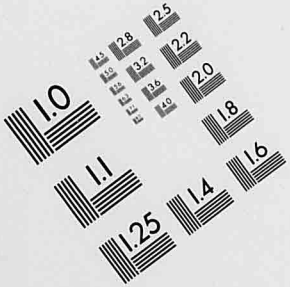
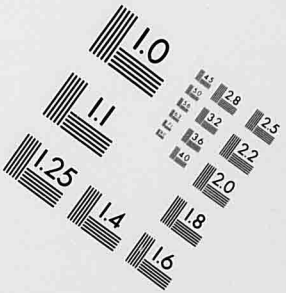
DENSITY TARGET

TOP

Film Identification

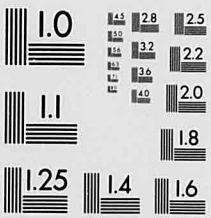



A & P International
715/262-5788 • Fax 715/262-3823
577 Locust Street • Prescott, WI 54021
Web Site http://www.zimc.com/apintl

**PRECISION[SM] RESOLUTION TARGETS**

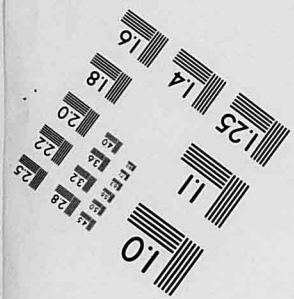
LEFT

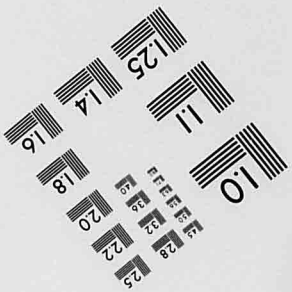



RIGHT

150 MM

6″




**PA-3 8½″x11″ PAPER PRINTED GENERAL TARGET**

REEL
NO.

236

# TITLE OF WORK

STATE OF HAWAII

DEPARTMENT OF ACCOUNTING
AND
GENERAL SERVICES

RECORDS OF THE LEGISLATURE
OF THE TERRITORY OF HAWAII

SERIES 228

RECORDS OF THE CLERKS

1901-1959

REDUCTION 24 – 1

MICROFILMED CHRONOLOGICALLY BY SESSION

SERIES 228

# RECORDS OF THE CLERKS

# LEGISLATURE OF THE TERRITORY OF HAWAII

RECORDS OF THE LEGISLATURE OF THE TERRITORY OF HAWAII

SERIES 228 – RECORDS OF THE CLERKS, 1901 – 1959

Oversize and bound material separated.

This series contains the various records administered by the clerks of the Senate and House of Representatives in their function to support the daily deliberative and law-making activities of the Territorial legislature. These records are the primary materials from which the official journals were compiled. Much of the material in this series is included in its entirety in the official journal, a notable exception being the bills, which are not verbatim in the journals. Issues addressed by the Territorial Legislature include Hawaiian statehood, public works projects, public instruction concerns, business regulation, post-war planning, and a few investigations of alleged malfeasance and incompetence. There is some Hawaiian language material in the early years.

Arranged chronologically by session, there under by chamber with the Senate followed by the House of Representatives, there under by type of record in the following order: journals; bills; joint resolutions; concurrent resolutions; resolutions; holdover committee reports; joint committee reports, conference committee reports; special committee reports; committee of the whole reports; standing committee reports; petitions; Governor's messages; executive communications; communications from the other chamber; departmental communications; miscellaneous communications; orders; questions; answers; notices; miscellaneous; and bills, joint resolutions, and concurrent resolutions received from the other chamber but not acted upon; and there under in numerical order of applicable.

Related records include Series 227, Official Journals; Series 229, Records of the Standing and Special Committees; Series 230 Records of Holdover Committees; and Series 233, Financial Records of the Legislature of the Territory of Hawaii. Additional legislative records are Series 222, General Records of the Legislature of the Hawaiian Kingdom; and Series 226, General Records of the Legislature of the Republic of Hawaii.

There are no restrictions on access to these records.

LINDA LINGLE
GOVERNOR

RUSS K. SAITO
COMPTROLLER

KATHERINE H. THOMASON
DEPUTY COMPTROLLER

**STATE OF HAWAII**
DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES

ARCHIVES DIVISION
HAWAII STATE ARCHIVES
IOLANI PALACE GROUNDS
HONOLULU, HAWAII 96813

# AUTHENTICITY CERTIFICATE

I hereby certify that the micrographs reproduced on this film by Advanced Micro-Image Systems Hawaii, Inc., are in fulfillment of the provisions of Section 92-29, Reproductions of public records on films, and Section 92-30, Film deemed original record, Hawaii Revised Statues. The records on this microfilm were received by the Hawaii State Archives pursuant to Section 94-1, Duties of department, Hawaii Revised Statutes.

The records are arranged in the following order:

1. Chronologically by session; there under
2. By chamber, Senate followed by the House of Representatives; there under
3. By type of record in the following order,
   - a. Journals
   - b. Bills
   - c. Joint resolutions
   - d. Concurrent resolutions
   - e. Resolutions
   - f. Holdover committee reports
   - g. Joint committee reports
   - h. Conference committee reports
   - i. Special committee reports
   - j. Committee of the Whole reports
   - k. Standing committee reports
   - l. Petitions
   - m. Governor's messages
   - n. Executive communications
   - o. Communications from the other chamber
   - p. Departmental communications
   - q. Miscellaneous communications
   - r. Orders
   - s. Questions
   - t. Answers
   - u Notices
   - v. Miscellaneous
   - w. Bills, joint resolutions, and concurrent resolutions from the other chamber but not acted upon; and there under
4. In numerical order, if applicable.

The State Archivist, administrator of the Archives Division, Department of Accounting and General Services, State of Hawaii, authorized Advanced Micro-Image Systems Hawaii, Inc. to film such records and process the film.

5/20/2003
Date

Susan Shaner
Authorizing Officer
State Archivist
Title

# *Advanced Micro-Image Systems Hawaii, Inc.*

05/20/2003

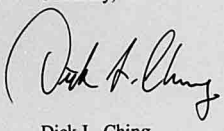
State of Hawaii
Records Management
State Archives

To Whom It May Concern,

I Certify that the processing of microfilm by Advanced Micro-Image Systems Hawaii, Inc. complies with the standards set forth for archival permanence of microfilm as established by the American National For Archival Institute (ANSI).

The methylene Blue Method is used to insure that the Residual Thiosulfate meets the American National Standards Institute standard of less than 1.4 micrograms of Thiosulfate Ion per square centimeter.

Sincerely,



Dick L. Ching
Vice President

525 Kokea Street, Building B-1 Honolulu, Hi. 96817

# SERIES 228 ARRANGEMENT

1. CHRONOLOGICALLY BY SESSION

2. THERE UNDER SENATE RECORDS FOLLOWED BY THE HOUSE OF REPRESENTATIVES

3. THERE UNDER BY TYPE OF RECORD AS FOLLOWS:

| | | | |
|---|---|---|---|
| a. | Journals | m. | Governor's messages |
| b. | Bills | n. | Executive communications |
| c. | Joint Resolutions | o. | Communications from the other chamber |
| d. | Concurrent Resolutions | p. | Departmental communications |
| e. | Resolutions | q. | Miscellaneous communications |
| f. | Holdover committee reports | r. | Orders |
| g. | Joint Committee reports | s. | Questions |
| h. | Conference committee reports | t. | Answers |
| i. | Special committee reports | u. | Notices |
| j. | Committee of the Whole reports | v. | Miscellaneous |
| k. | Standing committee reports | | |
| l. | Petitions | | |

w. Bills, joint resolutions, and concurrent resolutions from the other chamber but not acted upon

4. THERE UNDER IN NUMERICAL ORDER, IF APPLICABLE

1950

SECOND SPECIAL SESSION

SENATE

# COMMITTEE OF THE WHOLE REPORTS

1950 SPEC SENATE

Committee of the Whole No. 1

THE SENATE

**Committee of the Whole**

## The Legislature

of the

## Territory of Hawaii

Presented OCTOBER 9 , 19 50 by

Senator E. S. CAPELLAS, Chairman

On

S. B. NO. 3.

MEMO:

Adopted Oral Report - October 9, 1950
Written Report - October 9, 1950

ETHEL C. CHILLINGWORTH

*Clerk of the Senate*

filed

Com. Whole Rep. No. 1

Honolulu, T.H., October 9, 1950.

Honorable Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

Sir:

Your Committee of the Whole, to which was referred Senate Bill No. 3, entitled: "AN ACT RELATING TO THE CONTROL OF FLOOD WATERS OF THE WAIMEA RIVER, KAUAI, AND MAKING AN APPROPRIATION", begs leave to report as follows:

The bill seeks to provide for the appropriation of $400,000.00, in addition to the appropriation of $175,000 made by the 1949 Legislature, to complete this project.

Your Committee of the Whole met on Wednesday, October 4th, at which time this measure was discussed at considerable length, Senator Aguiar, of Kauai, one of the introducers of the bill, explaining the dire necessity of the control of flood waters of the Waimea River in order to avert a real catastrophy in the future should this river overflow its banks and wipe out the town of Waimea, as it has several times threatened to do.

It was ascertained from Senator Aguiar that plans are in the course of preparation for the completion of this project, which have been approved by the Kauai County Engineer and the Territorial Highway Engineer. The estimated cost of this project would be in the neighborhood of $500,000 to $600,000, so that by the appropriation of this additional $400,000.00 the job could be completed; and any money remaining would be lapsed into the General Fund of the Territory.

After due and careful consideration, substantiated by the arguments advanced by Senator Aguiar, your Committee agreed to recommend, and hereby respectfully recommends the passage of Senate Bill No. 3 on Second Reading; and further recommends that when the Bill is before the Senate on Third Reading, Mr. Paul Thurston, Director of the Bureau of the Budget, be asked to appear before the Senate as to the availability of funds in the General Fund of the Territory which could be used for this purpose; and also that Mr. R. M. Belt, Territorial Highway Engineer, be requested to be in attendance at the same time to give general information regarding this project which would be of benefit to the members in voting on this measure.

Very respectfully,

E. S. Capellas

Eugene S. Capellas, Chairman.

1950 SPEC SENATE

Committee of the Whole No. 2

THE SENATE

**Committee of the Whole**

# The Legislature

of the

# Territory of Hawaii

SECOND SPECIAL SESSION

Presented OCTOBER 10 , 1950, by

Senator EUGENE S. CAPELLAS, Chairman

On

SENATE BILL NO. 3

Entitled "AN ACT RELATING TO THE CONTROL OF FLOOD WATERS OF THE WAIMEA RIVER, KAUAI, AND MAKING AN APPROPRIATION".

DEPARTMENTAL COMMUNICATION NO. 10, BEING RESOLUTION NO. 113, RELATING TO SAME SUBJECT MATTER AS ABOVE.

MEMO:

Filed - October 10, 1950

ETHEL C. CHILLINGWORTH

*Clerk of the Senate*

Com Whole 2

Honolulu, T. H., October 10, 1950.

Honorable Wilfred C. Tsukiyama
President of the Senate
Honolulu, T.H.

Sir:

Your Committee of the Whole, to which was recommitted on Third Reading Senate Bill No. 3, entitled: "AN ACT RELATING TO THE CONTROL OF FLOOD WATERS OF THE WAIMEA RIVER, KAUAI, AND MAKING AN APPROPRIATION", and Departmental Communication No. 10, from the County Clerk, County of Kauai, being Resolution No. 113 adopted by said Board, relating to the same subject matter, begs leave to report as follows:

Your Committee met on Monday, October 9th, and deliberated on the subject matter of Senate Bill No. 3 for several hours, during which it had before it Mr. R. M. Belt, Superintendent of Public Works, Mr. William Ellis, Chairman of the Board of Supervisors, County of Kauai, Mr. Kunji Omori, Assistant County Engineer, County of Kauai, and Mr. H. S. Kawakami, a long-time resident and businessman of Waimea, and Mr. Paul Thurston, Director, Bureau of the Budget.

After questioning these various persons and listening to their testimony, it was felt that the appropriation specified in the bill was insufficient to complete the project for a permanent control of the flood waters. Therefore, Senator Aguiar offered an amendment to Section 1 of the bill increasing the appropriation for this purpose from $400,000.00 to $475,000.00, which was adopted.

Senators Silva, Nobriga and Hill offered a further amendment to section 1 to provide for an appropriation of $100,000.00 for a flood control project at Waiakea, South Hilo, County of Hawaii.

Senators Goodness and Duarte offered a third amendment to Section 1 providing for an appropriation of $100,000.00 for a Drainage Canal for Iao Stream at Wailuku, County of Maui.

All of these amendments were referred to the office of the Attorney General with the request that he draft an amended form of Senate Bill No. 3 to include the subject matter of these amendments.

The amended form of the bill was so drafted and submitted for the consideration of the Committee.

After due and careful consideration, your Committee recommends that Senate Bill No. 3 in the amended form attached hereto pass Third Reading; and that Departmental Communication No. 10, relating to the same subject matter be placed on file.

Very respectfully,

E S Capellas

Eugene S. Capellas, Chairman.

S. B. No. 3
S. D. 1

A N  A C T

MAKING APPROPRIATIONS FOR PUBLIC IMPROVEMENTS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The following sums, or so much thereof as may be necessary, are hereby appropriated from the general revenues of the Territory, not otherwise appropriated, for the following purposes:

| | | |
|---|---|---|
| 1. | Flood control project at Waimea, County of Kauai | $475,000.00 |
| 2. | Drainage canal for Iao Stream at Wailuku, County of Maui | 100,000.00 |
| 3. | Flood control project at Waiakea, South Hilo, County of Hawaii | 100,000.00 |

SECTION 2. The moneys appropriated by this Act shall be expended by the respective board of supervisors of the county in which such improvements are to be made in accordance with plans and specifications prepared by the engineers of such county; provided, however, that no moneys shall be expended for any project until the methods, materials, plans and specifications for the same shall first have been passed upon and approved by the superintendent of public works of the Territory, who, before giving such approval, shall inspect the locality in which the improvements are to be made and shall familiarize himself with the conditions affecting such improvements.

SECTION 3. The moneys appropriated by this Act shall be in addition to any other appropriations heretofore made for

the same purposes.

SECTION 4. This Act shall take effect upon its approval.

1950 SPEC SENATE

Committee of the Whole No. 3

THE SENATE

**Committee of the Whole**

**The Legislature**

**of the**

**Territory of Hawaii**

SECOND SPECIAL SESSION

Presented OCTOBER 11 , 19 50, by

Senator BEN DILLINGHAM, Chairman

On

SENATE BILL NO. 2

RECOMMENDING PASSAGE WITH

AN AMENDMENT.

MEMO:

Filed - October 11, 1950

ETHEL C. CHILLINGWORTH

*Clerk of the Senate*

Com. Whole Rep. No. 3

Honorable Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

Sir:

Your Committee of the Whole, to which was referred Senate Bill No. 2, entitled: "AN ACT RELATING TO STATEHOOD: AMENDING THE LAW RELATING TO THE HAWAII STATEHOOD COMMISSION; AND MAKING AN APPROPRIATION TO SAID COMMISSION FOR THE ADVANCEMENT OF THE CAUSE OF STATEHOOD", begs leave to report as follows:

This bill provides for the sending of a delegation to Washington in case HR 49 is passed by the Senate of the United States, and providing an appropriation of $10,000.00 to the Statehood Commission for such purpose.

Your Committee carefully considered this bill, and it was pointed out by Senator Heen that there was a provision in HR 49 as now before the United States Senate, to which the Constitutional Convention did not agree, which might make it necessary for a delegation to go from here to Washington to iron out the difference between the provision in the Constitution and the provision that was inserted in HR 49 by the Senate Committee, which relates to the public lands which have not been set aside for federal, territorial or municipal use - the land that is to be studied by the joint committee of the Senate and House of the Congress over a period of five years - which provision reads: ....."the United States shall be and become vested with absolute title thereto"...., which provision the Convention could not go along with as it seemed to be inconsistent with other provisions in HR 49 which dealt with the question of having a joint committee of the Congress make a study and survey of that very thing. This provision was not included in the constitution as drafted by the Convention.

It was the consensus of the Committee, based on facts and circumstances pointed out by Senator Heen and others, that sufficient money should be provided to send a delegation to Washington to protect the rights of the State to these public lands, it being felt that these public lands belong to the State of Hawaii and that there should be no provision in HR 49 that the United States shall retain title to all of those lands, absolutely and forever.

It was also felt that the provisions of the bill should be broad enough so that it would be possible to send whomever it was felt should be sent, including Assistant Attorney General Rhoda Lewis, who is well versed in this problem.

It was felt, also, that the amount specified in the bill, namely, $10,000.00, might not be sufficient to accomplish its purposes if it proved to be advisable or necessary to send a larger delegation to Washington than at this time might be contemplated; and, therefore, it is recommended that the following amendment be made:

In line 3 of Section 2 of the typewritten bill, delete the figure "$10,000.00" and insert in lieu thereof the figure "$25,000.00".

As so amended, your Committee recommends the passage of the Bill.

Very respectfully,

Chairman, Committee of the Whole.

1950 SPEC SENATE

Committee of the Whole No. 4

THE SENATE

**Committee of the Whole**

# The Legislature

of the

# Territory of Hawaii

SECOND SPECIAL SESSION

Presented OCTOBER 11 , 1950, by

Senator REUBEN GOODNESS

On

SENATE BILL NO. 5

Recommending passage of the Bill with certain amendments and the Filing of Departmental Communication No. 9 with an accompanying resolution.

MEMO:

Filed - October 11, 1950

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

17

Honolulu, T. H., October 11, 1950.

Honorable Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

S i r :

Your Committee of the Whole, to which was referred Senate Bill No. 5, entitled: "AN ACT RELATING TO MAJOR DISASTERS AND MAKING AN APPROPRIATION THEREFOR", and Departmental Communication No. 9 from the County Clerk, County of Maui, together with the accompanying resolution adopted by the Board of Supervisors of the County of Maui, requesting the Legislature now in special session to appropriate the sum of $150,000 out of such funds as may be available in the treasury of the Territory for the use of the County of Maui to purchase or otherwise acquire and maintain such necessary fire-fighting and other disaster (relief) equipment or facilities as may be recommended by the Territorial Disaster Agency, begs leave to report as follows:

The bill seeks to provide for an appropriation of $1,000,000.00 from the general revenues of the Territory, to constitute a separate fund in the Territorial treasury to be known as the "Disaster Fund", to be expended under the direction of the Governor for immediate relief in the event of major disaster in any part of the Territory of Hawaii. The governor to allot any portion thereof to any agency, officer or employee, territorial or county, for the more speedy and efficient relief of the conditions created by such disaster. The Governor is also given the power to conclusively determine whether a disaster contemplated by this Act has occurred.

Your Committee met to discuss the provisions of this bill on October 10th; and at the same time considered Departmental Communication No. 9 and the accompanying Resolution adopted by the County of Maui.

Your Committee is in favor of the Bill but recommends that it be amended in the following respects:

(1) In line 3 of Section 1 of the typewritten bill, change the "period" to a "comma", after the word "Hawaii" and add the following:

"not otherwise appropriated."

(2) In line 6 of Section 2 of the typewritten bill, immediately before the word "territorial", add the word "federal,".

As so amended, your Committee recommends that the Bill pass Second Reading.

It is further recommended that Departmental Communication No. 9 and the accompanying Resolution be placed on file, since it would be possible, in case of a disaster to secure the required amount made available under Senate Bill No. 5. Very respectfully,

Chairman, Committee of the Whole.

Committee of the Whole No. 5

THE SENATE

**Committee of the Whole**

# The Legislature

of the

# Territory of Hawaii

SECOND SPECIAL SESSION

Presented OCTOBER 11 , 1950, by

Senator CHARLES H. SILVA, Chairman

On

CONSTITUTION OF THE STATE OF HAWAII AND SENATE JOINT RESOLUTION 1 , RECOMMENDING ADOPTION OF THE CONSTITUTION, PASSAGE OF HOUSE JOINT RESOLUTION NO. 1 AND FILING OF SENATE JOINT RESOLUTION NO. 1

MEMO:

Filed - October 11, 1950

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

25

Honolulu, T. H., October 11, 1950.

