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE TO ACQUIRE THE KOHALA DITCH SYSTEM", was adopted.

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 953-84) recommending that H.R. No. 282, HD 1, be adopted.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.R. No. 282, HD 1, entitled: "HOUSE RESOLUTION CONCERNING THE REGULATION OF BOARDING AND CARE HOMES", was adopted.

Representatives Shito and Okamura, for the Committees on Consumer Protection and Commerce and Energy, Ecology and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 954-84) recommending that H.R. No. 315, as amended in HD 1, be adopted.

On motion by Representative Shito, seconded by Representative Okamura and carried, the joint report of the Committees was adopted and H.R. No. 315, HD 1, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S UTILITY COMPANIES TO TAKE GREATER EFFORTS TO ENCOURAGE THE DEVELOPMENT OF ALTERNATE ENERGY SOURCES", was adopted.

Representatives Shito and Okamura, for the Committees on Consumer Protection and Commerce and Energy, Ecology and Environmental Protection, presented a joint report (Stand. Com. Rep. No. 955-84) recommending that H.C.R. No. 121, as amended in HD 1, be adopted.

On motion by Representative Shito, seconded by Representative Okamura and carried, the joint report of the Committees was adopted and H.C.R. No. 121, HD 1, entitled: "HOUSE



CONCURRENT RESOLUTION REQUESTING HAWAII'S UTILITY COMPANIES TO TAKE GREATER EFFORTS TO ENCOURAGE THE DEVELOPMENT OF ALTERNATE ENERGY SOURCES", was adopted.

At 10:00 o'clock p.m., Representative Shito asked for a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:01 o'clock p.m.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 956-84) recommending that H.R. No. 389, as amended in HD 1, be adopted.

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and H.R. No. 389, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC", was adopted.

Representative Shito, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 957-84) recommending that H.C.R. No. 148, as amended in HD 1, be adopted.

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and H.C.R. No. 148, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC", was adopted.

At 10:02 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

Upon reconvening at 10:05 o'clock p.m., the Speaker resumed the rostrum.

#### UNFINISHED BUSINESS

Conf. Com. Rep. No. 66-84 on S.B. No. 1744-84, SD 1, HD 1, CD 1:

By unanimous consent, action was

deferred one day.

Conf. Com. Rep. No. 67-84 on S.B. No. 2056-84, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 68-84 on S.B. No. 1867-84, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 69-84 on S.B. No. 1693-84, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 70-84 on S.B. No. 1815-84, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 71-84 on S.B. No. 1745-84, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 72-84 on S.B. No. 2085-84, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 73-84 on S.B. No. 1694-84, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 74-84 on S.B. No. 1702-84, SD 1, HD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 75-84 on H.B. No. 2044-84, HD 1, SD 1, CD 1:

By unanimous consent, action was deferred one day.

Conf. Com. Rep. No. 76-84 on H.B. No. 1940-84, HD 2, SD 1, CD 1:

By unanimous consent, action was deferred one day.

jointly to the Committees on Education and Higher Education and the Arts.

Conf. Com. Rep. No. 77-84 on S.B. No. 1115, SD 2, HD 2, CD 1:

By unanimous consent, action was deferred one day.

#### ADJOURNMENT

At 10:10 o'clock p.m., on motion by Representative Segawa, seconded by Representative Marumoto and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 19, 1984.

#### COMMITTEE REASSIGNMENT

H.R. No. 244 was re-referred

## SIXTIETH DAY

Thursday, April 19, 1984

The House of Representatives of the Twelfth Legislature of the State of Hawaii, Regular Session of 1984, convened at 11:45 o'clock a.m., with the Speaker presiding.

The Divine Blessing was invoked by Reverend Don Gurney representing the Baptist Student Union, after which the Roll was called showing all members present with the exception of Representative Baker, who was excused.

By unanimous consent, reading of the Journal of the Fifty-Ninth Day was deferred.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 492 to 573) were read by the Clerk and were disposed of as follows:

A communication from the Senate (Sen. Com. No. 492) informing the House that the Senate had reconsidered its action taken on April 17, 1984, to House Bill No. 1800-84, HD1, in passing said bill on Third Reading on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 493) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by House to S.B. No. 1766-84, SD1, was adopted by the Senate and S.B. No. 1766-84, SD1, HD1, CD1, passed Final Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 494) informing the House that the amendments proposed by the House to Senate Bill No. 1841-84, SD2, were agreed to by the Senate and Senate Bill No. 1841, SD2, HD2, passed Final Reading on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 495) informing the House that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by House to S.B. No. 2072-84, SD1, was adopted by the Senate and S.B. No. 2072-84, SD1, HD1, CD1,

passed Final Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 496) informing the House that the amendments proposed by the House to Senate Bill No. 2209-84, SD2, were agreed to by the Senate and Senate Bill No. 2209-84, SD2, HD2, passed Final Reading on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 497) informing the House that the following conference drafts passed Final Reading on April 18, 1984: S.B. Nos. 300, SD1, HD1, CD1; 26, SD1, HD1, CD1; 29, SD1, HD1, CD1; 1740-84, SD1, HD1, CD1; 1872-84, HD1, CD1; 2049-84, HD1, CD1; 2212-84, SD1, HD1, CD1; 2087-84, SD1, HD1, CD1; 2243-84, SD1, HD1, CD1; 2073-84, SD1, HD1, CD1; 1729-84, SD1, HD1, CD1; 2026-84, SD1, HD1, CD1; 1450-84, SD1, HD1, CD1; 328, SD1, HD1, CD1; 2184-84, SD1, HD1, CD1; 2249-84, SD2, HD2, CD1; 761, HD1, CD1; 934, SD1, HD1, CD1; 1693-84, SD1, HD1, CD1; 1694-84, SD1, HD1, CD1; 1702-84, SD1, HD1, CD1; 1745-84, SD1, HD1, CD1; 1815-84, SD1, HD1, CD1; 1867-84, SD1, HD1, CD1; 2056-84, SD1, HD1, CD1; 2085-84, SD1, HD1, CD1; 1744-84, SD1, HD1, CD1; and House Bill Nos. 2308-84, HD1, SD1, CD1; 2275-84, HD1, SD1, CD1; 2224-84, HD1, SD1, CD1; 1790-84, HD1, SD1, CD1; 2281-84, HD1, SD1, CD1; 2012-84, HD1, SD1, CD1; 1311-84, HD1, SD1, CD1; 1220-84, HD1, SD1, CD1; 1852-84, HD1, SD1, CD1; 1863-84, HD1, SD1, CD1; 1932-84, HD1, SD2, CD1; 2108-84, HD1, SD1, CD1; 1816-84, SD1, CD1; 1912-84, HD2, SD1, CD1; 1784-84, HD1, SD1, CD1; 1821-84, HD1, SD1, CD1; 2028-84, HD1, SD1, CD1; 2418-84, HD1, SD1, CD1; 1629-84, HD1, SD2, CD1; 1989-84, SD1, CD1; 1729-84, HD1, SD2, CD1; 2163-84, HD1, SD1, CD1; 2143-84, HD1, SD2, CD1; 538, HD1, SD1, CD1; 1796-84, HD2, SD1, CD1; 1799-84, SD1, CD1; 2597-84, SD1, CD1; 177, HD1, SD1, CD1; 271, HD1, SD2, CD1; 267, HD2, SD1, CD1; 2075-84, HD1, SD1, CD1; 2169-84, HD2, SD2, CD1; and 1940-84, HD2, SD1, CD1, was placed on file.

A communication from the Senate (Sen. Com. No. 498) informing the House that the following conference drafts had passed Final Reading on April 19, 1984: House Bill Nos.

1933-84, HD2, SD2, CD1; 1828-84, HD1, SD1, CD1; 1946-84, SD2, CD1; 2257-84, HD2, SD2, CD1; 2044-84, HD1, SD1, CD1; 2006-84, SD1, CD1; 1751-84, HD1, SD2, CD1; and 654, HD1, SD2, CD1, was placed on file.

A communication from the Senate (Sen. Com. No. 499) informing the House that the following conference drafts had passed Final Reading on April 19, 1984: Senate Bill Nos. 1115, SD2, HD2, CD1; 1509-84, SD1, HD1; 2213-84, HD1; 2180-84, HD1; 1846-84, SD1, HD1, CD1; 1575-84, SD1, HD1, CD1; 2119-84, SD2, HD2; 20, SD1, HD2, CD1; 2125-84, SD2, HD2, CD1; 878, SD2, HD2, CD1; 1709-84, SD1, HD1, CD1; and 1788-84, SD1, HD1, CD1, and House Bill Nos. 2203-84, HD2, SD1, CD2; 2092-84, HD1, SD2, CD1; 2320-84, HD2, SD1, CD1; 1956-84, HD2, SD2, CD1; 2402-84, SD1, CD1; 1906-84, HD1, SD2, CD1; 1874-84, SD1, CD1 and 2151-84, HD2, SD2, CD1, was placed on file.

A communication from the Senate (Sen. Com. No. 500) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 788, HD1, was adopted by the Senate and H.B. No. 788, HD1, SD1, CD1, passed Final Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 501) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1983-84, HD1, was adopted by the Senate and H.B. No. 1983-84, HD1, SD1, CD1, passed Final Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 502) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2161-84, HD2, was adopted by the Senate and H.B. No. 2161-84, HD2, SD1, CD1, passed Final Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 503) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate

to House Bill No. 2337-84, HD1, was adopted by the Senate and H.B. No. 2337-84, HD1, SD1, CD1, passed Final Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 504) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2486-84, HD2, was adopted by the Senate and H.B. No. 2486-84, HD2, SD1, CD1, passed Final Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 505) informing the House that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1640-84, HD1, was adopted by the Senate and H.B. No. 1640-84, HD1, SD1, CD1, passed Final Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 506) returning House Bill No. 79 entitled: A BILL FOR AN ACT RELATING TO STATE TORT LIABILITY", which passed Third Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 507) returning House Bill No. 1702-84, HD1, entitled: A BILL FOR AN ACT RELATING TO THE REGULATION OF DEALERS IN FARM PRODUCTS", which passed Third Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 508) returning House Bill No. 1755-84 entitled: A BILL FOR AN ACT RELATING TO PUBLIC LANDS", which passed Third Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 509) returning House Bill No. 1760-84 entitled: A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF IMPROVEMENT DISTRICT BONDS FOR HAWAII COMMUNITY DEVELOPMENT AUTHORITY", which passed Third Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 510) returning House Bill No. 1947-84 entitled: A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 12,

OF THE HAWAII CONSTITUTION, TO ALLOW GREATER FLEXIBILITY IN SCHEDULING THE DEADLINE FOR INTRODUCING BILLS", which passed Third Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 511) returning House Bill No. 2021-84 entitled: A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS", which passed Third Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 512) returning House Bill No. 2230-84, HD1, entitled: A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS", which passed Third Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 513) returning House Bill No. 2409-84, HD1, entitled: A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR THE POHAI NANI GOOD SAMARITAN HAUHALE HEALTH CARE FACILITY FOR THE ELDERLY", which passed Third Reading in the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 514) returning HCR No. 11, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MORATORIUM ON THE DISPOSAL OF NUCLEAR WASTE MATERIALS IN THE PACIFIC BASIN", which passed Third Reading in the Senate on April 18, 1984, in an amended form, (SD1) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 515) returning House Concurrent Resolution No. 83 which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 516) returning House Concurrent Resolution No. 39, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A DETERMINATION OF THE SOURCE OF THE EDB CONTAMINATION OF THE WAIPAHA WELLS", which was adopted by the Senate on April 19, 1984, in an amended form, (SD1) was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 517) returning House Concurrent Resolution No. 52, HD1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE INTENT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXPAND THE USE OF CONCESSION AGREEMENTS TO DEVELOP AND OPERATE CAMPING AND CABIN RENTAL FACILITIES IN CERTAIN STATE PARKS", which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 518) returning House Concurrent Resolution No. 62 which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 519) returning House Concurrent Resolution No. 71, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT HAWAII'S CONGRESSIONAL DELEGATION AND THE GOVERNOR ACTIVELY ENCOURAGE THE HOME-PORTING OF A LARGER SEGMENT OF THE U.S. FLEET AT PEARL HARBOR", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 520) returning House Concurrent Resolution No. 74, HD1, entitled: "HOUSE CONCURRENT RESOLUTION OPPOSING THE ESTABLISHMENT OF THE PROPOSED NATIONAL MARINE SANCTUARY FOR HUMPBACK WHALES IN HAWAIIAN WATERS", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 521) returning House Concurrent Resolution No. 78 which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 522) returning House Concurrent Resolution No. 84 which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 523) returning House Concurrent Resolution No. 87, HD1, entitled: "HOUSE CONCURRENT RESOLUTION DIRECTING THE DIRECTOR OF TRANSPORTATION TO PROVIDE NECESSARY WHARFAGE SPACE TO PURSE SEINERS", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate

(Sen. Com. No. 524) returning House Concurrent Resolution No. 94, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO DETERMINE HEALTH RISKS OF PESTICIDES AND OTHER RELATED CHEMICALS IN THE ENVIRONMENT", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 525) returning House Concurrent Resolution No. 95, HD1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE PESTICIDE AND TOXIC/HAZARDOUS CHEMICAL USAGE BY THE MILITARY AND OTHER FEDERAL AGENCIES", which was adopted by the Senate on April 18, 1984, in an amended form, (SD1), was placed on file.

By unanimous consent, action was deferred.

A communication from the Senate (Sen. Com. No. 526) returning House Concurrent Resolution No. 105, HD1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY TO ESTABLISH MAXIMUM CONTAMINANT LEVELS IN DRINKING WATER FOR DBCP, EDB, TCP, AND OTHER CHEMICAL CONTAMINANTS", which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 527) returning House Concurrent Resolution No. 121, HD1, which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 528) returning House Concurrent Resolution No. 124 which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 529) returning House Concurrent Resolution No. 126, HD1, which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 530) returning House Concurrent Resolution No. 130 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY FOR THE ESTABLISHMENT OF A CONVENTION CENTER", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 531) returning House Concurrent Resolution No. 138, HD1,

entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION TO ASSIST ONGOING HIGH TECHNOLOGY DEVELOPMENTS, TO IDENTIFY HIGH TECHNOLOGY DEVELOPMENT SITES ON A STATE-WIDE BASIS, AND TO STREAMLINE PERMIT PROCEDURES ON A STATE-WIDE BASIS, AND TO STREAMLINE PERMIT PROCEDURES AND RECOMMEND INCENTIVES FOR HIGH TECHNOLOGY DEVELOPMENTS", which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 532) returning House Concurrent Resolution No. 140 which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 533) returning House Concurrent Resolution No. 141, HD1, which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 534) returning House Concurrent Resolution No. 144 entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A SISTER-STATE/PREFECTURE RELATIONSHIPS BETWEEN HAWAII AND HIROSHIMA, KUMAMOTO, OKINAWA, TOKYO, AND YAMAGUCHI PREFECTURES", which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 535) returning House Concurrent Resolution No. 150 which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 536) transmitting Senate Concurrent Resolution No. 2, SD1, entitled: "SENATE CONCURRENT RESOLUTION URGING ACTION TO ENSURE THAT TOLL-FREE TELEPHONE NUMBERS ARE AVAILABLE TO ALL CITIZENS OF THE UNITED STATES", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 537) transmitting Senate Concurrent Resolution No. 12 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ESTABLISHMENT OF A JOINT INTERIM COMMITTEE TO OVERSEE THE PROGRESS OF THE STATE OF HAWAII LAND EVALUATION AND SITE ASSESSMENT COMMISSION DURING THE 1984 INTERIM PERIOD", which was adopted by the Senate on April

19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 538) transmitting Senate Concurrent Resolution No. 29, HD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TOWARDS FULL FEDERAL FUNDING FOR INTERLINE AGRICULTURAL INSPECTIONS AT NEIGHBOR ISLAND AIRPORTS", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 539) transmitting Senate Concurrent Resolution No. 30, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES, SECRETARY OF AGRICULTURE, SECRETARY OF COMMERCE, AND SECRETARY OF TRANSPORTATION TO WORK TOWARDS FULL FEDERAL FUNDING FOR INTERLINE AGRICULTURAL INSPECTIONS AT NEIGHBOR ISLAND AIRPORTS", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 540) transmitting Senate Concurrent Resolution No. 40, SD1, entitled: "SENATE CONCURRENT RESOLUTION CONCERNING COMMERCIAL FISHING ACTIVITIES IN HAWAII", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 541) transmitting Senate Concurrent Resolution No. 56, HD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPROVE AND UPDATE ITS PROGRAM ON PREVENTING CHILD MOLESTATION WITHIN THE ELEMENTARY SCHOOL SYSTEM", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 542) transmitting Senate Concurrent Resolution No. 60, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF CHANGES TO IMPROVE THE REGULATION OF HAIRDRESSERS, COSMETICIANS, BEAUTY SHOPS, AND BEAUTY SCHOOLS", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 543) transmitting Senate Concurrent Resolution No. 61, SD1, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A PORT AUTHORITY FOR HAWAII", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 544) transmitting Senate Concurrent Resolution No. 67, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO CONDUCT A FEASIBILITY STUDY REGARDING THE POSSIBLE ACQUISITION OF THE KOHALA DITCH SYSTEM", which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 545) transmitting Senate Concurrent Resolution No. 75, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF DEVELOPING UNDERGROUND OR OTHER ALTERNATIVE PARKING FOR THE IOLANI PALACE", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 546) transmitting Senate Concurrent Resolution No. 80, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE REAL ESTATE COMMISSION TO STUDY METHODS TO EXEMPT HOTEL OPERATIONS FROM REAL ESTATE LICENSING", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 547) transmitting Senate Concurrent Resolution No. 81, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO PERFORM AN AUDIT OF THE CANCER CENTER OF HAWAII", which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 548) transmitting Senate Concurrent Resolution No. 88 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING AND THE DEPARTMENT OF HEALTH TO CONSIDER THE UTILIZATION OF NURSES IN SMALL INTERMEDIATE CARE HOMES", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 549) transmitting Senate Concurrent Resolution No. 107, which was adopted by the Senate



on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 550) transmitting Senate Concurrent Resolution No. 108, SD1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE ASSESSMENT OF IMPLEMENTING PROPOSED ADMINISTRATIVE RULES ON UNDERGROUND INJECTION CONTROL", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 551) transmitting Senate Concurrent Resolution No. 109 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING DESIGNATION OF ENDANGERED SPECIES PROTECTION MONTH", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 552) transmitting Senate Concurrent Resolution No. 110, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN ASSESSMENT OF THE DEPARTMENT OF HEALTH'S ADMINISTRATIVE RULES ON PRIVATE WASTEWATER TREATMENT WORKS AND INDIVIDUAL TREATMENT SYSTEMS", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 553) transmitting Senate Concurrent Resolution No. 111 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO RESCIND ALL STATUTES THAT DENY UNEMPLOYMENT INSURANCE BENEFITS TO PROFESSIONAL AND NON-PROFESSIONAL EMPLOYEES OF EDUCATIONAL INSTITUTIONS SOLELY DUE TO THE "REASONABLE ASSURANCE" THAT THEY WILL BE EMPLOYED DURING THE NEXT ACADEMIC TERM", which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 554) transmitting Senate Concurrent Resolution No. 113, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION OF THE POSSIBILITY OF ESTABLISHING FILM PRODUCTION FACILITIES ON MOLOKAI OR LANAI", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 555) transmitting Senate Concurrent Resolution No. 115, SD1, entitled: "SENATE CONCURRENT RESOLUTION DESIGNAT-

ING THE DAY OF APRIL 18, 1984 AS "HAWAIIAN OCEAN DAY", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 556) transmitting Senate Concurrent Resolution No. 116, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE WORLDWIDE GREENHOUSE EFFECT ON HAWAII'S COASTAL DEVELOPMENTS", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 557) transmitting Senate Concurrent Resolution No. 118, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO REVIEW THE REIMBURSEMENT OF CLINICAL SOCIAL WORKERS UNDER MEDICAID AND MEDICARE AND PRESENT INSURANCE LAWS", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 558) transmitting Senate Concurrent Resolution No. 119, SD1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SENIOR CASE MANAGEMENT COORDINATION PROJECT FOR THE ISLAND OF MAUI", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 559) transmitting Senate Concurrent Resolution No. 120 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY AND ANALYZE THE NEED FOR LEGISLATION IN THE AREA OF CHILD AND ADULT PHYSICAL, SEXUAL, AND PSYCHOLOGICAL ABUSE, AND THE DEPARTMENT OF HEALTH, DIVISION OF MENTAL HEALTH, TO ADMINISTRATIVELY LINK EXISTING SERVICES IN A COMPREHENSIVE PLAN FOR NEEDS ASSESSMENT, PROGRAM PLANNING, RESOURCE ALLOCATION, IMPLEMENTATION, AND EVALUATION", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 560) transmitting Senate Concurrent Resolution No. 122 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LI-

CENSEES AND THE PUBLIC", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 561) transmitting Senate Concurrent Resolution No. 124 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PROTECTION OF HABITAT ESSENTIAL FOR ESTABLISHING A SANCTUARY FOR THE ENDANGERED 'ALALA'", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 562) transmitting Senate Concurrent Resolution No. 126 entitled: "SENATE CONCURRENT RESOLUTION CONCERNING COMMERCIAL FISHING ACTIVITIES IN HAWAII", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 563) transmitting Senate Concurrent Resolution No. 131, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING NUCLEAR-FREE ZONES IN THE STATE OF HAWAII", which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 564) transmitting Senate Concurrent Resolution No. 132, SD1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE USE OF BIOTECHNOLOGY FOR FRUIT FLY ERADICATION TO REDUCE COSTS AND CURB ADVERSE IMPACT", which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 565) transmitting Senate Concurrent Resolution No. 136, SD1 entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EXPEDITE THE ACQUISITION OF THE REMAINING PROMOTION OF THE NIKE ACCESS ROAD", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 566) transmitting Senate Concurrent Resolution No. 137 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF RESEARCH IN ENVIRONMENTALLY SOUND MEANS OF CONTROLLING PESTS WITHOUT THE USE OF DANGEROUS CHEMICALS", which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 567) returning House Concurrent Resolution 97 which was adopted by the Senate on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 568) transmitting Senate Concurrent Resolution No. 1, SD1, entitled: "SENATE CONCURRENT RESOLUTION URGING ACTION TO PROHIBIT DISCRIMINATION AGAINST STATES THROUGH USE OF MAIL-IN DEADLINES", which was adopted by the Senate on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 569) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 39, SD1, HD1, were agreed to by the Senate; and said resolution, as thus amended, was finally adopted on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 570) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 44, HD1, were agreed to by the Senate; and said resolution, as thus amended, was finally adopted on April 18, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 571) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 31, SD1, HD1, were agreed to by the Senate; and said resolution, as thus amended, was finally adopted on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 572) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 71, SD1, HD1, were agreed to by the Senate; and said resolution, as thus amended, was finally adopted on April 19, 1984, was placed on file.

A communication from the Senate (Sen. Com. No. 573) informing the House that the amendments proposed by the House to Senate Concurrent Resolution No. 51, SD1, HD1, were agreed to by the Senate; and said resolution, as thus amended, was finally adopted on April 19, 1984, was placed on file.

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

Representative Chun introduced Mrs. Eva Humbach and her daughter, Anne Charlotte from Mount Vernon, New York.

Representative Tam introduced fifth graders from Maemae Elementary School who were accompanied by their teachers, Irving Saki and Arlene Nakasone.

Representative Leong introduced a good friend and a dedicated Lion from the Waialua Den, Ed Broustad.

Representative Morgado introduced students from Fairhaven School who were accompanied by their teachers, Miss Marlene Staub and Miss Jacqueline Strague.

#### ORDER OF THE DAY

##### COMMITTEE REASSIGNMENTS

House Resolution No. 304 was re-referred to the Committee on Water, Land Use, Development and Hawaiian Affairs.

Senate Concurrent Resolution No. 97, HD1, was re-referred to the Committee on Judiciary.

Senate Concurrent Resolution No. 135 was re-referred to the Committee on Energy, Ecology and Environmental Protection.

##### SUSPENSION OF RULES

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

##### UNFINISHED BUSINESS

Conf. Com. Rep. No. 78-84 on H.B. No. 1640-84, HD1, SD1, CD1:

Representative Kiyabu moved that the report of the Committee be adopted and H.B. No. 1640-84, HD1, SD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Kawakami.

Representative Kiyabu rose to speak in favor of the bill stating:

"Mr. Speaker, it is a pleasure to recommend for passage on final reading, H.B. No. 1640-84, SD1, CD1.

"The bill provides supplemental appropriations for the 1983-85 biennium. It accommodates most of the Governor's recommendations. It reorders priorities, and it includes appropriate funding for private organizations that provide needed services that state agencies are not able to provide.

"I believe that funding for these private services are special because much of it is for social and health programs . . . the elderly, the poor, and those who are unable to care for themselves. Additionally, a large part of these special appropriations are for continuing our emphasis on education - on giving our children the best change possible to prepare themselves for adulthood.

"The Senate has agreed to the concept that funding for private services be classified as a purchase of service. This change in designation of funding will establish a new standard of accountability.

"This bill provides additional \$4.7 million in general fund as compared to the executive's proposal of \$3.4 million. The additional appropriations from the general obligation bond fund amount to \$39.5 million as compared to the executive's proposal of \$42 million. The March general fund revenue collections report indicates that collections for fiscal year 1983-84 will reach the Council of Revenues projection of 7%. This budget is within our fiscal capacity and when executed will provide the necessary services for the people of Hawaii.

"In closing, Mr. Speaker, I wish to thank the members of the Finance Committee, who have sacrificed and patiently put in long hours during our Conference Committee and all other bills that have been recommended by the committee. I would also like to thank the staff of the Finance Committee for really working hard. This bill was shaped by all of us; it merits, in turn, all of our support.

"Thank you, Mr. Speaker.

"Mister Speaker, one more note, I have some typographical errors that need to be inserted in the Journal."

The Chair "so ordered", and the changes for H.B. No. 1640-84 are as follows:

On page 14, item 11, column 6 should be 9,114,441;

on page 24, item 25, column 6 should be 35,501,641;  
 on page 27, item 48, column 6 should be 874,188 and  
 on page 29, item 67, column 6 should be 11,870,739.

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

"Credit should be given to the very able Chairman of the Finance Committee who negotiated very well, and kept the House version of the budget intact. I am very happy to note, that especially, the nursing home without walls is fully funded. This program has provided us with great help to the elderly and the interim report had stated that it is better than what we expected it to do. Thank you very much, Mr. Speaker.

Representative Hee rose to speak in favor of the budget with deep reservations stating:

"Mr. Speaker, a few short months ago, when the budget was passed over to the Senate, I rose to speak with reservations on the budget with the hope that when the budget came back, with respect to certain concerns which I expressed, that it would come back in such a manner which was in my mind fiscally responsible to the people of Hawaii. In my view, Mr. Speaker, while the attempts may be justified, in the long hours of long work and labor, certainly exposed by the members of the Finance and the members of the Senate Committee on Ways and Means. The concerns which I expressed, Mr. Speaker, at that time, have not been addressed and for the record, Mr. Speaker, I would like to articulate some of these concerns with the hope that when I believe the Chief Executive Officer of this State, would place cuts, unduly intended, when this budget could have fiscally more prudent and responsible, that the people may understand that there are some members of this legislature which have expressed deep reservations to this budget.

"Mr. Speaker, I find it somewhat entertaining and comical, that with respect to the Education Committee, with budget which was passed as a supplemental, House Bill 1640-84, that some people in the public have expressed that the legislators have been good to the Department of Education, and in fact, one reporter went so far as to say, 'it's as if a fairy godmother had come down and granted every wish to the Department of Education.' Mr. Speaker, I can

remember a year ago, when the scenario was very much the same. When the then superintendent, Donnis Thompson, publically stated that she was very pleased, extremely happy with her budget in the Department of Education with respect to what the legislature had granted to the Department. And I can recall very clearly, Mr. Speaker, that shortly thereafter, the Department of Education was asked to cut \$15 million; and shortly thereafter, the Department of Education was asked to be cut another \$7 million; and shortly thereafter, not even to the end of the school year, that I can recall, when the Board of Education threatened the closing of schools to the Chief Executive Officer because there was no more fat to be cut. And the Board of Education threatened the Chief Executive Officer by saying, 'you take the knife, you cut the guts out of the kids of this State.'

"Mr. Speaker, I do not wish to be the bringer of bad tidings with respect to the fairy godmother, as one of the reporters had stated with respect to the Department of Education budget. It is in fact, Mr. Speaker, that I hope that I am wrong. That I hope the Chief Executive Officer of this State does not say, 'we need to cut the education budget.' And I hope that the Chief Executive Officer will not say to the Board, 'I want X amount of millions of dollars cut, and you find where the budget is to be cut.' Mr. Speaker, as we have expressed together, privately, and as I have expressed publicly with the members of the Education Committee, there are ways to cut the Department of Education without affecting the quality of education, if we truly believe, Mr. Speaker and members of this House, that we are in a fiscally restraint time, that our fiscal dollars are shrinking, if we truly believe this and yet we are faced with the task of bringing quality education with more students coming to the schools. Mr. Speaker, it is in my view that to put a piece of cake on the Department of Education and then to say, 'we need the frosting first, and then the flour second', is fiscally irresponsible. There are positions in the Department of Education, which I have articulated to the Board and to the Department and to the Committee on Education and to the Senate and the House, which are fat and do not need to exist in the Department of Education. I have gone so far as on record to say, 'one position is on my island.' The liaison position is the last of the dinosaurs which has been refused to

be cut by this membership of the board, that this position, as well as others which have come to my office, can be redeployed and the responsibilities can be reallocated and the A and B monies to be saved can be used for the children of Hawaii. But we have done, in effect, Mr. Speaker, is to leave the dinosaurs in place and to chose to believe that the education budget, which is in the supplemental document, is fiscally responsible, and that every cent in accounted for, and yet in the budget, there is more than enough room for discretionary policies by the district superintendents. Mr. Speaker, it is my hope, as I said, that I am incorrect. I hope that the Department of Education is not faced with cuts, and I hope that it doesn't come after November, after the elections are done. I cannot believe, that knowing how I have scrutinized over the budget, with respect to the education, that I cannot believe in what I have seen to have taken place with the last two years, when I know in my heart that there are dinosaurs that exist and unless we take the hard position of cutting the guts out of the dinosaurs, that we can ever believe that the education budget is fiscally responsible.

"Mr. Speaker, as a representative of the ninth district of which Molokai is, and will remain my home, there is in this budget, a \$100,000 appropriation for the purposes of promoting Molokai as a visitor destination area. Mr. Speaker, that is the Senate position. Mr. Speaker, if we'd like to truly serve the people from where we represent, I will tell you now, that the number one priority for that island and its people has been time and again, the improvement and expansion of diversified agriculture. It has never been, and as far as I can see, ever will be, that the number one priority for those people whom I represent, shall be the expansion of tourism. This is not to say that tourism is bad, this is to say that there is a time and a place for every industry and to say that when the Sheraton on Molokai is running at 30%, that we can make the people of this State believe that by pumping in \$100,000 will fill up the hotel, when in fact, in testimony, the Kaluakoi resort conveyed very clearly to the committee and said in the last two years, they had spent \$1.5 million for tourist promotion and 11,000 tourists had come."

The Chair interrupted Representative Hee to notify him that his

ten minutes were up, when Representative Kiyabu-Saballa rose and yielded her time to Representative Hee.

Representative Hee then continued:

"Mr. Speaker, to say that this private corporation which has spent \$1.5 million to bring in 11,000 tourists at a cost of \$1,000 per is to say then that \$100,000 of taxpayers money could conceivably, and hopefully, bring in an additional 100 tourists. That in my view is not only irresponsible, that is insensitive to the people of Molokai and the calls that I have gotten and received that expressed those concerns. Mr. Speaker and members of this body, while we have chose, apparently, perhaps I should be thanking everyone for the \$100,000 in behalf of the people of Molokai. We have, likewise, chose to cut the expansion of diversified agriculture. The number one priority on Molokai this year and which was articulated to every member of the legislature, regrettably, was the Maui Community College Molokai Farm School - a project that this House, through H.B. No. 2168-84 had agreed that full funding of \$94,000 should be allocated for the expansion of diversified agriculture. Mr. Speaker, as the testimony will present itself, during those deliberations, the fact sheets from Maui Community College with respect to what has been done and what is being done and what should be done, with respect to the only post high school course on the island is in fact by the Senate's position a funding of current funding and no more else. Excuse me, Mr. Speaker, full funding less the inflationary costs. Mr. Speaker, regrettably true, the fact sheets for all good intentions, were sent to members of this legislature to articulate and clarify the discrepancy between the House and Senate is now my sincere regrets that there are some members of this legislature which took it as a slap in the face. Mr. Speaker, I do not mean to dwell on this subject, but merely mean to state that with respect to the budget, which I stand again in favor with deep reservations, that we are taking care of special interest politics and we are taking care of a department which has said that the fairy godmother has come and touched us with her wand, but in effect, in my view, we will be faced again, particularly the Department of Education, with finding out where to cut without violating anyone's political career. Thank you, Mr. Speaker."

Representative Kiyabu rose on a point of clarification stating:

"In regards to the \$100,000 for the Molokai promotion, I have to disagree with the previous speaker about being insensitive. We are being sensitive because the County Council of Maui is matching it with \$50,000 and I think that they have spoken for their community. Thank you."

Representative Apo rose to speak in favor of the bill stating:

"Mr. Speaker, in the last few weeks, there have been several isolated articles in the newspaper and through the media characterizing this legislature as having a rather unspectacular and lackluster session. I take issue with that assessment. If acting responsibly is unspectacular; if bringing reason to the passing storms of public emotion is unspectacular, and I thank Kate Stanley for that phrase; if disagreeing without being disagreeable is unspectacular; and if successfully balancing the competing concerns of fifty-one representatives who hammered out compromises is lackluster, then so be it.

"For myself, I leave this first term in office with great confidence that we have successfully navigated the ship of state through some very treacherous waters and faced head-on some very, very difficult problems and at this time, I wish to congratulate the Finance Committee, Representative Kiyabu, and all the committee chairmen, for approaching all the demands that have been placed on them with reason, with a good heart, and with the willingness to compromise. And for that reason, I'm voting for this budget. Thank you, Mr. Speaker."

Representative Gaulty rose to speak in favor of the budget stating:

"I support H.B. No. 1640-84 because I believe it is a wise and prudent budget and I believe that in this budget, we have clearly identified education and human services as being our very top priorities, and for that reason, I feel that it is a budget that is sensitive to our needs - the needs of the people of this State, as well as affords us the ability to live within our means which is a very important value that we all share. But furthermore, as we prepare to enter our other lives, and as you know, I practice as an attorney, I look back on the performance of our Finance Chairman during the conference, and as some-

one who does a lot of negotiating in his other life, and someone who feels he has studied negotiations and the art of it, and practiced it everyday, I must say that the Finance Chairman has shown that he is a superb negotiator and that's why we have come off as well as we have. And I'd just like to say that publicly, because I believe that he has done an excellent job.

"I also would like to commend him on his leadership and foresight in the human service area which I feel is very important to me personally and very important to many members of this House. I signed the Conference Committee Report No. 78-84 with a great deal of pride. Thank you."

Representative Levin rose and requested that some clarifying language inserted into the Journal concerning SST program in Hilo, and stated that he had cleared the language with the Finance Chairman and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

The remarks of Representative Levin are as follows:

"It is necessary to clarify Section 30B, which appears on pages 70 and 71 of CD1, insofar as it affects the Hawaii Student Training Program in Hilo. It is important that the record reflect that it is the intention of the House and Senate that the allocation of \$28,000 for the Hawaii Student Science Training Program shall be expended for the summer 1984 program, since this part of the summer program for the enhancement of basic education is already in existence, does not require planning, and does need the money to function in the summer of 1984.

"The House and Senate conferees agreed to change the proviso language to better reflect the above-stated position, but the language was, by inadvertence, left unchanged and remains ambiguous. The stated intention aforesaid is to clarify that ambiguity."

Representative Kawakami rose to speak in favor of the bill stating:

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

"Mr. Speaker, while it is the Finance Committee's job, under our House Rules, to review the executive budget as it is submitted to the Legislature, I feel we would be remiss



if certain things were not pointed out on this House floor, which enabled the Finance Committee to not only do it's job, but do a super job!

"There are, in my mind, two things which helped accomplish this task: (1) the work of the subject matter committees; and (2) the work of the members of the Finance Committee. Mr. Speaker, if I may, I would like to make a few comments about these two factors.

"This year, I think our subject matter committees did an outstanding job. They put a lot of effort and thought into programs that would make Hawaii a better state. They did their homework, gave us good information, considered and weighed many options. I believe this is a major reason why this House came out 'ahead' in so many areas in this year's budget.

"I think we can all go home to our districts with good reports, especially in the areas of most concern to our constituents: education, health, social services, and especially corrections. These areas were clearly in the public's mind, and this House can be proud of what has been accomplished in this respect.

"The second factor, Mr. Speaker, are the first time members of the Finance Committee. It is probably one of the most frustrating position to hold in this process. Our freshmen members on Finance Committee have to be commended for their patience, for putting up with much of the 'creative tension' that pervades the work we do there. They've held up well, and provided the kind of support that's needed. A lot of times, simple support can get us through, and this is probably the most frustrating part because we all want to be able to do more.

"Mr. Speaker, I, too, am a freshmen member of the Finance Committee. I've never served on this committee before this term, and I will be the first to admit that I had a lot to learn. But I was really privileged to have been able to work with our freshmen members of Finance and learn with them. I thank them all for this.

"While the media may insist that this has not been a flamboyant session, an unglamorous session, I don't think we were elected to be flamboyant or glamorous.

"I certainly agree with the media,

however, when they describe us as being a 'workmanlike' session, because I believe this is what we were elected to do - get the work done! And on this point, Mr. Speaker, I believe we have done our job. Thank you."

Representative Taniguchi rose to speak in favor of the bill stating:

"Mr. Speaker, very briefly, I'd like to express my thanks to the Chairman of the Finance Committee, to the members of the Finance Committee, and to the leadership of this House for their work on behalf of the depositors of Manoa Finance, Great Hawaiian Financial Corporation and Commercial Finance Company. I believe the budget proviso included in House Bill No. 1640-84 is a step in the right direction and will be a great assistance to the thousands of people who have been adversely affected by the closing of these institutions. I will, therefore, urge all members to vote aye."

The motion was put by the Chair and H.B. No. 1640-84, HD1, SD1, CD1 entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1983 to JUNE 30, 1985", passed Final Reading by a vote of 50 ayes, which was not less than two-thirds of all the members to which the House is entitled to, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1640-84 had passed Final Reading at 12:18 o'clock p.m.

At 12:18 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

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

Conf. Com. Rep. No. 79-84 on H.B. No. 1956-84, HD2, SD2, CD1:

On motion by Representative Albano, seconded by Representative Yoshimura and carried, the report of the Committee was adopted and H.B. No. 1956-84, HD2, SD2, CD1 entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' HEALTH FUND", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 80-84 on



H.B. No. 654, HD1, SD2, CD1:

On motion by Representative Shito, seconded by Representative Kim and carried, H.B. No. 654, HD1, SD2, CD1 entitled: "A BILL FOR AN ACT RELATING TO ACQUISITION OF VOTING STOCK BY FOREIGN INVESTORS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 1956-84 and 654 passed Final Reading at 12:24 o'clock p.m.

At 12:24 o'clock p.m., at the request of Representative Medeiros, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:03 o'clock p.m.

Conf. Com. Rep. No. 66-84 on S.B. No. 1744-84, SD1, HD1, CD1:

On motion by Representative Shito, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S.B. No. 1744-84, SD1, HD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO MEDICINE", passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1744-84 had passed Final Reading at 1:04 o'clock p.m.

Conf. Com. Rep. No. 67-84 on S.B. No. 2056-84, SD1, HD1, CD1:

Representative Crozier moved that S.B. No. 2056-84, SD1, HD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Shito.

Representative Crozier rose to speak for the measure stating:

"Just a short statement, Mr. Speaker, the Governor and the State of Hawaii has tried to attract new businesses to come to Hawaii to give our people employment. With the passage of this bill, and it's a very small bill, but it leads to the potential of expanding our tuna industry from job base of 500 workers to possibly as many as 4,000. Thank you."

The motion was put by the Chair and carried, and S.B. No. 2056-84,

SD1, HD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE", passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 68-84 on S.B. No. 1867-84, SD1, HD1, CD1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and S.B. No. 1867-84, SD1, HD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 69-84 on S.B. No. 1693-84, SD1, HD1, CD1:

Representative Taniguchi moved that the report of the Committee be adopted and S.B. No. 1693-84, SD1, HD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Shito.

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

The remarks of Representative Taniguchi are as follows:

"When this House first received S.B. No. 1693-84 from the Senate, it was virtually a wrecked vehicle in great need of rebuilding and restoration. There were large gaps in its enforceability and it created a great deal of unfairness in its application.

"Despite this, your Committees on Transportation and Consumer Protection and Commerce set out to salvage this bill because of our commitment to the safety of the citizens of this State. To this extent, the Chairman of the Senate Committee on Consumer Protection and Commerce must be commended for his foresight and for his development of an initial concept.

"I would also like to commend highly the dedicated work of Jim Williston, my staff member, of Russell Nagata, the new Director of the Department of Commerce and Consumer Affairs, and of Van Takemoto of the Motor Vehicle Repair Industry Board.

"Without their efforts, I can assure you that there would not be a bill before you today.

"I believe that S.B. No. 1693-84, SD1, HD1, CD1, is a bill that all those involved can live with. I would, therefore, urge all members to vote 'aye'."

The motion was put by the Chair and carried, and S.B. No. 1693-84, SD1, HD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. Nos. 2056-84, 1867-84 and 1693-84 had passed Final Reading at 1:05 o'clock p.m.

Conf. Com. Rep. No. 70-84 on S.B. No. 1815-84, SD1, HD1, CD1:

Representative Shito moved that the report of the Committee be adopted and S.B. No. 1815-84, SD1, HD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Kim.

Representative Hayes rose to speak in favor of the measure stating:

"When the session started, I became aware of the vast reservoir of complaints that were among condominium owners. Russell Nagata who is now head of the Consumer Protection Agency told us that were hundreds of complaints each year on condominium problems and that there was nothing his agency could do to help them. An example among the many sob stories that we heard, was a man who had to spend \$40,000 in legal fees defending his status against the condominium association that said he was not parking exactly in the middle of his parking stall.

"This is the kind of problem which needs arbitration as a solution. For those of us who have a selected view of what's important, many of you may not be aware of what a trail-blazing issue is solved with Senate Bill No. 1815-84. I wish that the House bill would have crossed over first, but in any case, both committees worked very hard on it. There were an incredible number of volunteer lawyers offering words and the final bill that was passed, which puts in place mandatory arbitration court, problems of condominium owners is a real first for this State and an important change. Thank you."

The motion was put by the Chair and carried, and S.B. No. 1815-84, SD1, HD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. No. 1815-84 had passed Final Reading at 1:06 o'clock p.m.

Conf. Com. Rep. No. 71-84 on S.B. No. 1745-84, SD1, HD1, CD1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and S.B. No. 1745-84, SD1, HD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 72-84 on S.B. No. 2085-84, SD1, HD1, CD1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and S.B. No. 2085-84, SD1, HD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 73-84 on S.B. No. 1694-84, SD1, HD1, CD1:

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and S.B. No. 1694-84, SD1, HD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. Nos. 1745-84, 2085-84 and 1694-84 had passed Final Reading at 1:08 o'clock p.m.

Conf. Com. Rep. No. 74-84 on S.B. No. 1702-84, SD1, HD1, CD1:

Representative Shito moved that the report of the Committee be adopted and that S.B. No. 1702-84, SD1,

HD1, CD1, having been read through-out, pass Final Reading, seconded by Representative Kim.

Representative Jones rose to speak in favor of the bill stating:

"It is really an honor for me to stand and speak in favor of this bill because it is a very good one, and I just want to make a few short comments, and that is as I finish my freshman stint here, I've learned an awful lot, and this year has been a rough one with me bumping heads with the chairman of this committee. But the whole time, he has conducted himself as a gentleman, has dealt solely with the issue and I feel I've maintained my friendship with him because of his graciousness, and so I want to thank him for that. I've learned a lot by his character and by his conduct and I heartily encourage my colleagues to support this bill."

Representative Kiyabu-Saballa then requested the remarks of Representative Jones be incorporated as her own.

The motion was put by the Chair and carried, and S.B. No. 1702-84, SD1, HD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE", passed Final Reading by a vote of 49 ayes, with Representative Anderson voting no and Representative Baker being excused.

The Chair directed the Clerk to note that S.B. No. 1702-84 had passed Final Reading at 1:12 o'clock p.m.

Conf. Com. Rep. No. 75-84 on H.B. No. 2044-84, HD1, SD1, CD1:

Representative Shito moved that the report of the Committee be adopted and that H.B. No. 2044-84, HD1, SD1, CD1, having been read through-out, pass Final Reading, seconded by Representative Kim.

Representative Segawa rose to speak against the bill stating:

"Mr. Speaker, I would like to call your attention, as well as the members attention to this bill which lies before us, with the title, 'Exempt Public Employees' Health Fund from Readability of Insurance Contracts Laws'. This title sounds very innocuous, but, Mr. Speaker, this bill is loaded. And I feel very compelled to speak out at this time, because this bill violates the very

basic principles of our free enterprise system. Yes, it was a very difficult position for me last year to go along with the one year moratorium we imposed, but because we also mandated a study of the worker's compensation problems, I voted to go along with the moratorium.

"Mr. Speaker, I grant you that a moratorium is at times necessary when there are no existing statutes to regulate a given private or public enterprise and perhaps, for the sake of buying time while a situation is being studied.

"The insurance industry in a highly regulated industry and a study is presently being made while a moratorium is in effect. It is bad enough to impose a moratorium but this bill now extends that moratorium for an additional six months until June 30, 1985.

"Mr. Speaker, I realize our concerns in regard to the high cost of workers compensation insurance premiums, but at the same time our worker's compensation problems are complex and difficult to deal with. I only hope that a study which is now being made will make recommendations to cure our problems, but if it become obvious during next year's session that the ills of the program are irreversible, will there be another extension of the moratorium? Government must create and maintain an atmosphere of stability in our community in order for our businesses to survive. We are not to permit any chaos to be in existence.

"Mr. Speaker, I am also a small businessman and I don't want to pay the high cost of worker's compensation insurance like anyone else. My son, who manages my restaurant, asks me one day, 'Dad, can I buy my worker's compensation insurance some place else?' That our worker's compensation rates are regulated and the rates are the same to all throughout in the difference enterprises. But at the same time, Mr. Speaker, I don't want a moratorium on the meal prices on my restaurant, while the costs of goods and wages are allowed to rise. I wonder how some of my colleagues who are attorneys will feel if we place a moratorium while we study why legal fees keep escalating, or perhaps, a moratorium on automobile prices, or agricultural products. We could go on and on to stop the rising costs of our society.

"Moreover, this bothers me that

some small business entrepreneurs, who are the heart of our free enterprise system in our great country, have supported this bill to extend this moratorium. I pray that they will not be placed under a moratorium at some later date. I am also surprised and disappointed that some of my colleagues, who have stood up in the past for certain feelings of injustice and discrimination are not speaking against this measure.

"In conclusion, may I re-emphasize my concern that this bill violates the basic free enterprise system that we live under. With due respect to all our members who believe in the free enterprise system, and with consideration also for those who are trying to wipe away our anti-business image, I urge my colleagues to vote 'no' on this bill. Thank you, Mr. Speaker."

Representative Bunda rose to speak in favor of the bill with reservations stating:

"Mr. Speaker, the measure presently before us would in effect extend for another six months, the temporary moratorium previously imposed by the Legislature to prevent any increase in worker's compensation insurance premium rates, scheduled for expiration on December 31st of this year.

"Mr. Speaker, I voted against the initial imposition of the moratorium last year when it appeared in H.B. No. 1531, subsequently designated as Act 299, Session Laws of Hawaii 1983.

"I questioned then, and I question now, the wisdom of imposing artificial market restraints in the form of a premium rate moratorium, pending receipt of the Haldi Report, due at the end of this year.

"Rather than belabor that point, I turn to the attention of the bill presently before us. While this measure still chooses a moratorium as a 'stop-gap' solution to our workers' compensation problems. I am pleased that the Conference Committee saw fit to try and alleviate some of the market problems anticipated when the moratorium actually expires.