Honorable Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

S i r :

Your Committee of the Whole, to which was referred the Constitution of the State of Hawaii as adopted by the Hawaii State Constitutional Convention of 1950 on July 22, 1950, and Senate Joint Resolution No. 1 entitled "JOINT RESOLUTION PROVIDING FOR THE SUBMISSION TO THE PEOPLE OF THE TERRITORY OF HAWAII OF THE CONSTITUTION FRAMED BY THE CONVENTION HELD PURSUANT TO ACT 334 OF THE SESSION LAWS OF HAWAII 1949 AND IN THE EVENT OF FAILURE OF RATIFICATION, THE FRAMING AND SUBMISSION OF A NEW CONSTITUTION, AND MAKING APPROPRIATIONS THEREFOR", together with HOUSE JOINT RESOLUTION NO. 1 IDENTICALLY ENTITLED, begs leave to report as follows:

Your Committee of the Whole has held six separate meetings on these measures, at which times full and free discussion was had thereon.

Amendments were offered to Articles III - THE LEGISLATURE - and XI - HAWAIIAN HOME LANDS - Hawaiian Homes Commission Act - by Senator Nobriga to be presented to the people of Hawaii as alternatives; but were not adopted by the Committee.

The Constitution was considered Section by Section and voted upon in the same manner; and thereafter approved in its entirety.

Your Committee recommends the approval of the proposed Constitution of the State of Hawaii as adopted by the Hawaii State Constitutional Convention of 1950; recommends the passage of House Joint Resolution No. 1 on Second Reading; and further recommends the filing of Senate Joint Resolution No. 1, identically titled.

Very respectfully,

Chairman, Committee of the Whole.

1950 SPEC SENATE

Committee of the Whole No. 6

THE SENATE

**Committee of the Whole**

# The Legislature

of the

# Territory of Hawaii

SECOND SPECIAL SESSION

Presented OCTOBER 13, 19 50, by

Senator TOSHIO ANSAI

On

SENATE BILL NO. 12

RECOMMENDING THAT THE BILL BE

PLACEDON FILE.

MEMO:

FILED - October 13, 1950

ETHEL C. CHILLINGWORTH

*Clerk of the Senate*

Com. Whole Rep. No. 6

Honolulu, T. H., October 13, 1950

Honorable Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

Sir:

Your Committee of the Whole, to which was referred Senate Bill No. 12, entitled: "AN ACT TO REQUIRE THE MAUI COUNTY WATERWORKS TO CONSTRUCT A WATER SYSTEM RUNNING FROM WAILUKU TO KIHEI", begs leave to report as follows:

The purpose of the bill is set forth in its title.

Your Committee met on October 12th to consider this bill, and Senator Duarte, the introducer of the bill, explained his reasons for introducing it - that the Maui County Waterworks was planning to run a line which would cost around $60,000 to $70,000, and that since the water running through it would be brackish the people would not use it, and therefore the money would be wasted.

As stated in the bill, the Maui County Waterworks Board had a reserve fund provided for it by Section 12 of Act 289, Session Laws of Hawaii 1949, which could be used to construct a water system running from Wailuku to Kihei, for which there is $85,000 available.

Senator Goodness informed the Committee that this project was already under way, as the Waterworks had called for bids for this work, and that the Board had sufficient money set aside to take care of this construction. Therefore, he felt there would be no necessity for this bill.

Therefore, your Committee recommends that Senate Bill No. 12 be placed on file, inasmuch as the subject matter was already being taken care of.

Very respectfully,

Toshio Ansai

Toshio Ansai, Chairman.

1950 SPEC SENATE

**Committee of the Whole No.** 7

**THE SENATE**

**Committee of the Whole**

# The Legislature

**of the**

# Territory of Hawaii

SECOND SPECIAL SESSION

Presented OCTOBER 13 , 1950, by

Senator TOSHIO ANSAI, Chairman

On

SENATE BILL NO. 13

RECOMMENDING THAT THE BILL BE PLACED FILE.

**MEMO:**

Filed - October 13, 1950

ETHEL C. CHILLINGWORTH

*Clerk of the Senate*

Com. Whole Rep. No. 7

Honolulu, T. H., October 13, 1950

Honorable Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

Sir:

Your Committee of the Whole, to which was referred Senate Bill No. 13, entitled: "AN ACT AMENDING CHAPTER 6, REVISED LAWS OF HAWAII 1945, BY ADDING THERETO A NEW SECTION TO BE NUMBERED 233.01, AUTHORIZING THE CASTING OF BALLOTS BY REGISTERED VOTERS IN MILITARY SERVICE WHO ARE ABSENT FROM THE TERRITORY", begs leave to report as follows:

The purpose of the bill is indicated in its title.

Your Committee met to discuss this bill on October 12th, at which time Deputy Attorney General Thomas Flynn, who drew up the bill at the request of Senator Silva, the introducer, was present to explain the provisions and the mechanics of the bill to the Committee.

The Committee is thoroughly in accord with the purpose of the bill, since it is felt that the men of Hawaii in the Armed Services are entitled to cast their ballots even though they are absent from the Territory as far distant from Hawaii as to be on duty in foreign countries. That privilege is granted to the men in the Armed Services of the States of the Union; and men from Hawaii should be granted the same privilege. However, after considerable discussion as to the mechanics of the bill, it was felt that there should be more study given to it before the bill was passed by the legislature and enacted into law, so that it would be a thoroughly workable law.

Therefore, your Committee recommends that the subject matter of Senate Bill No. 13 be referred to the Attorney General with the request that he draft a bill similar to Senate Bill No. 13 containing all the necessary provisions to make it workable, and that in this connection, he consult with the office of the Secretary of Hawaii, such bill to be presented to the 1951 Session of the Legislature; and your Committee further recommends that Senate Bill No. 13 be placed on file.

Very respectfully,

Toshio Ansai

Toshio Ansai, Chairman.

1950 SPEC SENATE

Committee of the Whole No. 8

THE SENATE

**Committee of the Whole**

# The Legislature

of the

# Territory of Hawaii

SECOND SPECIAL SESSION

Presented OCTOBER 11, , 1950, by

Senator M. R. AGUIAR, JR.

On

SENATE BILL NO. 4, 6, 8, 9, 10,
SENATE CONCURRENT RESOLUTION NO. 1
RECOMMENDING THE FILING OF THE
ABOVE.

MEMO:

Filed - October 13, 1950

ETHEL C. CHILLINGWORTH

*Clerk of the Senate*

Com. Whole Rep. No. 8

Honolulu, T. H., October 13, 1950.

Hon. Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

Sir:

Your Committee of the Whole to which were referred the following measures, begs leave to report as follows:

Your Committee held a meeting this day at which time the hereinafter enumerated and entitled bills were considered:

Senate Bill No. 4, entitled: "AN ACT TO IMPOSE A PERSONAL PROPERTY TAX TO PROVIDE REVENUE FOR THE COUNTIES FOR SCHOOL CONSTRUCTION OR IMPROVEMENT";

Senate Bill No. 6, entitled: "AN ACT PROVIDING FOR TERRITORIAL PUBLIC WORKS PROJECTS AND APPROPRIATING THE SUM OF FIVE MILLION DOLLARS THEREFOR";

Senate Bill No. 8, entitled: "AN ACT TO CREATE A SPECIAL FUND TO BE KNOWN AS THE GOVERNOR'S UNEMPLOYMENT FUND AND INCREASING THE TAX ON COMPENSATION AND THE INCOME TAX ON CORPORATIONS TO PROVIDE FUNDS THEREFOR";

Senate Bill No. 9, entitled: "AN ACT AUTHORIZING AND DIRECTING THE BOARD OF WATER SUPPLY OF THE COUNTY OF HAWAII TO CONSTRUCT A WATER SUPPLY SYSTEM FOR THE DISTRICTS OF NORTH AND SOUTH KONA, AND TO APPROPRIATE THREE HUNDRED FIFTY THOUSAND DOLLARS ($350,000.00) THEREFOR";

Senate Bill No. 10, entitled: "AN ACT MAKING AN APPROPRIATION FOR THE PRINTING AND DISTRIBUTION OF COPIES OF THE CONSTITUTION FRAMED BY THE CONSTITUTIONAL CONVENTION OF 1950"; and

Senate Concurrent Resolution No. 1, entitled: "REQUESTING THE GOVERNOR OF HAWAII TO MAKE AVAILABLE FROM HIS CONTINGENT FUND MONEYS FOR THE SUPPORT OF THE PUBLIC WELFARE PROGRAM".

Your Committee considered these bills and felt that they were important measures and merited more time and study being given to them before it could recommend their passage; and therefore recommends that they be placed on file.

As to Senate Concurrent Resolution No. 1, the subject matter was taken care of by the Governor early in the session by the appropriation of sufficient funds to take care of the needs of the Department of Public Welfare between now and the convening of the 1951 Legislature. Therefore, your Committee recommends that said

Concurrent Resolution be placed on file.

Respectfully submitted,

M. R. Cowan Jr.
Chairman.

1950

SECOND SPECIAL SESSION

SENATE

# SPECIAL

# COMMITTEE

# REPORTS

1950 SPEC SENATE

Special Committee Report No. 1

# THE SENATE
## Special Committee Report

## The Legislature
of the
## Territory of Hawaii

Presented OCTOBER 10 , 19 50 by

Senator s TOSHIO, ANSAI, JOHN G. DUARTE AND REUBEN GOODNESS

On

DEPT. COM. NO. 9

Recommending that the communication and accompanying Resolution be referred to the Committee of the Whole inasmuch as Senate Bill No.5 pertaining to the same subject on a territory wide basis is for consideration before the Committee of the Whole.

MEMO:

Referred to Committee of the Whole
Adopted - October 10, 1950

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

SPEC. COM. REP. NO. 1

Honolulu, T.H., October 10, 1950

Honorable Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

S i r :

Your ~~Select~~ Committee of Maui Senators to which was referred Communication No. 9 from the County Clerk of the County of Maui in re: Request of $150,000.00 to acquire fire-fighting and other disaster facilities for Maui County begs leave to report the following:

We recommend that this communication and accompanying Re. Action be referred to the Committee of the Whole of the Senate, inasmuch as Senate Bill No. 5 pertaining to this same subject on a territory-wide basis is for consideration.

Respectfully submitted,

T. Ansai.
TOSHIO ANSAI, Chairman

John G. Duarte
JOHN G. DUARTE

Reuben Goodness
REUBEN GOODNESS

adopted

1950

SECOND SPECIAL SESSION

SENATE

# STANDING COMMITTEE REPORTS

1950 SPEC SENATE

Standing Committee Report No. 1

# The Legislature
of the
# Territory of Hawaii

## THE SENATE
## Standing Committee Report

Presented September 30, 1950, by

Senator CHARLES H. SILVA
CHAIRMAN, Committee on Printing

On

Senate Bills Nos. 1, 2 and 3

" Resolutions 1, 2, 3, 4, 5, 6 and 7

" J. Resolution 1

Governor's Message No. 1

MEMO:

Filed - September 30, 1950

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

STAND. COM. REP. NO. 1

September 30, 1950

Honorable Wilfred C. Tsukiyama
President of the Senate

Sir:

Your Committee on Printing begs leave to report that the following have been mimeographed and are ready for distribution:

Senate Bills Nos. 1, 2 and 3
Senate Resolutions Nos. 1, 2, 3, 4, 5, 6 and 7
Senate Joint Resolution No. 1
Governor's Message No. 1.

Respectfully submitted,

CHARLES H. SILVA, Chairman
Printing Committee

1950 SPEC SENATE

**Standing Committee Report No. 2**

# The Legislature

of the

# Territory of Hawaii

SECOND SPECIAL SESSION

## THE SENATE

## Standing Committee Report

Presented October 2, 1950, by

Senator CHARLES H. SILVA, Chairman
COMMITTEE ON ENROLLMENT, REVISION AND PRINTING

On

SENATE BILL NO. 1 SD-1

SENATE RESOLUTION NO. 8

STANDING COMMITTEE REPORT NO. 1

MIMEOGRAPHED AND READY FOR DISTRIBUTION.

MEMO:

FILED * OCTOBER 2, 1950

ETHEL C. CHILLINGWORTH

*Clerk of the Senate*

STAND.COM.REP.NO. 2

Honolulu, T. H.
October 2, 1950.

Hon. Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

S i r :

Your Committee on Enrollment, Revision and Printing begs leave to report that the following have been mimeographed and are ready for distribution:

Senate Bill No. 1 SD-1

Senate Resolution No. 8, and

Standing Committee Report No. 1.

Respectfully submitted,

CHARLES H. SILVA, Chairman

1950 SPEC SENATE

Standing Committee Report No. 3

# The Legislature
of the
# Territory of Hawaii

## THE SENATE
## Standing Committee Report

Presented OCTOBER 3 , 19 50 by

Senator CHARLES H. SILVA, Chairman
On COMMITTEE ON ENROLLMENT, REVISION & PRINTING

SENATE BILLS NOS. 4, 5, 6, 7 and 8

SENATE RES. NOS. 9, 10, 11, 12 and 13

SENATE CONCURRENT RES. NOS. 1 and 2

STANDING COMMITTEE REPORT NO. 2

Mimeographed and ready for distribution.

MEMO:

Filed - October 3, 1950

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

STAND.CON.REP.NO. 3

Honolulu, T. H.
October 3, 1950

Hon. Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

S i r :

Your Comittee on Enrollment, Revision and Printing begs leave to report that the following have been mimeographed and are ready for distribution:

Senate Bills Nos. 4, 5, 6, 7 and 8

Senate Resolutions Nos. 9, 10, 11, 12 and 13

Senate Concurrent Resolutions Nos. 1 and 2

Standing Comittee Report No. 2.

Respectfully submitted,

CHARLES H. SILVA, Chairman

1950 SPEC SENATE

Standing Committee Report No. 4

# The Legislature
of the
# Territory of Hawaii

## THE SENATE
## Standing Committee Report

Presented OCTOBER 4, 1950, by

Senator HERBERT K. H. LEE, Vice Chairman

On

REPORTING THAT THE FOLLOWING HAVE BEEN MIMEOGRAPHED AND ARE READY FOR DISTRIBUTION:

S. B. NO. 9

H. B. NO. 1 SD-1

STAND.COM.REP.NO. 3

MEMO:

FILED - October 4, 1950.

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

STAND.CON.REP.NO. 4

Honolulu, T. H.
October 4, 1950

Hon. Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

S i r :

Your Comittee on Enrollment, Revision and Printing begs leave to report that the following have been mimeographed and are ready for distribution:

Senate Bill No. 9

House Bill No. 1 SD-1

Standing Comittee Report No. 3.

Respectfully submitted,

H. K. H. Lee

HERBERT K. H. LEE, Vice-Chairman

1950 SPEC SENATE

**Standing Committee Report No. 5**

# The Legislature
of the
# Territory of Hawaii
SECOND SPECIAL SESSION

## THE SENATE
## Standing Committee Report

Presented OCTOBER 9 , 19 50 , by

Senator CHARLES H. SILVA, Chairman

On COMMITTEE ON ENROLLMENT, REVISION AND PRINTING.

REPORTING THE FOLLOWING HAVE BEEN MIMEOGRAPHED AND DISTRIBUTED:

S. CON RES. NOS. 3 & 4.

MEMO:

Filed - October 9, 1950.

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

filed

STAND.CON.REP.NO. 5

Honolulu, T. H.
October 9, 1950

Hon. Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

S i r :

Your Comittee on Enrollment, Revision and Printing begs leave to report that the following have been mimeographed and are ready for distribution:

Senate Concurrent Resolution No. 3

Senate Concurrent Resolution No. 4.

Respectfully submitted,

CHARLES H. SILVA, Chairman

1950 SPEC SENATE

**Standing Committee Report No. 6**

# The Legislature
of the
# Territory of Hawaii
SECOND SPECIAL SESSION

## THE SENATE
## Standing Committee Report

Presented OCTOBER 9 , 1950 , by

Senators E. S. CAPELLAS, Chairman, HERBERT K. H. LEE, CHARLES H. SILVA, COMMITTEE ON ACCOUNTS

On

REPORTING ON THE ACCOUNTS OF THE SENATE

AS OF THIS DATE.

MEMO:

Adopted - October 9, 1950.

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

filed

St Com 6

Honolulu, T. H.,
October 9, 1950.

Hon. Wilfred C. Tsukiyama,
President of the Senate,
Honolulu, T. H.

Sir:

Your Committee on Accounts and Public Expenditures begs leave to submit the following report of the accounts of the Senate as of this date:

TERRITORIAL APPROPRIATION

| | | |
|---|---|---|
| Act 1 Second Special Session Laws of Hawaii ..... | | $ 35,000.00 |

EXPENDITURES

| | | | |
|---|---|---|---|
| 01 | Personal Services: | | |
| | Senator's Compensation ..... | $ 7,000.00 | |
| | Pay of Employees ..... | 2,652.00 | |
| 05 | Travel Expenses (Mileage) ..... | 669.00 | |
| 12 | Senator's Expenses (Subsistence) ... | 1,440.00 | 11,761.00 |
| | Balance on hand ..... | | $ 23,239.00 |

Respectfully submitted,

E. S. Capellas
Chairman

H. L. Kuhn
Member

Charles H. Silva
Member

1950 SPEC SENATE

**Standing Committee Report No. 7**

# The Legislature
of the
# Territory of Hawaii
SECOND SPECIAL SESSION

## THE SENATE
## Standing Committee Report

**Presented** OCTOBER 10 , 19 50 , by

**Senator** CHARLES H. SILVA, Chairman
COMMITTEE ON ENROLLMENT, REVISION & PRINTING

**On**

SENATE BILL NOS. 3 SD-1 and 10

SENATE RESOLUTION NOS. 14, 15 and 16

SENATE CONCURRENT RESOLUTION NO. 5

STANDING COMMITTEE REPORT NO. 6

COMMITTEE OF THE WHOLE NO. 1

GOVERNOR'S MESSAGE NO. 4

Mimeographed and ready for distribution.

**MEMO:**

Filed - October 10, 1950

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

STAND.COM.REP.NO. 1

Honolulu, T. H.
October 10, 1950

Hon. Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

S i r :

Your Comittee on Enrollment, Revision and Printing begs leave to report that the following have been mimeographed and are ready for distribution:

Senate Bill Nos. 3 SD-1 and 10

Senate Resolution Nos. 14, 15 and 16

Senate Concurrent Resolution No. 5

Standing Comittee Report No. 6

Comittee of the Whole No. 1

Governor's Message No. 4

Respectfully submitted,

CHARLES H. SILVA, Chairman

1950 SPEC SENATE

**Standing Committee Report No. 8**

# The Legislature
of the
# Territory of Hawaii

## THE SENATE
## Standing Committee Report
SECOND SPECIAL SESSION

Presented OCTOBER 11, 19 50, by

Senator CHARLES H. SILVA
Chairman, Committee on Printing

On

Senate Bills Nos. 2-SD-1, 5 SD-1, 11, 12, and 13

Senate Resolution No. 17

Senate Concurrent Resolution No. 6

Committee of the Whole No. 2

Special Committee Report No. 1

have been mimeographed and ready for distribution.

MEMO:

Filed - October 11, 1950

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

STAND.COM.REP.NO. 8

Honolulu, T. H.
October 11, 1950

Hon. Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

S i r :

Your Comittee on Enrollment, Revision and Printing begs leave to report that the following have been mimeographed and are ready for distribution:

Senate Bill Nos. 2 SD-1, 5 SD-1, 11, 12, 13

Senate Resolution No. 17

Senate Concurrent Resolution No. 6

Comittee of the Whole No. 2

Special Comittee Report No. 1

Respectfully submitted,

CHARLES H. SILVA, Chairman

1950 SPEC SENATE

**Standing Committee Report No. 9**

# The Legislature
of the
# Territory of Hawaii

## THE SENATE
## Standing Committee Report
SECOND SPECIAL SESSION

Presented OCTOBER 12, 19 50, by

Senator CHARLES H. SILVA, Chairman
Committee on Enrollment, Revision and Printing.
On

Senate Bill Nos. 2-SD-2, 14 15, 16 and 17

Senate Concurrent Resolution Nos. 7 and 8

Committee of the Whole Nos. 3, 4, and 5.

mimeographed and ready for distribution

MEMO:

Filed - October 12, 1950

ETHEL C. CHILLINWORTH
*Clerk of the Senate*

STAND.COM.REP.NO. 9

Honolulu, T. H.
October 12, 1950

Hon. wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

S i r :

Your Comittee on Enrollment, Revision and Printing begs leave to report that the following have been mimeographed and are ready for distribution:

Senate Bill Nos. 2 SD-2, 14, 15, 16 and 17

Senate Concurrent Resolution Nos. 7 and 8

Comittee of the Whole Nos. 3, 4 and 5.