"Specifically, Mr. Speaker, I believe that the uniform filing of worker's compensation classifications and the proposed rates on June 1st of each year will assist the consumers in that they will be able to effectively shop amongst all the different insurers simultaneously issuing

coverage and premium information. In addition, the heightened intra-competition for business may assist in the orderly and natural market stabilization of premium rates.

"Thank you, Mr. Speaker."

Representative Shito rose to speak in favor of the bill stating:

"Mr. Speaker, this bill, as amended, will permit the Legislature to review the final report of the worker's compensation study which is being conducted through the Legislative Auditor and which is scheduled to be submitted to the 1985 session. Such changes to the workers' compensation program as the as the Legislature, we may make in 1985 session can be taken into account in rate filings submitted to the Insurance Commission for approval after May 30, 1985.

"In times of rising insurance cost to employees and employers alike, we as legislators must act accordingly, with the best interest of the consumer at heart. We cannot, and should not allow the insurance industry to dictate to us, when it is within our legislative discretion to address these concerns.

"Mr. Speaker and members of this honorable body, let us not make the mistake of listening with our ears and without our minds and heart. As elected officials, we have the responsibility to pass legislation which takes into account all facts and information available to us. Mr. Speaker, we cannot and do not have any choice but to pass this bill as amended. For to do otherwise would be a utter neglect of our responsibility as representatives, a travesty for small businesses and a victory for special interests.

"Mr. Speaker and members of this honorable body, I urge you to vote 'aye' on H.B. No. 2044-84, HD1, SD1, CD1."

Representative Kim rose to speak in favor of the bill stating:

"Mr. Speaker, I feel that it is necessary that I rise to speak in favor because last year I was very concerned about the moratorium; I was very concerned about the study and I felt that this exact situation that we are in now that we will be facing in January was going to happen, and we are in that predicament. And I feel that because this body supported the measure last

year, it would be irresponsible of us as legislators to let this moratorium come due without having the result of the study available to act upon. And I believe that we need to have the results, that's the purpose of the moratorium and, therefore, I urge my colleagues to vote in favor of this bill."

Representative Dang rose to speak against the bill stating:

"Mr. Speaker, I rise to speak against this bill very reluctantly. This bill will not only affect myself, as a small business person, but also a lot of other small businesses. The effect of this bill is to continue until June 30, 1985, a moratorium on workers' compensation rates which moratorium was scheduled to expire in December of 1984.

"No matter what you call it, the affect of this bill is to continue the moratorium. This bill is a continued use of government regulation and intervention to address a problem, and that problem being the increasing and spiraling workers' compensation rates charged by insurance companies.

"This bill, however, is not an appropriate or effective way to address this problem. Certainly all of us know there are many other ways to solve these workers' compensation rate problems. This moratorium is in effect, an anti-business measure, no different from placing price freezes on the cost of goods or wage freezes on salaries.

"Last year, we agreed to a moratorium to expire in December of 1984 knowing that we would not be addressing this issue until the 1985 session. The situation has not changed. We should let the moratorium continue until December of 1984 and address this problem in the 1985 session. For this reason, Mr. Speaker, I urge my colleagues to vote against this bill."

Representative Anderson rose to speak against the bill stating:

"Speaker, we have put a cap on the insurance companies for workman's comp. Once we lift that cap, the small business is going to be in trouble. This could mean a possible 50% increase. If this happens, how then will they be able to pass that on to the consumer? They'll be a lot of businesses that will not be able to pass that much on to the consumer and they're going to have to eat it. And if they do, they could go out of

business. It's not like getting an increase, taking it, passing it on in a gradual way. If you're going to have to take a large amount and try to pass it on, it is going to hurt small business. That's the way I look at it. I thought I voted against the moratorium last time. My beautiful colleague here reminded me that I voted with reservations. I cannot do that this time. I will be voting against the measure. I think it is going to hurt. It's going to hurt small business and I think it's going to hurt the consumer. For that reason, I'd like you to think it over and I hope that you go along with the rest of us and vote 'no'. Thank you very much, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 2044-84, HD1, SD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Final Reading by a vote of 43 ayes, with Representatives Anderson, Andrews, Dang, Jones, Kiyabu-Saballa, Rohlfing and Segawa registering no votes, and Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2044-84 had passed Final Reading at 1:26 o'clock p.m.

At this time, the Chair announced that he had been notified that the Senate had passed the supplemental budget.

Conf. Com. Rep. No. 2-84 on H.B. No. 2402-84, SD1, CD1:

On motion by Representative Bunda, seconded by Representative Wong and carried, the report of the Committee was adopted and H.B. No. 2402-84, SD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 44-84 on H.B. No. 1933-84, HD2, SD2, CD1:

On motion by Representative Kiyabu, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 1933-84, HD2, SD2, CD1 entitled: "A BILL FOR AN ACT RELATING TO HEALTH", having been read

throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2402-84 and 1933-84 had passed Final Reading at 1:28 o'clock p.m.

Conf. Com. Rep. No. 54-84 on H.B. No. 1946-84, SD2, CD1:

Representative Ige moved that the report of the Committee be adopted and that H.B. No. 1946-84, SD2, CD1, having been read throughout, pass Final Reading, seconded by Representative Kiyabu.

Representative Ige rose to speak in favor of the measure stating:

"Mr. Speaker, I am pleased that this measure is before us today, in place for final reading, especially during those times of financial austerity. I believe that this legislature is making a firm commitment, a step in the right direction. The importance of our effort today may not be obvious but it is an honest attempt at reaching a just and honorable solution for an escalating problem that looms on the horizon.

"As Chairman of the Committee on Human Services, the problem that concerns me is the ever increasing demand of financial resources for our State's medicaid recipients. For fiscal year 1984-85, the projected medicaid budget of \$190 million will assist approximately 87,000 recipients. This budget figure has risen 70% in just four years, long term care consumes 40% or \$67 million of the budget serving 2000 individuals, mostly elderly, or only 2% of all medicaid recipients. The demands of this program and ever increasing medical costs are moving at a rate that at times seems 'mind boggling'.

"Mr. Speaker, in part the dilemma arises not only because of limited dollars but the difficult choices of how to spend those hard earned monies. With the philosophical problems of the 'right to live and right to die', it often seems like there is a never ending set of contradictions. Further, moral issues become entangled in budget decisions and it becomes difficult to separate personal beliefs from decisions meant to benefit the general public.

"At times, I feel a certain hypocrisy threatening our decision

making process. At times we seek a simple yes or no when the issue requires compromise. Yet choices have to be made.

"Mr. Speaker, for the first time in America's history, there are more people over 65 than under 18. By the year 2000, Hawaii's elderly will reach 12% of our population. In numbers, this amounts to an 91% increase over today's elderly population; an increase which promises tremendous impact to our medicaid budget as this group tends to be the greatest utilizer of long term care services.

"Mr. Speaker, faced with these overwhelming statistics, it is easier to understand why personal care services have been identified as one of the high priority needs of your Committee on Human Services. It is imperative that we support community based programs which have proven to be cost effective alternatives for our rapidly increasing aged and medically needy population. We must begin now if we hope to deal effectively with the inevitable demands that will be placed on our shoulders tomorrow.

"Mr. Speaker, personal care services are crucial because they enable earlier discharges from hospitals and often delay or prevent costly institutionalization. Providing essential independent living services is indispensable for the aged and severely disabled persons to function in the community. The tasks performed are as basic as bathing, dressing, grooming, toilet care, eating and other daily activities - all very simple functions which may be insurmountable to the aged or disabled. Yet the cost of providing these services in the home is far less than the cost of 24 hour institutional care.

"More importantly, the use of personal care attendants enables the elderly and disabled to remain a part of our society instead of isolated in an institution. Thus, they have a greater opportunity to retain their own lifestyle and continue to be productive. Mr. Speaker, community based alternatives do improve the quality of life which preserves self-esteem and independence.

"Furthermore, the implications of personal care services are far-reaching. By reinforcing the efforts of our families who provide care for their loved ones, we are helping them to remain united through all hardships. We must encourage alternatives other than institutionalization



in order to assure individual dignity instead of dehumanizing confinement in an institution.

"Mr. Speaker, there are other social considerations in providing personal care. After a lifetime of hard work and contributing to the community, our elderly have earned peace of mind and comfort in their retirement years. Our elderly and disabled have a right to the community based alternative offered in this bill. They have a right to receive services that will ultimately enable them to maintain their individual freedom, a freedom that we all desire.

"Mr. Speaker, in conclusion, I would like to thank the members of the Committee on Human Services for their involvement in trying to find the truth to many of these social problems and trying to find the truth to many of these social problems and trying to arrive at responsible conclusions. We can be proud of the commitment we are making today in this bill. I feel confident that the direction we are taking will become more evident and that the future will bring further measures in community based long term care services.

"I urge my fellow colleagues to give this measure your most serious consideration. Thank you, Mr. Speaker."

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

"Mr. Speaker, in 1982, this same Legislature passed this measure. As Chairman of Public Assistance and Human Services then, I pushed for personal care services and we were funded with the same amount - \$500,000. The department chose not to implement the measure and I hope this bill, today, as urged by the Chairman of Human Services, should send the message strong and clear to the Department that this Legislature wants personal care services to be implemented in the community."

Representative Chun then requested that Representative Ige's words be incorporated as her own, and the Chair "so ordered."

Representative Leong rose and requested that Representative Ige's remarks be incorporated as his own, and the Chair "so ordered."

The motion was put by the Chair and carried, and H.B. No. 1946-84, SD2, CD1 entitled: "A BILL FOR AN

ACT MAKING AN APPROPRIATION FOR PERSONAL CARE SERVICES", passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 64-84 on H.B. No. 2257-84, HD2, SD2, CD1:

On motion by Representative Ige, seconded by Representative Chun and carried, the report of the Committee was adopted and H.B. No. 2257-84, HD2, SD2, CD1 entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT PREVENTION SERVICES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 1946-84 and 2257-84 had passed Final Reading at 1:38 o'clock p.m.

Conf. Com. Rep. No. 76-84 on H.B. No. 1940-84, HD2, SD1, CD1:

Representative Hagino moved that the report of the Committee be adopted and that H.B. No. 1940-84, HD2, SD1, CD1, having been read throughout, pass Final Reading, seconded by Representative Kiyabu.

Representative Hagino rose to speak in favor of the bill stating:

"This is one of the two most important bills for the University of Hawaii. This research and training revolving fund is the most important tool that is used by the University of Hawaii in attracting research dollars. This bill is more than double the amount presently available to University of Hawaii. Most importantly it sets a ceiling using a percentage of the revenue dollars brought in by the University of Hawaii rather than using a fixed dollar amount. The current law allows for one million dollars. This will allow for 30% of the federal indirect overhead expenses received in the prior fiscal year.

"The reason that I'm standing up to speak in favor of this bill is that I would like to point out to the members of this body and at the University who have expressed concern about a lapsing provision that was put in by this body. We do feel, and I think I speak for all of us, that the lapsing provision isn't a means of fiscal accountability, however, in the committee report of this bill, we have asked that the University in the



preparation of its annual report to us on the research grants, and other expenses utilized by the revolving fund, that in that annual report they do point out to us any problems that may have accounted by that lapsing provision. I believe that this is the proper way and the fiscally responsible way for this body to act and I'm sure that if there are problems that may arise in the future, they will be brought to our attention and changes may be made if they're reasonable.

"Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 1940-84, HD2, SD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII RESEARCH AND TRAINING REVOLVING FUND", passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1940-84 had passed Final Reading at 1:41 o'clock p.m.

Conf. Com. Rep. No. 77-84 on S.B. No. 1115, SD2, HD2, CD1:

Representative Kiyabu moved that the report of the Committee be adopted and that S.B. No. 1115, SD2, HD2, CD1, having been read throughout, pass Final Reading, seconded by Representative Albano.

Representative Rohlfing rose to speak in favor of the bill stating:

"Mr. Speaker, very briefly, I believe that this has been a long time in coming. It is something that is very important for our community and the best interest of that community. And it was a long time ago, ten years ago, that in my own case, I approve an amendment on the floor of the Senate to accomplish this purpose and it was defeated. I am very happy to see today that this House and this Legislature is moving in the direction that we foresaw in years ago was necessary."

Representative Albano rose to speak in favor of the bill stating:

"Mr. Speaker, as all of us know, Bargaining Unit 11 representing the firefighters is the only representative unit authorized to use binding arbitration procedures to resolve disputed contract terms. The proposed measure before us would extend to the police officers the same binding

arbitration procedures previously granted to the firefighters.

"Mr. Speaker, this bill represents another benchmark in the history of public employment. By eliminating the right to strike, and substituting in its place binding arbitration procedures as requested by the police officers themselves, the legislature reaffirms its prior placement of trust in these men and women as the 'keepers of peace and order' in our community. This bill also reaffirms the importance of continued and uninterrupted police protection which would, indeed, be jeopardized if any police officers were allowed to strike during heated labor negotiations.

"Mr. Speaker, as Chairman of your Public Employment and Government Operations Committee, I am pleased to report that while there were strong forces against this bill from the first time it was discussed, as well as different viewpoints were presented, and opposite positions were expressed throughout the course of deliberations, we have here today a bill that is acceptable to both labor and management. More important, Mr. Speaker, we have here before us a bill which does not compromise the safety and welfare of our citizens.

"Of significance, Mr. Speaker, the measure extends compulsory arbitration to police officers, and changes the present arbitration process in two areas. First, the current law is amended to allow an arbitration panel to fashion a decision that it deems appropriate. In other words, an arbitration panel will no longer be limited to selecting between management's offer and the bargaining unit's package.

"Second, the bill amends one of the factors to be considered by the arbitration panel in reaching their decision. This amendment clarifies that wages of public employees in Hawaii are to be used for comparison purposes. The clarification is particularly significant in that it recognizes the role of Hawaii's specific economic interests and unique concerns in the arbitration process.

"Mr. Speaker, I would like to take this opportunity to thank the Administration's collective bargaining experts, and the police officer and firefighter representatives for their candor throughout the House and Conference Committee deliberations. I would like to acknowledge and thank the conferees for their straightforward efforts and frank comments

during the discussions and lengthy deliberations.

"To my esteemed colleagues, I would like to extend my sincere appreciation for their support of this bill and especially to the Public Employment and Government Operations Committee members, and especially those House members in the Conference Committee for their consistent participation and continued support during the past few weeks. Mr. Speaker, I am impressed with my colleagues' willingness to objectively weigh all the information presented before passing a measure that best serves the interest of all our residents.

"Mr. Speaker, a special Mahalo to you for your patience and continued guidance.

"Mr. Speaker, I am today especially proud to be a member of this House, and I urge my colleagues to favorably support Senate Bill No. 1115."

Representative Tam rose and stated that he is employed during the interim by the State of Hawaii Organization of Police Officers, and asked the Chair for a ruling on a possible conflict of interest and the Chair ruled, "No conflict."

The motion was put by the Chair and carried, and S.B. No. 1115, SD2, HD2, CD1 entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT", passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. No. 1115 had passed Final Reading at 1:47 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representatives Hashimoto and Hagino, for the Committees on Education; and Higher Education and the Arts, presented a joint report (Stand. Com. Rep. No. 958-84) recommending that H.R. No. 244, be adopted.

On motion by Representative Grauly, seconded by Representative Hagino and carried, the report of the joint Committees was adopted and H.R. No. 244 entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A LEARNING CENTER WITHIN AN EXISTING HIGH SCHOOL FOR GIFTED AND TALENTED CHILDREN

IN THE PERFORMING ARTS", was adopted.

Representatives Stanley and Shito, for the Committees on Judiciary and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 959-84) recommending that H.R. No. 254, as amended in HD1, be adopted.

On motion by Representative Ikeda, seconded by Representative Shito and carried, the report of the Committee was adopted and H.R. No. 254, HD1, entitled: "HOUSE RESOLUTION URGING THE RETAIL MERCHANTS TO VOLUNTARILY CURTAIL THE IMPORT AND SALE OF DRUG PARAPHERNALIA ITEMS", was adopted.

At 1:50 o'clock p.m., at the request of Representative Segawa, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:51 o'clock p.m.

#### SUSPENSION OF RULES

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

Representative Kiyabu, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 960-84) recommending that S.B. No. 1918-84, SD1, pass Third Reading.

Representative Kiyabu moved that the report of the Committee be adopted and that S.B. No. 1918-84, SD1, pass Third Reading, seconded by Representative Kawakami.

Representative Kiyabu rose to speak in favor of the bill stating:

"The purpose of this bill is to empower the Board of Regents of the University of Hawaii to set the salary of the President of the University. The bill gives the Board of Regents flexibility to set the salary at an amount not to exceed \$95,000.

"I share the concern of those who believe that raising the existing statutory salary of \$53,560 is necessary to recruit and secure a qualified University President. However, I feel that this same concern for recruitment and securing of

qualified individuals should be extended to other state departments and especially to Hawaii's lower education system.

"While the University of Hawaii is unquestionably an important component of our education system, it is generally recognized that the public schools, grades kindergarten through twelfth grade, are the key components of the system. The critical role of lower education has been explicitly acknowledged by the federal task force on education for economic growth in their report, Action for Excellence, and the report's deliberations and recommendations were accordingly focused on the nation's public schools, grade kindergarten through twelfth grade.

"I sympathize with the Board of Regents as it seeks to recruit the 'best' President possible for our University. Viewing the University in a vacuum, apart from elementary and secondary education and apart from the State's other departments, raising the University President's salary by as much as 178% may be seen as a necessary allocation of this State's financial resources.

"However, the University does not exist in a vacuum, and we must be careful not to encourage such isolationism within State operations.

"We, as legislators, and the University, as educators, must be acutely aware of the competing priorities which are battling for a shrinking pool of real dollars.

"Mr. Speaker, in conclusion, I wish to restate my support of S.B. No. 1918-84, SD1, and further emphasize my position that the Legislature should apply the same logic and consideration afforded the University of Hawaii as reflected in this bill to other State departments.

"Thank you, Mr. Speaker."

Representative Souki rose to speak in favor of this bill with reservations stating:

"While we are in agreement of the importance of the position of the President of the University and need for a higher salary, the sum of \$95,000, I believe could become a milestone and an index for other State positions to look at and to aim for. Such a salary can catalyze the whole State system in measuring up to that

particular level or lean to it and tax the resources of the State. I hope that the Board of Regents in determining the salary of the President considers the limited resources of the State of Hawaii and its limited size. It should not compare the University of Hawaii and its resources with the great universities of the West and of the Midwest and the East, with their great endowments. Therefore, I will vote for this, but I hope that the Board of Regents will consider the text of my speech."

Representative Hagino rose to speak in favor of the bill stating:

"I would like to thank all the members of this body for their patience and reason, especially the leadership of this House and of course, the Chair of the Finance Committee and the members. I realize that this is a very sensitive bill and so I would like to rise to underline my gratitude that this bill is passing today.

"Mr. Speaker, in recent history, I believe the University of Hawaii has had two excellent Presidents - President Thomas Hamilton and the soon to be retiring, Fujio Matsuda. They have done much for the University of Hawaii in the education of our people, many of whom are sitting here in this body. We are, however, on the threshold of a new age. This age has been brought on primarily by the high-technology revolution. University presidents, researchers, deans of departments are in big demands throughout the country. This bill will allow the Board of Regents and search committee accessibility to the best possible person to fill the job of the President of the University of Hawaii, whoever he or she may be. I believe that they will act responsibly over the next several months, and in the beginning of the next year, 1985, we will have a fine leader, at the most important institution of higher learning in this State."

The motion was put by the Chair and carried, and S.B. No. 1918-84, SD1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", passed Third Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. No. 1918-84 had passed Third Reading at 1:57 o'clock p.m.

DISPOSITION OF MATTERS  
PLACED ON CLERK'S DESK

By unanimous consent, H.B. No. 194, HD1, was taken from the Clerk's desk.

On motion by Representative Stanley, seconded by Representative Tom and carried, H.B. No. 194, HD1, having been read throughout, passed Final Reading by a vote of 48 ayes, with Representatives Medeiros and Ikeda voting no and Representative Baker being excused, in accordance with Article III, Section 15, of the Constitution of the State of Hawaii.

The Chair directed the Clerk to note that H.B. No. 194 had passed Final Reading at 1:58 o'clock p.m.

By unanimous consent, S.B. Nos. 1948-84, SD2, and 1949-84 were taken from the Clerk's desk.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, S.B. No. 1948-84, SD2, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. No. 1948-84 had passed Final Reading at 1:59 o'clock p.m.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, S.B. No. 1949-84, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. No. 1949-84 had passed Final Reading at 2:00 o'clock p.m.

By unanimous consent, H.B. Nos. 1725-84, SD1 and 1807-84, HD1, SD1, were taken from the Clerk's desk.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1725-84, and H.B. No. 1725-84, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1725-84 had passed Final Reading at 2:01 o'clock p.m.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1807-84, HD1, and H.B. No. 1807-84, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1807-84 had passed Final Reading at 2:02 o'clock p.m.

By unanimous consent, H.B. Nos. 1815-84, SD1, and 2054-84, HD1, SD1, were taken from the Clerk's desk.

On motion by Representative Shito, seconded by Representative Kim and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1815-84, and H.B. No. 1815-84, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

On motion by Representative Shito, seconded by Representative Kim and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2054-84, HD1, and H.B. No. 2054-84, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 1815-84 and 2054-84 had passed Final Reading at 2:03 o'clock p.m.

By unanimous consent, H.B. No. 1905-84, HD1, SD2, was taken from the Clerk's desk.

On motion by Representative Takamine, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1905-84, HD1, and H.B. No. 1905-84, HD1, SD2, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1905-84 had passed Final Reading at 2:04 o'clock p.m.

By unanimous consent, H.B. No. 2612-84, HD2, SD2, was taken from the Clerk's desk.

On motion by Representative

Okamura, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2612-84, HD2, and H.B. No. 2612-84, HD2, SD2, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2612-84 had passed Final Reading at 2:05 o'clock p.m.

At 2:05 o'clock p.m., at the request of Representative Anderson, the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 2:10 o'clock p.m.

By unanimous consent, H.B. No. 2294-84, HD2, SD2, was taken from the Clerk's desk.

On motion by Representative Chun, seconded by Representative Kiyabu and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2294-84, HD2, and H.B. No. 2294-84, HD2, SD2, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2294-84 had passed Final Reading at 2:12 o'clock p.m.

By unanimous consent, H.B. Nos. 1976-84, SD1, and 2527-84, HD1, SD1, were taken from the Clerk's desk.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1976-84, and H.B. No. 1976-84, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1976-84 had passed Final Reading at 2:13 o'clock p.m.

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2527-84, HD1, and H.B. No. 2527-84, HD1, SD1, having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker

being excused.

The Chair directed the Clerk to note that H.B. No. 2527-84 had passed Final Reading at 12:14 o'clock p.m.

By unanimous consent, H.C.R. Nos. 21, HD1, SD2; 22, HD1, SD1; 23, HD1, SD2; 24, HD1, SD1, 25, HD1, SD2; 27, HD1, SD1; 28, HD1, SD2; 29, HD1, SD2; and 30 HD1, SD2, were taken from the Clerk's desk.

Representative Andrews moved that the House agree to the amendments proposed by the Senate to H.C.R. Nos. 21, HD1, 22, HD1, 23, HD1, 24, HD1, 25, HD1; 27, HD1; 28, HD1; 29, HD1, and 30, HD1, and that H.C.R. Nos. 21, HD1, SD2; 22, HD1, SD1; 23, HD1, SD2; 24, HD1, SD1; 25, HD1, SD2; 27, HD1, SD1; 28, HD1, SD2; 29, HD1, SD2 and 30, HD1, SD2, having been read throughout, be finally adopted, seconded By Representative Apo.

Representative Marumoto rose and requested that the Journal refer to the remarks of Representative Blair against the functional plans given on April 19, 1982, the Fifty-Sixth Day. (Eleventh Legislature, Fifty-Sixth Day, Pages 598, 599, 600 and 601)

Representative Andrews rose to speak for the measures stating:

"Mr. Speaker, I do not wish to speak to the objective of planning or the value many find with it. I believe this issue has been resolved and needs no further rehashing at this time.

"What is more important, is the process we have created. A process that we are trying to bring a step closer to completion by our actions today.

"First of all, Mr. Speaker, the purpose of the functional plans before us today is to guide the implementation of the Hawaii State Plan. A plan that sets forth an overall direction for the State of Hawaii in the years to come.

"This certainly is a noble intent in itself, but as I stated earlier, it is the process that has brought forth these plans, that is the great achievement.

"Mr. Speaker, these plans were not created with only the input of the administration or only the input of the Legislature, but by a process

that used every means available to take into account the feelings and desires of all the people of our State.

"Surveys have been done, public hearings have been held on every island, the Department of Planning and Economic Development has appeared before numerous groups, advisory committees consisting of knowledgeable people in each area of concern have been formed, and an overall policy council exists, which includes members from the administration and from each county with our State. Finally, the Legislature is given their opportunity to provide input as to the overall direction of the State through this planning process.

"Yet, Mr. Speaker, after all this - this process that provides for input and the ability for everyone to have impact on the direction of our State, there are still those who object.

"The irony of all this is, that those who are objecting the loudest are the very ones who have continually stated that this state lacks direction, and that our administration is a caretaker administration and not one of foresight. Still these same people object, after we allowed for them along with everyone else to participate in a process, to provide direction and foresight to our State government.

"I can only conclude, Mr. Speaker, that after all this, this lengthy process, designed to accommodate input from all sectors of our State, that what these people are objecting to is not what we have before us today, but really to their own feelings of inadequacy. Their own inability to participate and have an impact on a process that was designed to accommodate the desires and feelings of everyone in our State."

The motion was put by the Chair and carried, and H.C.R. Nos. 21, HD1, SD2; 22, HD1, SD1; 23, HD1, SD2; 24, HD1, SD1; 25, HD1, SD2; 27, HD1, SD1; 28, HD1, SD2; 29, HD1, SD2 and 30, HD1, SD2, were finally adopted.

#### ANNOUNCEMENTS

At this time, the Chair discharged the conferees on the part of the House and thanked them for their efforts and hard work.

At 1:22 o'clock p.m., at the request of Representative Takamine, the Chair declared a recess, subject

to the call of the Chair.

The House of Representatives reconvened at 1:24 o'clock p.m.

The Chair then amended his previous announcement by instructing the conferees on H.C.R. Nos. 19 and 20 to continue deliberations.

At 2:25 o'clock p.m., the Chair declared the House in recess until 9:00 o'clock p.m.

#### EVENING SESSION

The House of Representatives reconvened at 9:35 o'clock p.m.

#### UNFINISHED BUSINESS

Conf. Com. Rep. No. 81-84 on S.B. No. 1846-84, SD1, HD1, CD1:

On motion by Representative Kiyabu, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.B. No. 1846-84, SD1, HD1, CD1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS", having been read throughout, passed Final Reading by a vote of 50 ayes, which was not less than two-thirds of all the members to which the House is entitled to, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. No. 1846-84 had passed Final Reading at 9:36 o'clock p.m.

Conf. Com. Rep. No. 82-84 on H.B. No. 1751-84, HD1, SD2, CD1:

On motion by Representative Tungpalan, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1751-84, HD1, SD2, CD1 entitled: "A BILL FOR AN ACT RELATING TO SHARING OCCUPATIONAL AND CAREER INFORMATION", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 83-84 on H.B. No. 2203-84, HD2, SD1, CD2:

On motion by Representative Matsuura, seconded by Representative Bunda and carried, the report of the Committee was adopted and H.B. No. 2203-84, HD2, SD1, CD2 entitled: "A BILL FOR AN ACT RELATING TO

ENERGY RESOURCES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 1751-84 and 2203-84 had passed Final Reading at 9:37 o'clock p.m.

Conf. Com. Rep. No. 84-84 on H.B. No. 2092-84, HD1, SD2, CD1::

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 2092-84, HD1, SD2, CD1 entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 85-84 on H.B. No. 2320-84, HD2, SD1, CD1:

On motion by Representative Stanley, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 2320-84, HD2, SD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION", having been read throughout, passed Final Reading by a vote of 49 ayes, with Representative Ikeda voting no and Representative Baker being excused.

Conf. Com. Rep. No. 86-84 on H.B. No. 1874-84, SD1, CD1:

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and H.B. No. 1874-84, SD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. Nos. 2092-84; 2320-84 and 1874-84 had passed Final Reading at 9:38 o'clock p.m.

Conf. Com. Rep. No. 87-84 on H.B. No. 1906-84, HD1, SD2, CD1:

On motion by Representative Takamine, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and H.B. No. 1906-84, HD1, SD2, CD1 entitled: "A BILL FOR AN ACT MAKING AN

APPROPRIATION FOR AGRICULTURAL ACTIVITIES", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 88-84 on S.B. No. 1788-84, SD1, HD1, CD1:

On motion by Representative Kiyabu, seconded by Representative Kawakami and carried, the report of the Committee was adopted and S.B. No. 1788-84, SD1, HD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL FUND EXPENDITURE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1906-84 and S.B. No. 1788-84 had passed Final Reading at 9:39 o'clock p.m.

Conf. Com. Rep. No. 89-84 on S.B. No. 2125-84, SD2, HD2, CD1:

Representative Albano moved that the report of the Committee be adopted and that S.B. No. 2125-84, SD2, HD2, CD1, having been read throughout, pass Final Reading, seconded by Representative Kiyabu.

Representative Honda rose and stated that he is a recipient of the State retirement system and asked the Chair for a ruling on a possible conflict of interest and the Chair ruled: "You are in conflict, please abstain from voting."

Representative Rohlfing rose and stated that he "has the same problem", and the Chair ruled: "You are in conflict."

The motion was put by the Chair and S.B. No. 2125-84, SD2, HD2, CD1 entitled: "A BILL FOR AN ACT RELATING TO PENSIONER'S BONUS", passed Final Reading by a vote 48 ayes, with Representatives Honda and Rohlfing abstaining and Representative Baker being excused.

Conf. Com. Rep. No. 90-84 on S.B. No. 20, SD1, HD2, CD1:

On motion by Representative Albano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No. 20, SD1, HD2, CD1 entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SER-



VICES", having been read through-out, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. Nos. 2125-84 and 20 had passed Final Reading at 9:40 o'clock p.m.

At 9:40 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:58 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representative Okamura, from the Committee on Energy, Ecology and Environmental Protection, presented a report (Stand. Com. Rep. No. 961-84) recommending that S.C.R. No. 135, be adopted.

On motion by Representative Matsuura, seconded by Representative Bunda and carried, the report of the Committee was adopted and S.C.R. No. 135 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF ESTABLISHING A STATE ENVIRONMENTAL PROTECTION AGENCY, DEPARTMENT OR COMPARABLE BODY TO COORDINATE AND ADDRESS MATTERS OF ENVIRONMENTAL QUALITY", was adopted.

Representative Stanley, from the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 962-84) recommending that H.R. No. 62, be adopted.

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and H.R. No. 62 entitled: "HOUSE RESOLUTION RECOGNIZING RELATED CRIME PROGRAMS", was adopted.

Representative Stanley, from the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 963-84) recommending that S.C.R. No. 97, SD1, be adopted.

On motion by Representative Stanley, seconded by Representative Tom and carried, the report of the Committee was adopted and S.C.R. No. 97, SD1 entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE INTERSTATE TRANSMISSION OF CRIMINAL JUSTICE DATA AND INFORMATION", was adopted.

Representative Say, from the Committee on Water, Land Use, Development and Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 964-84) recommending that H.R. No. 304, HD1, be adopted.

On motion by Representative Apo, seconded by Representative Matsuura and carried, the report of the Committee was adopted and H.R. No. 304, HD1 entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII'S DEPARTMENT OF URBAN AND REGIONAL PLANNING, IN CONSULTATION WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES, THE DEPARTMENT OF HAWAIIAN HOME LANDS AND THE OFFICE OF HAWAIIAN AFFAIRS, TO STUDY THE FEASIBILITY OF SETTING ASIDE STATE LANDS TO PERMIT CERTAIN RESIDENTS TO PRACTICE A SUBSISTENCE LIFE STYLE", was adopted.

Representative Honda, from the Committee on Corrections and Rehabilitation, presented a report (Stand. Com. Rep. No. 965-84) recommending that S.C.R. No. 95, be adopted.

On motion by Representative Honda, seconded by Representative Hirono and carried, the report of the Committee was adopted and S.C.R. No. 95 entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE DESIGNATION OF A 'HAWAII CORRECTIONAL OFFICERS' WEEK'", was adopted.

Representative Shito, from the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 966-84) recommending that H.B. No. 1914-84, as amended in HD1, pass Second Reading and be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Representative Shito, seconded by Representative Kim and carried, the report of the Committee was adopted and H.B. No. 1914-84, HD1 entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NON-PROFIT CORPORATION ACT", passed Second Reading and was recommitted to the Committee on Consumer Protection and Commerce.

#### CONFERENCE COMMITTEE REPORT

Representative Andrews, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.C.R. No. 26, HD1, SD2, pre-

sented a report (Conf. Com. Rep. No. 94-84) recommending the final passage of the resolution with certain amendments.

On motion by Representative Andrews, seconded by Representative Hashimoto and carried, the report of the Committee was adopted and H.C.R. No. 26, HD1, SD2, CD1 entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE TOURISM FUNCTIONAL PLAN", was finally adopted.

#### SUSPENSION OF RULES

On motion by Representative Segawa, seconded by Representative Marumoto and carried, the rules were suspended for the purpose of reconsidering action previously taken.

#### RECONSIDERATION OF ACTION PREVIOUSLY TAKEN

On motion by Representative Chun, seconded by Representative Kiyabu and carried, the House reconsidered its action taken on H.B. No. 1297, HD2.

On motion by Representative Chun, seconded by Representative Kiyabu and carried, H.B. No. 1297, HD2 entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES", passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 1297-84 had passed Final Reading at 10:03 o'clock p.m.

#### UNFINISHED BUSINESS

Conf. Com. Rep. No. 91-84 on S.B. No. 878, SD2, HD2, CD1:

Representative Albano moved that the report of the Committee be adopted and that S.B. No. 878, SD2, HD2, CD1, having been read through-out, pass Final Reading, seconded by Representative Kiyabu.

Representative Tungpalan rose to speak in favor of the bill stating:

"This bill is a winner. It will enable our government workers to maximize the dollars they receive in negotiations and will also save the tax payers lots of dollars. I take this opportunity to thank you, Mr.

Speaker, the Governor, Representative Albano and Representative Kiyabu, and all of the members of this House for working so hard in preparing this bill for our passage today."

Representative Albano rose and stated:

"The measure presently before us would make the amount of public employer contributions to health fund a negotiable collective bargaining item. In effect, Mr. Speaker, we are defining a new tool for negotiators representing management and labor, to use in the resolution of labor disputes. However, let's be assured, Mr. Speaker, and my colleagues in this House, that the legislative authority to approve or disapprove the amount in the tentative agreement is preserved.

"Recent events are still fresh in our minds concerning the twelfth hour settlement which before a mass walk-out of public employees, makes passage of this measure even more significant. Hopefully, the recent tensions in the wake of a threatened public employees strike, experienced here in the Legislature and around the Capitol and other State buildings, and public anxieties felt and those will be lessened and perhaps, even diverted totally during the next negotiating period approaching.

"Mr. Speaker, I believe this measure, along with other measures passed by the Twelfth Legislative Session, greatly improves our collective bargaining statutes and will definitely improve our collective bargaining statutes and will definitely assist negotiators in the resolution of labor disputes.

"Mr. Speaker, I urge my fellow colleagues to favorably support this bill."

The motion was put by the Chair and carried, and S.B. No. 878, SD2, HD2, CD1 entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC EMPLOYEES HEALTH FUND", passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

Conf. Com. Rep. No. 92-84 on S.B. No. 1709-84, SD1, HD1, CD1:

On motion by Representative Albano, seconded by Representative Kiyabu and carried, the report of the Committee was adopted and S.B. No.

1709-84, SD1, HD1, CD1 entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFORE", having been read throughout, passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that S.B. Nos. 878 and 1709-84 had passed Final Reading at 10:12 o'clock p.m.

Conf. Com. Rep. No. 93-84 on H.B. No. 2151-84, HD2, SD2, CD1:

Representative Taniguchi moved that the report of the Committee be adopted and that H.B. No. 2151-84, HD2, SD2, CD1, having been read throughout, pass Final Reading, seconded by Representative Kiyabu.

Representative Grauly rose and requested that his remarks in favor of H.B. No. 2151-84 with reservations be inserted in the Journal, and the Chair noting that there were no objections, "so ordered."

The remarks of Representative Grauly are as follows:

"Mr. Speaker, the House has been commended for holding the line against increases in the user fees relating to the highway fund. Our actions have been explained by legislative observers as 'election year politics'.

"As a member of both the Transportation and Finance Committees, I do not believe that simple explanation to be an accurate one. There is, justifiably, grave concern for the expenditure side of the ledger. There is a desire to look beyond the traditional sources of highway funding and creatively look at other sources of funds.

"The concern I have, however, is that there may not be sufficient time for the joint House-Senate Committee to take a good look at the expenditure of the Department's highway program. A look at both the Department's highway-funded personnel, as well as projected-funded personnel, is in itself a formidable task.

"Maintaining the highway system's regular cycle of maintenance is critical to our economic growth and well being of our construction industry, for which I have great con-

cern. I don't know how successful the joint committee will be at looking for savings in other areas - our special maintenance and debt service costs. I fear that not much can be done. This is one time I believe that it would have been easier to raise taxes. But I support the decision not to do so. I support the examination of our highway fund expenditures. I support the desire for a permanent solution to the problem. But I wish to put the task before us very clearly.

"Mr. Speaker, in this bill, we have taken certainty out of our highway fund planning process, suspending the process in mid-air. We have dared to risk our bond rating. We have risked our reputation for prudence. We cannot afford to come up empty. Thank you, Mr. Speaker."

The motion was put by the Chair and carried, and H.B. No. 2151-84, HD2, SD2, CD1 entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHWAY FUND", passed Final Reading by a vote of 50 ayes, with Representative Baker being excused.

The Chair directed the Clerk to note that H.B. No. 2151-84 had passed Final Reading at 10:13 o'clock p.m.

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

By unanimous consent, H.C.R. Nos. 41, HD1, SD1 and 49, HD1, SD1 were taken from the Clerk's desk.

Representative Souki moved that the report of the Committee be adopted and that H.C.R. No. 41, HD1, SD1, having been read throughout, be finally adopted.

Representative Andrews rose to speak for the resolution and all other concurrent resolutions that were to follow, stating:

"Mr. Speaker, very quickly, the resolution we are adopting is to encourage the administration to work out land trades or whatever to acquire the property at Makena. And on behalf of your representatives from Maui County, on behalf of the group that has come to visit us to save the State park at Makena, we appreciate all of your support and all of your help on this matter in the many things that we've accomplished this session. Thank you very much, again, on behalf the Maui Repre-

sentatives and the State Park at Makena group."

The motion was put by the Chair and H.C.R. No. 41, HD1, SD1 was finally adopted.

On motion by Representative Matsuura, seconded by Representative Apo and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 49, HD1, and H.C.R. No. 49, HD1, SD1, having been read throughout, was finally adopted.

By unanimous consent, H.C.R. No. 35, HD1, SD1, was taken from the Clerk's desk.

On motion by Representative Matsuura, seconded by Representative Nakasato and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 35, HD1, and H.C.R. No. 35, HD1, SD1, having been read throughout, was finally adopted.

By unanimous consent, H.C.R. Nos. 95, HD1, SD1; 39, HD1, SD1; 105, HD1, SD1 and 11, HD1, SD1, were taken from the Clerk's desk.

On motion by Representative Okamura, seconded by Representative Kiyabu-Saballa and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 95, HD1, and H.C.R. No. 95, HD1, SD1, having been read throughout, was finally adopted.

On motion by Representative Okamura, seconded by Representative Kiyabu-Saballa and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 39, HD1, and H.C.R. No. 39, HD1, SD1, having been read throughout, was finally adopted.

On motion by Representative Okamura, seconded by Representative Kiyabu-Saballa and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 105, HD1, and H.C.R. No. 105, HD1, SD1, having been read throughout, was finally adopted.

At 10:13 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:23 o'clock p.m.

On motion by Representative Okamura, seconded by Representative Kiyabu-Saballa and carried, the House

agreed to the amendments proposed by the Senate to H.C.R. No. 11, HD1, and H.C.R. No. 11, HD1, SD1, having been read throughout, was finally adopted.

#### INTRODUCTION OF RESOLUTIONS

On motion by Representative Kihano, seconded by Representative Rohlfling and carried, the following resolutions (H.R. Nos. 419 to 439 and 441 to 443) were adopted:

A resolution (H.R. No. 419) extending appreciation and thanks to KGMB-Television (Channel 9) for its extensive coverage of the activities of the Twelfth Legislature, Regular Session of 1984 was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 420) extending appreciation and thanks to the Honolulu Star-Bulletin for its extensive coverage of the activities of the Twelfth Legislature, Regular Session of 1984 was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 421) extending appreciation and thanks to the Central Services Division, Department of Accounting and General Services for its splendid cooperation and excellent service rendered to the House of Representatives, Regular Session of 1984, was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Peters.

A resolution (H.R. No. 422) extending appreciation and thanks to KITV (Channel 4) for its extensive coverage of the activities of the Twelfth Legislature, Regular Session of 1984, was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 423) extending sincere gratitude and thanks to the Honolulu Council of Churches, the Honpa Hongwanji Mission and Catholic Diocese was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 424) expressing appreciation and thanks to the Legislative Auditor's office for its splendid cooperation and excellent service rendered to the House this session was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 425) ex-

tending appreciation and thanks to KHVH All-News Radio for its splendid coverage of the activities of the Twelfth Legislature, Regular Session of 1984 was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 426) extending appreciation and thanks to KHON-TV (Channel 2) for its extensive coverage of the activities of the Twelfth Legislature, Regular Session of 1984, was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 427) extending appreciation and thanks to the Honolulu Advertiser for its splendid coverage of the activities of the Twelfth Legislature, Regular Session of 1984 was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 428) extending appreciation and thanks to the United Press International (UPI) for its extensive and splendid coverage of the activities of the Twelfth Legislature, Regular Session of 1984 was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 429) expressing appreciation and thanks to the Pineapple Growers Association of Hawaii for supplying pineapple juice to the House of Representatives, Regular Session of 1984 was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 430) extending appreciation and thanks to radio stations for their fine coverage of legislative activities throughout the session was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 431) expressing appreciation and thanks to the Capitol Security Force for excellent service rendered to this House throughout the Regular Session of 1984 was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 432) extending appreciation and thanks to KHET Public Television (Channel 11) for its extensive coverage of the activities of the Twelfth Legislature, Regular Session of 1984 was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and

Marumoto.

A resolution (H.R. No. 433) extending appreciation and thanks to the Associated Press (AP) for extensive and splendid coverage of the activities of the Twelfth Legislature, Regular Session of 1984 was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 434) expressing appreciation and thanks to the Legislative Reference Bureau for its splendid cooperation and excellent service rendered to the House of Representatives, Regular Session of 1984 was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 435) extending appreciation and thanks to the Honolulu Police Department for its fine and efficient service rendered to the House of Representatives, Regular Session of 1984 was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 436) authorizing and directing the Committee on the Journal to compile and print the Journal of the House of Representatives of the Regular Session of 1984, was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 437) authorizing the Speaker of the House of Representatives of the Twelfth Legislature of the State of Hawaii, Regular Session of 1984, to designate which of the employees and officers of the House shall be given additional employment to meet the work after the session and is further authorized to determine the period of employment for each was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfling and Marumoto.

A resolution (H.R. No. 438) authorizing the Speaker of the House of Representatives of the Twelfth Legislature of the State of Hawaii, Regular Session of 1984 to (1) expend such sum or sums from the funds appropriated for legislative and other expenses of the Twelfth Legislature, Regular Session of 1984; (2) to contract, hire or employ such personnel and assistance; and (3) to do or cause to be done such other such duties; all for the purposes of completing the work of the Twelfth Legislature, Regular Session of 1984, subsequent to the adjournment thereof, including the carrying out of any

official legislative business in the interim between the 1984 and 1985 sessions, up to and including January 16, 1985, this authorization being in addition to any other authorization theretofore granted to the Speaker or any other officer or officers of the House of Representatives was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfing and Marumoto.

A resolution (H.R. No. 439) relating to standing committees and special committees authorized between the adjournment of the Regular Session of 1984 and the convening of the Regular Session of 1985 was jointly offered by Representatives Kihano, Blair, Segawa, Rohlfing and Marumoto.

A resolution (H.R. No. 441) extending congratulations to the National Association of Extension Home Economists on their 50th anniversary and to all University Extension home economists in the State for their continuing services was jointly offered by Representatives Ikeda, Hagino, Albano, Anderson, Andrews, Blair, Bunda, Chun, Crozier, Dang, Graulity, Hayes, Honda, Ige, Isbell, Jones, Kihano, Kiyabu, Lardizabal, Leong, Levin, Marumoto, Matsuura, Medeiros, Nakasato, Okamura, Rohlfing, Say, Segawa, Souki, Tam and Yoshimura.

A resolution (H.R. No. 442) congratulating and commending the Kamehameha Secondary School for the 62nd annual song contest was jointly offered by Representatives Say, Hee, Crozier, Andrews, Apo, Bunda, Chun, Dang, Hashimoto, Ige, Isbell, Kawakami, Kiyabu-Saballa, Menor, Okamura, Shito, Souki, Tam, Taniguchi and Wong.

A resolution (H.R. No. 443) welcoming delegates and honoring distinguished guests of the American Pacific Nursing Leaders Conference was jointly offered by Representatives Chun, Ikeda, Albano, Anderson, Andrews, Apo, Blair, Bunda, Crozier, Dang, Hashimoto, Hayes, Hee, Hirono, Honda, Isbell, Jones, Kihano, Kim, Kiyabu, Kiyabu-Saballa, Lardizabal, Levin, Matsuura, Medeiros, Menor, Nakasato, Okamura, Say, Segawa, Shito, Souki, Stanley, Takamine, Tam, Taniguchi, Wong and Yoshimura.

A resolution (H.R. No. 444) congratulating the 1984-85 Hawaii Regional Scholastic Art Exhibit Winners was jointly offered by Representatives Hagino, Apo and

Marumoto.

A resolution (H.R. No. 440) honoring Yoshito Takamine upon his retirement from public office and wishing him continued health, happiness and our sincere Aloha was jointly offered by Representatives Peters, Kihano, Segawa, Blair and Kawakami, was read by Clerk.

On motion by Representative Kihano seconded by Representative Rohlfing, H.B. No. 440 was adopted.

At this time, the Chair appointed Representatives Medeiros, Isbell, Matsuura, Levin and Segawa to escort Representative Takamine to his seat of honor next to the rostrum.

Representative Kihano rose to speak for the resolution stating:

"I first met this man in November, 1970. Although we were on opposite sides, Mr. Speaker, because we were organizing the House at that time, I ended up with the majority and Representative Takamine was with the majority, although on the minority side.

"It was quite an experience for me in 1970 as a freshman, because I'd heard of Representative Takamine as a labor leader, as a negotiator, as a man with diligence and a man with patience and a man with coolness. Truly he is, as I've worked with this fine gentleman. People tell me that I'm cool, I'm patient, but these are some of the things that I've learned through the years through Representative Takamine. And I feel at this point, Mr. Speaker, that I'll be losing a great teacher, a great legislator, a great friend, but I know that in the future, whatever endeavors would be, that I can always call on Representative Takamine for assistance while I'm serving here in the Legislature, Mr. Speaker.

"And I'd like to thank him and his wife and his family for sharing Representative Takamine in my fourteen years, working with him in the Legislature, because the things that I've learned from this man, I cherish and I know that I can possess for the rest of my life. And I want to thank him. Although we're losing him in the Legislature, I know we have a great friend in Representative Takamine and a true statesman. Thank you."

Representative Kawakami rose and stated:

"I, also, when I first came in to



the Legislature, not knowing too many people, I was really afraid of my good friend, Yoshito Takamine. Let me tell you that he always carried a composure of being a very serious person, unsmiling, hard working, and he's one of the guys I really kept away from because I didn't know how to act if I had to confront him. But let me tell you that Yoshito, in the time he served as Chairman of the Labor Committee, has fought very hard, and I think he had a purpose and he accomplished that purpose in bringing equity in our labor laws. I think that this is one of his greatest accomplishments. If you had followed his career after he finished his work, he changed his interests, and went into different committees.

"Yoshito has always been my idol. I think that he's one of the greatest manipulators of the capitol improvement projects. And let me tell you, I've learned a great deal from him. So when any of you go to the neighbor islands, especially the Big Island, you'll see the Hamakua Coast slightly tilted, that's caused by all the physical facilities, the new school buildings, the public facilities, the new highways, all along the Hamakua Coast. And I think I've learned a great deal from him, and I'm trying to make Kauai as good as the Hamakua Coast.