Respectfully submitted,

Charles H. Silva

CHARLES H. SILVA, Chairman

filed

1950 SPEC SENATE

Standing Committee Report No. 10

# The Legislature
of the
# Territory of Hawaii

## THE SENATE
## Standing Committee Report
SECOND SPECIAL SESSION

Presented OCTOBER 13 , 1950 , by

Senator CHARLES H. SILVA, Chairman
On Committee on Enrollment, Revision and Printing

Senate Bill No. 18

Senate Resolution No. 18

MEMO:

Filed - October 13, 1950

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

STAND.COM.REP.NO. 10

Honolulu, T. H.
October 13, 1950

Hon. Wilfred C. Tsukiyama
President of the Senate
Honolulu, T. H.

S i r :

Your Comittee on Enrollment, Revision and Printing begs leave to report that the following have been mimeographed and are ready for distribution:

Senate Bill No. 18

Senate Resolution No. 18.

Respectfully submitted,

CHARLES H. SILVA, Chairman

Filed

1950

SECOND SPECIAL SESSION

SENATE

# GOVERNOR'S MESSAGES

MESSAGE

OF

INGRAM M. STAINBACK

GOVERNOR OF HAWAII

TO THE

TWENTY-FIFTH LEGISLATURE

TERRITORY OF HAWAII

SPECIAL SESSION, 1950

To be mimeographed and filed

Friday, September 29, 1950

Gov Message 1

TERRITORY OF HAWAII
EXECUTIVE CHAMBERS
HONOLULU

September 29, 1950

MR. PRESIDENT, MR. SPEAKER, AND MEMBERS
OF THE
TWENTY-FIFTH LEGISLATURE:

You have been convened in Special Session for consideration of the Constitution framed by the Constitutional Convention of 1950, together with any ordinances of said Convention requiring ratification, and to provide for the submission of the proposed Constitution to the people of the Territory of Hawaii, together with any alternative or additional provisions or ordinances which you suggest.

A Petition of a majority of your members was presented to me on Monday, September 25th, and less than an hour later the Proclamation issued calling the Legislature into Special Session. This Petition had been signed by 25 of the 30 members of the House of Representatives and by 8 of the 15 members of the Senate.

Although at no time objecting to a special session of the legislature, in view of the intensive campaigning that remains before most of you for reelection to the legislature, I had hesitated to call such session prior to election without your approval thereof, as called for by the provisions of Act 334, Session Laws of 1949. I hope that the interests of statehood and Hawaii will not suffer because some of your members may be champing at the bit to get back into the current political campaign.

I believe that on the whole the proposed constitution is an excellent one, but that it can and should be improved in certain respects.

Some of you who were members of the Constitutional Convention may possibly feel through pride of authorship that the Legislature should simply approve the proposed constitution in its entirety without modifications, changes, or alternatives to be voted upon by the people. If such were the intent of Act 334, there would

have been no occasion for calling this special session. Instead, the Act would have provided for the direct submission of the proposed constitution to a vote of the people without the intermediary of a special session of the legislature. This Act clearly contemplates that you will carefully consider the constitution with the thought in mind of preparing alternative provisions where you deem the same desirable, and give the people a chance to select. It specifically provides that the legislature will submit the constitution to the people "together with any alternative or additional provisions or ordinances suggested by the Legislature." Further, the submission of additional or alternative provisions would in no way delay statehood but, on the contrary, if it improves the constitution, would hasten it. The vote will be on the same date regardless of whether additional or alternative provisions are permitted to be voted upon.

Regarding one provision of the proposed constitution, I desire to call your particular attention to the increased size of the

proposed legislative body. The constitution provides for a total of 76 -- 51 members of the House and 25 in the Senate -- as compared with a present total of 45 -- 30 in the House and 15 in the Senate.

Experience over the last fifty years has thoroughly demonstrated to political thinkers that a large legislature is unwieldly, cumbersome and expensive, and the larger it is the less responsibility each legislator has and feels for the acts of the whole.

If there is one lesson that stands out in the minds of students of modern government, it is that a short ballot makes for a more responsible democratic form of government. This applies not only when there are a number of offices to be filled, but where there are very numerous members of one body. As the number of elective offices increases, it becomes more and more difficult to place responsibility so that the people can have true responsible representative government.

Considering our small population and geographical area, this large number of legislators is not in keeping with the trend of every modern constitution on mainland United States. It is a step

backwards. For example: New Jersey, the most recent of the states which has adopted a new constitution, has a senate membership of only 21 and a House of 60. New Jersey, which has more than ten times our population and a 30% greater area, would have well over 200 senators instead of 21 and over 500 members of the house if it used our basis of population. Then, again, Nebraska in its fairly modern constitution has a unicameral legislature consisting of only 43 members, yet it has a population of about three times that of Hawaii and twelve times the area. Other modern state constitutions have also streamlined the legislative body.

Careful consideration might also be given to the provision for an annual meeting of the legislature. Only 7 of the 48 states have this provision, although there are 5 states which have provisions which make it mandatory for the Governor to call a special session upon a petition of some three-fifths or some three-fourths of the membership of the legislature.

The proposed constitution calls for regular sessions each year, special sessions at the call of the Governor, and also special sessions after the close of any session in order to attempt to override any veto by the Governor. It would seem that the constitution calls for too many sessions of the legislature, making sessions mandatory regardless of necessity.

You members of this Legislature have had the unfortunate experience of having been called into special session last year and again this year. I fully realize the personal sacrifice it has meant to you in being constantly drawn from your business affairs to perform legislative duties. Your unfortunate experience of the past two years, however, will be the normal thing for future legislators under the constitution as proposed. The effect of this provision may well be to discourage men and women like yourselves from running for the legislature. You have private jobs and businesses and your legislative duties are, of necessity,

a side line. It might well be that to a large extent you will be replaced by the professional politician dependent upon his legislative salary as a major means of support, or by wealthy men who can well afford the heavy expenditure of time and absence from business.

When a legislature doubles in size, the costs do not merely double. Experience shows that it is more apt to triple or quadruple as there are more committees with more chairmen, clerks and employees.

I venture to say that the expense of such an enlarged body meeting annually would be at least four-fold the expenses of our existing smaller body meeting once in two years.

For some forty years or more our Legislature has refused to carry out that provision of the Organic Act providing for reapportionment of the legislature, though urged to do so by every governor, Republican and Democrat alike, during the period.

The proposed constitution would perpetuate the existing injustice so far as the Senate is concerned, for less than one-third of the population would have 60% of the senators. A provision correcting this inequity should at least be submitted to the vote of the people as an alternative.

Under the proposed constitution Oahu, with 68.6% of the population, would be entitled to only 10 of the 25 seats in the Senate. This unjust situation will be accentuated rather than cured as the years go by, for, according to the report of the United States Bureau of the Census, the population of Oahu has nearly doubled since 1940 while the population of each of the other counties has shown a decrease in this ten-year period. Indications are that Oahu's population will continue to increase at a faster rate than the other counties. Political expediency is a weak justification for preventing rule by the majority.

As I have said before, I consider the proposed constitution on the whole to be an excellent document, superior in many respects

to the constitutions of most of the states. However, I do believe that the people should at least be given the chance to vote upon the matters I have mentioned. You in your legislative wisdom may find that additional aternates are desirable.

In conclusion, I wish to assure you of my wholehearted cooperation and that of the executive departments. We shall ever be ready to consult and advise with you regarding the labors before you.

Ingram M Stainback

INGRAM M. STAINBACK
Governor of Hawaii

TERRITORY OF HAWAII
EXECUTIVE CHAMBERS
HONOLULU

September 29, 1950

The Honorable President
and Members of the Senate
Twenty-Fifth Legislature
Territory of Hawaii

Gentlemen:

This is to acknowledge letter of even date, from the Clerk of the Senate, informing me that the Senate of the Legislature of the Territory of Hawaii, in Special Session assembled, has been duly organized and is ready to transact business.

Respectfully,

Ingram M. Stainback

INGRAM M. STAINBACK
Governor of Hawaii

For Message 2

TERRITORY OF HAWAII
EXECUTIVE CHAMBERS
HONOLULU

October 2, 1950

Honorable Wilfred C. Tsukiyama, President
and Members of the Senate
Twenty-Fifth Legislature
Territory of Hawaii
Iolani Palace
Honolulu, T. H.

Gentlemen:

In view of the understandable concern expressed by many of you regarding the financing of the public welfare program of the Territory of Hawaii for the remainder of the biennium, I wish to inform you that I do not believe an additional appropriation for this program is necessary at the special session.

I have earmarked $1,350,000 from the Contingent Fund for the Public Welfare program. This sum has been estimated by the Director of the Bureau of the Budget to be adequate to meet the program's deficits until the Legislature convenes in February of 1951. At that time a supplemental appropriation will be requested to meet the deficit for the remainder of the biennium.

Also, I wish to advise you that the above action will not have any effect upon the bonus to public employees. Upon the basis of present estimates of income and expenditure, it is highly improbable that any reduction in the bonus will be necessary during the remainder of the biennium.

Respectfully,

Ingram M. Stainback

INGRAM M. STAINBACK
Governor of Hawaii

Gov Message 3

TERRITORY OF HAWAII
EXECUTIVE CHAMBERS
HONOLULU

October 9, 1950

The Honorable
The President
and Members of the Senate
Twenty-Fifth Legislature
Iolani Palace
Honolulu, Hawaii

Gentlemen:

In accordance with Section 80 of the Organic Act, I have the honor to submit herewith a list of appointments made since the close of the 1949 Special Session of the Legislature.

Respectfully,

Ingram M Stainback

INGRAM M. STAINBACK
Governor of Hawaii

Encls-1.

Printed - action deferred until Oct 11th

Gov Message
4

COMMISSIONS ISSUED SINCE THE ADJOURNMENT OF THE
1949 SPECIAL SESSION
OF THE
TWENTY-FIFTH LEGISLATURE

| Name: | Commissioned as: | Term: |
|---|---|---|
| DE MELLO, Adrian | Member, Territorial Boxing Commission | October 25, 1949 December 31, 1949 |
| BODGE, E. E. | Member and Chairman, Public Welfare Board | October 24, 1949 July 1, 1953 |
| LEWIS, Paul L. | Member, Public Welfare Board | October 24, 1949 July 1, 1952 |
| ELI, Walters | Member, Public Welfare Board | October 24, 1949 July 1, 1952 |
| ISHII, Dean Y. | Member, Public Welfare Board | October 24, 1949 July 1, 1951 |
| PENCE, Lucy | Member, Public Welfare Board | October 24, 1949 July 1, 1950 |
| KAY, Harold W. | Member, Public Welfare Board | October 24, 1949 July 1, 1953 |
| DAVIS, Richard W. | Member, Board of Review, Fourth Taxation Division | October 24, 1949 December 31, 1951 |
| CHU, Joshua E. | Member, Board of Chiropractic Examiners | October 24, 1949 Three Years |
| ALEXANDER, Doyle C. | Member, Advisory Board on Institutions | October 24, 1949 One Year |
| TAYLOR, Emily | Member, Advisory Board on Institutions | October 24, 1949 One Year |
| TRENT, Theodore F. | Member, Advisory Board on Institutions | October 24, 1949 One Year |
| CROZIER, Don | Member, Advisory Board on Institutions | October 24, 1949 One Year |
| STICKNEY, J. B. | Member, Board of Public Lands | October 24, 1949 Four Years |
| BLACK, Ruth E. | Member from Oahu, Board of Commissioners of Public Instruction | October 24, 1949 Four Years |
| RUSSELL, John E. | Member, Advisory Board on Institutions | October 24, 1949 One Year |
| ELLIOTT, Marjorie Ann | Member, Board for the Licensing of Nurses | October 24, 1949 Five Years |
| OWENS, John A. | Member from Oahu, Board of Commissioners of Public Instruction | October 24, 1949 Four Years |

| Name: | Commissioned as: | Term: |
|---|---|---|
| SOONG, K. O. | Member, Board of Review, Fourth Taxation Division | October 24, 1949 December 31, 1950 |
| YAMAMOTO, Harold H. | Member, Board of Chiropractic Examiners | October 24, 1949 Three Years |
| CHILDS, Allen Whitmore | Member, Territorial Board of Barbers | October 31, 1949 May 28, 1950 |
| EVANS, John E. | Member, Territorial Board of Barbers | October 31, 1949 May 28, 1951 |
| RICHARDSON, Wayne, Jr. | Member, Board of Commissioners of Public Instruction | November 28, 1949 Four Years |
| KIDWELL, Margaret E. | Member, Territorial Commission on Children and Youth | November 28, 1949 Two Years |
| MAKET, William | Member, Territorial Commission on Children and Youth | November 28, 1949 Two Years |
| LIU, Daniel | Member, Territorial Commission on Children and Youth | November 28, 1949 Three Years |
| ANTHONY, Dorothy | Member, Territorial Commission on Children and Youth | November 28, 1949 Four Years |
| NOBU, Albert Y. | Member, Territorial Commission on Children and Youth | November 28, 1949 Three Years |
| WIRTZ, Cable | Member, Territorial Commission on Children and Youth | November 28, 1949 Four Years |
| RICE, Philip | Member, Territorial Commission on Children and Youth | November 28, 1949 Four Years |
| CARABELLO, Benito | Member, Territorial Commission on Children and Youth | November 28, 1949 Four Years |
| PENCE, Martin | Member, Territorial Commission on Children and Youth | November 28, 1949 Four Years |
| MARSHALL, Donald C. | Member, Territorial Commission on Children and Youth | November 28, 1949 Two Years |
| KENDALL, William | Member, Territorial Commission on Children and Youth | November 28, 1949 Three Years |
| OKAMURA, James | Member, Territorial Commission on Children and Youth | November 28, 1949 Three Years |
| BREWER, Leila | Member, Territorial Commission on Children and Youth | November 28, 1949 Three Years |
| YOSHIDA, Shigeo | Member, Territorial Commission on Children and Youth | November 28, 1949 Two Years |
| LEE, Harry K. | Member, Territorial Commission on Children and Youth | November 28, 1949 Two Years |

| Name: | Commissioned as: | Term: |
|---|---|---|
| MAU, Harry Y. S. O K | Member, Public Welfare Board | November 29, 1949<br>July 1, 1951 |
| X EKLUND, Walter E. failed of confirmation | Member, Police Commission, County of Hawaii | November 30, 1949<br>June 30, 1953 |
| X CAMPBELL, Alice Kamokila failed of confirmation | Member, Hawaiian Homes Commission | November 30, 1949<br>November 18, 1951 |
| FIELD, Harry M. O. K. | Member, Hawaiian Homes Commission | November 30, 1949<br>January 15, 1953 |
| PENHALLOW, Richard O K | Member, Board of Regents of the University of Hawaii | December 2, 1949<br>March 31, 1951 |
| SYLVA, Edward N. O K. | Member and Chairman, Commission on Subversive Activities | December 2, 1949<br>Four Years |
| MARUMOTO, Masaji O K | Member, Commission on Subversive Activities | December 2, 1949<br>Four Years |
| BORTHWICK, William O K | Member, Commission on Subversive Activities | December 2, 1949<br>Four Years |
| DAWSON, Kennett B. O K | Member, Commission on Subversive Activities | December 2, 1949<br>Four Years |
| WARNER, Harold failed of confirmation | Member, Commission on Subversive Activities | December 2, 1949<br>Four Years |
| LYONS, R. R. O K | Member, Commission on Subversive Activities | December 2, 1949<br>Four Years |
| CRABBE, E.C.S., Jr. O K | Member, Commission on Subversive Activities | December 2, 1949<br>Four Years |
| PRATT, J. Scott B. O K | Member, Industrial Research Advisory Council | December 6, 1949<br>Three Years |
| MANAGO, Haruto O K | Member, Board of Registration, Second Representative District | February 3, 1950<br>Four Years |
| BOND, Kenneth D. O K | Member, Board of Registration, Second Representative District | February 3, 1950<br>Four Years |
| NELSON, Edward O K | Member, Liquor Commission for the County of Hawaii | February 27, 1950<br>December 31, 1952 |
| MENDONCA, Adolph J. O K | Member, Urban Redevelopment Agency, City & County of Honolulu | March 8, 1950<br>One Year |
| KAI, Ernest K. O K | Member, Urban Redevelopment Agency, City & County of Honolulu | March 8, 1950<br>Four Years |
| STAGBAR, Arthur O K | Member, Territorial Boxing Commission | March 8, 1950<br>December 31, 1950 |

| Name: | Commissioned as: | Term: |
|---|---|---|
| COBB, William B. O.K. | Director of Disaster Relief | March 8, 1950 Four Years |
| JITCHAKU, Richard M. O K | Member, Motor Vehicle Dealers' and Salesmen's Licensing Board, County of Hawaii | March 13, 1950 Two Years |
| DOWSETT, Sherman Nott O K | Member, Territorial Boxing Commission | March 17, 1950 December 31, 1954 |
| CAMPBELL, Alice Kamokila O K | Member, Kamehameha Day Celebration Commission, Representing the Hawaiian Homes Commission | March 24, 1950 Four Years |
| WILSON, Jennie O K | Member, Kamehameha Day Celebration Commission, Representing the Kaahumanu Society | April 5, 1950 Four Years |
| X FOX, Morris G. failed to confirm | Director, Department of Public Welfare | April 4, 1950 Four Years |
| - HOGAN, Robert G. O K | Member, Board of Harbor Commissioners for the Territory of Hawaii | April 10, 1950 June 30, 1953 |
| FUKUNAGA, Akira O K | Member, Voting Machine Board of the Territory of Hawaii | April 13, 1950 December 31, 1953 |
| VILLANUEVA, N. C. O K | Member, Voting Machine Board of the Territory of Hawaii | April 13, 1950 December 31, 1951 |
| BERMAN, Edward O K | Judge, Tax Appeal Court of the Territory of Hawaii | April 14, 1950 December 31, 1953 |
| + CARTER, Melville failed | Member, Board of Review, Third Taxation Division | April 14, 1950 December 31, 1952 |
| KUWAHARA, Ernest M. O K | Member, Board of Review, Third Taxation Division | April 14, 1950 December 31, 1952 |
| YAMADA, Masao O K | Member, Territorial Commission on Children and Youth | April 19, 1950 November 28, 1952 |
| WOOLAWAY, Arthur D. O K | Member, Hawaii Statehood Commission | April 20, 1950 January 1, 1953 |
| LANE, Jean R. O K | Member, Disaster Relief Advisory Council | May 26, 1950 Four Years |
| FAUS, Robert B. O K | Member and Chairman, Disaster Relief Advisory Council | May 26, 1950 Four Years |
| FERN, Charles J. O K | Member, Disaster Relief Advisory Council | May 26, 1950 Four Years |
| SINCLAIR, Karl A. O K | Member, Disaster Relief Advisory Council | May 26, 1950 Four Years |
| TODD, Walter A. O K | Member, Disaster Relief Advisory Council | May 26, 1950 Four Years |
| MOODY, George H. O K | Member, Disaster Relief Advisory Council | May 26, 1950 Four Years |

| Name: | Commissioned as: | Term: |
|---|---|---|
| YAP, Raymond C. OK | Member, Disaster Relief Advisory Council | May 26, 1950 Four Years |
| GRATZ, H. Tucker OK | Member and Chairman, Pacific War Memorial Commission of Hawaii | May 29, 1950 Four Years |
| DILLINGHAM, Louise OK. | Member, Pacific War Memorial Commission of Hawaii | May 29, 1950 Four Years |
| ALBRIGHT, Harry OK | Member, Pacific War Memorial Commission of Hawaii | May 29, 1950 Four Years |
| MAKINNEY, F. W. OK | Member, Pacific War Memorial Commission | May 29, 1950 Four Years |
| MIKI, George T. OK | Member, Pacific War Memorial Commission | May 29, 1950 Four Years |
| STYNE, D. E. OK | Member, Pacific War Memorial Commission | May 29, 1950 Four Years |
| THOMPSON, Arlene OK | Member, Board for the Licensing of Nurses | June 2, 1950 June 30,1952 |
| GODBOLD, Norman D. OK | Member, Tax Appeal Court, Territory of Hawaii | June 2, 1950 December 31, 1952 |
| MIHO, Katsuro OK | Member at Large, Hawaii Statehood Commission | June 2, 1950 January 1, 1954 |
| WESTLY, Torkel OK | Tax Commissioner, Territory of Hawaii | June 30, 1950 Four Years |
| MIDKIFF, Frank E. OK | Member, Pacific War Memorial Commission | August 1, 1950 Four Years |
| DAWSON, Kennett B. failed of confirmation | Member Representing the Public and Chairman, Hawaii Employment Relations Board | August 24, 1950 January 31,1951 |
| BENNETT, George Y. OK | Member, Industrial Research Advisory Council | Sept. 7, 1950 October 11, 1952 |
| HOLT, VICTORIA K. OK. | Member, Board of Registration for the Fourth and Fifth Representative Districts (Oahu) | Sept.28,1950 Four Years |

1950

SECOND SPECIAL SESSION

SENATE

# HOUSE COMMUNICATIONS

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

# The Twenty-fifth Legislature

Territory of Hawaii

Second Special Session

## House of Representatives

September 29, 1950

FOURTH DISTRICT
FLOR KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

The Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to inform your Honorable Body that the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii in Second Special Session assembled, has been duly organized and is prepared to transact business, with the following officers:

| | |
|---|---|
| Speaker | Honorable Hiram L. Fong |
| Vice-Speaker | Honorable Hebden Porteus |
| Clerk | Mr. James S. Achong |

Very respectfully,

Jas. S. Achong

Jas. S. Achong
Clerk, House of Representatives

H. Com 1

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

FOURTH DISTRICT
FLOR KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

October 2, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to transmit herewith House Bill No. 1, which this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Respectfully,

Jas. S. Ashong

Clerk, House of Representatives.