"In the past few years, we've seen a big change in his attitude. When he started, he was anti-big companies and now, he's one of the strongest supporters in this House, in this Legislature, on keeping our sugar industry viable. Over the past three years, credit should be given to Yoshito for finding funds to support one of the basic industries in the State.

"I think we can all learn by this very sage advice given a few years ago by our Governor John A. Burns, when he said, 'Wise men change their minds, fools don't.' And I think that Yoshito is this kind of person. In the past few years, he's proven to each and every one of us, that he has changed his mind but it's always for the betterment of our State. Thank you very much."

Representative Segawa rose and stated:

"I would like to just a few words regarding what Representative Kawakami had said on capital improvement projects. In Honokaa, I'm sure that the Governor has wondered many times what happened to the

money that he thought he had, and I think he would soon realize that it had already gone to Honokaa and the Hamakua Coast.

"Mr. Speaker, tonight I believe that we honor one of our greatest legislators in the State, not only in the number of years that he's served. I don't think too many people know that Representative Takamine has come to the Legislature after being pulled out of Honokaa Sugar as a sugar crane operator, and Representative Takamine graduated from Honokaa High School and he had to work hard to support his family and then he had to take on this challenge, and I believe, a mission for the organization that he represented at that time, to do the things that the labor organization wanted to do for their people. And I know that one of his friends told me, I forget her name now, but, she told me that the first session that Yoshito was here, she had to console him on the steps of Iolani Palace, as he sat there, with his head bowed, and needing someone to confide in, she told me he sat there and he told her, 'I don't know what I'm doing here.' And to think, Mr. Speaker, that this man who felt that he didn't know what he was doing here, has been with this Legislature now for twenty-six years. And the things that he has accomplished is all a part of our history and of our record.

"But more than that, Mr. Speaker, I have had the pleasure of being his neighbor for some eight years on the fourth floor, and the reason that Representative Takamine could accomplish so much was because of the long hours that he put in his office. While many of us went home to rest or sleep, Representative Takamine was still working. Of course, for many of the freshmen members who are here now, who have learned so much in the past session, are feeling a little better after two sessions, while I can understand their own frustrations when they first started, and I started ten years ago and Representative Takamine already had fifteen years on me, and I learned a lot from him, but more than that, Mr. Takamine, I think that he has done a great job in raising a wonderful family while doing all of this for the public, and we should be very thankful to this man and his family. Thank you very much."

Representative Levin rose and stated:

"Mr. Speaker, as the youngest member of the Big Island delegation,



I do want to say a few words also. I am sure I did not always show it to Representative Takamine, but I do want him to know that I feel very fortunate for having served with him and I feel very grateful for the guidance that he has given me. I know darn well that I would not be in the Legislature today if not for his help, and I thank him and wish him the very best. Thank you."

Representative Hagino rose and stated:

"I've known the honoree for a very long time. I first met him when I was still a college student. I had come down to the Legislature in 1969 because a bunch of us were concerned about environmental issues at that time, and one of the big issues of that year was the introduction of axis deer to the Big Island. All the hunters were for it on the Big Island. I'm sure Representative Levin has an idea of how strong a bunch they can be, and I'd just about given up toward the end of the session that the resolution allowing the introduction of deer on the Big Island was going to pass. And lo and behold, one Big Island legislator prevented what a lot of us thought would be a detrimental species on the Big Island, and that was Representative Takamine. I've always admired what he did that day. He did it because he believed in what we said and he went against many constituents of his, and I've always been proud of him for that.

"All of us so far has talked about the past, the history of this great man, I prefer to think about the future. He's one of the few old timers in the labor movement and as a politician who's always looking for new leaders, for labor, for politics, and he's always telling me, and I'm sure a number of you young people here on the floor, 'When are you guys going to get going? What are you going to do? I'm still waiting.'

"Well, I'd like to say, Yoshito, that as you leave, the wait is over. I think you can rest assured that we will do our best to carry on your work. Thank you."

Representative Tungpalan rose and stated:

"Mr. Speaker, Representative Levin spoke today of a fire sale, I believe as Labor Chairman, I've inherited Representative Takamine's shoes. The one problem that I have is that it's so big, I feel really very humble

in trying to wear them.

"This morning I asked him, 'Well, how do you feel about this protege of yours' and he said, 'tough.' He told me one secret, he said, 'Don't let the traffic move you; you move the traffic.' And I think that this is exactly what Representative Takamine had done these past twenty-six years. He's been able to initiate strong reforms for labor that were fair and needed during those times. The challenge for us in the future is to keep what is really needed for the worker and to find new ways to meeting all the crises, and all the needs of the worker, the business, and our government so much demands. This is a legacy that Representative Takamine has pioneered, and it is not easy to follow. And I'll tell you something, I know each and everyone of us here will try our very best to uphold the dignity and integrity of what he has left us tonight. I thank him and his family for giving us the opportunity to serve with us."

Representative Okamura rose and stated:

"I've had the privilege of serving with Representative Takamine the past four years on all of the same committees, and I consider that a real honor. I've learned so much from the man. I think that all of you know that in the Natural Resources bracket we had some differences. The Representative and I disagreed on a number of issues. It was very trying at times. I can honestly say that the man is a statesman, and that when we were down and out, I could always go to Yoshito and he'd always give us a pat on the back, good advice, and always there for us. And I truly appreciate that. I've also had the privilege of working with Representative Takamine on a recent state wide campaign and I can honestly say that we would have never won that election without his commitment. His sense of commitment, his sense of loyalty and integrity is truly admirable and I for one, feel a bit sad cause I certainly will miss you. And I intend to keep in touch with you as you go to you kapuna years. Good luck to you."

Representative Nakata rose and stated:

"It has been my pleasure to serve as the last Vice Chairman to Yoshito Takamine. It has been a very good experience. I knew I had a good leader when I talked to him about the

situation with sugar and suggested to him that maybe the best thing to do for the sugar industry is to send labor leaders overseas and get the wages there up, and he reminded me that they're likely to come home in boxes. He understands many things very well.

"It was a pleasure and as one of the freshmen with the closest association with Yoshito, I'd like to speak for them, if I may, watching a polished politician at work was a great learning experience for us. Thank you, Yoshito."

Representative Chun rose and stated:

"Mr. Speaker, I have never served in a committee with Representative Takamine. I've never worked with him directly, but when I was sick at the hospital, a big bouquet came and it was from Representative Takamine and his family. After I came back to the Legislature, he took time and sat down with me, right here, for over half an hour, and he told me, 'Connie, there are more things in life than the Legislature. Your family always comes first.' I never expected it from him because I never served with him in any committee. He really has a feeling for us freshmen and for that I will always remember him. Thank you, Representative Takamine. You have set a good example for me."

Representative Medeiros rose and stated:

"Many of my colleagues have already said what I'd like to say. However, Representative Takamine, you being here for twenty-six years, you did not make it happen. Your constituents made it happen, and I would like to share also, the sentiments of all of us, that you had shared your talents with all of us. Me being in the minority for fourteen years, I have learned much and it was from you that I learned plenty. Good luck to you on behalf of all of us. Thank you."

Representative Ige rose and stated:

"Mr. Speaker, unfortunately Representative Kawakami saw what I had written about Representative Takamine this evening and after he read it, his comment was, 'Representative Ige, it appears you never knew the real Takamine in his younger days. He was a true tiger.' And yet, Mr. Speaker, as I stand here, the words that I had written down, Representative Kawakami stood

up and basically reiterated the same things that I had written. So let me share with you a few feelings that I have knowing Representative Takamine just a few six years while being here in the Legislature.

"Speaker, there were two things that I could never understand about Representative Takamine, and one of those things was how can a House member attract so many people to his fundraiser. More than the Governor . . .

The Chair interrupted:

"Representative Ige, please don't stretch the point."

Representative Ige continued:

"It always amazed me on how many people follow this man. I think number two, Mr. Speaker, is he always was willing to listen no matter how busy he was, he was always available. He never told me what to do. He basically shared his thoughts with me. I appreciate that and I stand here this evening wanting to tell you, Representative Takamine, that what you're leaving behind is truly something that I value. I'm only possibly frustrated, because I will not have the benefit of your thoughts in the future, but I do know that I can still call upon you when the need arises. I guess, Mr. Speaker, in listening to Representative Chun, in answer to my first question about the draw of this man, I begin to understand why people follow him. Thank you."

Representative Matsuura rose and stated:

"Mr. Speaker, I would like to say a few words because I have lived with Representative Takamine at the Nakamura Hotel for about twelve years, so I can assure you that he is one of the last persons to leave the Capitol. But I can assure you that he is the first to wake up because at Wisteria Restaurant, he's always working somewhere around 7:00 o'clock in the morning with people around there. Whatever I say at this point, is just going to make my comments look small so I would like to request is, Mr. Speaker, all the comments made today, be incorporated as mine in the Journal. Thank you."

Representative Kiyabu rose and stated:

"Mr. Speaker, the Vice Chairman has talked about the ability of

Representative Takamine manipulating the construction and improvement of the pork and this year, I really found out that he has the ability to be like a ghost Senator. In our deliberations at our conference, we agreed to provide EMS for Kohala; we had to give ambulance to Kohala. There were several other items that he was able to manipulate and his constituents, really, and I guess that's the reason they returned him here for twenty-six years cause they know his ability and I wish him well.

"The other thing is that the former Speaker, before you, was known as the 'opihi'. I think Representative Takamine is worse than an opihi, because when I was the the State Planning Chairman, there was a proposal to develop a thirteenth functional plan, called an employment functional plan. And Representative Takamine called me to his office, he had the Labor Director and the Deputy Director there, and we discussed the possibility of an employment functional plan and I agreed with them at that particular time. But from that day on, he never let me forget that we needed an employment functional plan. I was conducting a meeting, and he came to Room 310 and sent a message that he wanted to see me. So I stepped out of the meeting and he again told me about it, and I said, 'Yoshito, I'm going to do it.' That was okay. The following day, I walked to the bathroom, he walked to the bathroom with me, and while we're doing our business, he's telling me, 'Ken, you gotta get the employment functional plan', and I said, 'Yoshito, I'm going to do it.' Two days later, I'm driving, trying to get out of the Capitol, I'm in my car and in my stall, he's driving up, he parks the car right in back of me. I can't get out, and he says, 'Ken, can I see you.' I said, 'Yoshito, I'm going to do it!' So I don't know about the former Speaker-being an opihi.

"Representative Takamine, I wish you well and we've learned a great amount from you and I hope we don't have too many opihis in this House."

The Chair then stated:

"I know that every individual legislator, member of this House, would certainly like to stand and accord you the proper accolades, Representative Takamine, but, I'm going to take privilege of the Chair by way of speaking in behalf of all the members here, knowing the

lateness of the hour to extend to you our Aloha for your dedicated service to the people of Hawaii for twenty-six consecutive years. I can't believe it. I'm tired already and I only have ten. And to extend to you and your family our very best wishes for a joyous and happy future."

Representative Kihano then presented Representative Takamine to the members of the House.

Representative Takamine then rose and stated:

"Thank you very much. I thought this was a mortuary. But seriously, Mr. Speaker, Governor, First Lady, officers and members of this honorable body and people tonight in the gallery - but first, Mr. Speaker, since my immediate family was introduced, by the way, Mr. Robert Tamai is my campaign manager, and there's other people out there, this being my last night, there's quite a few people that came from Hamakua and the other surrounding areas. I can't mention all but all those who came from Honakaa, I know they came to make sure that Senator Kiyabu did not miss the Emergency Medical Services ambulance."

Representative Takamine then acknowledged all his supporters who were seated in the gallery.

Representative Takamine continued:

"Some twenty-six years ago, in fact I've said this to many of you who asked, 'were you going to speak again like about a year ago, April 15,' and I think that some of you said, 'Are you going to make us cry again?', and I said, 'No, I'm going to go out quietly.' I think I came to this Legislature twenty-six years ago quietly, and I thought that I would be leaving this place quietly again, but, so many kind things have been said and I think it's too generous. Those constituents out there and those that couldn't be here tonight, back home, they are the ones who really should be receiving these thanks because it is through their efforts that I'm here tonight.

"And I feel, Mr. Speaker, Mr. Governor and First Lady, real honored and privileged to have served for twenty-six years. I think I had a mission. In fact, if I recall, 1958, because the 1958 Territorial Legislature decided that they should implement the 1950 Constitution that increased the House members from 25 to 51, the Senate from 15 to 25, that

the ILWU was looking for some members they felt that can contribute and fortunately, or unfortunately, I was one of them who was picked and I was successful. And my whole mission here was to assist the late Eddie de Mello in trying to improve the labor laws. So you can say that I had a mission here and there's no question that we've made many improvements, not individually but because so many others that are not here tonight, some that are here tonight, that all worked collectively in this House and the other house, and also, because of the cooperation of the late Governor Burns, and also, our Governor today.

"But also, with that mission, that I've tried to work closely with the various communities that make up the districts. In fact, the first thing that I did was to make my job a little easier. We set up community councils in Hamakua, North Hilo and Kohala. And it is their work, their wishes, their desires, their priorities that I have been able to bring it here and successfully, working with all of you, many who are not here tonight, in both houses, because it takes both houses to pass any piece of legislation and the cooperation of our Governor. And I think if I can leave one word here, it's that it takes team work. No one person can do the job. It takes cooperation and getting that cooperation, I think - the first step is to give cooperation. And that nothing in this House, or in the other house, that I think you've got to earn that respect and you're going to get that respect by showing respect and by working together.

"I'd like to . . . I know it's late, so I won't take too much of your time, but I would like to really thank the Oahu Representatives and the Oahu Senators, and our Governor, especially, because we were in the minority, the neighbor islands, and that's the reason why we tried to hold our neighbor island caucus every other Tuesday. But it's because of the understanding of the Oahu majority, the great majority, I don't think, not only the Hamakua Coast, the whole Big Island and the neighbor island counties, that have developed those infrastructures, those recreational complexes, those municipal centers and all the things we lacked that mostly was found on Oahu. The passage of Act 97 in 1965, that we believed in equal educational opportunities or equal health benefits for all the citizens of the State could not have been done without the full cooperation of all the Oahu Representatives and Senators. And I truly

feel thankful that we have that kind of understanding that it's not where you come from, that this is one State, what's good for the State is paramount.

"You asked, sometimes . . . we get confused with the so-called Home Rule, but because we're a strong central State, without Waikiki there would be no running water or good streets in Hamakua. With other basic industries, there's no question that we could not have advanced so far. And yet in those beginning years, we have worshipped growth and, therefore, we have great institutions like the University of Hawaii, our Department of Education, the Aloha Stadium and many of those monuments you see out there were made possible because of the growth.

"But also, I think one thing we forgot, and that was the environment, we neglected or we left it by the wayside until it caught up. So that it was the seventies that we saw the congestion on highways, and we saw the high cost of homes that we began to feel all growth is not the answer because we still had unemployment. Because so many people would like to own a piece of paradise here in the State of Hawaii and that is why it is so important tonight that we adopt the functional plans to implement our State plans of 1978, Act 100, so we can begin to get the show on the road.

"Unfortunately, although we passed the eleven functional plans, we couldn't pass the agricultural plan, but I guess we can't do everything overnight. It takes time and I know that it will pass, hopefully, next year. But as I said, about a year ago, as I look around this hall and the other hall, and when people ask me, 'Why are you leaving now?', and I say that I feel very comfortable. I see all you young Representatives and Senators coming in, well qualified, well dedicated. You must be dedicated, otherwise you wouldn't be representing your district. And collectively, we have worked together. The problems of today and tomorrow will be greater. Fortunately I served in the period of growth and you can see the many monuments, but things won't be that easy, but because it won't be easy, finding homes, finding jobs, taking care of the environment, and in fact, we're all looking toward next year being a tough session when tough solutions have to be found - workers' comp., the tax review, the water code, the land, the leases and many other big

problems. But I know, and I trust, I believe that all of you, working collectively will find the right solution because the people out there, the ones that need the most help, are the younger people. And I know that if the priorities need to be changed, you will do the changing, but I know that you'll be addressing those problems.

"And finally, that I think that one of the essence of a leader is that he tries to find, but not to make himself indispensable, but to try to find as many people that can carry on and do a good job and while I'm leaving with mixed emotions, yes, nostalgia, staying up late like this, seeing so many people, looking for answers, committee meetings, the many, many sermons every morning that you try to not only to remember but practice, that we would be missing but also that I can look forward knowing that the problems of the State are in good hands. That I'll be having more time, naturally with the family, first, and to spend more time working together with the communities to again, bring back those problems to all of you.

"From that standpoint, hopefully, there will be another Takamine taking, maybe not that seat, maybe not that office, but would be continuing on. And if I could say one thing, and I say that to those who have worked with me very closely, that I know he's well qualified. That he'll be doing a better job than his father.

"Mr. Speaker and members of this honorable body, I would like to thank not only all of you, the Governor, the First Lady, all of the department heads that made my job so much easier, and all of our support staff, all the people that are involved with this legislature to make our job that much easier, because the last few days, the Star Bulletin and the Advertiser, KHVH, many of the newspapers have been asking for interviews, and they've asked what is the difference when you first came and today. I said that when I first started, we had to learn the hard way. I see Representative Jack Suwa, head of the Department of Agriculture out there. When we first started in 1958, ten Democrats and eighteen Republicans made Elmer Carvalho the Speaker of the House. What I was trying to get at is we had a certain number of projects with Representative Kiyabu and Representative Kawakami alluded to. But then I found out that the other old

time Representatives projects were going on but ours couldn't advance. Later I found out that their's were general fund and mine's was bond funded. But today because of the experience of the past, and I think that our leadership, the Speaker and the officers, have made sure that all the new Representatives would get the best of information and thereby give you enough seminars and all the help to make your job that much easier. So that, I think that our future is in good hands.

"Mr. Speaker, again, I would like to thank you and the members of this honorable body for your very, very, generous resolution. Thank you very much."

At this time, Representative Takamine was presented with leis by Representatives Chun, Hashimoto, Hayes, Hirono, Ikeda, Isbell, Kiyabu-Saballa, Marumoto, Stanley, Tungpalan and Wong, and Representative Kihano presented the certified copy of the resolution.

Representative Takamine then introduced Representative Takamine's wife, Kimiko; his eldest sister, Katherine Kobashigawa; his sister, Sue Kokazu; his son, Dwight Takamine and his campaign manager, Robert Tamai.

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

The House of Representatives reconvened at 11:40 o'clock p.m.

At this time, the Chair appointed Representatives Blair, Segawa, Rohlfing and Marumoto to inform the Senate that the House had completed its work and was ready to adjourn sine die.

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

The House of Representatives reconvened at 11:53 o'clock p.m.

Representative Marumoto rose and stated:

"Mr. Speaker, the minority has some leis to present to two people who are retiring from politics, Representative Rohlfing and Representative Segawa."

At this time, Representative Ikeda

presented a lei to Representative Segawa and Representative Marumoto presented a lei to Representative Rohlfing.

Representative Segawa rose and stated:

"I appreciate this beautiful lei. I just want to say that this presentation may have been premature. Contrary to the conclusion that Representative Marumoto has made tonight, and the newspapers have speculated to what my demise may be, I just want, for the record, that at this time, it is premature and until it is officially announced, I would like to say, 'you're not going to know.'

The Chair stated:

"Representative Segawa, the Chair notes that you've accepted that lei in the spirit in which it's been given . . . and that's with a lot of Aloha and love."

Representative Rohlfing requested that his closing remarks be inserted in the Journal, and the Chair noting that there were no objections, "so ordered."

The remarks of Representative Rohlfing are as follows:

"Early this week, a long time Hawaii political pundit and occasional columnist characterized this session as 'lackluster' . . . a point of view which one might expect from the minority member of this House, but one I would prefer not to take. I would have said, objectively imagining myself in the shoes of that columnist, that this session was a session that came to grips with tough economic times, while still maintaining all essential public services.

"It has been tough for some of us, anxious for meaningful reform in areas we have long researched and/or long advocated to acknowledge that action in many vital areas of public policy have been delayed pending the outcome of various studies. Proposed tax reforms, including some sorely needed relief for our business community and repeal of the 4% tax on food and drugs, were again put aside, so that the Tax Review Commission can carefully assess the entire tax structure and make educated recommendations. I only note that, since this Legislature deliberately chose to abdicate its statutory responsibilities in this area once again, this body must be ready and willing to act when those recommendations come

down. We have convinced those aggrieved by tax imbalances that further study was needed. They will not understand, nor should they support, further delay once that study is available to state legislators.

"Another area in which we have put the over-burdened and sorely tested 'on hold' is the need for Workers' Compensation reform. The one thing we wanted badly to do, that could have been done regardless of a need for further study, was killed across the hall: namely, stiffening of penalties for fraud, and providing for mandatory restitution. We find ourselves this year, after numerous confrontations and confusion in last year's session, in the position of extending a moratorium on rate increases, withholding relief of any kind from the insurance companies who must supply mandated benefits without so much as an allowance for their bona fide cost increases. I hope the next legislature is as concerned about this problem as we have been, and that they will act responsibly and quickly on the recommendations of the study to serve the people who need our help so badly.

"I also hope the commitment, our bi-partisan commitment, is there next year to do something about lease rent re-negotiation procedures. Some very good work was done in the House this year, and I share, with our caucus and a large number of my majority colleagues, very deep disappointment that the Senate majority chose to ignore carefully drafted and well-researched legislation that would have responsibly answered the pleas of Hawaii lessees. We must no longer regard this issue as a 'district' matter. How we choose to handle this, and the ripples that will surely spread from our choice, will greatly affect the lives of the people we serve in ways we cannot begin to imagine. We must not allow this issue to slip from the priority list of the next legislature.

#### MAJOR ACCOMPLISHMENTS OF THE 1984 SESSION

##### Drinking and Driving

We made a good start toward solving this serious problem. We passed measures which tighten penalties for offenders, especially repeat DUI's. Other bills enable police to use roadblocks and discourage the sale of liquor to minors. But the big one got away from us, due to the strange and mystical



reasoning offered by the Senate Judiciary Chair. One of the major priorities of our caucus, again shared by our House majority colleagues, was to raise Hawaii's drinking age. This must be a top priority for action in 1985 -- we cannot afford to lose a single life, especially a young one, because of further legal procrastination. The House's position was clear; to paraphrase our Speaker, we must be more persuasive (or else help reorganize the Senate).

#### Taxes

We all worked hard to insure that no new taxes would fall on an already over-burdened public. There will be no new or increased excise, income, corporate, estate or 'tourist' taxes. The state's multi-billion dollar budget will be balanced by (a) tax revenues increasing as a result of regular economic growth and (b) maintaining a tight lid on spending -- two sound Republican principles, I might emphasize.

"Another Republican tenet, that of home rule, was again put aside by this Legislature. Megatrends suggests that the governments of the future must, and will be smaller and closer to the people they serve. We can no longer ignore the unique needs of the counties. They must be economically unshackled so they may set goals and priorities in areas where they have better knowledge of their special needs.

"A philosophical victory for the House was attained in our success in again rejecting bingo, lotteries, pari-mutual betting and all the other inroads promoted by gambling interest which are perennially presented to us as panaceas to enable us to raise money without taxing anyone. I feel the public was the ultimate winner on this one.

#### Education

"Strong messages sent by the House, specifically bills enabling an appointed Board and Superintendent of Education, were ignored in the Senate. These long-supported and oft-GOP-initiated measures were well-founded ways to focus responsibility and insure an improvement in the quality of education in Hawaii's schools.

"On the positive side, we were able to act quickly, and in the final analysis, fairly responsibly, in pro-

viding accessibility to the records of pre-schools and day care centers. For once, perhaps, the wheels of government ground in time with people's needs. However, I must say we need a major overhaul of the law for access by the public to records and internal reports of the people's government.

#### Collective Bargaining

"While we, no doubt, surprised a few people, Republicans accurately pointed out that there was, indeed, sufficient money in the State's treasury to fund appropriate wage increases for our public employees. Another important measure includes police in the arbitration process, and prohibits strikes, as in the case of firefighters. As I personally sought this by amendment to collective bargaining bills in the Senate in the early 70's, I feel very good.

#### Consumer Issues/The Environment

I feel our scorecard in this area should have been better. We passed what I consider a blatantly anti-consumer measure in the shelf-life-for-milk bill. This bill effectively curtails consumer choice for local shoppers, keeps milk prices high, and re-emphasizes our negative 'business climate' image.