Hcom 2

First District
Joseph R. Garcia, Jr.
Thomas T. Sakakihara
Joseph Takao Yamauchi

Second District
Robert L. Hind, Jr.
Earl A. Nielsen
Akoni Pule
Esther K. Richardson

Third District
Alfred Afat Apaka
Allan Hart Ezell
E. P. Lydgate
Manuel Gomes Paschoal
Clarence K. Seong
Thomas Takeo Tagawa

# The Twenty-fifth Legislature

Territory of Hawaii

Second Special Session

## House of Representatives

Fourth District
Flor Kaai Hayes
Samuel M. Ichinose
Jack P. King
Walter F. McGuire
Kenneth T. Olds
Hebden Porteus

Fifth District
Hiram L. Fong
Joseph Itagaki
Charles Ernest Kauhane
Mitsuyuki Kido
Steere G. Noda
James K. Trask

Sixth District
Matsuki Arashiro
Norito Kawakami
A. Q. Marcallino
Noboru Miyake

October 2, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to transmit herewith House Bill No. 4, which this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Respectfully,

Jas. S. Achong

Clerk, House of Representatives.

Hse 43

First District
Joseph R. Garcia, Jr.
Thomas T. Sakakihara
Joseph Takao Yamauchi

Second District
Robert L. Hind, Jr.
Earl A. Nielsen
Akoni Pule
Esther K. Richardson

Third District
Alfred Afat Apaka
Allan Hart Ezell
E. P. Lydgate
Manuel Gomes Paschoal
Clarence K. Seong
Thomas Takeo Tagawa

# The Twenty-fifth Legislature

Territory of Hawaii

Second Special Session

## House of Representatives

October 2, 1950

Fourth District
Flor Kaai Hayes
Samuel M. Ichinose
Jack P. King
Walter F. McGuire
Kenneth T. Olds
Hebden Porteus

Fifth District
Hiram L. Fong
Joseph Itagaki
Charles Ernest Kauhane
Mitsuyuki Kido
Steere G. Noda
James K. Trask

Sixth District
Matsuki Arashiro
Norito Kawakami
A. Q. Marcallino
Noboru Miyake

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to transmit herewith House Concurrent Resolution No. 1 which was this day adopted by the House of Representatives of the Territory of Hawaii.

Respectfully,

Jas. S. Ackong

Clerk, ~~House of Representatives~~.

adopted

H. Conc 4

HON. HIRAM L. FONG, SPEAKER

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

HON. HEBDEN PORTEUS, VICE-SPEAKER

JAMES S. ACHONG, CLERK

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

October 3, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to transmit herewith House Joint Resolution No. 1, which this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Respectfully,

Jas. S. Achong

Clerk, ~~House of Representatives~~.

H. Com 5

HON. HIRAM L. FONG, SPEAKER

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

HON. HEBDEN PORTEUS, VICE-SPEAKER

JAMES S. ACHONG, CLERK

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

October 4, 1950

The Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to inform your Honorable Body that the amendment proposed by the Senate to House Bill No. 1 was this day agreed to by the House of Representatives of the Territory of Hawaii, and said bill, as thus amended, this day passed Final Reading in the House of Representatives of the Territory of Hawaii.

Respectfully,

Jas. S. Achong

Clerk, House of Representatives

H. Com. 6

HON. HIRAM L. FONG, Speaker

First District
Joseph R. Garcia, Jr.
Thomas T. Sakakihara
Joseph Takao Yamauchi

Second District
Robert L. Hind, Jr.
Earl A. Nielsen
Akoni Pule
Esther K. Richardson

Third District
Alfred Afat Apaka
Allan Hart Ezell
E. P. Lydgate
Manuel Gomes Paschoal
Clarence K. Seong
Thomas Takeo Tagawa

HON. HEBDEN PORTEUS, Vice-Spea

JAMES S. ACHONG, Clerk

Fourth District
Flora Kaai Hayes
Samuel M. Ichinose
Jack P. King
Walter F. McGuire
Kenneth T. Olds
Hebden Porteus

Fifth District
Hiram L. Fong
Joseph Itagaki
Charles Ernest Kauhane
Mitsuyuki Kido
Steere G. Noda
James K. Trask

Sixth District
Matsuki Arashiro
Norito Kawakami
A. Q. Marcallino
Noboru Miyake

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

October 4, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to transmit herewith House Concurrent Resolution No. 2, which was this day adopted by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, Second Special Session.

Respectfully,

Jas. S. Achong

Clerk, House of Representatives

H. Com 7

HON. HIRAM L. FONG, SPEAKER

HON. HEBDEN PORTEUS, VICE-SPEA

JAMES S. ACHONG, CLERK

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

# The Twenty-fifth Legislature

Territory of Hawaii

Second Special Session

## House of Representatives

October 9, 1950

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to transmit herewith House Concurrent Resolution No. 3, which was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Respectfully,

Jno. S. Achong

Clerk, House of Representatives.

H. Com 8

HON. HIRAM L. FONG, SPEAKER

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

HON. HEBDEN PORTEUS, VICE-SPEA

JAMES S. ACHONG, CLERK

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. McGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

October 10, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to transmit herewith House Concurrent Resolution No. 4, which was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Respectfully,

Jas. S. Achong
Clerk, House of Representatives.

Adopted

H. Com. 9

HON. HIRAM L. FONG, SPEAKER

HON. HEBDEN PORTEUS, VICE-S[illegible]ER

JAMES S. ACHONG, CLERK

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. McGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

October 11, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to transmit herewith House Concurrent Resolution No. 5, which was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Respectfully,

Jas. S. Achong

Clerk, House of Representatives.

adopted

H Conc 10

HON. HIRAM L. FONG, Speaker

HON. HEBDEN PORTEUS, Vice-S[illegible]er

JAMES S. ACHONG, Clerk

First District
Joseph R. Garcia, Jr.
Thomas T. Sakakihara
Joseph Takao Yamauchi

Second District
Robert L. Hind, Jr.
Earl A. Nielsen
Akoni Pule
Esther K. Richardson

Third District
Alfred Afat Apaka
Allan Hart Ezell
E. P. Lydgate
Manuel Gomes Paschoal
Clarence K. Seong
Thomas Takeo Tagawa

Fourth District
Flora Kaai Hayes
Samuel M. Ichinose
Jack P. King
Walter F. McGuire
Kenneth T. Olds
Hebden Porteus

Fifth District
Hiram L. Fong
Joseph Itagaki
Charles Ernest Kauhane
Mitsuyuki Kido
Steere G. Noda
James K. Trask

Sixth District
Matsuki Arashiro
Norito Kawakami
A. Q. Marcallino
Noboru Miyake

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

October 11, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to transmit herewith House Concurrent Resolution No. 6, which was this day adopted in the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Respectfully,

Jas S Achong

Clerk, House of Representatives.

approved
H Oct 11

HON. HIRAM L. FONG, SPEAKER

HON. HEBDEN PORTEUS, VICE-SPEAKER

JAMES S. ACHONG, CLERK

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

October 11, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to transmit herewith House Concurrent Resolution No. 7, which was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Respectfully,

Jas. S. Achong

Clerk, House of Representatives.

adopted

H. Com 12

HON. HIRAM L. FONG, SPEAKER

HON. HEBDEN PORTEUS, VICE-SPE[illegible]

JAMES S. ACHONG, CLERK

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

# The Twenty-fifth Legislature

Territory of Hawaii

Second Special Session

## House of Representatives

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

October 11, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to transmit herewith House Concurrent Resolution No. 8, which was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Respectfully,

Jas. S. Achong

Clerk, House of Representatives

Adopted

H. Com 13

HON. HIRAM L. FONG, SPEAKER

HON. HEBDEN PORTEUS, VICE-SPE

JAMES S. ACHONG, CLERK

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

October 12, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to return herewith Senate Concurrent Resolution No. 6, which was this day adopted by the House of Representatives of the Territory of Hawaii, Second Special Session, with the following amendments:

1. Add a new paragraph immediately following the second "WHEREAS" to read as follows:

   "WHEREAS, the legislature of the Territory of Hawaii has, in said Special Session, approved the Constitution in its entirety as it was drafted by the Constitutional Convention and has now enacted the necessary legislation to permit the people of Hawaii to express, at the General Election to be held on November 7, 1950, their ratification or rejection of this Constitution; and"

2. Amend the next "WHEREAS" by deleting the first three words following the "WHEREAS" and substituting therefor the words: "it is clearly indicated".

3. Delete the semi-colon (;) after the words "United States" in the first "RESOLVE" and add the following words to said first "RESOLVE":

Concur
Engross. defer later
H. Com 14

"with such amendments thereto as may be appropriate for the immediate admission of Hawaii as a State;"

Respectfully,

Jas. D. Aclong

Clerk, House of Representatives.

HON. HIRAM L. FONG, SPEAKER

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

HON. HEBDEN PORTEUS, VICE-SPEAKER

# The Twenty-fifth Legislature

Territory of Hawaii

Second Special Session

## House of Representatives

JAMES S. ACHONG, CLERK

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

October 12, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii

I have the honor to return herewith Senate Concurrent Resolution No. 8, which was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Respectfully,

Jas. S. Achong

Clerk, House of Representatives.

H. Con 15

HON. HIRAM L. FONG, SPEAKER

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

HON. HEBDEN PORTEUS, VICE-SPEAKER

JAMES S. ACHONG, CLERK

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

October 13, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to return herewith Senate Concurrent Resolution No. 4, which was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, with the following amendment:

In the fourth line of the first "WHEREAS" delete the words "with or".

Respectfully,

Jas. S. Achong
Clerk, House of Representatives.

Concurrent

H. Conc 16

HON. HIRAM L. FONG, SPEAKER

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

HON. HEBDEN PORTEUS, VICE-SPEAK

JAMES S. ACHONG, CLERK

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

October 12, 1950

The Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to return herewith Senate Bill No. 3, which this day passed Third Reading in the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, in the amended form hereto attached.

Respectfully,

Jas. S. Achong

Clerk, House of Representatives.

Concurred
Passed Final

H. Com. 17

Eng.
h

HON. HIRAM L. FONG, SPEAKER

HON. HEBDEN PORTEUS, VICE-SPEAKER

JAMES S. ACHONG, CLERK

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

October 13, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to return herewith Senate Bill No. 2, which this day passed Third Reading in the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Respectfully,

Jas. S. Achong

Clerk, House of ~~Representatives.~~

H Com 18

HON. HIRAM L. FONG, SPEAKER

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

HON. HEBDEN PORTEUS, VICE-SPEAK

# The Twenty-fifth Legislature

Territory of Hawaii

Second Special Session

## House of Representatives

October 13, 1950

JAMES S. ACHONG, CLERK

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to return herewith Senate Bill No. 5 in the amended form, which this day passed Third Reading in the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Respectfully,

Jas. S. Achong
Clerk, House of Representatives

Com

H Com 19

HON. HIRAM L. FONG, Speaker

First District
Joseph R. Garcia, Jr.
Thomas T. Sakakihara
Joseph Takao Yamauchi

Second District
Robert L. Hind, Jr.
Earl A. Nielsen
Akoni Pule
Esther K. Richardson

Third District
Alfred Afat Apaka
Allan Hart Ezell
E. P. Lydgate
Manuel Gomes Paschoal
Clarence K. Seong
Thomas Takeo Tagawa

HON. HEBDEN PORTEUS, Vice-Speaker

# The Twenty-fifth Legislature

Territory of Hawaii

Second Special Session

## House of Representatives

October 13, 1950

JAMES S. ACHONG, Clerk

Fourth District
Flora Kaai Hayes
Samuel M. Ichinose
Jack P. King
Walter F. McGuire
Kenneth T. Olds
Hebden Porteus

Fifth District
Hiram L. Fong
Joseph Itagaki
Charles Ernest Kauhane
Mitsuyuki Kido
Steere G. Noda
James K. Trask

Sixth District
Matsuki Arashiro
Norito Kawakami
A. Q. Marcallino
Noboru Miyake

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to return herewith Senate Bill No. 7, which this day passed Third Reading in the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, in the amended form hereto attached.

Respectfully,

Jas. S. Achong

~~Clerk, House of Representatives.~~

Conm

H. Com. 20

HON. HIRAM L. FONG, SPEAKER

HON. HEBDEN PORTEUS, VICE-SPEAK

JAMES S. ACHONG, CLERK

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. McGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

October 13, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to inform your Honorable Body that the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, has completed all business before it and is ready to adjourn sine die.

Respectfully,

Jas. S. Achong

Clerk, House of Representatives.

H Am 21

HON. HIRAM L. FONG, SPEAKER

FIRST DISTRICT
JOSEPH R. GARCIA, JR.
THOMAS T. SAKAKIHARA
JOSEPH TAKAO YAMAUCHI

SECOND DISTRICT
ROBERT L. HIND, JR.
EARL A. NIELSEN
AKONI PULE
ESTHER K. RICHARDSON

THIRD DISTRICT
ALFRED AFAT APAKA
ALLAN HART EZELL
E. P. LYDGATE
MANUEL GOMES PASCHOAL
CLARENCE K. SEONG
THOMAS TAKEO TAGAWA

HON. HEBDEN PORTEUS, VICE-SPEAKER

JAMES S. ACHONG, CLERK

FOURTH DISTRICT
FLORA KAAI HAYES
SAMUEL M. ICHINOSE
JACK P. KING
WALTER F. MCGUIRE
KENNETH T. OLDS
HEBDEN PORTEUS

FIFTH DISTRICT
HIRAM L. FONG
JOSEPH ITAGAKI
CHARLES ERNEST KAUHANE
MITSUYUKI KIDO
STEERE G. NODA
JAMES K. TRASK

SIXTH DISTRICT
MATSUKI ARASHIRO
NORITO KAWAKAMI
A. Q. MARCALLINO
NOBORU MIYAKE

# The Twenty-fifth Legislature

## Territory of Hawaii

## Second Special Session

## House of Representatives

October 13, 1950

To the Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to return herewith Senate Concurrent Resolution No. 9, which was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Respectfully,

Jas. S. Achong

Clerk, House of Representatives.

House Con. No. 22

1950

SECOND SPECIAL SESSION

SENATE

# DEPARTMENTAL COMMUNICATIONS

TERRITORY OF HAWAII

DEPARTMENT OF THE SECRETARY OF HAWAII

HONOLULU

September 29, 1950

To The Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to transmit herewith certified copy of proclamation issued under date of September 25, 1950, convening the Legislature of the Territory of Hawaii in Special Session.

Respectfully

Oren E. Long

OREN E. LONG
Secretary of Hawaii

Dept No 1.

T E R R I T O R Y  O F  H A W A I I

Office of the Secretary

oOo

THIS IS TO CERTIFY That the attached copy of Proclamation convening the Legislature of the Territory of Hawaii in Special Session is a true and correct copy of the original which is on file and of record in this office.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the Territory of Hawaii to be affixed.

DONE at Iolani Palace, in Honolulu, this 29th day of September, A. D. Nineteen Hundred and Fifty.

Oren E. Long

OREN E. LONG
Secretary of Hawaii

PROCLAMATION

I, INGRAM M. STAINBACK, Governor of the Territory of Hawaii, by virtue of the authority in me vested by law, do hereby convene the Legislature of the Territory of Hawaii in Special Session on Friday, the twenty-ninth day of September, A. D. Nineteen Hundred and Fifty, for consideration of the Constitution framed by the Constitution Convention of 1950, together with any ordinances of said Convention requiring ratification, and for providing for the submission of the said Constitution to the people of the Territory of Hawaii, together with any alternative or additional provisions or ordinances suggested by the Legislature.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the Territory of Hawaii to be affixed.

DONE at Iolani Palace, in Honolulu, this twenty-fifth day of September A. D. Nineteen Hundred and Fifty.

/s/ Ingram M. Stainback
Governor of the Territory of Hawaii

(S E A L)

TERRITORY OF HAWAII

DEPARTMENT OF THE SECRETARY OF HAWAII

HONOLULU

September 29, 1950

To The Honorable President and
Members of the Senate of the
Territory of Hawaii:

It is respectfully requested that this office be furnished with a copy of the minutes of the Senate and also two copies of each bill, and joint and concurrent resolutions that are printed.

Will you kindly make it possible for me to receive six copies of each engrossed bill and joint resolution transmitted to the Governor, so that one copy of each may be made available to the following:

1 for English newspaper, for publication
1 for the Compiler and Indexer
1 for the Attorney General
1 for the Treasurer of the Territory
1 for the Auditor of the Territory
1 for the Director of the Budget

Respectfully,

Oren E. Long

OREN E. LONG
Secretary of Hawaii

Dept No 2

TERRITORY OF HAWAII
DEPARTMENT OF THE SECRETARY OF HAWAII
HONOLULU

September 28, 1950

The Honorable
The President of the Senate
Twenty-Fifth Legislature
Territory of Hawaii
Honolulu, Hawaii

Dear Sir:

It is respectfully requested that five (5) copies each of all bills, resolutions, joint resolutions, concurrent resolutions, and reports, introduced in the 1950 Special Session of the Legislature, be set aside for the Public Archives.

Very truly yours,

OREN E. LONG
SECRETARY OF HAWAII
and
CHAIRMAN, BOARD OF COMMISSIONERS
OF PUBLIC ARCHIVES

Dept 3

TERRITORY OF HAWAII
EXECUTIVE CHAMBERS
HONOLULU

September 29, 1950

The Honorable
The President of the Senate
Twenty-Fifth Legislature
Honolulu, Hawaii

Sir:

It is respectfully requested that this office be furnished with two copies of each bill and Joint and Concurrent Resolution which may be printed by your honorable body.

Respectfully,

Harry L. Stroup

HARRY L. STROUP
Secretary to the Governor

✓34
OK P.W.

Dept 4

IN REPLY REFER TO LETTER NO. 1.8274

TERRITORY OF HAWAII

DEPARTMENT OF PUBLIC WORKS

HONOLULU

September 29, 1950.

Honorable Wilfred C. Tsukiyama,
President, and Members, The Senate,
Special Session of the Legislature,
Iolani Palace,
H o n o l u l u, T. H.

Gentlemen:

Transmitted herewith are fifteen (15) copies of the Annual Report of the Superintendent of Public Works for the period ended June 30, 1950.

Respectfully yours,

R. M. BELT
Superintendent of Public Works.

Encls.

Report filed in Miscellaneous Folder.

Dept 5

AH 6 (1/1991)

Appendix D

HAWAII STATE ARCHIVES

**Separation Sheet**

Collection Name: Records of the Legislature of the Territory of Hawaii
Series 228 - Records of the Clerks

Accession No. HSA No.

Type of Material: Publication

Dates: 1950

Description: Annual Report, Superintendent of Public Works

Originally filed ~~in container~~ as a part of Departmental Communication No. 5
as part of (filing system or series) 2nd Special Session, Senate, 1950

Now located in: N/A. Weeded
specific location:

Separation date: February 3, 1995

Separated by: A. Hoof

Remarks: Copy available in Government Publications Library

Note: file one copy in original location, one copy with materials in new location, and one copy in collection file.

JOSEPH DICKSON, C. P. A.
AUDITOR

E. H. COOK
DEPUTY AUDITOR

FILE No. L-2-3

TERRITORY OF HAWAII
AUDITING DEPARTMENT
HONOLULU 10, T. H.

October 2, 1950

Mrs. Ethel C. Chillingworth
Clerk of the Senate
Twenty-Fifth Legislature
Second Special Session
Honolulu, T. H.

Dear Madam:

We hereby acknowledge receipt of Senate Resolutions No. 1 and 2, which were adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very truly yours,

Joseph Dickson.

JOSEPH DICKSON, C.P.A.
Auditor, Territory of Hawaii

mk

Dept 6

TERRITORY OF HAWAII

DEPARTMENT OF THE SECRETARY OF HAWAII

HONOLULU

October 4, 1950

To The Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to inform your Honorable Body that the Governor has this day signed the following Bill:

House Bill No. 1, as Act 1, entitled: "AN ACT TO APPROPRIATE MONEY FOR THE EXPENSES OF THE LEGISLATURE OF THE TERRITORY OF HAWAII."

Respectfully,

OREN E. LONG
Secretary of Hawaii

Sept 7

JOSEPH DICKSON, C. P. A.
AUDITOR

E. H. COOK
DEPUTY AUDITOR

FILE No. L-2-3

TERRITORY OF HAWAII
AUDITING DEPARTMENT
HONOLULU 10, T. H.

October 3, 1950

Mrs. Ethel C. Chillingworth
Clerk of the Senate
Twenty-Fifth Legislature
Second Special Session
Honolulu, T. H.

Dear Madam:

We hereby acknowledge receipt of Senate Resolutions No. 10 and 13, which were adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very truly yours,

Joseph Dickson

JOSEPH DICKSON, C.P.A.
Auditor, Territory of Hawaii

mk

Dept 8

G. N. TOSHI ENOMOTO
County Clerk

DEPT. COM. NO. 9

BONIFACE ESPINDA
Deputy County Clerk

OFFICE OF
COUNTY CLERK
COUNTY OF MAUI
WAILUKU, MAUI, T. H.

10/6/50

October 3, 1950

The Honorable Wilfred C. Tsukiyama
President of the Senate
Twenty-fifth Legislature
Iolani Palace
Honolulu, T. H.

Dear Sir:

By direction of the Board of Supervisors of the County of Maui, I am transmitting herewith, a certified copy of Resolution No. 264, requesting the Legislature of the Territory of Hawaii now in Special Session assembled, to appropriate the sum of $150,000.00 for the use of the County of Maui to acquire fire fighting and other disaster facilities, said resolution having been adopted by the Board of Supervisors of the County of Maui at its meeting held on October 3, 1950.

Very truly yours,

Boniface Espinda
BONIFACE ESPINDA
Deputy County Clerk

:iw

Encl.

dept. com. no. 8
Maui Section.

POLICE DEPARTMENT

COUNTY OF MAUI

TERRITORY OF HAWAII

WAILUKU, T. H.

September 18, 1950

Chairman and Members of the
Board of Supervisors
County of Maui
Wailuku, Maui

Gentlemen:

Attached you will find recommendations made by the disaster committees which have been approved by the Advisory Committee of the Deputy Director and also by the Deputy Director. Recommendations for the acquiring of equipment cover both normal and emergency needs.

Inclosure #1 refers to Fire fighting equipment required for the entire County which amounts to approximately $100,000.00. Under the circumstances this sum appears prohibitive, therefore, the requirements have been listed in accordance with its importance.

Leading the list is certain minor equipment needed by the Wailuku Fire Department i.e. 1 only Fog Nozzle for 1½" hose at $83.65 and 1 only Fog Nozzle for 2½" hose at $98.50.

Second in order of importance because of the potential danger from fire and explosions in the Kahului Harbor area is the recommendation for a complete and fully manned fire fighting unit stationed at Kahului town. At the present time only one County fire truck is equipped to fight oil fires. Equipment for such a station would cost approximately $30,000.00. Also to be considered is the cost of land and an appropriate building.

The Hawaiian Commercial and Sugar Company is willing to furnish the land for a fire station in Kahului as well as a building if the County will move the building to the selected location. This Company will also furnish one pumper fire truck and one chemical truck for this station if the County will provide a full time crew for the operation of the station. This alone would save the County the full amount cited in the paragraph above. If this offer is acceptable to the County then Items #2 and 6 on the attached equipment list amounting to $26,076.30 should be deducted from the original request.

Next in order of importance is the request for 6 only portable pumps which can be operated from irrigation ditches or from the ocean, along with 500 feet of 1½" hose for each pump. In time of emergency, any sort of a truck could be used for transporting of this equipment. Cost - about $3,000.00.

Makawao and Lanai City should both have County fire stations, however, if only the equipment can be obtained it is believed that a volunteer fire fighting unit can be organized at both places. Further, if the 2 fire trucks at Hawaii Housing can be obtained then Items 4 and 8 also can be eliminated from the list which brings the total cost for fire fighting equipment down to $61,732.00.

Inclosure #2 refers to an emergency mobile unit fully equipped as a field headquarters with all the necessary radio equipment as well as a portable generator for lighting up a disaster area, and sea and mountain rescue equipment. Such a unit would be invaluable to the County and would be used many times during the year. For instance, such equipment would have been valuable when the three business men lost their lives at Kahakuloa, and again at Pier 2 when a life was lost for the lack of inexpensive diving equipment. This unit would amount to approximately $10,000.00.

At the present time the County has no adequate warning system. It is suggested that the County purchase and install sirens of a approved type at the following places:

1. Kahului Town
2. Paukukalo
3. Waihee
4. Lahaina
5. Spreckelsville
6. Lower Paia
7. Maalaea Bay area (2)
8. Keanae
9. Hana
10. Kaunakakai Town

The undersigned has asked the Territorial Disaster Director for prices on suitable sirens and also the possibility of acquiring them through surplus property.

Your favorable consideration of these matters will be appreciated.

Very truly yours,

/S/ JEAN R. LANE
Deputy Director
Maui County Disaster Agency

JRL:ekt

Inclosures 2
cc: Members of the Board of Supervisors

RESCUE AND DISASTER EQUIPMENT RECOMMENDED FOR USE IN THE COUNTY OF MAUI BY THE MAUI POLICE DEPARTMENT.

| | | Approximate Cost (New) |
|---|---|---|
| 1 | Truck 2½ Ton | $2800.00 |
| | Power winch with light cable, 3/8" x 400' with power take off. | 550.00 |
| | Construction of truck body made to care for the storage of all equipment in most convenient location. To include: | 1000.00 |
| 1 | Station transmitter and receiver | 774.00 |
| 1 | Mobile transmitter and receiver | 415.00 |
| 1 | Built in public address system | 125.00 |
| 1 | Portable battery speaker | 50.00 |
| 3 | Walkie talkie radios | 900.00 |
| 1 | AC Generator on trailer to furnish power for radio and 4 flood lights (similar to "Nite Hawk" - Von Hamm Young) | 1050.00 |
| 2 | Spot lights for vehicle | 20.00 |
| 4 | Way red flasher for top of truck (may be used as marker in field) | 50.00 |
| 6 | 2 or 4 cell (#6 battery) lights (big beam ($18.00 each) | 108.00 |
| 6 | Regular 5 cell flashlights | 18.00 |
| 1 | 50 gallon water tank | 25.00 |
| 1 | Large size first aid kit | 60.00 |
| 1 | Kerosene hot plate (or electric) | 25.00 |
| 2 | Piece of canvas about 5' x 7' | 5.00 |
| 1 | Oxygene diving helmet | 150.00 |
| 1 | H & R line throwing kit with rewind machine | 267.50 |
| 4 | Small cylinders of Oxygen and Carbon dioxide with hose and nose piece to be used with artificial respiration. | ON HAND NOW |
| 8 | Wool Blankets | ON HAND NOW |
| 8 | Sections of 200 ft. each ½" rope | 80.00 |
| 5 | Sections of 200 ft. each ¼" rope | 40.00 |
| 1 | One Piece asbestos suit | 82.50 |
| 2 | Atlas life belts with brake | 63.30 |
| 2 | All service gas masks with speaking diaphram | 100.00 |
| 2 | Pike poles | 36.00 |
| 2 | All Aluminum pompier ladders 14 ft. | 180.00 |
| 1 | 20 ft. folding ladder | 112.20 |
| 1 | Porter Cohardite Insulated Fireman's cutter | 25.15 |
| 2 | Large size CO2 fire extinguishers | ON HAND |
| 2 | Small size CO2 fire extinguishers | ON HAND |
| 1 | Basket type wire stretcher | 42.50 |
| 1 | Jack - 10,000 lbs. | 30.00 |
| 1 | Block and Tackle (1" rope size) | 30.00 |
| 1 | Set leg irons for pole climbing and safety belts | 45.00 |
| | Sub Total | 9259.15 |
| MISCELLANEOUS: | | |
| 1 | Pick, 1 ax, 2 shovels, 1 large crowbar, 2 pinch bars, 1 heavy saw and 2 cane knives. | |
| LIFE SAVING EQUIPMENT: | | |
| 2 | Rubber Rafts - 1 large 1 small | |
| 2 | Torpedo buoys, 4 Ring buoys, 1 Rescue surf board | |
| 6 | Life Jackets, 2 - 3 phase grappling hooks | |

MAUI COUNTY DISASTER AGENCY
EQUIPMENT NEEDED FOR FIRE DEPARTMENT

| | DISTRICT | Aparatus Needed | Booster Line 1" | 2½" Hose Needed | 1½" Hose Needed | Ladders Needed | Gas Mask Needed | Fog Nozzle Needed | Applicators Needed | Other Equip Needed | Approx Cost All Equip |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Wailuku | | | | | | | 1--1½"<br>1--2½" | | | 83.65<br>98.50 |
| 2 | Kahului | 1-750<br>$9,700.00 | 200 | 2000 | 400 | 1--35' | 4 | 1--2½"<br>1--1½" | 1--8'<br>1--8' | 14 fire helmet<br>800 lbs foam<br>powder, 1 "<br>generator | 13,088.30 |
| 3 | 6 Portable Pumps @ $250.00 | | | | 3000 | | | | | | 3,000.00 |
| 4 | Makawao | Comb.Tanker<br>1-500<br>$8,850.00 | 200 | | 500 | 1--24' | 4 | | | 10 fire helmets | 9,524.50 |
| 5 | Lanai | Comb.Tanker<br>1-500<br>$8,800.00 | | 2000 | 1500 | 1--24' | 10 | 1--2½"<br>1--1½" | 1--8'<br>1--8' | 10 fire helmet<br>1 foam gen.<br>800 lb powder | 12,000.00 |
| 6 | Wailuku | 1-750<br>$9,700.00 | 200 | 2000 | 400 | 1--35' | 4 | 1--2½"<br>1--1½" | 1--8'<br>1--8' | 14 fire helmet<br>800 lb powder | 12,988.00 |
| 7 | Haiku | 1-500<br>$8,800.00 | 200 | 1000 | 400 | 1--24' | 4 | | | 10 fire helmet | 10,603.00 |
| 8 | Kula | Comb.Tanker)<br>1-500<br>$8,850.00 ) | 200 | | 500 | 1--24' | 4 | | | 10 fire helmet | 9,524.50 |
| 9 | Lahaina | 1-500<br>$8,800.00 | 200 | 2000 | 500 | 1--24' | 4 | 1--2½"<br>1--1½" | 1--8'<br>1--8' | 1 foam gen.<br>10 fire helmet<br>800 lb powder | 12,039.50 |
| 10 | Molokai | 1-500<br>Comb.Tanker<br>1-500<br>$17,350.00 | 400 | 2000 | 500 | 1--24' | 6 | | | 1 foam gen.<br>800 lb<br>powder | 20,589.50 |
| 11 | Repairs to Sanford fire trucks plus hose (see note below) - $3,500.00 | | | | | | | | | | |

TOTAL ----- $103,357.30

ADDITIONAL FIRE EQUIPMENT NEEDED - Items located at the HAWAII HOUSING AUTHORITY AT NASKA, KAHULUI

1. Sanford Fire Truck...3 Tons
   Model 722 RB
   Eng. No. N 207512
   Serial No. N 27412
   Pump - Centrifugal, Cap. 750 GPM

2. Sanford Fire Truck...3 Tons
   Model 722 FC
   Serial No. N 756
   Pump - Centrifugal
   Capacity 750 GPM

INFORMATION ON PORTABLE PUMPS

1. Sterling self priming pumps; 3" Model 15L; Wisconsin Model AK Engine; Cap 15000 G.P.H. Semi-Steel; Net 175 lbs. Approx. Cost $250.00, AGENT - Von Hamm Young

NOTE: The above not in shape, cost $2,000.00 to put in shape and another $1,500.00 for the Hose.

Wailuku, Maui, T. H., October 3, 1950

Resolution No. 264

Presented by Louis K. Fernandez Supervisor

REQUESTING THE LEGISLATURE OF THE TERRITORY OF HAWAII NOW IN SPECIAL SESSION ASSEMBLED TO APPROPRIATE THE SUM OF $150,000.00 FOR THE USE OF THE COUNTY OF MAUI TO ACQUIRE FIRE FIGHTING AND OTHER DISASTER (RELIEF) FACILITIES

WHEREAS, the Director of Disaster Relief Agency of the Territory of Hawaii, through his Deputy Director for the County of Maui, has recommended that the County of Maui should acquire certain equipment and facilities for fire fighting and other disaster (relief) purposes, amounting in the neighborhood of $150,000.00, as set forth particularly in the letter to the Board of Supervisors of the County of Maui from the said Deputy Director, a copy of which is hereto attached and by reference made a part hereof; and

WHEREAS, the Board of Supervisors of the County of Maui believes that it should immediately acquire and otherwise provide for such equipment and facilities, and it desires to do so, in view of the present international situation; and

WHEREAS, notwithstanding such desires, the County of Maui does not now have the funds to purchase or otherwise acquire and maintain such equipment and facilities, and believes that in view of such emergency the necessary funds for such purposes should be immediately provided by a Territorial appropriation; now, therefore,

BE IT RESOLVED by the Board of Supervisors of the County of Maui that it does hereby respectfully request the Legislature of the Territory of Hawaii, now in special session assembled, to appropriate the sum of $150,000.00 out of such funds that may be available in the Treasury of the Territory of Hawaii for the use of the County of Maui to purchase or otherwise acquire and maintain such necessary fire fighting and other disaster (relief) equipment or facilities as may be recommended by the Territorial Disaster Agency; and

Be it further resolved that a certified copy hereof be transmitted to the President of the Senate and to the Speaker of the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii and to the Director of the Territorial Disaster Relief Agency for their attention and immediate consideration.

Seconded by George Alan Freeland Supervisor

| BOARD OF SUPERVISORS | Ayes | Noes | Ab. | Ex |
|---|---|---|---|---|
| EDDIE TAM, *Chairman* | X | | | |
| JOHN BULGO | X | | | |
| LOUIS K. FERNANDEZ | X | | | |
| GEORGE ALAN FREELAND | X | | | |
| FRANCIS S. KAGE | X | | | |
| DR. SHIGERU MIURA | X | | | |
| MANUEL RODRIGUES | X | | | |
| Total | 7 | | | |

(SIGNED) G. N. TOSHI ENOMOTO
County Clerk, County of Maui,
Territory of Hawaii.

I, BONIFACE ESPINDA, Deputy County Clerk for the County of Maui, Territory of Hawaii, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 264 of the Board of Supervisors of the County of Maui, Territory of Hawaii, as passed on the 3rd day of October, 1950, the original of which is now on file in the Office of the County Clerk, County of Maui, Territory of Hawaii.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Seal of the County of Maui, Territory of Hawaii, this 3rd day of October, 1950.

Boniface Espinda

Deputy County Clerk, County of Maui, Territory of Hawaii.

BILL NO. 131

RESOLUTION NO. 128

The town of Waimea, County of Kauai, Territory of Hawaii, which is a thriving community, has been a constant victim due to flood waters of the Waimea river. The Legislature of Hawaii as long as 43 years ago recognized this condition, so from time to time appropriated moneys therefor out of the funds of the Territory.

About 40 years ago the flow of flood waters in said river was estimated at the rate of 25,000 cubic feet per second, but recent floods revealed that such rate has doubled. In the tremendous flood on February 7, 1949, which so engaged the attention of the Governor of Hawaii and the honorable members of the Legislature, resulting in local public hearings by them on ways and means as to how to combat future flood waters, it was estimated that the rate of the flow of flood waters was 43,400 cubic feet per second. In the recent floods of the month of August, 1950, the rate of such flow was estimated at a larger volume than in 1949. Just prior to these disastrous floods the U.S. District Engineer, Corps of Engineers, Honolulu, T. H. recommended the construction of a flood control to cope with a maximum flow of flood waters at the rate of 50,500 feet per second.

The abovementioned recent floods of Waimea river caused great damage to property in Waimea town estimated at $1,000,000.00, and they endangered the lives of the residents. In the floods of August, 1950, the larger section of the existing retaining wall, being undermined by the flood waters, collapsed to such an extent, that the improvements as set forth in Resolution No. 113, dated August 25, 1950, and transmitted to the Governor of Hawaii, a copy of which is hereby attached, were deemed inadequate by the said U. S. District Engineer. In lieu thereof the said office recommends the construction of an earth-levee of adequate cross-section and heights for a distance of approximately 6,400 lineal feet, provided with stone facing to prevent erosion from rapid currents

filed

Rept. Com 10

Referred to Com of Whole in this Bill

such as are found in Waimea river floods, and further provided with suitable measures to prevent undercutting of protective structure. It is also necessary to widen the river channel by excavating the bank on the opposite side of the river for an average width of 75 feet, to increase the waterway area. This construction, exclusive of moneys required for purchase of land therefor and other expenses incidental thereto, is estimated to cost about $575,000.00.

For construction designed to prevent further destruction of property from such flood waters and the endangering of lives of the residents of Waimea town, the Legislature of Hawaii at its regular session following the visit of certain members thereof to Waimea in 1949, provided moneys therefor under several measures, to wit: Act 401, $175,000.00; Joint Resolution 1, $75,000.00; Joint Resolution 2, $50,000.00; making a total of $300,000.00 designed for Waimea flood control, and other operations, all of which but a balance of about $172,000.00 have been expended.

With the approach of the winter months, a repitition of such flood waters as recently witnessed will likely occur again. That Waimea town is so vulnerable to such flood waters without any protective barrier, gives rise to fear that unprecedented disaster inevitably will happen.

Mindful of this condition, the House of Representatives has for its consideration House Bill No. 2, to appropriate $300,000.00, and the Senate seeks to appropriate under Senate Bill No. 3, $400,000.00, out of the general revenues of the Territory, so as to make available immediately enough money to proceed with the construction of the levee aforesaid.

The Board of Supervisors being fully appreciative of the efforts being made for the relief, and being equally cognizant of the need, of Waimea town, does hereby resolve, that, in view of the foregoing, the board places itself on record in support of the measures aforesaid for the immediate construction of the Waimea flood control, and respectfully

request each representative and senator to give his or her help.

BE IT FURTHER RESOLVED that a copy of this resolution be delivered in person by the Chairman and Executive Officer of the Board of Supervisors, to Honorable Ingram M. Stainback, Governor of Hawaii, Honorable Wilfred C. Tsukiyama, President of the Senate, and Honorable Hiram L. Fong, Speaker of the House of Representatives, Territory of Hawaii.

Dated: October 6, 1950.

INTRODUCED BY:

(Sgd.) William Ellis
Chairman and Executive Officer

(Sgd.) Toshio Serizawa
Supervisor

(Sgd.) J. W. Bertrand
Supervisor

(Sgd.) Francis M.F. Ching
Supervisor

(Sgd.) David K. Luke
Supervisor

(Sgd.) George K. Watase
Supervisor

---

OFFICE OF THE COUNTY CLERK, COUNTY OF KAUAI
TERRITORY OF HAWAII
LIHUE, KAUAI, HAWAII

CERTIFICATE

I hereby certify that the foregoing is a full, true and correct copy of Bill No. 131 which was adopted as Resolution No. 128, by the Board of Supervisors of the County of Kauai at a meeting held on October 6, 1950, by the following vote of the Board:

For Adoption: Bertrand, Ching, Luke, Serizawa, Watase, Ellis - Total 6,
Against Adoption: None - Total 0,
Absent and Not Voting: None - Total 0.