"I also wish we had been more successful with regard to consumer concerns on pesticides and other contaminants in our soil and water. Republicans introduced a comprehensive environmental package, and rejoice in the fact that some of our concerns are reflected in a measure which makes the Office of Environmental Quality Control a clearinghouse for matters relating to environment and ecology. Another GOP measure to ensure that the public is appropriately notified of contaminants in the public drinking water is on the way to the Governor. This bill also mandates that the Director of Health take corrective action when such contamination threatens the public safety. Sadly, many other necessary consumer/environmental issues were ignored, or sent off to be studied further. A comprehensive 'Workers' Right to Know' measure introduced by minority members, died without a hearing. We feel, given the thrust of this administration's plan to build up high tech, that this type of legislation must be in place to insure that the rights of workers to be informed of the hazards under which they



work, and to have records kept on their exposure to hazardous materials, are not ignored or abridged.

"Water-related resources, both fresh and seawater, have always been paramount in our lifestyles. For three generations, the legislatures of Hawaii set aside and managed extensive portions of government and private lands for the purpose of enhancing our supplies of surface and ground water. I'm afraid, however, that our government has become careless in protecting these resources, permitting promotion of other forest uses at the expense of the primary purpose of these watershed forests, and allowing significant reductions in the extent of these watershed, and management practices which have led to extensive forest degradation.

"We face impending water shortages and contamination on Oahu and periodic droughts on all islands, despite ongoing expenditures for staffing and water system facilities expansion. Our legislative and administrative wisdom has suffered for lack of comprehension, scope and decisiveness, since we have repeatedly dropped measure which would have looked to the causes of problems, and have, instead, been content to address in piecemeal fashion only some of the symptoms. This session, after all the attention-getting problems relating to chemical contamination of water, we killed all bills which would have (a) addressed the causes of water contamination and (b) set up administrative procedures for dealing with contaminants. All we have left are a few watered-down studies and our own afore-mentioned safe drinking water measure.

"The consumer lost out all around in the area of public access to records, the 48-hour notice provision for the availability of bills, and health care cost containment. The House put in two years of hard work on the latter, only to have it summarily killed in the Senate.

#### Business Climate and Economic Development

"We were especially pleased to see continued support for our visitor industry, including commitments toward further marketing in Asia, and for Waikiki improvements. Also encouraging is the continuance of major support for research and marketing of sugar, pineapple and diversified agriculture.

"Republicans have long sought to aid small businesses in their dealings with the State, and applaud this year the passage of a measure to guarantee payments of State invoices owed to businesses within 45 days.

"Measures introduced by the minority caucus that would have directly assisted the priorities of small business foundered. Only one measure passed providing reform of the unemployment compensation system. Denial of benefits to strikers, long sought by small businesses that can no longer afford to subsidize labor disputes against themselves, was not given a hearing. The previously mentioned death of a measure to curb worker's comp fraud fuels Hawaii's anti-business image as, perhaps, does the passage of a questionable piece of legislation on geothermal development rights, the later especially standing out in sharp relief from the continually deferred clarification of public ownership of geothermal resources. Conversely, in the name of being for business we have done some dubious things; a striking example is the CAM measure which removes protection for our shorelines, chipping away at another part of the 'public trust.'

"Much must be done in the area of economic development, and the GOP will continue to be proponents of creating a positive climate for economic growth in Hawaii, without compromising our natural resources and said public trust. We can't keep fooling around with how this State is perceived by those who would invest their capital and labor here. A small, economically vulnerable state like ours cannot afford to build walls impeding investment necessary to give our people, particularly our young people, future opportunities for constructive employment."

The Chair then stated:

It is not my purpose at this hour to make a long speech, since it would be a poor return for the warm courtesies and great kindness that you have extended to the Chair over these past few months, and years. This is in fact an occasion for celebration because the people's work has been done, and it has been done exceedingly well. All of you have done an outstanding job.

"It has been an honor for me to serve with all of you, Representatives of the people of Hawaii. Through your ability and talent, patience and understanding, you have made the

task, a very, very difficult task, very easy.

"The admiration and respect which you deserve is not only a compliment of the past, but a reflection of the future. I hope that it is a future that brings you everything that you could wish. I have no doubt that you will be successful in whatever you undertake, so, may God's grace accompany you and may you continue to enjoy life at its best and know that special joy which comes in serving others.

"To all of you, Mahalo, Aloha and God bless you all.

#### SENATE COMMUNICATION

A communication from the Senate (Senate Resolution No. 182) informing

the House and Governor that the Senate was ready to adjourn sine die, was read by the Clerk and placed on file.

#### ADJOURNMENT

Following the completion of the singing of 'Hawaii Aloha', Representative Segawa moved that the House of Representatives of the Twelfth Legislature of the State of Hawaii, Regular Session of 1984, adjourn Sine Die, seconded by Representative Marumoto and carried.

At 11:58 o'clock p.m., the Speaker rapped his gavel and declared the House of Representatives of the Twelfth Legislature of the State of Hawaii, Regular Session of 1984, adjourned Sine Die.

GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT  
OF THE LEGISLATURE SINE DIE

Gov. Msg. No. 10 informing the House that on April 14, 1984, he signed the following bills into law:

Senate Bill No. 1512-84 as Act 12, entitled: "RELATING TO HEALTH";

Senate Bill No. 1517-84 as Act 13, entitled: "RELATING TO HEALTH";

Senate Bill No. 1525-84 as Act 14, entitled: "RELATING TO EMPLOYMENT SECURITY";

Senate Bill No. 1532-84 as Act 15, entitled: "RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

Senate Bill No. 1560-84 as Act 16, entitled: "RELATING TO THE BOARD OF MEDICAL EXAMINERS";

Senate Bill No. 1565-84 as Act 17, entitled: "RELATING TO COLLECTION AGENCIES";

Senate Bill No. 1675-84 as Act 18, entitled: "RELATING TO PSYCHOLOGY";

Senate Bill No. 1707-84 as Act 19, entitled: "RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

Senate Bill No. 1809-84 as Act 20, entitled: "RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

Senate Bill No. 1811-84 as Act 21, entitled: "RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

Senate Bill No. 1871-84 as Act 22, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 2182-84 as Act 23, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

Senate Bill No. 2242-84 as Act 24, entitled: "RELATING TO THE MOORING OF COMMERCIAL VESSELS IN SMALL BOAT HARBORS";

House Bill No. 1895-84 as Act 25, entitled: "RELATING TO THE DISPENSING OF DRUGS";

House Bill No. 2139-84 as Act 26, entitled: "RELATING TO THE MOORING OF COMMERCIAL CATAMARANS"; and

House Bill No. 2192-84 as Act 27, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED".

Gov. Msg. No. 11 informing the House that on April 16, 1984, he signed the following bills into law:

Senate Bill No. 285 as Act 28, entitled: "RELATING TO STATUTE OF LIMITATIONS FOR MOTOR VEHICLE REPARATIONS";

Senate Bill No. 1503-84 as Act 29, entitled: "RELATING TO GASOLIN";

Senate Bill No. 1507-84 as Act 30, entitled: "RELATING TO STATE BONDS";

Senate Bill No. 1950-84 as Act 31, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS";

Senate Bill No. 2183-84 as Act 32, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

Senate Bill No. 2199-84 as Act 33, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 1432 as Act 34, entitled: "RELATING TO FACTORY-BUILT HOUSING";

House Bill No. 1788-84 as Act 35, entitled: "RELATING TO ITINERANT VENDORS";

House Bill No. 2193-84 as Act 36, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED"; and

House Bill No. 2195-84 as Act 37, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED".

Gov. Msg. No. 12 informing the House that on April 18, 1984, he signed the following bills into law:

Senate Bill No. 139 as Act 38, entitled: "RELATING TO TRANSFER OF PARKS BETWEEN THE STATE AND THE COUNTIES";

Senate Bill No. 784 as Act 39, entitled: "RELATING TO ELECTIONS";

Senate Bill No. 1520-84 as Act 40, entitled: "RELATING TO A STATE-WIDE TRANSITION TO WORK SYSTEM";

Senate Bill No. 1540-84 as Act 41, entitled: "RELATING TO TIME SHARING";

Senate Bill No. 1541-84 as Act 42, entitled: "RELATING TO TIME SHARING";

Senate Bill No. 1553-84 as Act 43, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 1555-84 as Act 44, entitled: "RELATING TO THE PRACTICE OF VETERINARY MEDICINE";

Senate Bill No. 1562-84 as Act 45, entitled: "RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS";

Senate Bill No. 1629-84 as Act 46, entitled: "RELATING TO PARKING FOR DISABLED PERSONS";

Senate Bill No. 1704-84 as Act 47, entitled: "RELATING TO REAL PROPERTY LEASES";

Senate Bill No. 1718-84 as Act 48, entitled: "RELATING TO THE HAWAII HOUSING AUTHORITY";

Senate Bill No. 1726-84 as Act 49, entitled: "RELATING TO THE JUDICIARY";

Senate Bill No. 1732-84 as Act 50, entitled: "RELATING TO THE FAMILY COURT";

Senate Bill No. 1733-84 as Act 51, entitled: "RELATING TO THE JUDICIARY";

Senate Bill No. 1734-84 as Act 52, entitled: "RELATING TO COSTS AND FEES FOR SERVICE OF PROCESS";

Senate Bill No. 1757-84 as Act 53, entitled: "RELATING TO TAXATION";

Senate Bill No. 1765-84 as Act 54, entitled: "RELATING TO THE BOARD OF REGENTS";

Senate Bill No. 1786-84 as Act 55, entitled: "RELATING TO INCOME TAX";

Senate Bill No. 1868-84 as Act 56, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 1874-84 as Act 57, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 1877-84 as Act 58, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 1878-84 as Act 59, entitled: "RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII";

Senate Bill No. 1943-84 as Act 60, entitled: "RELATING TO TAXATION";

Senate Bill No. 2123-84 as Act 61, entitled: "RELATING TO HUMAN SERVICES";

Senate Bill No. 2203-84 as Act 62, entitled: "RELATING TO CONSTITUTIONAL AMENDMENTS";

Senate Bill No. 2205-84 as Act 63, entitled: "RELATING TO THE BOARD OF EDUCATION";

Senate Bill No. 2206-84 as Act 64, entitled: "RELATING TO VOTER REGISTRATION";

Senate Bill No. 2208-84 as Act 65, entitled: "RELATING TO CONGRESSIONAL DISTRICTS";

Senate Bill No. 2248-84 as Act 66, entitled: "RELATING TO HOUSING";

Senate Bill No. 2251-84 as Act 67, entitled: "RELATING TO RENTAL ASSISTANCE";

House Bill No. 1632-84 as Act 68, entitled: "RELATING TO INTEREST";

House Bill No. 1636-84 as Act 69, entitled: "MAKING AN APPROPRIATION FOR HILO HOSPITAL, HILO, COUNTY OF HAWAII"; and

House Bill No. 1758-84 as Act 70, entitled: "RELATING TO THE STATE CLEARINGHOUSE".

Gov. Msg. No. 13 transmitting copies of the report prepared by the Hawaii Community Development Authority in response to Senate Resolution No. 32, SD 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO PROVIDE RELOCATION ASSISTANCE TO BUSINESSES ABOUT TO BE DISPLACED FROM THE

SITE OF THE HONOLULU IRON-WORKS, AND TO PROVIDE INFORMATION CONCERNING ITS COMMITMENT TO HELP DISPLACED BUSINESSES IN KAKA'AKO", was placed on file.

Gov. Msg. No. 14 informing the House that on April 19, 1984, he signed the following bills into law:

Senate Bill No. 2240-84 as Act 71, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND"; and

Senate Bill No. 1725-84 as Act 72, entitled: "RELATING TO BOARDS AND COMMISSIONS".

Gov. Msg. No. 15 informing the House that on April 27, 1984, he signed the following bills into law:

Senate Bill No. 1577-84 as Act 73, entitled: "RELATING TO TAXATION";

House Bill No. 851 as Act 74, entitled: "RELATING TO THE STATUS OF WOMEN";

House Bill No. 1718-84 as Act 75, entitled: "RELATING TO COLLECTIVE BARGAINING";

House Bill No. 1738-84 as Act 76, entitled: "RELATING TO PREMARITAL EXAMINATION FOR RUBELLA";

House Bill No. 1739-84 as Act 77, entitled: "RELATING TO STATE COMPREHENSIVE EMERGENCY MEDICAL SERVICES SYSTEMS";

House Bill No. 1741-84 as Act 78, entitled: "RELATING TO GRANTS-IN-AID";

House Bill No. 1839-84 as Act 79, entitled: "RELATING TO MARRIAGE";

House Bill No. 1864-84 as Act 80, entitled: "RELATING TO SCHOOL DISTRICT ADVISORY COUNCILS";

House Bill No. 2110-84 as Act 81, entitled: "RELATING TO FILM-MAKING"; and

House Bill No. 2184-84 as Act 82, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES TO THE GENERAL PUBLIC".

Gov. Msg. No. 16 informing the House that on April 30, 1984, he

signed the following bills into law:

Senate Bill No. 1890-84 as Act 83, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 1720-84 as Act 84, entitled: "MAKING AN APPROPRIATION FOR THE 1984 HAWAII STATEHOOD SILVER JUBILEE"; and

House Bill No. 1749-84 as Act 85, entitled: "RELATING TO MANDATORY RETIREMENT".

Gov. Msg. No. 17 informing the House that on May 1, 1984, he signed the following bills into law:

Senate Bill No. 785 as Act 86, entitled: "RELATING TO CREDIT SALES";

House Bill No. 1662-84 as Act 87, entitled: "RELATING TO CHILDREN'S MENTAL HEALTH SERVICES";

House Bill No. 1727-84 as Act 88, entitled: "RELATING TO FEED";

House Bill No. 1797-84 as Act 89, entitled: "RELATING TO RESIDENTIAL LEASEHOLDS";

House Bill No. 1854-84 as Act 90, entitled: "RELATING TO STATUTORY REVISION";

House Bill No. 1980-84 as Act 91, entitled: "RELATING TO ELECTRONIC EAVESDROPPING";

House Bill No. 2039-84 as Act 92, entitled: "RELATING TO THE CAPITAL LOAN PROGRAM";

House Bill No. 2116-84 as Act 93, entitled: "RELATING TO THE DRIVER IMPROVEMENT PROGRAM"; and

House Bill No. 2233-84 as Act 94, entitled: "RELATING TO MENTAL HEALTH".

Gov. Msg. No. 18 informing the House that on May 9, 1984, he signed the following bills into law:

House Bill No. 1678-84 as Act 95, entitled: "RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS";

House Bill No. 1764-84 as Act 96, entitled: "RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)";

House Bill No. 1765-84 as Act 97, entitled: "RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS";

House Bill No. 1766-84 as Act 98, entitled: "RELATING TO CON-TRACTORS";

House Bill No. 1827-84 as Act 99, entitled: "RELATING TO INCOME TAXATION";

House Bill No. 1846-84 as Act 100, entitled: "RELATING TO COM-MUNITY PROPERTY";

House Bill No. 1851-84 as Act 101, entitled: "RELATING TO PUBLIC EMPLOYMENT";

House Bill No. 1999-84 as Act 102, entitled: "RELATING TO THE JUDICIARY"; and

House Bill No. 2568-84 as Act 103, entitled: "RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION".

Gov. Msg. No. 19 informing the House that on May 18, 1984, he signed the following bills into law:

Senate Bill No. 300 as Act 104, entitled: "RELATING TO MOTOR VEHICLE ALARM SYSTEMS";

Senate Bill No. 328 as Act 105, entitled: "RELATING TO REAL PROPERTY TRANSACTIONS";

Senate Bill No. 1729-84 as Act 106, entitled: "RELATING TO THE JUDICIARY";

Senate Bill No. 1815-84 as Act 107, entitled: "RELATING TO HORI-ZONTAL PROPERTY REGIMES";

Senate Bill No. 1841-84 as Act 108, entitled: "RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM";

Senate Bill No. 1872-84 as Act 109, entitled: "RELATING TO HORI-ZONTAL PROPERTY REGIMES";

Senate Bill No. 2049-84 as Act 110, entitled: "RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT";

Senate Bill No. 2056-84 as Act 111, entitled: "RELATING TO PILOT-AGE";

Senate Bill No. 2085-84 as Act 112, entitled: "RELATING TO HORI-ZONTAL PROPERTY REGIMES";

Senate Bill No. 2180-84 as Act 113, entitled: "RELATING TO COASTAL ZONE MANAGEMENT";

Senate Bill No. 2249-84 as Act 114, entitled: "RELATING TO HOUSING";

House Bill No. 1629-84 as Act 115, entitled: "RELATING TO HIGHWAY SAFETY";

House Bill No. 1702-84 as Act 116, entitled: "RELATING TO THE REGULATION OF DEALERS IN FARM PRODUCE";

House Bill No. 1754-84 as Act 117, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 1790-84 as Act 118, entitled: "RELATING TO BUSINESS NAMES AND MARKS";

House Bill No. 1838-84 as Act 119, entitled: "RELATING TO ENTER-ING THE MARRIAGE STATE";

House Bill No. 2006-84 as Act 120, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 2053-84 as Act 121, entitled: "RELATING TO THE REAL ESTATE RECOVERY FUND";

House Bill No. 2163-84 as Act 122, entitled: "RELATING TO THE HAWAII PENAL CODE";

House Bill No. 2187-84 as Act 123, entitled: "RELATING TO LIQUOR LICENSES";

House Bill No. 2203-84 as Act 124, entitled: "RELATING TO ENERGY RESOURCES";

House Bill No. 2337-84 as Act 125, entitled: "RELATING TO TAIL LIGHTS ON VEHICLES"; and

House Bill No. 2486-84 as Act 126, entitled: "RELATING TO REGIS-TRATION OF VEHICLES";

and on May 19, 1984, he signed the following bills into law:

House Bill No. 788 as Act 127, entitled: "RELATING TO NOTA-RIES PUBLIC";

House Bill No. 789 as Act 128, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 1723-84 as Act 129, entitled: "RELATING TO BILLS ACCOMPANYING VOUCHERS";

House Bill No. 1784-84 as Act 130, entitled: "RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY";

House Bill No. 1786-84 as Act 131, entitled: "RELATING TO THE BOARD OF DENTAL EXAMINERS";

House Bill No. 2012-84 as Act 132, entitled: "RELATING TO CONTRACTORS"; and

House Bill No. 2383-84 as Act 133, entitled: "RELATING TO JOURNALS".

Gov. Msg. No. 20 informing the House that on May 24, 1984, he signed the following bills into law:

Senate Bill No. 1709-84 as Act 134, entitled: "RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 79 as Act 135, entitled: "RELATING TO STATE TORT LIABILITY";

House Bill No. 1697-84 as Act 136, entitled: "RELATING TO THE BOARD OF EDUCATION";

House Bill No. 1815-84 as Act 137, entitled: "RELATING TO DENTISTRY";

House Bill No. 1863-84 as Act 138, entitled: "RELATING TO TEMPORARY RESTRAINING ORDERS";

House Bill No. 1892-84 as Act 139, entitled: "RELATING TO CRIMES AGAINST PUBLIC ADMINISTRATION";

House Bill No. 1983-84 as Act 140, entitled: "RELATING TO A DUTY TO ASSIST IN CERTAIN CIRCUMSTANCES";

House Bill No. 2021-84 as Act 141, entitled: "RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS";

House Bill No. 2028-84 as Act 142, entitled: "RELATING TO PSYCHOLOGISTS";

House Bill No. 2103-84 as Act 143, entitled: "RELATING TO LICENSEES UNDER THE INTOXICATING LIQUOR LAW";

House Bill No. 2169-84 as Act 144, entitled: "RELATING TO HIGHER EDUCATION";

House Bill No. 2230-84 as Act 145, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS";

House Bill No. 2261-84 as Act 146, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 2406-84 as Act 147, entitled: "RELATING TO THE JOB-SHARING PROJECT IN THE DEPARTMENT OF EDUCATION";

House Bill No. 2527-84 as Act 148, entitled: "RELATING TO DEPOSITS OF PUBLIC FUNDS"; and

House Bill No. 2604-84 as Act 149, entitled: "RELATING TO ABSENTEE VOTING";

and on May 25, 1984, he signed the following bills into law:

Senate Bill No. 934 as Act 150, entitled: "RELATING TO MEDICAL RECORDS";

Senate Bill No. 2184-84 as Act 151, entitled: "RELATING TO GEOTHERMAL ENERGY";

House Bill No. 162 as Act 152, entitled: "RELATING TO BOARDS AND COMMISSIONS";

House Bill No. 1297 as Act 153, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES";

House Bill No. 1755-84 as Act 154, entitled: "RELATING TO PUBLIC LANDS";

House Bill No. 1760-84 as Act 155, entitled: "AUTHORIZING THE ISSUANCE OF IMPROVEMENT DISTRICT BONDS FOR HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

House Bill No. 1777-84 as Act 156, entitled: "RELATING TO CHAPTER 26H, HAWAII REGULATORY LICENSING REFORM ACT";

House Bill No. 1799-84 as Act 157, entitled: "RELATING TO RESIDENTIAL LEASEHOLDS";

House Bill No. 1845-84 as Act 158, entitled: "RELATING TO SEPARATION";

House Bill No. 1848-84 as Act 159, entitled: "RELATING TO SEPARATION";



RATE PROPERTY";

House Bill No. 1905-84 as Act 160, entitled: "MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT";

House Bill No. 1912-84 as Act 161, entitled: "RELATING TO HEALTH CLUBS";

House Bill No. 1985-84 as Act 162, entitled: "RELATING TO THE HAWAII HOUSING AUTHORITY"; and

House Bill No. 2151-84 as Act 163, entitled: "RELATING TO THE STATE HIGHWAY FUND".

Gov. Msg. No. 21 returning House Bill No. 1711-84, without his approval and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

May 26, 1984

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 1711-84

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1711-84, entitled, "Relating to Natural Energy Laboratory of Hawaii."

House Bill No. 1711-84 is identical to Senate Bill No. 1878-84, which became law on April 18, 1984, as Act 59 with the Governor's approval.

Both House Bill No. 1711-84 and Senate Bill No. 1878-84 amend the language of Hawaii Revised Statutes ("HRS") Section 227-1 to include the commercialization of natural energy resources as one of the activities of the Natural Energy Laboratory of Hawaii ("NELH"). Both bills also amend HRS Section 227-1 by deleting the sentence: "For the purposes of such activities, the outdoor research facility shall include the land at Ke-ahole Point, the waters offshore, and the structures constructed or erected thereon or therein, as determined to be required by the managing board of the Natural Energy Laboratory of Hawaii."

While this Administration is not opposed to the substantive content of House Bill No. 1711-84, I feel that

the approval of House Bill No. 1711-84 is inappropriate, since said bill is identical to the recently-approved Senate Bill No. 1878-84. The approval of two identical bills may create unnecessary confusion.

Because of these objections, I am returning House Bill No. 1711-84 without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 1711-84, entitled, "Relating To The Natural Energy Laboratory of Hawaii," passed by the legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1711-84 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1711-84 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of May, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 22 transmitting his statement of objections to Senate Bill No. 1948-84, which he has returned to the Senate without his approval, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

May 26, 1984

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 1948-84

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1948-84, entitled, "A Bill For An Act Relating To the Authorization Of Special Purpose Revenue Bonds To Assist Utilities Serving The General Public."

The purpose of Senate Bill No. 1948-84 is to extend the expiration date for the authorization provided by Act 15, 1st Special Session Laws of Hawaii 1981, to the State Department of Budget and Finance to issue special purpose revenue bonds to assist the following utilities serving the general public: Hawaiian Electric Co. (Oahu), Hawaii Electric Light Co., Maui Electric Co., and Citizens Utilities Co. (Kauai). Senate Bill No. 1948-84 contains a typographical error. Hawaii Electric Co. is designated as "Hawaiian Electric Co."

House Bill No. 2402-84, which was also passed by the 1984 Legislature, is identical to Senate Bill No. 1948-84, except for the aforesaid typographical error. Approval of both Senate Bill No. 1948-84 and House Bill No. 2402-84 would constitute approval of duplicate measures.