J. K. Burgess, Jr.,
County Clerk, County of Kauai.

Dated at Lihue, Kauai, T. H.,
this 6th. day of
October, A. D. 1950.

BILL NO. 116

RESOLUTION NO. 113

WHEREAS, in February, 1949, the town of Waimea, County of Kauai, suffered tremendously from floods which caused considerable damage to it, amounting to thousands of dollars; and

WHEREAS, pursuant thereto, the Legislature of Hawaii, by Act 401, Session Laws 1949, appropriated the sum of One Hundred Seventy-Five Thousand Dollars ($175,000.00), to help in effecting flood control measures for this area; and

WHEREAS, before adequate flood control measures were constructed, the said town was overrun again by two floods of like intensity, the last one being on August 17, 1950, causing great damage to property, and endangering the lives of residents; and

WHEREAS, the larger section of the existing retaining walls (the height of which was intended to be raised), being undermined, collapsed to such an extent that the raising of its height is now impracticable, necessitating the construction of an entirely new retaining wall approximately 40 feet back of the existing stonewall, running down for a distance of 2400 feet, and the widening of the river channel by excavating the bank on the opposite side of the Waimea River for an average width of approximately 75 feet, thereby increasing the waterway area greatly, and the putting up of a stonewall, running for a distance of approximately 1300 feet, at the bend of the Waimea River; and

WHEREAS, the cost of such construction, by estimation will be approximately Four Hundred Fifty-Five Thousand Dollars ($455,000.00), exclusive of the money needed for the acquisition of lands; and

WHEREAS, the construction of the said project should proceed forthwith in order to protect the residents of the said district from future floods, especially winter floods; and

WHEREAS, the County of Kauai has no funds with which to meet the costs of construction of the said project: Now, Therefore,

BE IT RESOLVED by the Board of Supervisors of the County of Kauai, Territory of Hawaii, that the Governor of the Territory of Hawaii be and is hereby respectfully requested to render financial aid to the County of Kauai by allocating the sum of Two Hundred Eighty Thousand Dollars ($280,000) from the Contingent Fund, the same to be in addition to the said appropriation of One Hundred Seventy-Five Thousand Dollars ($175,000), in order that the people of the said district and their property be protected; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor of the Territory of Hawaii.

INTRODUCED BY:

/s/ J. W. Bertrand
Supervisor

/s/ Francis M. F. Ching
Supervisor

/s/ David K. Luke
Supervisor

/s/ George K. Watase
Supervisor

/s/ William Ellis
Supervisor

/s/ Toshio Serizawa
Supervisor

Dated: Lihue, Kauai, T. H.,
August 25, 1950.

CERTIFICATE OF COUNTY CLERK

I hereby certify that the Resolution hereto attached was adopted by the Board of Supervisors of the County of Kauai at a meeting held on August 25, 1950, by the following vote of the Board:

For Adoption: Bertrand, Ching, Luke, Serizawa, Watase, Ellis - Total 6,
Against Adoption: None - Total 0,
Absent and Not Voting: None - Total 0.

J. K. Burgess, Jr.,
County Clerk, County of Kauai.

Dated at Lihue, Kauai, T.H.,
this 7th day of
October, A. D. 1950.

YEAR: 1950

SESSION: SECOND SPECIAL

CHAMBER: SENATE

THE FOLLOWING UNNUMBERED DEPARTMENTAL COMMUNICATIONS WERE FOUND FILED FOLLOWING THE NUMBERED DEPARTMENTAL COMMUNICATIONS

NOTE: THEY ARE NOT INDEXED IN THE SENATE JOURNAL, SECOND SPECIAL SESSION, 1950

TERRITORY OF HAWAII
DEPARTMENT OF THE SECRETARY OF HAWAII
HONOLULU

October 30, 1950

Mrs. Ethel C. Chillingworth
Clerk of the Senate
Legislature of the Territory of Hawaii
Special Session of 1950
Honolulu, Hawaii

Dear Madam

I hand you herewith list of Acts signed by the Governor since the adjournment of the Legislature sine die.

Very truly yours

OREN E. LONG
Secretary of Hawaii

ACTS SIGNED BY THE GOVERNOR AFTER ADJOURNMENT OF THE LEGISLATURE
OF THE SPECIAL SESSION OF 1950

| Date | Bill | Act | Title |
|---|---|---|---|
| Oct. 16 | H.B. 4 | 2 | AN ACT TO AMEND ACT 27 OF THE SESSION LAWS OF 1949, RELATING TO HARBOR IMPROVEMENTS AT LAHAINA, MAUI. |
| 26 | S.B. 5 | 3 | AN ACT RELATING TO MAJOR DISASTERS AND MAKING AN APPROPRIATION THEREFOR. |
| 27 | S.B. 2 | 4 | AN ACT RELATING TO STATEHOOD: AMENDING THE LAW RELATING TO THE HAWAII STATEHOOD COMMISSION; AND MAKING AN APPROPRIATION TO SAID COMMISSION FOR THE ADVANCEMENT OF THE CAUSE OF STATEHOOD. |
| 27 | S.B. 3 | 5 | AN ACT MAKING APPROPRIATIONS FOR PUBLIC IMPROVEMENTS. (Approved, with the exception of Items 3, 5, 6, 7 and 8, which were disapproved.) |
| 27 | S.B. 7 | 6 | AN ACT TO AMEND ACT 38 OF THE REGULAR SESSION LAWS OF HAWAII 1949, PROVIDING FOR THE CONSTRUCTION OF A DRAINAGE CANAL, AND FOR THE ACQUISITION OF LAND AND RIGHTS OF WAY FOR FLOOD CONTROL PURPOSES IN THE COUNTY OF KAUAI. |

---

TERRITORY OF HAWAII

DEPARTMENT OF THE SECRETARY OF HAWAII

HONOLULU

October 12, 1950

To The Honorable President and
Members of the Senate of the
Territory of Hawaii:

I have the honor to inform your Honorable Body that the Governor has this day signed the following Resolution:

House Joint Resolution No. 1, as Joint Resolution 1, entitled: "JOINT RESOLUTION PROVIDING FOR THE SUBMISSION TO THE PEOPLE OF THE TERRITORY OF HAWAII OF THE CONSTITUTION FRAMED BY THE CONVENTION HELD PURSUANT TO ACT 334 OF THE SESSION LAWS OF HAWAII 1949 AND IN THE EVENT OF FAILURE OF RATIFICATION, THE FRAMING AND SUBMISSION OF A NEW CONSTITUTION, AND MAKING APPROPRIATIONS THEREFOR."

Respectfully,

Oren E. Long

OREN E. LONG
Secretary of Hawaii

Dept 11

COMMISSIONERS

J. M. O'DOWDA - - - - OAHU
CHAIRMAN
J. H. HUGHES - - - - - OAHU
F. G. MANARY - - - - - MAUI
L. G. LYCURGUS - - HAWAII
A. C. BAPTISTE, JR. - KAUAI

ADDRESS ALL CORRESPONDENCE TO THE COMMISSION

PUBLIC UTILITIES COMMISSION
OF THE TERRITORY OF HAWAII

OFFICES: 3 TO 9, 2ND FLOOR, PIER 8, ALA MOANA AND BISHOP STS.
TELEPHONES 67737 - 67738
HONOLULU 16, T. H.

JEAN KENNY BRADFORD
EXECUTIVE SECRETARY

J. H. KANGETER
ENGINEER

W. H. WRIGHT
AUDITOR

ATTORNEY GENERAL
COUNSEL

October 17, 1950

Mrs. Ethel C. Chillingworth
Clerk of the Senate
Twenty-Fifth Legislature
Territory of Hawaii

Dear Madam:

This is to acknowledge receipt of a copy of Senate Resolution No.20 offered by Senator Charles H. Silva.

The resolution will be brought to the attention of the Commission at its October 26th quorum meeting.

Very truly yours,

Public Utilities Commission
of the Territory of Hawaii

By John S. Runkle
John S. Runkle
Administrator

JSR:rya

1950

SECOND SPECIAL SESSION

SENATE

# MISCELLANEOUS COMMUNICATIONS

OFFICERS

Samuel Wilder King, Pres.
Hiram L. Fong, Vice-Pres.
Thomas T. Sakakihara, Vice-Pres.
Arthur Davies Woolaway, Vice-Pres.
Charles A. Rice, Vice-Pres.
Hebden Porteus, Secretary

DELEGATES

First Representative District
Nelson Kiyoshi Doi
Teruo Ihara
Frank C. Luiz
Richard J. Lyman, Jr.
Tom T. Okino
Thomas T. Sakakihara
James Kiyoji Yamamoto
Takao Yamauchi

Second Representative District
Peter Kawahara
Earl A. Nielsen
Sakuichi Sakai
Charles H. Silva

Third Representative District
Marguerite K. Ashford
J. Pia Cockett
Kazuo Kage
Harold T. Kido
Harold W. Rice
W. O. Smith
Richard St. Sure
Cable A. Wirtz
Arthur Davies Woolaway

Fourth Representative District
J. Garner Anthony
Samuel K. Apoliona, Jr.
Alexander H. F. Castro
Ann H. Corbett
Flora Kaai Hayes
William H. Heen
Elizabeth R. Kellerman
Katsumi Kometani
John K. Lai
Nils P. Larsen
Herbert K. H. Lee
W. Harold Loper
John R. Phillips
Hebden Porteus
Harold S. Roberts
C. Nils Tavares
Henry A. White
Benjamin O. Wist

Fifth Representative District
Trude M. Akau
Edward C. Bryan
George Dowson
Hiram L. Fong
Yasutaka Fukushima
James F. Gilliland
Edward B. Holroyde
Frank Y. Kam
Masao Kanemaru
Charles Ernest Kauhane
Samuel Wilder King
Chuck Mau
Steere G. Noda
Frederick Ohrt
Herbert M. Richards
Clarence Y. Shimamura
Arthur K. Trask
James K. Trask

Sixth Representative District
Matsuki Arashiro
Randolph Crossley
H. S. Kawakami
Jack H. Mizuha
Charles A. Rice
Toshio Serizawa

Ellen D. Smythe
Chief Clerk

# Hawaii State Constitutional Convention

Honolulu, Territory of Hawaii

July 15, 1950.

The Honorable President of the Senate,
Legislature of the Territory of Hawaii
Honolulu, T. H.

S i r :

I have the honor to transmit herewith certified copy of Resolution No. 53, which was this day adopted by the Constitutional Convention of Hawaii of 1950.

Very respectfully,

Hebden Porteus

Secretary of the Convention.

Misc Com

Resolution No. 53

# HAWAII STATE CONSTITUTIONAL CONVENTION

**Honolulu, Territory of Hawaii**

## *RESOLUTION*

THAT THE FINAL FORM OF THE CONSTITUTION BE SUBMITTED TO THE PEOPLE FOR ADOPTION OR REJECTION AS A WHOLE, AND IT IS THE SENSE OF THIS CONVENTION THAT IF ALTERNATIVE PROPOSALS ARE SUGGESTED BY THE LEGISLATURE, SAID PROPOSALS SHALL BE PRESENTED TO THE PEOPLE AS A WHOLE.

Introduced JULY 15, 1950, by
Delegate RANDOLPH CROSSLEY

ADOPTED - JULY 15, 1950.

HEBDEN PORTEUS
Secretary of the Convention

Res. No. 53

# R E S O L U T I O N

WHEREAS, the Constitution drafted by this Convention is an integrated document, whose various parts are related to the whole; and

WHEREAS, under provisions of Act 334 of the Regular Session Laws of Hawaii 1949, this Constitution may be considered by the territorial legislature, which may suggest alternative or additional provisions; and

WHEREAS, the Rules of the Convention require that it agree upon the manner of submission of the Constitution; now, therefore,

BE IT RESOLVED by the Constitutional Convention of Hawaii of 1950 that the Constitution, as approved in final form by this Convention, be submitted to the people for adoption or rejection as a whole; and

BE IT FURTHER RESOLVED that it is the sense of this

Convention that alternative proposals, if any, suggested by the legislature also be presented to the people as a whole, so that the electorate may choose between such draft if any and that prepared by this Convention.

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted by the President or by the Secretary of this Convention to the Governor of the Territory of Hawaii and to the presiding officers of the respective houses of the territorial legislature at the opening of such session at which the Constitution drawn by the Convention may be considered.

CONSTITUTIONAL CONVENTION OF HAWAII

OF 1950

Honolulu, T. H., July 15, 1950.

We hereby certify that the foregoing Resolution was this day adopted by the Constitutional Convention of Hawaii of 1950.

Samuel Wilder King
President of the Convention

Hebden Porteus
Secretary of the Convention.

OFFICERS

Samuel Wilder King, Pres.
Hiram L. Fong, Vice-Pres.
Thomas T. Sakakihara, Vice-Pres.
Arthur Davies Woolaway, Vice-Pres.
Charles A. Rice, Vice-Pres.
Hebden Porteus, Secretary

DELEGATES

**First Representative District**
Nelson Kiyoshi Doi
Teruo Ihara
Frank C. Luiz
Richard J. Lyman, Jr.
Tom T. Okino
Thomas T. Sakakihara
James Kiyoji Yamamoto
Takao Yamauchi

**Second Representative District**
Peter Kawahara
Earl A. Nielsen
Sakuichi Sakai
Charles H. Silva

**Third Representative District**
Marguerite K. Ashford
J. Pia Cockett
Kazuo Kage
Harold T. Kido
Harold W. Rice
W. O. Smith
Richard St. Sure
Cable A. Wirtz
Arthur Davies Woolaway

**Fourth Representative District**
J. Garner Anthony
Samuel K. Apoliona, Jr.
Alexander H. F. Castro
Ann H. Corbett
Flora Kaai Hayes
William H. Heen
Elizabeth R. Kellerman
Katsumi Kometani
John K. Lai
Nils P. Larsen
Herbert K. H. Lee
W. Harold Loper
John R. Phillips
Hebden Porteus
Harold S. Roberts
C. Nils Tavares
Henry A. White
Benjamin O. Wist

**Fifth Representative District**
Trude M. Akau
Edward C. Bryan
George Dowson
Hiram L. Fong
Yasutaka Fukushima
James F. Gilliland
Edward B. Holroyde
Frank Y. Kam
Masao Kanemaru
Charles Ernest Kauhane
Samuel Wilder King
Chuck Mau
Steere G. Noda
Frederick Ohrt
Herbert M. Richards
Clarence Y. Shimamura
Arthur K. Trask
James K. Trask

**Sixth Representative District**
Matsuki Arashiro
Randolph Crossley
H. S. Kawakami
Jack H. Mizuha
Charles A. Rice
Toshio Serizawa

Ellen D. Smythe
Chief Clerk

# Hawaii State Constitutional Convention

Honolulu, Territory of Hawaii

September 29, 1950

Honorable Wilfred C. Tsukiyama
President of the Senate

Honorable Hiram L. Fong
Speaker, House of Representatives

Sirs:

The Committee on Submission and Information charged with the responsibility of presenting the Constitution to the respective houses of the Legislature are pleased to inform you that it has, in conformity with your desire, appointed the following sub-committee to work with the members of the Legislature in a liaison capacity:

Randolph Crossley, Chairman
Benjamin O. Wist, Vice-Chairman

Samuel Wilder King
Harold S. Roberts
Frederick Ohrt
Nils P. Larsen
Arthur K. Trask

The Committee recognizes the important task before you and wishes to offer whatever aid it may in supplying documentary and other materials available to it. We hope that the Liaison Committee may be further utilized in representing the Committee as a whole.

We appreciate the opportunity to be of service and to work with you in your study of the Constitution which was adopted by 62 of the 63 Delegates on July 22, 1950.

Sincerely yours,

RANDOLPH CROSSLEY
Chairman, Committee on
Submission & Information

Misc Com 2.
filed.

UNITED STATES COAST GUARD

ADDRESS REPLY TO
Commander
14th CG District
REFER TO FILE
P.O. Box 4010
Honolulu, T. H.

10 October 1950
File: 64

Mrs. Ethel C. Chillingworth
Clerk of the Senate
The Senate
Territory of Hawaii
Honolulu, T. H.

Dear Madam:

Receipt of your letter of October 2, 1950 transmitting Senate Resolution No. 11 is hereby acknowledged.

This request for establishment of aids to navigation on Hilo Breakwater and at Keaukaha, Hawaii will receive careful consideration and appropriate action will be initiated.

You will be kept advised concerning the status of action on these proposed projects.

Very truly yours,

J. D. CONWAY
Captain, U. S. Coast Guard
Commander, 14th Coast Guard District
Acting

NEAL S. BLAISDELL
749 16th Ave.
Honolulu 16, T. H.

To the Members of the Territorial Senate
Twenty-fifth Legislature
Second Special Session
Iolani Palace
Honolulu, T. H.

Dear Friends,

Neal has asked me to write you to express his appreciation and gratitude to his colleagues for their Aloha and very best wishes for his complete and speedy recovery, and your sincere regret that he is unable to occupy his seat in the Senate Chamber during this special session.

Neal is a strict bed patient and is just beginning to relax after a rugged six weeks of adjustment and treatment. He probably will be confined in Leahi for six months and I'm sure he will be "better than ever."

He is following your work through the newspapers and I know he misses being right in there with you all.

He sends his Aloha, Best Wishes, and Mahalo Nui.

Very sincerely,
(Mrs.) Lucy Blaisdell

October 13, 1950.

Misc Com. 4

1950

SECOND SPECIAL SESSION

SENATE

# MISCELLANEOUS

October 20, 1950.

Tongg Publishing Company
Honolulu, T. H.

Gentlemen:

This is to advise you that your bid for printing, binding and sewing the Journal of the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, under Alternate 3, for 300 copies, at the rate of $6.94 per page, has this day been accepted.

Said Journal shall be in accordance with the "Specifications for Printing, Sewing and Binding the Journal of the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session", a copy of which is hereto attached and made a part hereof.

The bid made by you and this letter of acceptance shall constitute the contract for the work to be done by you in printing, sewing and binding of the said Journal.

Very respectfully,

Ethel C. Chillingworth
(Mrs.) Ethel C. Chillingworth
Clerk of the Senate.

The undersigned Tongg Publishing Company hereby accepts the above award, all work to be as set out in the Specifications attached to and made a part of this agreement.

TONG PUBLISHING COMPANY

By Howard H. Chung

# S P E C I F I C A T I O N S

FOR

PRINTING, SEWING AND BINDING THE JOURNAL OF THE
SENATE OF THE TWENTY-FIFTH LEGISLATURE OF
THE TERRITORY OF HAWAII,

SECOND SPECIAL SESSION,

-oOo-

SPECIFICATIONS

FOR

PRINTING, SEWING AND BINDING THE JOURNAL OF THE SENATE OF THE TWENTY-FIFTH LEGISLATURE OF THE TERRITORY OF HAWAII, SECOND SPECIAL SESSION

---

1. The number of copies shall be:

| | No. of Copies | Price Per Page |
|---|---|---|
| Alternate 1 | 200 | $ 6.79 |
| Alternate 2 | 250 | 6.87 |
| Alternate 3 | 300 | 6.94 |

2. Make-up. The work shall be first-class in every respect. The paper shall be 40 lb. white Machine Finish Book. The Journal shall be similar in character, make-up, illustrations, style, and binding to the Journal, Regular Session of 1949. Each page shall be 10-5/8 inches high and 7-1/4 inches wide.

3. Type. 8 point type on 10 point slug shall be used in the body of the Journal. In all messages, resolutions, petitions, communications, reports of standing, select, conference and other committees, there shall be used 8 point type on 8 point slug (no indention); width (length) line shall be 5 inches. Space on page to be occupied (covered) by type, shall be 9-5/8 inches by 5 inches. Spacing between heads, signature, and like matter shall be approximately as that in the 1949 Journal, Regular Session.

4. All proofreading shall be done by the successful bidder. Galley proof shall be delivered to the Senate within three days after receipt, by the successful bidder, of typewritten copy at the rate of at least five galleys a day, and page proof shall be delivered within two days after receipt of corrected galley proof at the same rate.