Since it is my intention to approve and sign House Bill No. 2402-84, I am returning Senate Bill No. 1948-84 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his disapproval of any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1948-84, entitled, "A Bill for an Act Relating to the Authorisation of Special Purpose Revenue Bonds to Assist Utilities Serving the General Public," passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 1948-84 is substantially identical to House Bill No. 2402-84; and

WHEREAS, my signing of House Bill No. 2402-84 into law will render Senate Bill No. 1948-84 unnecessary;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my intention to return Senate Bill No. 1948-84 with my objections thereon to the Legislature of Hawaii as provided for by said Section 16 of Article III of the Constitution of the State of Hawaii.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 26th day of May, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 23 informing the House that on May 26, 1984, he signed the following bills into law:

Senate Bill No. 26 as Act 164,  
entitled: "RELATING TO MOTOR  
VEHICLES";

Senate Bill No. 29 as Act 165,  
entitled: "RELATING TO TIME  
SHARING";

Senate Bill No. 761 as Act 166,  
entitled: "RELATING TO CON-  
TROLLED SUBSTANCES";

Senate Bill No. 1516-84 as Act 167,  
entitled: "RELATING TO VITAL  
STATISTICS";

Senate Bill No. 1744-84 as Act 168,  
entitled: "RELATING TO MEDI-  
CINE";

Senate Bill No. 1766-84 as Act 169,  
entitled: "RELATING TO SCHOOL  
VEHICLES";

Senate Bill No. 1949-84 as Act 170,  
entitled: "RELATING TO THE

AUTHORIZATION OF REFUNDING SPECIAL PURPOSE REVENUE BONDS FOR UTILITIES SERVING THE GENERAL PUBLIC";

Senate Bill No. 2073-84 as Act 171, entitled: "RELATING TO LEGISLATIVE SALARIES";

Senate Bill No. 2209-84 as Act 172, entitled: "RELATING TO GRANTS, SUBSIDIES, AND PURCHASES OF SERVICE";

Senate Bill No. 2212-84 as Act 173, entitled: "RELATING TO HEALTH";

House Bill No. 1466 as Act 174, entitled: "RELATING TO PAYMENT OF WAGES TO RELATIVES OF DECEASED EMPLOYEES";

House Bill No. 2093-84 as Act 175, entitled: "RELATING TO ABANDONED VEHICLES";

House Bill No. 2160-84 as Act 176, entitled: "RELATING TO REAL ESTATE";

House Bill No. 2320-84 as Act 177, entitled: "RELATING TO THE HAWAII CRIME COMMISSION";

House Bill No. 2332-84 as Act 178, entitled: "RELATING TO PLACE TO KEEP FIREARMS"; and

House Bill No. 2497-84 as Act 179, entitled: "RELATING TO TRAVEL AGENCIES";

and on May 29, 1984, he signed the following bills into law:

Senate Bill No. 1509-84 as Act 180, entitled: "RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR";

Senate Bill No. 1702-84 as Act 181, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";

Senate Bill No. 1740-84 as Act 182, entitled: "RELATING TO NURSING";

Senate Bill No. 1788-84 as Act 183, entitled: "RELATING TO THE GENERAL FUND EXPENDITURE CEILING";

Senate Bill No. 1867-84 as Act 184, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 2119-84 as Act 185,

entitled: "RELATING TO COMPARABLE WORTH";

Senate Bill No. 2213-84 as Act 186, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND";

Senate Bill No. 2243-84 as Act 187, entitled: "RELATING TO HARBORS";

House Bill No. 1729-84 as Act 188, entitled: "RELATING TO INVOLUNTARY CIVIL COMMITMENT UNDER MENTAL HEALTH LAW";

House Bill No. 1742-84 as Act 189, entitled: "RELATING TO THE DETERMINATION OF DEATH";

House Bill No. 1751-84 as Act 190, entitled: "RELATING TO SHARING OCCUPATIONAL AND CAREER INFORMATION";

House Bill No. 1796-84 as Act 191, entitled: "RELATING TO THE HAWAII HOUSING AUTHORITY";

House Bill No. 1906-84 as Act 192, entitled: "MAKING AN APPROPRIATION FOR AGRICULTURAL ACTIVITIES";

House Bill No. 2142-84 as Act 193, entitled: "RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR";

House Bill No. 2224-84 as Act 194, entitled: "RELATING TO MOTOR VEHICLE INSURANCE RATES";

House Bill No. 2402-84 as Act 195, entitled: "RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC"; and

House Bill No. 2429-84 as Act 196, entitled: "RELATING TO EMPLOYMENT PRACTICES".

Gov. Msg. No. 24 transmitting copies of the reports, State Activities to Implement Priority Directions of The Hawaii State Plan, March, 1984, and County Activities to Implement Priority Directions of The Hawaii State Plan, March, 1984, which was prepared by the Department of Planning and Economic Development with the assistance of other State and County agencies, was placed on file.

Gov. Msg. No. 25 informing the House that on May 30, 1984, he signed the following bills into law:

House Bill No. 537 as Act 197, entitled: "RELATING TO FINANCIAL INSTITUTION RECORDS";

House Bill No. 791 as Act 198, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 1571 as Act 199, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 1740-84 as Act 200, entitled: "RELATING TO THE COMMISSION ON THE HANDICAPPED";

House Bill No. 1747-84 as Act 201, entitled: "RELATING TO EMPLOYMENT SECURITY";

House Bill No. 1785-84 as Act 202, entitled: "RELATING TO DISPENSING OPTICIANS";

House Bill No. 1828-84 as Act 203, entitled: "RELATING TO HARBORS";

House Bill No. 1880-84 as Act 204, entitled: "RELATING TO FORECLOSURES";

House Bill No. 1882-84 as Act 205, entitled: "RELATING TO AGREEMENTS OF SALE";

House Bill No. 1976-84 as Act 206, entitled: "RELATING TO THE PATIENT EMPLOYMENT PROGRAM AT FACILITIES FOR THE TREATMENT OF PERSONS SUFFERING FROM HANSEN'S DISEASE";

House Bill No. 2032-84 as Act 207, entitled: "RELATING TO CHILD SUPPORT";

House Bill No. 2054-84 as Act 208, entitled: "RELATING TO PAWN-BROKERS";

House Bill No. 2077-84 as Act 209, entitled: "RELATING TO SERVICE OF PROCESS";

House Bill No. 2179-84 as Act 210, entitled: "RELATING TO FENCES";

House Bill No. 2181-84 as Act 211, entitled: "RELATING TO LANDLORD AND TENANT";

House Bill No. 2257-84 as Act 212, entitled: "RELATING TO CHILD ABUSE AND NEGLECT PREVENTION SERVICES";

House Bill No. 2281-84 as Act 213, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

House Bill No. 2333-84 as Act 214, entitled: "RELATING TO EXEMPTIONS UNDER THE FIREARMS LAWS";

House Bill No. 2340-84 as Act 215, entitled: "RELATING TO REFUSAL TO PROVIDE IDENTIFICATION UNDER THE STATEWIDE TRAFFIC CODE";

House Bill No. 2396-84 as Act 216, entitled: "RELATING TO CONTRACTORS"; and

House Bill No. 2484-84 as Act 217, entitled: "REGARDING CHAPTER 421C, HAWAII REVISED STATUTES".

Gov. Msg. No. 26 informing the House that on May 31, 1984, he signed the following bills into law:

Senate Bill No. 423 as Act 218, entitled: "RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE";

Senate Bill No. 1115 as Act 219, entitled: "RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT";

Senate Bill No. 2026-84 as Act 220, entitled: "RELATING TO COMPUTER CRIME";

House Bill No. 359 as Act 221, entitled: "RELATING TO NATIONAL GUARD AND RESERVE TUITION WAIVERS";

House Bill No. 538 as Act 222, entitled: "RELATING TO IMITATION CONTROLLED SUBSTANCES";

House Bill No. 1185 as Act 223, entitled: "RELATING TO A PUBLIC GUARDIANSHIP AGENCY";

House Bill No. 1800-84 as Act 224, entitled: "RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM";

House Bill No. 2294-84 as Act 225, entitled: "RELATING TO SPECIAL PURPOSE REVENUE BONDS"; and

House Bill No. 2409-84 as Act 226, entitled: "AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR THE POHAI NANI GOOD SAMARITAN KAUAHALE HEALTH CARE FACILITY FOR THE ELDERLY".

Gov. Msg. No. 27 informing the House that on May 31, 1984, he

signed the following bills into law:

House Bill No. 1681-84 as Act 227, entitled: "RELATING TO BOARDS AND COMMISSIONS";

House Bill No. 1726-84 as Act 228, entitled: "RELATING TO DEPOSITS TO ACCOMPANY BIDS";

House Bill No. 1746-84 as Act 229, entitled: "RELATING TO EMPLOYMENT SECURITY";

House Bill No. 1794-84 as Act 230, entitled: "RELATING TO FEES FOR SUPPORT ENFORCEMENT SERVICES";

House Bill No. 1946-84 as Act 231, entitled: "MAKING AN APPROPRIATION FOR PERSONAL CARE SERVICES";

House Bill No. 2016-84 as Act 232, entitled: "RELATING TO THE PATIENTS' COMPENSATION FUND";

House Bill No. 2078-84 as Act 233, entitled: "RELATING TO THE COMMISSION ON TRANSPORTATION"; and

House Bill No. 2196-84 as Act 234, entitled: "RELATING TO FINANCIAL INSTITUTIONS".

Gov. Msg. No. 28 informing the House that on June 4, 1984, he signed the following bills into law:

Senate Bill No. 20 as Act 235, entitled: "RELATING TO PAYMENT FOR GOODS AND SERVICES";

House Bill No. 177 as Act 236, entitled: "RELATING TO THE HAWAII STATE PLANNING ACT";

House Bill No. 271 as Act 237, entitled: "RELATING TO THE HAWAII STATE PLANNING ACT";

House Bill No. 267 as Act 238, entitled: "RELATING TO THE CONTROL OF PETROLEUM PRODUCTS";

House Bill No. 556 as Act 239, entitled: "RELATING TO SELF-SERVICE STORAGE";

House Bill No. 1821-84 as Act 240, entitled: "RELATING TO CHIROPRACTORS";

House Bill No. 1925-84 as Act 241, entitled: "RELATING TO TORT LIABILITY";

House Bill No. 1984-84 as Act 242,

entitled: "RELATING TO INTERNATIONAL BANKING";

House Bill No. 2418-84 as Act 243, entitled: "RELATING TO CHIROPRACTORS";

House Bill No. 847 as Act 244, entitled: "RELATING TO DRIVER EDUCATION";

House Bill No. 1721-84 as Act 245, entitled: "RELATING TO NAMES";

House Bill No. 1725-84 as Act 246, entitled: "RELATING TO CONTRACTOR'S BOND";

House Bill No. 1753-84 as Act 247, entitled: "RELATING TO THE MEMBERSHIP OF THE HAWAII FISHERIES COORDINATING COUNCIL";

House Bill No. 1807-84 as Act 248, entitled: "RELATING TO TAXATION";

House Bill No. 1811-84 as Act 249, entitled: "RELATING TO THE WAIVER OF NONRESIDENT TUITION DIFFERENTIAL AS IT APPLIES TO PACIFIC ISLAND AND FOREIGN STUDENTS AT THE UNIVERSITY OF HAWAII";

House Bill No. 1852-84 as Act 250, entitled: "RELATING TO THE UNIFORM DESERTION AND NON-SUPPORT ACT (MODIFIED)";

House Bill No. 1932-84 as Act 251, entitled: "RELATING TO MENTAL HEALTH";

House Bill No. 1956-84 as Act 252, entitled: "RELATING TO PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 2020-84 as Act 253, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES";

Senate Bill No. 878 as Act 254, entitled: "RELATING TO HAWAII PUBLIC EMPLOYEES HEALTH FUND";

House Bill No. 654 as Act 255, entitled: "RELATING TO ACQUISITION OF VOTING STOCK BY FOREIGN INVESTORS";

House Bill No. 2407-84 as Act 256, entitled: "RELATING TO THE JOB-SHARING PILOT PROJECT IN THE PUBLIC LIBRARY SYSTEM"; and

House Bill No. 2451-84 as Act 257, entitled: "RELATING TO THE PENAL CODE".

Gov. Msg. No. 29 informing the House that on June 5, 1984, he signed the following bills into law:

House Bill No. 786 as Act 258, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 787 as Act 259, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 1120 as Act 260, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 1637-84 as Act 261, entitled: "RELATING TO ABANDONED VEHICLES";

House Bill No. 1757-84 as Act 262, entitled: "RELATING TO MARINE AFFAIRS";

House Bill No. 1779-84 as Act 263, entitled: "RELATING TO REAL ESTATE";

House Bill No. 1816-84 as Act 264, entitled: "RELATING TO DENTAL HYGIENISTS";

House Bill No. 1842-84 as Act 265, entitled: "RELATING TO SEPARATE MAINTENANCE";

House Bill No. 1878-84 as Act 266, entitled: "RELATING TO LAND SALES";

House Bill No. 1933-84 as Act 267, entitled: "RELATING TO HEALTH"; and

House Bill No. 2523-84 as Act 268, entitled: "RELATING TO SAFE DRINKING WATER".

Gov. Msg. No. 30 returning House Bill No. 2477-84, without his approval, and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 6, 1984

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 2477-84

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No.

2477-84, entitled, "Relating to Horizontal Property Regimes."

House Bill No. 2477-84 would amend Section 514A-82(1), Hawaii Revised Statutes ("HRS") to address potential situations of mathematical impossibilities in the current law which require the terms of at least one-third of the directors of a condominium association's board to expire each year. This bill would provide that when the number of persons constituting the board is not a multiple of three, the terms of that number of directors nearest to representing one-third of the directors shall expire annually.

Senate Bill No. 2085-84, which became law on May 18, 1984, as Act 112 with the Governor's approval, amends Section 514A-82(1), HRS, among other provisions. Act 112 repeals the existing clause requiring that the terms of at least one-third of the directors expire annually; the Act replaces it with a requirement that condominiums with more than one hundred individual apartment units shall have an elected board of not less than nine members, unless not less than seventy-five per cent of all apartment owners shall vote to set the minimum number of directors at less than nine. The Act also adds a provision setting the initial term of office at either three years, or as specified by the bylaws, or until the directors' successors are elected or appointed.

Since Act 112 repealed that part of Section 514A-82, HRS, amended by House Bill No. 2477-84, Act 112 renders the amendments of House Bill No. 2477-84 moot.

For the foregoing reasons, I am returning House Bill No. 2477-84 without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully submitted,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii

#### P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to

him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2477-84, entitled, "Relating to Horizontal Property Regimes," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2477-84 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions in Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2477-84 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 6th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 31 informing the House that on June 6, 1984, he signed the following bill into law:

Senate Bill No. 1835-84 as Act 269, entitled: "RELATING TO INTOXICATING LIQUORS";

and on June 7, 1984, he signed the following bills into law:

Senate Bill No. 2125-84 as Act 270, entitled: "RELATING TO PENSIONER'S BONUS";

House Bill No. 1311 as Act 271, entitled: "RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS";

House Bill No. 2002-84 as Act 272, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 2161-84 as Act 273, entitled: "RELATING TO AMENDMENTS TO THE BICYCLE LAWS";

House Bill No. 2268-84 as Act 274, entitled: "RELATING TO THE FAMILY COURTS"; and

House Bill No. 2612-84 as Act 275, entitled: "RELATING TO ENVIRONMENTAL QUALITY".

Gov. Msg. No. 32 informing the House that on June 8, 1984, he signed the following bills into law:

Senate Bill No. 1693-84 as Act 276, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 2108-84 as Act 277, entitled: "RELATING TO FISHING REGULATIONS";

House Bill No. 2540-84 as Act 278, entitled: "RELATING TO PUBLIC LANDS"; and

House Bill No. 2597-84 as Act 279, entitled: "RELATING TO HOUSING".

Gov. Msg. No. 33 returning House Bill No. 2044-84, without his approval, and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 8, 1984

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 2044-84

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2044-84, entitled, "Relating to Insurance."

The purpose of House Bill No. 2044-84 is to exempt the public employee's health fund from the requirements of Hawaii Revised Statutes chapter 431A and to continue the moratorium imposed upon premium increases in workers' compensation rates.

Section 2 of this bill amends Hawaii Revised Statutes Section 431-694(a) by prohibiting insurance carriers from submitting rate filings until June 1, 1985. However, Hawaii Revised Statutes Section 431-694(a) is not limited in scope to workers' compensation insurance. The statute also applies to rate increases in other lines of casualty insurance. Therefore, while the effect of the proposed amendment would be to prohibit rate increases in workers' compensation insurance, the bill also prohibits rate increases in other lines of casualty insurance. The moratorium on rate increases in other categories of



casualty insurance is not supported by findings of the Legislature and appears to be contrary to the legislative intent, as expressed by the committee reports.

Moreover, the requirement that on June 1 of each year all casualty insurers shall file with the Insurance Commissioner the manuals, rules, rates, and rating plans to be used during the fiscal year starting July 1 of that year creates serious implementation problems for the Department of Commerce and Consumer Affairs, which in turn may adversely impact the insurance industry by delaying rate adjustments.

For the foregoing reasons, I am returning House Bill No. 2044-84, without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii

#### P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2044-84, entitled, "Relating to Insurance," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2044-84 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2044-84 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 8th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 34 returning House Bill No. 2194-84, without his approval, and with his statement of objections relating to the measure, as follows:

#### "STATE OF HAWAII EXECUTIVE CHAMBERS

June 8, 1984

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2194-84

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16, Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2194-84, entitled, "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Recently, concern has been raised regarding the legal effect this measure would have on Act 272 (the successorship bill - reducing blood quantum of spouse and children to 1/4 Hawaiian) passed in 1982 and presently pending Congressional approval pursuant to Section 4 of the Hawaii Admission Act.

I have been advised of various legal arguments challenging the validity of Act 272, if House Bill No. 2194-84 were to be enacted into law. The Office of the Attorney General, on the other hand, has expressed confidence that effect can be given to both measures.

However, the Department of Hawaiian Home Lands has recommended disapproval of House Bill No. 2194-84. Although the department favors the amendments proposed in this measure, the department believes that the amendments intended by Act 272 now pending before Congress for its approval should not be placed in even the slightest form of jeopardy.

For the foregoing reasons, I am returning House Bill No. 2194-84 without my approval.

Respectfully submitted,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2194-84, entitled, "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2194-84 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2194-84 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 8th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 35 returning House Bill No. 2308-84, without his approval, and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 8, 1984

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 2308-84

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No.

2308-84, entitled, "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

The purpose of this bill is to conform Hawaii's controlled substance schedules with federal controlled substance schedules.

This Administration is in accord with the purpose of House Bill No. 2308-84. However, Section 3 of the bill purports to amend §329-20, HRS, in its entirety but sets forth only amended subsections (a) and (b). Existing subsections (c), (d), (e) and (f) are not set forth in the bill. Approval of this bill would, therefore, impliedly repeal these subsections. This result, apparently, was not intended by the Department of Health, since the intent was to amend only subsections (a) and (b) of §329-20, HRS, without making changes to the remaining subsections. Moreover, repeal of subsections (c), (d), (e) and (f) of §329-20 would seriously impair the enforcement program of the Department of Health.

For this reason, I am returning House Bill No. 2308-84 without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully submitted,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2308-84, entitled, "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES", passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2308-84 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section

16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2308-84 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 8th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 36 informing the House that on June 12, 1984, he signed the following bills into law:

Senate Bill No. 1575-84 as Act 280,  
entitled: "RELATING TO CHILD  
CARE";

Senate Bill No. 1694-84 as Act 281,  
entitled: "RELATING TO CONSUM-  
ER PROTECTION";

Senate Bill No. 1918-84 as Act 282,  
entitled: "RELATING TO THE  
UNIVERSITY OF HAWAII";

House Bill No. 1940-84 as Act 283,  
entitled: "RELATING TO THE  
UNIVERSITY OF HAWAII RESEARCH  
AND TRAINING REVOLVING FUND";

House Bill No. 1926-84 as Act 284,  
entitled: "RELATING TO WORKERS'  
COMPENSATION";

House Bill No. 1640-84 as Act 285,  
entitled: "MAKING APPROPRIA-  
TIONS FOR THE FISCAL BIENNIUM  
JULY 1, 1984 TO JUNE 30, 1985";

House Bill No. 2092-84 as Act 286,  
entitled: "RELATING TO THE  
JUDICIARY";

Senate Bill No. 1846-84 as Act 287,  
entitled: "RELATING TO CAPITAL  
IMPROVEMENT PROJECTS";

House Bill No. 1874-84 as Act 288,  
entitled: "RELATING TO STATE  
BONDS";

House Bill No. 2201-84 as Act 289,  
entitled: "RELATING TO PUBLIC  
UTILITIES";

House Bill No. 1422 as Act 290,  
entitled: "RELATING TO PROCES-  
SED MILK"; and

House Bill No. 2275-84 as Act 291,  
entitled: "RELATING TO MOTOR  
VEHICLE SAFETY".

Gov. Msg. No. 37 returning House Bill No. 183, without his approval, and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 12, 1984

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 183

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16, Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 183, entitled, "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS".

The primary purpose of the bill is to subject amounts deposited into individual housing accounts to income taxation when the funds are withdrawn and used to purchase a first principal residence. The bill proposes to alleviate the burden of the tax by pro-rating the withdrawn amounts over a period of three years, commencing with the taxable year in which the funds are withdrawn. Under existing law, all amounts deposited into a housing account remain exempt until the first principal residence purchased with funds from the account is sold or the funds are withdrawn and used for other purposes, whereupon the amounts withdrawn are to be included as taxable gross income and a penalty of ten percent is to be imposed thereon. The net effect of opening a housing account, as a result of this bill, therefore, is merely to defer the incidence of the tax to a time when the funds are used to purchase a first principal residence, rather than when the income is earned.

The bill contains certain undesirable features among which are (1) the elimination of the tax incentive provided under existing law that the amounts deposited into a housing account shall remain exempt until such time when the first principal residence purchased with the funds is sold or the money is used for other purposes; (2) certain taxpayers may have opened housing accounts in reliance upon this tax-free incentive but this bill has no provision to grandfather their tax-free status; (3) only the incidence of the tax is deferred from the taxable year in which it is earned to the taxable year

in which the funds are withdrawn; (4) the impact of the tax will be greater under this bill than under existing law because, under existing law, the tax is imposed when the residence is sold and the taxpayer may, as a result, consider the impact of the tax as a factor and pass on the tax to the purchaser, whereas under the present bill the taxpayer has no way of avoiding the tax; (5) economically, there will result a greater burden upon the taxpayer, notwithstanding the amount to be included in gross income is to be pro-rated over a period of three years because, in the year of years immediately following purchase, the start-up costs to maintain a home is the greatest and the taxpayer's cash resources as a result are at their lowest.

In addition to the foregoing, there appears to be an objectionable inconsistency because, while the proposal amends subsection (f) of HRS Section 235-5.5 and subjects all amounts deposited into a housing account to income taxation when the funds are withdrawn to purchase a first principal residence, nevertheless, subsection (c) was not similarly amended and still provides that funds withdrawn from the account shall remain exempt as long as the funds are used exclusively for the purchase of the first principal residence and the residence is not sold. The two subsections, therefore, are in irreconcilable conflict with each other.

For the foregoing reasons, I am returning H.B. No. 183 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16, Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 183, entitled, "A BILL FOR AN ACT RELATING TO INDIVIDUAL HOUSING ACCOUNTS", passed by the Legislature, was presented to the Governor

within the aforementioned period; and

WHEREAS, House Bill No. 183 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 183 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 12th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 38 returning House Bill No. 194, without his approval, and with his statement of objections relating to the measure, as follows:

#### "STATE OF HAWAII EXECUTIVE CHAMBERS

June 12, 1984

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 194

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 194, entitled, "A BILL FOR AN ACT RELATING TO WRONGFUL DEATH."

The purpose of House Bill No. 194 is to permit the brothers and sisters of a decedent to maintain a wrongful death action, if the decedent leaves no surviving spouse, children, mother or father or other dependent.

Under existing law, siblings of a decedent are proper plaintiffs in a wrongful death action, if there is a showing of the siblings' dependency, in whole or in part, on the decedent. This bill would expand the number of potential plaintiffs in wrongful death cases to include siblings of the decedent in those limited cases where the decedent dies without parents, children, spouse or dependent person surviving, regardless of the siblings' dependency on the decedent. In

today's litigious society, this will result in increased costs to all insureds.

Further, this bill creates two classes of non-dependent siblings: Siblings of a decedent who is survived by a spouse, parent(s), child(ren) or dependent(s) and siblings of a decedent who is not survived by a spouse, parent(s), child(ren) or other dependent(s). The former group of non-dependent siblings is discriminated against, and I can identify no rational basis for this discrimination.