5. The final printed sheets shall conform to the page proofs as submitted to and approved by the Clerk of the Senate of the Territory of Hawaii, and any and all sheets that do not so conform to said approved page proofs shall be reprinted at the expense of the contractor.

6. Binding. Binding shall be of buckram with black lettering on the backbone of the book and the words " The Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, Senate Journal 1950" in similar type and ink on the front outside cover and shall be similar to the binding of the Journal of the Senate, Regular Session of 1949. One copy for each member of the Senate shall be marked with the name of such member.

7. Time. One hundred fifty (150) copies of the Journal complete, shall be delivered within fifteen days after the receipt of index and the balance shall be delivered within thirty days after the receipt of corrected page proof of the index.

8. No volumes or portion of the matter to be printed under this contract shall be published otherwise or furnished in any way by the successful bidder to any one other than the undersigned without her written consent.

9. All work and material in respects not provided for or covered by the foregoing provisions, shall be as directed by and subject to the approval of the President and Clerk of the Senate. The matter of similarity between the Journal herein provided for and the Journal of the Senate, Regular Session of 1949, shall be determined by the President and Clerk of the Senate and shall be conclusively evidenced by their declaration thereof.

10. Informal bids shall be based on the cost per printed page.

The undersigned Clerk of the Senate does not bind herself to accept any bid submitted, reserving the right to reject any and all bids.

Ethel C. Chillingworth

ETHEL C. CHILLINGWORTH
Clerk of the Senate of the
Twenty-Fifth Legislature of
the Territory of Hawaii,
Second Special Session.

36 Old Pali Place, Honolulu, T. H.,

October 12, 1950.

To the President and Members,
The Senate, Territory of Hawaii,
Special Session of the Legislature 1950,
Iolani Palace,
H o n o l u l u, T. H.

Gentlemen:

I am forwarding to you my Commission as a member of the Hawaiian Homes Commission and as a member of the Kamehameha Day Celebration Committee. You will note by the wording of the latter, that, as a member of the Kamehameha Day Celebration Committee, I represent the Hawaiian Homes Commission. It might be well for your honorable body not to display such stupidity in confirming an appointment before knowing more as to its proper representation. Certain blunders are overlooked when committed by the ignorant or uninformed but never by a supposedly intelligent group of citizens representing the Senate.

Kindly see that your confirmation of my appointment as a member of the Kamehameha Day Celebration Committee be immediately cancelled. I am not interested in the appointment under any condition and would suggest, as a former Senator, that, under present Territorial optimism on the issue of Statehood for Hawaii, you confirm a person more definitely interested in statehood than I, and the absolute protection of the Hawaiian Homes Commission Act.

Yours truly,

Alice Kamokila Campbell

(Mrs.) Alice Kamokila Campbell.

October 12, 1950.

Mrs. Alice Kamokila Campbell
36 Old Pali Place
Honolulu, T. H.

Dear Mrs. Campbell:

I am directed by the Senate to acknowledge your communication of today's date, together with your commissions as a Member of the Hawaiian Homes Commission and as a Member of the Kamehameha Day Celebration Committee representing the Hawaiian Homes Commission.

Inasmuch as these commissions were issued by the Governor, they should be returned to him and not to the Senate. Therefore, they are being returned herewith to you.

Very respectfully,

Clerk of the Senate.

Enclosures, 2

HONOLULU, September 29, 1950

The Clerk
Senate of Hawaii
25th Legislature
Second Special Session
Territory of Hawaii

Dear Madam:

For the use of the Board of Commissioners of Agriculture and Forestry I hereby request two copies of all bills, resolutions, petitions etc. introduced in the Seanate during the second Special Session.

Yours very truly

D. U. Oregle
Executive Secretary, Board
of Commissionees of Agriculture and
Forestry.

OK
E

No Journal

IN REPLY REFER
TO LETTER NO. 1.8315

TERRITORY OF HAWAII
DEPARTMENT OF PUBLIC WORKS
HONOLULU

October 5, 1950.

Mrs. Ethel C. Chillingworth,
Clerk, The Senate,
Special Session of the Legislature 1950,
Iolani Palace,
H o n o l u l u, T. H.

Dear Mrs. Chillingworth:

We would appreciate receiving copies of all Senate bills, resolutions, etc., introduced in the Senate, concerning the work of this department.

Sincerely,

R. M. BELT
Superintendent of Public Works.

✓

No Journal
O. K

TERRITORY OF HAWAII
EMPLOYEES' RETIREMENT SYSTEM
HONOLULU 13

Oct. 4, 1950

Honorable Wilfred C. Tsukiyama
President, Territorial Senate
The Senate
Honolulu, Hawaii

Dear Senator:

I would appreciate it very much if you would instruct the printing committee to reserve copies of all bills and resolutions for our use, in order that we may be informed on any proposed legislation that might concern our System and its members.

I will arrange to have someone from my office call at the printing committee office each day to pick up such bills and resolutions, if they are made available to us.

Thanking you for your help in this matter,
I am,

Yours very truly,

JOHN MacLAREN,
Secretary, Employees' Retirement
System of the Territory of Hawaii

JM:L

✓

PW

TERRITORY OF HAWAII
CIVIL SERVICE COMMISSION
AND
PERSONNEL CLASSIFICATION BOARD
HONOLULU 13
October 4, 1950

Mrs. Ethel C. Chillingworth
Clerk Of The Senate
Iolani Palace
Honolulu, T. H.

Dear Mrs. Chillingworth:

We would appreciate your including this Commission in your distribution list for printed matter for general circulation issued in connection with the Special Session of the Legislature which is now in session.

We thank you.

Very truly yours,

ARTHUR A. AKINA, JR.
Director Of Personnel

OK

FREDERICK OHRT
MANAGER AND CHIEF ENGINEER

MEMBERS
RALPH E. CLARK, CHAIRMAN
SIMES T. HOYT, VICE-CHAIRMAN
LEROY C. BUSH, SECRETARY
ROBERT M. BELT
TAIJIRO MIYAHARA
KARL A. SINCLAIR
JAMES B. WILSON

BOARD OF WATER SUPPLY
CITY AND COUNTY OF HONOLULU
TELEPHONE 6201
P. O. BOX 3410
HONOLULU 1, HAWAII

October 3, 1950

Honorable Wilfred C. Tsukiyama
President of the Senate
Special Session of 1950
25th Legislature, Territory of Hawaii
Honolulu, Hawaii

Dear Sir:

Will you please place the Board of Water Supply on your list for five (5) printed copies of each Senate Bill for the use of this department.

We shall be very glad to have our messenger call for the same.

Very truly yours,

Frederick Ohrt
Manager and Chief Engineer

FO:mc

No Journal
A. K.

JOSEPH DICKSON, C. P. A.
AUDITOR

E. H. COOK
DEPUTY AUDITOR

FILE No. L-23

TERRITORY OF HAWAII
AUDITING DEPARTMENT
HONOLULU 10, T. H.

October 3, 1950

Mrs. Ethel C. Chillingworth
Clerk of the Senate
Twenty-Fifth Legislature
Second Special Session
Honolulu, T. H.

Dear Madam:

I shall be glad if you will arrange to set aside each day a copy of all Senate bills, etc., introduced during this special session. A messenger from this office will call for same each morning.

Thanking you for your attention, I remain

Very truly yours,

Joseph Dickson.

JOSEPH DICKSON, C.P.A.
Auditor, Territory of Hawaii

mk

HARRY G. ALBRIGHT
SECRETARY

TELEPHONE 52-2455

Board of Underwriters of Hawaii
317 DILLINGHAM TRANSPORTATION BLDG.
Honolulu 13, T.H.

October 3, 1950

Honorable Clerk of the Senate
Territorial Building
Honolulu, T. H.

Dear Sir:

Will you kindly lay aside for this office two (2) copies of all bills which are to come before the Senate?

We will call for same two or three times a week.

Yours very truly,

Harry G. Albright
HARRY G. ALBRIGHT
Secretary

HGA:ls

O. K.
E. Chillingworth

No Journal

ok.

# Hawaii Farm Bureau Federation

1180 ALAKEA STREET , , HONOLULU 13, HAWAII

TELEPHONE 65773

September 29, 1950

Honorable Members of the Senate
Iolani Palace
Honolulu, T. H.

Gentlemen:

We would like to be placed on the distribution list of all the resolutions, measures, and reports of your special session.

Sincerely yours,

HAWAII FARM BUREAU FEDERATION

Herbert M. Hiroshige

Herbert M. Hiroshige
Executive Secretary

HMH;yh

FEDERAL SECURITY AGENCY
225 Dillingham Bldg.
Honolulu 13, T.H.

October 2, 1950

Senator Charles H. Silva
Chairman, Senate Printing Committee
Territorial Legislature
Iolani Palace
Honolulu, T.H.

Dear Mr. Silva:

To facilitate the transaction of official business in this office, it will be appreciated if we are furnished with copies of all bills, resolutions, and reports introduced in the Senate during the special session of the Territorial Legislature.

This courtesy has been accorded us in the past and we will sincerely appreciate your cooperation again this year.

Respectfully,

Harold S. Burr
Deputy Regional Director

ADDRESS REPLY TO
"THE ATTORNEY GENERAL OF HAWAII"
AND REFER TO
INITIALS AND NUMBER
J
20:164

TERRITORY OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
HONOLULU

September 29, 1950

Mrs. Ethel Chillingworth
Clerk of the Senate
Honolulu, T. H.

Dear Madam:

Will you please furnish this department with eight sets of all Bills and Resolutions introduced in the Senate. The bills and resolutions will be for the use of myself and deputies of my department.

Very truly yours,

Walter D. Ackerman, Jr.

Walter D. Ackerman, Jr.
Attorney General

No Journal.

JOSEPH R. FARRINGTON
DELEGATE FROM HAWAII

# Congress of the United States
## House of Representatives
Washington, D. C.

October 16, 1950

Mrs. Ethel C. Chillingworth
Clerk of the Senate
Territorial Legislature
Honolulu, T. H.

Dear Mrs. Chillingworth:

In Mr. Farrington's absence I wish to acknowledge receipt of the certified copy of Senate Concurrent Resolution No. 6, adopted by the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, requesting the Congress of the United States to grant statehood to Hawaii.

I will bring this to Mr. Farrington's attention when he returns to Washington.

Yours sincerely,

Margaret C. Turner

(Mrs.) Margaret C. Turner
Secretary to Mr. Farrington

OFFICE OF THE VICE PRESIDENT
WASHINGTON

October 19, 1950

Mrs. Ethel C. Chillingworth,
Clerk of the Senate,
Legislature of the Territory of Hawaii,
Honolulu, Hawaii.

My dear Mrs. Chillingworth:

This will acknowledge receipt of your letter of October 12 transmitting certified copy of the Senate Concurrent Resolution No. 6, adopted by the 25th Legislature of the Territory of Hawaii, Second Special Session, urging that Hawaii be granted Statehood.

This resolution will be brought to the attention of the United States Senate when the Congress reconvenes in November.

Very sincerely yours,

Alben W. Barkley

EC.

SAM RAYBURN
4TH DISTRICT, TEXAS

The Speaker's Rooms
House of Representatives U.S.
Washington, D.C.

October 23, 1950

Honorable Ethel C. Chillingworth,
Clerk of the Senate
Territory of Hawaii
Honolulu, Hawaii

Dear Mrs. Chillingworth:

This is to acknowledge receipt of your letter of October 16th, transmitting a certified copy of Senate Concurrent Resolution No. 9, which was adopted by the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, on October 13, 1950.

Sincerely,

Sam Rayburn

JOSEPH R. FARRINGTON
DELEGATE FROM HAWAII

# Congress of the United States
## House of Representatives
### Washington, D. C.

HONOLULU, T.H.

October 19, 1950

Mrs. Ethel C. Chillingworth
Clerk of the Senate
The Twenty-Fifth Legislature
The Senate
Honolulu, T. H.

Dear Mrs. Chillingworth:

I wish to acknowledge herewith your letter of April 16th with which you forwarded a copy of Senate Concurrent Resolution No. 9, adopted by the Legislature of the Territory of Hawaii in Special Session just ended.

Sincerely yours,

J. R. Farrington

Received Oct. 20, 1950 after adjournment

Ethel C. Chillingworth
Clerk

THE WHITE HOUSE
WASHINGTON

October 20, 1950

My dear Mrs. Chillingworth:

The President has asked me to acknowledge your letter of October twelfth with the enclosed certified copy of Senate Concurrent Resolution Number Six adopted by the Twenty-fifth Legislature of the Territory of Hawaii, Second Special Session. He appreciates your courtesy in sending this Resolution to him.

Very sincerely yours,

William D. Hassett

WILLIAM D. HASSETT
Secretary to the President

Mrs. Ethel C. Chillingworth,
Clerk of the Senate,
The Twenty-fifth Legislature of the
Territory of Hawaii,
Honolulu, Hawaii.

Received Oct 23, 1950
E.C.

THE WHITE HOUSE

WASHINGTON

October 24, 1950

My dear Mrs. Chillingworth:

The President has asked me to acknowledge your letter of October sixteenth with the enclosed certified copy of Senate Concurrent Resolution No. 9 adopted by the Twenty-fifth Legislature of the Territory of Hawaii, Second Special Session. He appreciates your courtesy in sending this Resolution to him.

Very sincerely yours,

William D. Hassett

WILLIAM D. HASSETT
Secretary to the President

Mrs. Ethel C. Chillingworth,
Clerk of the Senate,
The Twenty-fifth Legislature of the
Territory of Hawaii,
Honolulu,
Hawaii.

OFFICE OF THE VICE PRESIDENT
WASHINGTON

October 30, 1950

Mrs. Ethel C. Chillingworth,
Clerk of the Senate,
Honolulu, Hawaii.

My dear Mrs. Chillingworth:

This will acknowledge receipt of your letter of October 16 transmitting certified copy of Senate Concurrent Resolution No. 9, adopted by the 25th Legislature of the Territory of Hawaii, requesting the Congress of the United States to pass legislation to extend the Federal Reclamation Program to cover the Territory of Hawaii and its reclamation and irrigation needs.

This resolution will be brought to the attention of the United States Senate when the Congress reconvenes in November.

Very sincerely yours,

Alben W. Barkley

EC.

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF TERRITORIES
Washington 25, D. C.

NOV 1 - 1950

Mrs. Ethel C. Chillingworth
Clerk of the Senate
Honolulu, T. H.

My dear Mrs. Chillingworth:

This is to acknowledge receipt of your letters of October 12 and 16 with which you forwarded to the Department certified copies of Senate Concurrent Resolutions No. 6 and 9, as adopted by the Territorial Legislature.

Sincerely yours,

James P. Davis

James P. Davis
Director

SAM RAYBURN
4TH DISTRICT, TEXAS

The Speaker's Rooms
House of Representatives U. S.
Washington, D. C.

November 9, 1950

Mrs. Ethel C. Chillingworth
Clerk of the Senate
Senate of Hawaii
Honolulu, Hawaii

Dear Mrs. Chillingworth:

In the absence of the Speaker, this will acknowledge your letter of October 12, 1950 transmitting a certified copy of Senate Concurrent Resolution No. 6, which was adopted by the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very sincerely yours,

John W. Helton

John W. Helton
Executive Secretary
to the Speaker

# 1950

# SECOND SPECIAL SESSION

## HOUSE OF REPRESENTATIVES

1950

# SECOND SPECIAL SESSION

## HOUSE OF REPRESENTATIVES

# JOURNALS

1950 SPEC HOUSE

THE TWENTY-FIFTH LEGISLATURE
TERRITORY OF HAWAII

SECOND SPECIAL SESSION

# HOUSE OF REPRESENTATIVES

# JOURNAL

OF THE

# House of Representatives

FIRST Day SEPTEMBER 29, 1950

Approved:
Honolulu, T. H., September 30th 1950

Jas. S. Achong
Clerk, House of Representatives

THE

TWENTY-FIFTH LEGISLATURE

of the

TERRITORY OF HAWAII

SECOND SPECIAL SESSION

---

JOURNAL OF THE HOUSE

FIRST DAY

Friday, September 29, 1950

The House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii was this day called to order in Second Special Session at 10:37 o'clock in the forenoon by the Honorable Hiram L. Fong, member from the Fifth Representative District, he having been elected Speaker of the House of Representatives on the opening day of the Regular Session of the House and retaining that position under the provisions of Rule 1 of the Rules of Procedure of the House of Representatives.

At the request of the Speaker, the Reverend Solomon Kuni offered prayer.

The Speaker called for nominations for Temporary Clerk.

Mr. Sakakihara nominated Jas. S. Achong for Temporary Clerk.

On motion by Mr. Marcallino, seconded by Mr. Apaka and unanimously carried, the nominations were closed and Mr. Achong selected as Temporary Clerk.

The Temporary Clerk read a communication from the Secretary of Hawaii (Dept. Com. No. 1), transmitting a proclamation issued by the Governor, convening the Twenty-fifth Legislature of the Territory

of Hawaii in Second Special Session, as follows:

(Dept. Com. No. 1)

On motion by Mr. Paschoal, seconded by Mr. Olds, and unanimously carried, Departmental Communication No. 1 and the accompanying proclamation were placed on file.

Mr. Fong, Mr. Porteus, Mr. King, Mr. Apaka, Mr. Sakakihara, Mr. Noda, Mr. Seong, Mr. Paschoal, Mrs. Richardson, Mr. Olds, Mr. Kauhane, Mr. Miyake, Mr. Garcia, Mr. Yamauchi and Mr. Ichinose jointly offered a resolution (H. R. No. 1), declaring that all persons named therein, excepting Mr. Joseph G. Andrews, now deceased, being all the persons heretofore declared by the House of Representatives of the Twenty-fifth Legislature in Regular Session to have been duly elected and legally qualified to take seats in the House of Representatives, are entitled to their seats as members of the House in Second Special Session.

The resolution was read by the Temporary Clerk, as follows:

(H. R. No. 1)

On motion by Mr. Sakakihara, seconded by Mr. Kauhane and unanimously carried, House Resolution No. 1 was adopted.

Roll call of the members of the House of Representatives showed the following were present:

Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Seong, Tagawa, Trask, Yamauchi and Mr. Speaker. Total 27.

Absent: Kawakami and Nielsen. Total 2.

Mr. Marcallino, Mr. Noda, Mr. King, Mr. Lydgate, Mr. Sakakihara and Mr. Hind jointly offered a resolution (H. R. No. 2) to adopt the

Rules of the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, Regular and Special Sessions of 1949, as the Rules of the House for the Second Special Session.

The resolution was read by the Temporary Clerk, as follows:

(H. R. No. 2)

On motion by Mr. Marcallino, seconded by Mr. Noda and unanimously carried, House Resolution No. 2 was adopted.

Mr. Sakakihara, Mrs. Hayes, Mr. Ichinose, Mr. Olds, Mr. Kauhane, Mr. Seong, Mr. Noda, Mrs. Richardson, Mr. Miyake, Mr. Yamauchi, Mr. Garcia and Mr. Ezell jointly offered a resolution (H. R No. 3), declaring the Speaker and Vice-Speaker of the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, Regular Session of 1949, to be Speaker and Vice-Speaker, respectively, of the Second Special Session, and naming the other officers of the House and providing for the several committees.

The resolution was read by the Temporary Clerk, as follows:

(H. R. No. 3)

On motion by Mr. Kauhane, seconded by Mr. Sakakihara, and unanimously carried, House Resolution No. 3 was adopted.

The Speaker thereupon administered the Oath of Office to the newly elected officers of the House of Representatives for the Second Special Session.

Mr. Sakakihara, Mr. Pule, Mr. Ichinose, Mr. Yamauchi, Mr. Ezell, Mr. King, Mr. Miyake, Mr. Seong, Mr. Kauhane, Mrs. Richardson, Mr. Olds, Mr. Noda and Mr. Garcia jointly offered a resolution (H. R. NO. 4) to inform the Senate that the House of Representatives is ready to transact business.

The resolution was read by the Clerk, as follows:

(H. R. No. 4)

On motion by Mr. Miyake, seconded by Mr. Kauhane and unanimously carried, the Resolution was adopted.

Mr. Sakakihara, Mr. Ezell, Mr. Olds, Mr. Garcia, Mr. Miyake, Mrs. Richardson, Mr. King, Mr. Noda, Mr. Seong, Mr. Apaka, Mr. Kauhane, Mr. Pule, Mr. Yamauchi and Mr. Ichinose, jointly offered a resolution (H. R. No. 5), to provide a committee of three to notify the Governor that the Legislature is ready to receive any communication he may be pleased to make.