For the foregoing reasons, I am returning House Bill No. 194 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

#### "P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 194, entitled, "A BILL FOR AN ACT RELATING TO WRONGFUL DEATH," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 194 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 194 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 12th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 39 returning House Bill No. 1220, without his approval, and with his statement of objections relating to the measure, as follows:

#### "STATE OF HAWAII EXECUTIVE CHAMBERS

June 12, 1984

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1220

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1220, entitled, "A BILL FOR AN ACT RELATING TO THE COSTS OF COURT."

The purpose of House Bill No. 1220 is to allow prevailing parties in a litigation to recover costs for intrastate travel expenses for witnesses and counsel, deposition transcript originals and copies, and other incidental expenses, such as copying costs, intrastate long distance telephone charges and postage, if the court determines that the equities of the situation warrant such recovery.

This bill may have a substantial financial impact on the State because of additional costs taxed to the State whenever the State does not prevail in a case, and the very real likelihood of recovering no costs when the State does prevail, given the mandate to the court to consider the economic status of the parties.

In addition, House Bill No. 1220 deletes from Hawaii Rev. Stat. §607-9 the requirement that the actual disbursements sworn to by an attorney or party that may be allowed in taxation of costs be 'deemed reasonable by the court.' This raises a concern that the removal of the reasonableness standard from the statute, and the present court rules allowing court costs as a matter of course, may either encourage parties to incur unnecessary costs (especially intrastate travel by attorneys) at the expense of the losing party, (a problem where liability is clear, but claimant's demand is unreasonably high), or have a chilling effect on people with valid claims who would otherwise use the courts but for the specter of having to pay for the costs of both parties.

Furthermore, as written, the allowable costs listed in the bill are not an exclusive listing and may well be seen as authorizing other similar costs, such as travel for expert witnesses and even mainland travel for attorneys and witnesses. Similarly, by identifying deposition transcript costs as allowable without restriction, litigants may be encouraged to engage in more extensive discovery than would otherwise be undertaken.

For the foregoing reasons, I am returning House Bill No. 1220 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1220, entitled, 'A BILL FOR AN ACT RELATING TO THE COSTS OF COURT', passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1220 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1220 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 12th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 40 returning House

Bill No. 1431, without his approval, and with his statement of objections relating to the measure, as follows:

#### "STATE OF HAWAII EXECUTIVE CHAMBERS"

June 12, 1984

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1431

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1431, entitled, 'A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING.'

The purpose of House Bill No. 1431 is to enact enabling legislation to authorize the counties of the State of Hawaii to utilize tax increment financing as a means of financing public improvements incident to a redevelopment plan or community development plan.

The House Bill No. 1431 tax increment financing plan contemplates the issuance by the county of tax increment bonds, the sale proceeds of which will be used to finance the public improvements in the designated tax increment district. The plan separates the real property values of a tax increment district into two categories: a base, which is set prior to the creation of the tax increment district, and an incremental portion arising from a higher assessed values subsequent to the establishment of the tax increment district. Under the plan, the taxes collected on the base will continue to be allocated to the county general fund; and the taxes collected on the incremental portion of the real property values will be wholly or partially earmarked by the county council to a 'tax increment fund', a special fund to be used to pay project costs for the tax increment district or to satisfy claims of tax increment bond holders.

The main argument in support of House Bill No. 1431 tax increment financing plan seems to be that the public improvements financed by the sale proceeds of the tax increment bonds will pay their way by generating additional real property taxes. However, this anticipated increase in tax revenue is speculative. There is the possibility that the public

improvements may not sufficiently increase the real property values to generate the additional tax revenues necessary to pay for the tax increment bonds.

Moreover, House Bill No. 1431 makes no provision for a county to share in any increase in assessed valuations, not even inflationary increases from the original assessment base. This diminishes the ability of a county to pay for ongoing obligations which themselves are subject to inflationary costs. Furthermore, a county may well find that the tax increment district will place greater service demands on it, to the extent that other areas of the county will have to shoulder the financial burden of such increased service.

For the foregoing reasons, I am returning House Bill No. 1431 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his disapproval of any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1431, entitled, 'A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING', passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, House Bill No. 1431 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my intention to return House Bill No. 1431 with my objections thereon to the Legislature of Hawaii as provided for by said Section 16 of Article III of the Constitution of the State of Hawaii.

DONE at State Capitol,  
Honolulu, State of Hawaii,

this 12th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 41 returning House Bill No. 1549, without his approval, and with his statement of objections relating to the measure, as follows:

#### "STATE OF HAWAII EXECUTIVE CHAMBERS"

June 12, 1984

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1549

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 1549, entitled, 'A BILL FOR AN ACT RELATING TO SPORTS.'

The purpose of House Bill No. 1549 is to promote Hawaii as an Olympic training center for athletes having potential to compete in the summer world Olympic games. The Director of Planning and Economic Development is responsible for implementing the bill. The bill also establishes a sports medicine center within the School of Medicine of the University of Hawaii to conduct research into the causes and prevention of injuries, provide treatment and care to Olympic hopefuls, and provide educational classes.

This Administration is not opposed to the concept of an Olympic training center in Hawaii. The problem, however, is that no appropriation has been made under the bill, either to the University of Hawaii or to the Department of Planning and Economic Development. Accordingly, there would be difficulty in implementing the provisions of House Bill No. 1549. Because I believe that the concept of an Olympic training center has merit, however, I have asked the Department of Planning and Economic Development to review the proposal and to make recommendations to me for possible action during the 1985 legislative session.

I also note that the University of Hawaii is presently reviewing its various programs to best utilize its limited financial resources. Until such study is completed, I do not



believe that the Legislature should establish any program by statute. This would preclude the opportunity for the University to review such a program in relation to other University programs. I, therefore, feel that a sports medicine center should not be created by statute.

For the foregoing reasons, I am returning House Bill No. 1549 without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully submitted,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

#### "P R O C L A M A T I O N

WHEREAS, under Section 16 or Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1549, entitled, 'RELATING TO SPORTS,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1549 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1549 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 12th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 42 returning House Bill No. 1748-84, without his approval, and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 12, 1984

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1748-84

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1748-84, entitled, 'RELATING TO EMPLOYMENT PRACTICES.'

House Bill No. 1748-84 contains, among others, the following subsection:

(j) In any action brought under this part, the court may award costs, including fees of any nature and reasonable attorney's fees, to a defendant or respondent if the defendant or respondent prevails in a judgment on the complaint, all such costs awarded to be assessed upon the department.

Under that provision, the Department of Labor and Industrial Relations would be required to pay a defendant or respondent the costs awarded by the court, including attorney's fees, even though the department had not participated in the suit as a party. Such a provision could result in, as well as set a precedent for, substantial drains on public funds, which the State can ill afford.

For the foregoing reasons, I am returning House Bill No. 1748-84 without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully submitted,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

#### "P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1748-84, entitled, 'RELATING TO EMPLOYMENT PRACTICES,' passed by the Legislature, was presented to the Governor

within the aforementioned period; and

WHEREAS, House Bill No. 1748-84 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1748-84 with my objections thereon to the Legislature, as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 12th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 43 returning House Bill No. 1989-84, without his approval, and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 12, 1984

STATEMENT OF OBJERCTIONS  
TO HOUSE BILL NO. 1989-84

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 1989-84, entitled, 'A BILL FOR AN ACT RELATING TO PATERNITY.'

The purpose of House Bill No. 1989-84 is to permit the Family Court to receive into evidence any report concerning a blood test ordered by the court. An alleged parent who objects to the admission of the report may have a hearing by the court to determine whether the report is to be admitted with or without foundational witnesses.

There are several objectionable features in House Bill No. 1989-84. The fact that only the 'alleged parent' may object to the admission of blood test evidence without the laying of foundation amounts to a denial of equal protection because the non-alleged parent (usually the mother)

would not have the right to make such objection. This bill also requires the 'alleged parent' to justify why he should be allowed to confront and cross-examine witnesses. However, the right to confront and cross-examine witnesses would appear to be a fundamental aspect of procedural due process and would need no justification. The bill further assumes that blood test evidence has reached a level of reliability to warrant virtual automatic admissibility. It is my understanding, however, that there is considerable dispute within the scientific community as to the reliability of statistical probabilities of paternity.

For the foregoing reasons, I am returning House Bill No. 1989-84 without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully submitted,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1989-84, entitled, 'A BILL FOR AN ACT RELATING TO PATERNITY,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1989-84 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1989-84 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 12th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 44 returning House Bill No. 2075-84, without his approval, and with his statement of objections relating to the measure, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 12, 1984

STATEMENT OF OBJECTIONS  
TO HOUSE BILL NO. 2075-84

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2075-84, entitled, 'A BILL FOR AN ACT RELATING TO THE ENVIRONMENT.'

The stated purpose of House Bill No. 2075-84 is to provide an administrative procedure by which any person may appeal a determination that an environmental impact statement (EIS) is or is not required, as an alternative to seeking judicial appeal.

It appears to be the Legislature's understanding that the only means, presently, of appealing a determination that an EIS is or is not required is by resort to judicial appeal. Contrary to such understanding, each agency is required to environmentally assess projects proposed to it as a part of the agency's permit procedures. Administrative appeals can be taken in accordance with each agency's administrative appeal procedures, and then appealed judicially as provided in Chapter 91, Hawaii Revised Statutes.

This bill engenders vagueness and ambiguity, as it is uncertain whether, and to what extent, an appeal to the Environmental Council is in lieu of or in addition to these existing agency appeal procedures.

Moreover, the reference to the 'judicial appeal process provided in §342-7, Hawaii Revised States,' seems to be in error. Earlier committee reports refer to §343-7, Hawaii Revised Statutes, which appears more appropriate. However, §343-7, Hawaii

Revised Statutes, is a statute of limitations which limits the filing of legal actions concerning the determination that an EIS is or is not required to sixty days--it is not an appeal process per se. Section 343-7, Hawaii Revised Statutes, can be considered a judicial appeal process only to the extent that such a legal action, concerning the determination that an EIS is or is not required, would require the court to consider the administrative actions.

In addition, the bill may adversely affect the independent functioning of some agencies. It grants the Environmental Council unwarranted 'veto' power over other agencies. Further, under current law, some agencies must act on permit applications within a statutorily prescribed time period. A time consuming administrative appeal to the Environmental Council endangers the ability of these agencies to act on permit applications within the statutorily prescribed time constraints, allowing permits to be granted without proper agency review merely as the result of lapse of time. In other words, the perceived benefits from this bill are far outweighed by the potential disadvantages of multiple time consuming and expensive appeals.

For these reasons, I am returning House Bill No. 2075-84 without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully submitted,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2075-84, entitled, 'RELATING TO THE ENVIRONMENT,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2075-84 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2075-84 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 12th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 45 transmitting his statement of objections to Senate Bill No. 1450, which he has returned to the Senate without his approval, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 12, 1984

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 1450

Honorable Mambers  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16, Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1450, entitled, 'A BILL FOR AN ACT RELATING TO PAROLE.'

Senate Bill 1450 would allow the chairman of the Hawaii Paroling Authority to serve up to three four-year terms or twelve consecutive years, in contrast to the present law which allows only eight years of service.

It appears that the present chairman, who is the State's first fulltime head of the Paroling Authority, has done an excellent job. He has also worked closely with the Corrections Division, the Intake Service Center and other public safety agencies in developing a smoother offender flow process.

Notwithstanding the fine record of the incumbent, I believe that the appointment of any individual as chairman of the Paroling Authority for two consecutive four-year terms (for a total of eight years) is a sufficient period of service and continuity.

Moreover, limiting the term of office as provided by existing law would give other competent people an opportunity to serve in this important position.

I am concerned also that a change in the term of office of the Paroling Authority chairman would open the door to proposals extending the terms of other board and commission chairmen whose terms of office are presently limited to two consecutive four-year terms.

For the foregoing reasons, I am returning Senate Bill No. 1450 without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully submitted,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1450, entitled, 'A BILL FOR AN ACT RELATING TO PAROLE,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1450 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1450 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 12th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 46 transmitting his statement of objections to Senate Bill No. 1745-84, which he has returned to the Senate without his approval, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 12, 1984

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 1745-84

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1745-84, entitled, 'RELATING TO ACUPUNCTURE.'

The purpose of Senate Bill No. 1745-84 is to abolish the Board of Acupuncture as of January 1, 1985, and transfer administration of the regulation of the practice of acupuncture to the Board of Medical Examiners as of that date.

I believe that the regulation of the practice of acupuncture is necessary to help ensure the protection of public health and safety. However, the regulation of the practice of acupuncture is more appropriately performed by the Board of Acupuncture, which consists in part of acupuncturists licensed in accordance with Chapter 436D, Hawaii Revised Statutes, rather than by the Board of Medical Examiners.

I recognize that Chapter 436D (Board of Acupuncture) will be repealed effective December 31, 1984, pursuant to Section 26H-4(b)(1), Hawaii Revised Statutes. My hope is that the Legislature will act quickly during the 1985 legislative session to reinstate the Board of Acupuncture.

Because I believe that the Board of Acupuncture is the proper body to regulate the practice of acupuncture, I am returning Senate Bill No. 1745-84 without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully submitted,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1745-84, entitled, 'RELATING TO ACUPUNCTURE,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1745-84 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1745-84 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 12th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

Gov. Msg. No. 47 transmitting his statement of objections to Senate Bill No. 2087-84, which he has returned to the Senate without his approval, as follows:

"STATE OF HAWAII  
EXECUTIVE CHAMBERS

June 12, 1984

STATEMENT OF OBJECTIONS  
TO SENATE BILL NO. 2087-84

Honorable Members  
Twelfth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2087-84, entitled, 'RELATING TO INTEREST.'

Senate Bill No. 2087-84 has two purposes: (1) to eliminate the 'drop dead' provisions in Chapters 408 and 478, Hawaii Revised Statutes; and (2) to limit the amount of interest that may be charged on certain agreements of sale under Chapter 478, Hawaii Revised Statutes.

I recognize that the first purpose is a truly meritorious one, because unrealistically low interest rate ceilings adversely affect the business and financial community and make it difficult for consumers to obtain needed credit and loans.

The second purpose of the bill is intended to help buyers of real property under agreements of sale. In order to alleviate the problem of sellers having an undue advantage in bargaining power due to interim increases in market interest rates, the bill would impose a ceiling related to the underlying interest rates; upon extension at maturity or renegotiation of the agreement of sale, the rate of interest charged could not be more than four per cent above the highest rate of interest charged under the loan or loans at the time the agreement of sale is extended or renegotiated, or four per cent over the rate originally specified in the agreement of sale, whichever is greater.'

The four per cent ceiling may yield interest rates significantly below the market interest rates. While intended to help home buyers, the ceiling may actually hurt buyers by causing sellers to refuse to renegotiate or extend at maturity the agreements of sale. Once the sellers so refuse, they would be free to sell their property to other buyers without being subject to the interest rate ceiling. An interest rate ceiling is not objectionable per se, for the protection of home buyers is a valid purpose. But a ceiling which would result in unrealistically low interest rates may defeat the purpose of the provision.

Because the elimination of the 'drop dead' provisions by Senate Bill No. 2087-84 is very important to the business community and consumers, I

am reluctant to return this bill without my approval.

However, for the foregoing reasons relating to the bill's imposition of an interest rate ceiling on certain agreements of sale, I am returning Senate Bill No. 2087-84 without my approval, as provided by Section 16 of Article III of the State Constitution.

Respectfully submitted,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

#### "P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2087-84, entitled, 'RELATING TO INTEREST,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2087-84 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2087-84 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,  
Honolulu, State of Hawaii,  
this 12th day of June, 1984.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI  
Governor of Hawaii"

DEPARTMENTAL COMMUNICATION RECEIVED AFTER ADJOURNMENT  
OF THE LEGISLATURE SINE DIE

Dept. Com. No. 1 from Jack K. Suwa, Chairman, Board of Agriculture, acknowledging receipt of the following resolutions: H.C.R. No. 78, requesting a study of establishing a State environmental protection agency, department, or comparable body to coordinate and address matters of environmental quality; H.C.R. No. 84, requesting the Mayor of the County of Hawaii and the Chairperson of the Hawaii County Council to assemble an economic transition assistance team to aid those affected by the closing of the Puna Sugar Company; H.R. No. 24, HD 1, requesting an investigation on agricultural pilferage; H.R. No. 26, HD 1, requesting an investigation into the feasibility of establishing consolidation facilities for the storage and distribution of agricultural products; H.R. No. 29, HD 1, requesting a review of the agricultural

parks law; H.R. No. 31, HD 1, requesting statewide farm organizations to provide advice and assistance to existing and new cooperatives and commodity associations; H.R. No. 73, HD 1, requesting the Committee on Water, Land Use, Development and Hawaiian Affairs to study alternate means of recycling greywater in an effort to increase the efficient use of Hawaii's limited water resources; H.R. No. 107, HD 1, requesting an investigation into the feasibility of obtaining federal funds for the development of an intrastate marine highway system for more efficient movement of agricultural products and persons; H.R. No. 232, HD 1, requesting the State to acquire the Kohala ditch system; and H.R. No. 235, HD 1, relating to pesticide and toxic/hazardous chemical usage by the military and other federal agencies.



MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER ADJOURNMENT  
OF THE LEGISLATURE SINE DIE

Misc. Com. No. 11 from the Honorable Spark Matsunaga, U.S. Senator, acknowledging receipt of a copy of House Resolution No. 59, urging the President, the Secretary of State, and the United States Congress to place a high priority on the reduction of nuclear arms.

Misc. Com. No. 12 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of a communication to Senator Matsunaga.

Misc. Com. No. 13 from Goro Hokama, Chairman, County Council, County of Maui, acknowledging receipt of the following concurrent resolutions: H.C.R. Nos. 27, relating to the State energy functional plan; 28, relating to the State housing functional plan; 29, relating to the State transportation functional plan; 30, relating to the State higher education functional plan; 41, requesting State acquisition of Makena Big Beach, Maui; 21, relating to the State health functional plan; 22, relating to the State water resources development functional plan; 23, relating to the State recreation functional plan; 24, relating to the State conservation lands functional plan; 25, relating to the State historic preservation functional plan; and 26, relating to the State tourism functional plan.

Misc. Com. No. 14 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of a communication to Senator Matsunaga.

Misc. Com. No. 15 from Elisa J. Geier, Legislative Assistant to Senator Inouye, acknowledging receipt of House Resolutions 235, 94, 275 and 234.

Misc. Com. No. 16 from the Honorable Daniel K. Inouye, U.S. Senator, acknowledging receipt of a copy of House Concurrent Resolution No. 71, HD 2, pertaining to the homeporting of a larger segment of the U.S. fleet at Pearl Harbor.

Misc. Com. No. 17 from Daniel Craig, Legislative Assistant to Senator Inouye, acknowledging receipt of a copy of House Resolution No. 292, HD 1, requesting an increase in the quota for imported sugar.

Misc. Com. No. 18 from Alan S.

Konishi, Director of Government Affairs, The Chamber of Commerce of Hawaii, acknowledging receipt of a certified copy of House Resolution No. 227.

Misc. Com. No. 19 from Goro Hokama, Chairman, County Council, County of Maui, acknowledging receipt of a copy of H.R. No. 24, HD 1, requesting an investigation on agricultural pilferage.

Misc. Com. No. 20 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of a communication to Senator Matsunaga.

Misc. Com. No. 21 from the Honorable Spark Matsunaga, U.S. Senator, transmitting a copy of letter from the Department of the Navy in response to his inquiry on its willingness to provide an area on Midway Island for a civilian fishing base.

Misc. Com. No. 22 from Anne Higgins, Special Assistant to the President and Director of Correspondence, The White House, acknowledging a copy of House Concurrent Resolution No. 74.

Misc. Com. No. 23 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of a communication to Senator Matsunaga relating to native Hawaiians.

Misc. Com. No. 24 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of a communication to Senator Matsunaga relating to Fort DeRussy.

Misc. Com. No. 25 from Ms. Cherry Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of a communication to Senator Matsunaga relating to tax.

Misc. Com. No. 26 from the Honorable Daniel K. Inouye, U.S. Senator, acknowledging receipt of House Resolution Nos. 102, HD 1; 173, HD 2; 380, HD 1; and House Concurrent Resolution No. 49, SD 1.

Misc. Com. No. 27 from the Honorable William V. Roth, Jr., Chairman, Committee on Governmental Affairs, U.S. Senate, acknowledging receipt of a copy of House Resolution No. 210.

Misc. Com. No. 28 from Ms. Cherry

Matano, Administrative Assistant to Senator Matsunaga, acknowledging receipt of a communication addressed to Senator Matsunaga relating to chemical, biological and radiological weapons.

Misc. Com. No. 29 from the Honorable Daniel K. Inouye, U.S. Senator, acknowledging receipt of House Resolution No. 211 and House Concurrent Resolution No. 94, HD 1, relating to health risks of pesticides and the abolition of chemical, biological and radiological weapons.

Misc. Com. No. 30 from the Honorable Daniel K. Inouye, U.S. Senator, acknowledging receipt of House Resolution No. 17, urging Congress to investigate tax provisions relating to tips received by food and beverage service workers.

Misc. Com. No. 31 from the Honorable Daniel K. Inouye, U.S. Senator, acknowledging receipt of House Concurrent Resolution No. 74, SD 1, relating to the proposed National Marine Fisheries Service Sanctuary for humpback whales in Hawaiian waters.

Misc. Com. No. 32 from the Honorable Peter W. Rodino, Jr., Chairman, Committee on the Judiciary, U.S. House of Representatives, acknowledging receipt of House Resolution No. 201, relating to reparations for Americans and resident aliens of Japanese ancestry and Alaskan Aleuts who were subjected to forced evacuation and incarceration in detention camps during World War II.

Misc. Com. No. 33 from the Honorable Daniel K. Inouye, U.S. Senator, acknowledging receipt of House Resolution No. 353, urging the U.S. Senate Committee on Energy and Natural Resources and the House Interior Committee to reject enumerated sections of the final report of the Native Hawaiian Study Commission Volume I.

Misc. Com. No. 34 from Robert B. Robinson, President, The Chamber of Commerce of Hawaii, acknowledging receipt of House Resolution No. 65, requesting a comprehensive evaluation of the Hawaii Visitors Bureau, and House Resolution No. 197, requesting proclamation of the week beginning May 27, 1984, as Tourism Week in Hawaii.

Misc. Com. No. 35 from Peter L. Tweedt, Director, United States Department of Commerce, acknowl-

edging receipt of a copy of House Resolution No. 74, SD 1, expressing opposition to the designation of the proposed Hawaii Humpback Whale National Marine Sanctuary.

Misc. Com. No. 36 from the Honorable Charles H. Percy, Chairman, Committee on Foreign Relations, U.S. Senate, acknowledging receipt of House Resolution No. 247.

Misc. Com. No. 37 from Anne Higgins, Special Assistant to the President and Director of Correspondence, The White House, acknowledging receipt of several House Resolutions.

Misc. Com. No. 38 from Neil H. Campbell, Acting Director, Intergovernmental Affairs, Office of Legislative and Intergovernmental Affairs, United States Department of State, acknowledging receipt of a copy of House Resolution No. 211.

Misc. Com. No. 39 from E.H. MaCH, Assistant Commissioner, Office of Inspection and Control, Department of the Treasury, acknowledging receipt of House Concurrent Resolution No. 17.

Misc. Com. No. 40 from Jack E. Ravan, Assistant Administrator, United States Environmental Protection Agency, acknowledging receipt of House Resolution Nos. 275, HD 1, and 234, HD 1.

Misc. Com. No. 41 from Alan C. Nelson, Commissioner, U.S. Department of Justice, Immigration and Naturalization Service, acknowledging receipt of a copy of House Concurrent Resolution No. 17.

Misc. Com. No. 42 from Edwin J. Shimizu, Executive Vice President, Retail Merchants of Hawaii, acknowledging receipt of House Resolution No. 254, urging retail merchants to voluntarily curtail the import and sale of drug paraphernalia.

Misc. Com. No. 43 from G.F. Finlayson, British Consul General, Los Angeles, acknowledging receipt of a copy of House Resolution No. 58, concerning nuclear weapons testing in the Pacific.

Misc. Com. No. 44 from Prvoslav Davinic, Chief, Co-ordination and World Disarmament Campaign Section, Department for Disarmament Affairs, United Nations, acknowledging receipt of a copy of House Resolution No. 211.