The resolution was read by the Clerk, as follows:

(H. R. No. 5)

On motion by Mr. Marcallino, seconded by Mr. Kauhane and unanimously carried, House Resolution No. 5 was adopted.

In accordance with House Resolution No. 5, the Speaker thereupon appointed Mrs. Richardson, Mrs. Hayes and Mr. Kauhane as such committee to wait upon the Governor.

At 10:50 o'clock a. m., by unanimous consent, the House of Representatives stood in recess subject to the call of the Chair.

At 10:58 o'clock a. m., the House of Representatives, having reconvened, on motion by Mr. Porteus, seconded by Mr. Sakakihara, and unanimously carried, resolved to meet with the Senate in joint session to hear the message of the Governor.

At 11:02 o'clock a. m., the House of Representatives met with the Senate in joint session.

The Governor of the Territory of Hawaii, accompanied by the joint committee to wait upon him, then appeared and in person delivered his message to the Legislature, as follows:

(Gov. Mess. No. 1.)

At 11:15 o'clock a. m., the Governor concluded his message.

At this point the Speaker of the House presented to the joint session Honorable Samuel Wilder King, President of the State Constitutional Convention, Honorable Randolph Crossley, Chairman of the Committee on Submission and Information, and Honorable Hebden Porteus, Secretary of the State Constitutional Convention.

Mr. King thereupon addressed the joint session, stating that the Constitutional Convention of 1950, authorized by Act 334 of the Legislature of the Territory of Hawaii, has completed its work and drafted a Constitution for the State of Hawaii.

Mr. King was followed by Mr. Crossley, who presented certified copies of the Constitution of the State of Hawaii as drafted by the Convention to the Speaker of the House of Representatives and the President of the Senate and read Resolution No. 53 adopted by the Convention, providing that the final form of the Constitution be submitted to the people for adoption or rejection as a whole. The Constitution reads as follows:

(Constitution)

Speaker Fong thanked Messrs. King, Crossley and Secretary Porteus for a job well done and stated that he knew that the instrument presented to this body was one of the most excellent and progressive instruments prepared and struck by the hand of man.

At 11:20 o'clock a. m., by unanimous consent, the joint session was adjourned.

At 11:33 o'clock a. m., Mr. Porteus presented a copy of Resolution No. 53 of the State Constitutional Convention for the files. Resolution No. 53 reads as follows:

(Const. Conv. Res. No. 53)

By unanimous consent, the Resolution was received and placed on file.

Mr. Fong, Mr. Porteus, Mr. Kauhane, Mr. Marcallino, Mr. Arashiro, Mr. Lydgate, Mr. King, Mr. Ichinose, Mr. Pule, Mrs. Hayes, Mr. Noda, Mr. Yamauchi, Mr. Hind, Mr. Itagaki, Mr. Olds, Mr. Tagawa, Mr. Garcia, Mr. Miyake, Mr. Apaka, Mr. Sakakihara, Mr. Trask, Mr. McGuire, Mr. Ezell, Mr. Paschoal, Mrs. Richardson and Mr. Seong jointly introduced a Joint Resolution (H. J. R. No. 1), entitled "Joint Resolution providing for the submission to the people of the Territory of Hawaii of the Constitution framed by the Convention held pursuant to Act 334 of the Session Laws of Hawaii 1949 and in the event of failure of ratification, the framing and submission of a new Constitution, and making appropriations therefor."

On motion by Mr. Marcallino, seconded by Mr. Ezell and unanimously carried, House Joint Resolution No. 1 passed First Reading by title and was placed on the Special Order of the Day for Second Reading at the next day's session of the House of Representatives.

The Clerk read a communication from the Senate (Sen. Com. No. 1), informing the House of Representatives that the Senate is ready to transact business, as follows:

(Sen. Com. No. 1)

By unanimous consent, Senate Communication No. 1 was placed on file.

At 11:35 o'clock a. m., on motion by Mr. Porteus, seconded by Mr. Noda and unanimously carried, the House of Representatives stood in recess until 2:00 o'clock p. m.

AFTERNOON SESSION

Upon reconvening at 2:17 o'clock p. m., the Clerk read a communication from the Secretary of Hawaii (Dept. Com. No. 2), requesting that his office be furnished with a copy of the minutes of the House, two copies of each bill, and joint and concurrent resolutions and six copies of each engrossed bill and joint resolutions transmitted to the Governor, as follows:

(Dept. Com. No. 2)

By unanimous consent the communication was referred to the Committee on Revision and Printing.

The Clerk read a communication from the Board of Commissioners of Public Archives (Dept. Com. No. 3), requesting five copies each of all bills, resolutions, joint resolutions, concurrent resolutions

and reports, as follows:

(Dept. Com. No. 3)

By unanimous consent, the communication was referred to the Committee on Revision and Printing.

The Clerk read a communication from the Secretary to the Governor (Dept. Com. No. 4) requesting that the Governor's office be furnished two copies of each bill, joint and concurrent resolution printed in the House, as follows:

(Dept. Com. No. 4)

By unanimous consent the communication was referred to the Committee on Revision and Printing.

The Clerk read a communication from the Attorney General (Dept. Com. No. 5) requesting that his department be furnished eight sets of all bills and resolutions introduced in the House, as follows:

(Dept. Com. No. 5)

By unanimous consent the communication was referred to the Committee on Revision and Printing.

Mr. Fong, Mr. Sakakihara, Mr. Ezell, Mr. Miyake, Mr. Yamauchi, Mr. Garcia and Mr. Arashiro jointly introduced a bill (H. B. No. 1), entitled "An Act to appropriate money for the expenses of the Legislature of the Territory of Hawaii."

On motion by Mr. Sakakihara, seconded by Mr. Kauhane and unanimously carried, House Bill No. 1 passed First Reading by Title and was placed on the Special Order of the Day for Second Reading at the next day's session of the House of Representatives.

Mr. Miyake, Mr. Marcallino and Mr. Arashiro jointly introduced

a bill (H. B. No. 2), entitled "An Act making an appropriation for flood control at Waimea, County of Kauai."

On motion by Mr. Miyake, seconded by Mr. Marcallino and unanimously carried, House Bill No. 2 passed First Reading by Title and was placed on the Special Order of the Day for Second Reading at the next day's session of the House of Representatives.

Mr. Trask, Mr. Kido and Mr. Ichinose jointly introduced a bill (H. B. No. 3), entitled "An Act making an appropriation to the Department of Public Welfare."

Mr. Trask moved that the Bill pass First Reading by Title. Seconded by Mr. Noda.

Mr. Sakakihara moved that the bill lay on the table. Seconded by Mr. Paschoal and carried.

Mr. Paschoal, Mr. Lydgate, Mr. Seong, Mr. Tagawa, Mr. Apaka and Mr. Ezell jointly introduced a bill (H. B. No. 4), entitled "An Act to amend Act 27 of the Session Laws of 1949, relating to harbor improvements at Lahaina, Maui."

On motion by Mr. Paschoal, seconded by Mr. Seong and unanimously carried, the Bill passed First Reading by Title, and was placed on the Special Order of the Day for Second Reading at the next day's session of the House of Representatives.

Mr. Fong, Mr. Porteus, Mr. King, Mr. Lydgate, Mr. Ezell, Mr. Miyake, Mr. Yamauchi, Mr. Ichinose, Mr. Olds, Mr. Noda, Mr. Itagaki, Mr. Kido, Mr. Seong, Mr. Paschoal, Mr. Hind, Mrs. Richardson, Mr. Sakakihara, Mr. Trask, Mr. Arashiro, Mr. Marcallino, Mr. Kauhane, Mr. Garcia, Mrs. Hayes, Mr. Pule, Mr. Tagawa and Mr. McGuire jointly

offered a resolution (H. R. No. 6), extending the heartfelt sympathy and best wishes of the House for a very speedy recovery and return to public life to Honorable Neal S. Blaisdell, which was read by the Clerk, as follows:

(H. R. No. 6)

On motion by Mr. Marcallino, seconded by Mr. King and unanimously carried, the resolution was adopted.

Mr. Paschoal, Mr. Lydgate, Mr. Ezell, Mr. Seong and Mr. Tagawa jointly offered a resolution (H. R. No. 7), extending the heartfelt sympathy of the House to Representative Alfred A. Apaka and his children at the death of Mrs. Apaka, which was read by the Clerk, as follows:

(H. R. No. 7)

Mr. Lydgate moved that the resolution be adopted. Seconded by Mr. Ezell.

Mr. Sakakihara moved that the motion be amended that the resolution be adopted by a rising vote. The motion was seconded by Mr. Hind and carried unanimously.

Mr. Fong, Mr. Sakakihara, Mr. Garcia, Mr. Pule, Mr. Apaka, Mr. Tagawa, Mr. Yamauchi, Mr. Marcallino, Mr. Olds, Mr. Seong, Mr. Trask, Mr. Paschoal, Mr. Hind, Mr. Arashiro, Mr. Itagaki, Mrs. Richardson, Mr. Kauhane, Mr. Ezell, Mr. Noda, Mr. Lydgate, Mrs. Hayes, Mr. Ichinose, Mr. King, Mr. Miyake, Mr. Porteus, Mr. McGuire and Mr. Kido jointly offered a resolution (H. R. No. 8) extending to the family of the late Honorable Joseph G. Andrews the deep sympathy of the House at the death of Honorable Joseph G. Andrews, which was read by the Clerk, as follows:

(H. R. No. 8)

Mr. Sakakihara moved that the resolution be adopted on a rising vote and that when the House adjourns it do so in respect to the memory of the late Honorable Joseph G. Andrews. The motion was seconded by Mr. Yamauchi and carried unanimously.

At 2:27 o'clock p. m., the House stood in recess, subject to the call of the Chair.

Upon reconvening at 2:32 o'clock p. m., Mr. Porteus stated that a motion will be made that the House meet in joint session with the Senate tomorrow at 10:30 o'clock a. m., in order to hear Honorable Samuel Wilder King with respect to the Constitution adopted by the Convention, and the Honorable Joseph R. Farrington on the status of H. R. 49 of the United States Congress.

Mr. Trask moved that the House reconsider its action with respect to House Bill No. 3. The motion was seconded by Mr. Noda and carried.

On motion by Mr. Trask, seconded by Mr. Noda and carried, House Bill No. 3 passed First Reading by Title and was placed on the Special Order of the Day for Second Reading at the next day's session of the House of Representatives.

At 2:35 o'clock p. m., on motion by Mr. Porteus, duly seconded and carried, the House of Representatives adjourned to 10:00 o'clock a. m., of Saturday, the 30th day of September, 1950.

Respectfully submitted,

Jas. S. Achong
Clerk, House of Representatives

APPROVED:

Hiram L. Fong
Speaker, House of Representatives.

1950 SPEC HOUSE

THE TWENTY-FIFTH LEGISLATURE
TERRITORY OF HAWAII

SECOND SPECIAL SESSION

# HOUSE OF REPRESENTATIVES

# JOURNAL

OF THE

# House of Representatives

SECOND Day September 30, 1950

Approved:
Honolulu, T. H., October 2, 1950

Jas. K. Aduong
Clerk, House of Representatives

THE

TWENTY-FIFTH LEGISLATURE

of the

TERRITORY OF HAWAII

SECOND SPECIAL SESSION

---

JOURNAL OF THE HOUSE

SECOND DAY

Saturday, September 30, 1950

The House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session, was called to order at 10:15 o'clock a.m.

The Speaker presided.

The Chaplain offered a prayer.

Roll Call of the members of the House of Representatives showed the following were present:

Apaka, Arashiro, Ezell, Garcia, Hayes, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Seong, Tagawa, Trask, Yamauchi and Mr. Speaker. Total, 27.

Absent: Hind and Kawakami. Total, 2.

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

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, Reading of the Journal was dispensed with and the Journal of the First Day was approved.

The House of Representatives proceeded to the order of Messages from the Governor.

None was presented.

The House of Representatives proceeded to the order of Reports and Communications from the heads of departments.

The Clerk read a communication from the Governor (Dept. Com. No. 6), acknowledging letter informing him that the House of Representatives is ready to transact business, as follows:

(Dept. Com. No. 6)

By unanimous consent, Departmental Communication No. 6 was placed on file.

The Clerk read a communication from the Superintendent of Public Works (Dept. Com. No. 7), transmitting thirty copies of the Annual Report of the Superintendent of Public Works for the period ended June 30, 1950, as follows:

(Dept. Com. No. 7)

By unanimous consent, Departmental Communication No. 7 was placed on file.

The House of Representatives proceeded to the order of Petitions, Memorials and Communications.

None was presented.

The House of Representatives proceeded to the order of Reports of Standing Committees.

None was presented.

The House of Representatives proceeded to the order of Reports of Select Committees.

None was presented.

The House of Representatives proceeded to the order of Resolutions and Introduction of Bills.

None was presented.

The House of Representatives proceeded to the Order of the Day.

Second Reading of House Bill No. 1, entitled "An Act to appropriate money for the expenses of the Legislature of the Territory of Hawaii."

On motion by Mr. Sakakihara, seconded by Mr. Apaka, and unanimously carried, House Bill No. 1 passed Second Reading and was placed on the Special Order of the Day for Third Reading on Monday, October 2, 1950.

Second Reading of House Bill No. 2, entitled "An Act making an appropriation for flood control at Waimea, County of Kauai."

On motion by Mr. Sakakihara, seconded by Mrs.Richardson and unanimously carried, House Bill No. 2 was laid on the table.

Second Reading of House Bill No. 3, entitled "An Act making an appropriation to the Department of Public Welfare."

On motion by Mr. Sakakihara, seconded by Mr. Marcallino and carried, House Bill No. 3 was laid on the table.

Second Reading of House Bill No. 4, entitled "An Act to amend Act 27 of the Session Laws of 1949, relating to harbor improvements at Lahaina, Maui."

On motion by Mr. Paschoal, seconded by Mr. Seong and unanimously carried, House Bill No. 4 passed Second Reading and was placed on the Special Order of the Day for Third Reading on Monday, October 2, 1950.

Second Reading of House Joint Resolution No. 1, providing for the submission to the people of the Territory of Hawaii of the Constitution framed by the Convention held pursuant to Act 334 of the Session Laws of Hawaii 1949 and in the event of failure of ratification, the framing and submission of a new Constitution, and making

appropriations therefor.

On motion by Mr. Marcallino, seconded by Mr. Sakakihara and unanimously carried, House Joint Resolution No. 1 passed Second Reading and was referred to the Committee of the Whole.

At this point the Speaker announced that Representative Marcallino will be Chairman of the Committee of the Whole.

The Clerk read a communication from the Chairman, Committee on Submission and Information, Hawaii State Constitutional Convention (Misc. Com. No. 1) informing the House of the appointment of a sub-committee to work with the members of the Legislature in a liaison capacity in the study of the Constitution, as follows:

(Misc. Com. No. 1)

By unanimous consent, the communication was referred to the Committee of the Whole.

The Clerk read a communication from the Hawaii Farm Bureau Federation (Misc. Com. No. 2), requesting copies of all resolutions, measures and reports, as follows:

(Misc. Com. No. 2)

By unanimous consent, the communication was referred to the Committee on Revision and Printing.

The Clerk read a communication from Yale University, Department of Health (Misc. Com. No. 3), extending the congratulations and appreciation of the Chairman of the courtesies extended to him and his wife on their visit to Hawaii, as follows:

(Misc. Com. No. 3)

By unanimous consent, the communication was referred to the Committee of the Whole.

Mr. Porteus moved that the House of Representatives meet in joint session with the Senate in order to hear Honorable Joseph R. Farrington, Delegate to Congress from Hawaii, and Honorable Samuel

Wilder King, President of the Hawaii State Constitutional Convention. The motion was seconded by Mr. Sakakihara and carried unanimously.

At 10:26 o'clock a. m., by unanimous consent, the House stood in recess, subject to the call of the Chair.

At 10:44 o'clock a. m., the House of Representatives met with the Senate in joint session.

At this point the Speaker of the House presented to the joint session Honorable Joseph R. Farrington, Delegate to Congress from Hawaii.

Mr. Farrington thereupon addressed the joint session, as follows:

(Mr. Farrington's address)

Mr. Fong thanked Mr. Farrington for his presentation of the situation in Washington and assured him that the legislators would do everything within their power for statehood.

The Speaker of the House then presented to the joint session Honorable Samuel Wilder King, President of the Hawaii State Constitutional Convention.

Mr. King thereupon addressed the joint session, as follows:

(Mr. King's address)

Mr. Fong thanked Mr. King for addressing the legislators and stated that his discussion would be of material assistance in the deliberations of the Legislature.

At 11:20 o'clock a. m., by unanimous consent, the joint session was adjourned.

Upon reconvening at 11:27 o'clock a. m., Mr. Marcallino moved that the House resolve itself into a Committee of the Whole for the consideration of House Joint Resolution No. 1. The motion was seconded by Mr. Arashiro and carried unanimously.

At 11:28 O'clock a. m., the House of Representatives resolved itself into Committee of the Whole House to consider House Joint Resolution No. 1.

At 12:00 o'clock noon, the House of Representatives having reconvened, Mr. Marcallino, as Chairman of the Committee of the Whole House, to which Committee was referred House Joint Resolution No. 1, orally reported progress and asked leave to sit again.

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, the report of the committee was adopted.

Mr. Sakakihara, Mr. Garcia, Mr. Yamauchi, Mrs. Richardson, Mr. Pule and Mr. Apaka jointly offered a resolution (H. R. No. 9), to congratulate Honorable Hiram L. Fong, Speaker of the House of Representatives, on the occasion of his birthday.

The resolution was read by the Clerk, as follows:

(H. R. No. 9)

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, the Speaker was disqualified to act as Chairman and the Vice-Speaker took the chair.

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, the resolution was adopted.

Mr. Sakakihara, Mr. Garcia, Mr. Yamauchi, Mrs. Richardson, and Mr. Pule jointly offered a resolution (H. R. No. 10), requesting that the Commander of the Fourteenth Coast Guard District of the United States use his good offices in bringing about the installation of a navigation safety light at the end of the breakwater in Hilo Harbor, and in bringing about the construction and maintenance of a lighthouse at the point of Keaukaha, Hawaii, to promote the safety of navigation in that locality.

The resolution was read by the Clerk, as follows:

(H. R. No. 10)

On motion by Mr. Porteus, seconded by Mr. Yamauchi and unanimously carried, the resolution was laid on the table.

Mr. Sakakihara, Mr. Lydgate, Mr. Paschoal, Mr. Apaka, Mr. Seong, Mr. Ezell and Mr. Tagawa jointly offered a resolution (H. R. No. 11), expressing the condolences and heartfelt sympathy of this House to the family of the late Mrs. Kesa Ansai on her decease.

The resolution was read by the Clerk, as follows:

(H. R. No. 11)

On motion by Mr. Ezell, seconded by Mr. Apaka and unanimously carried, the resolution was adopted on a rising vote.

Mr. Trask moved that the House reconsider its action in laying H. B. No. 3 on the table, but on motion by Mr. Kauhane, seconded by Mr. Sakakihara and carried, the House of Representatives, at 12:10 o'clock p. m., adjourned to 10:00 o'clock a. m., of Monday, the 2nd day of October, 1950.

Respectfully submitted,

Jas. J. Achong

Clerk, House of Representatives.

Approved:

Miriam L. Song

Speaker, House of Representatives.

1950 SPEC HOUSE

THE TWENTY-FIFTH LEGISLATURE
TERRITORY OF HAWAII

SECOND SPECIAL SESSION

# HOUSE OF REPRESENTATIVES

# JOURNAL

OF THE

# House of Representatives

THIRD Day October 2, 1950

Approved:
Honolulu, T. H., October 3rd. 1950

Jas. K. Achong
Clerk, House of Representatives

THE

TWENTY-FIFTH LEGISLATURE

OF THE

TERRITORY OF HAWAII

SECOND SPECIAL SESSION

*****

JOURNAL OF THE HOUSE

THIRD DAY

Monday, October 2, 1950

The House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session, was called to order at 10:21 o'clock a. m.

The Speaker presided.

Reverend John K. Kialoa offered a prayer.

Roll Call of the members of the House of Representatives showed the following members were present:

Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Seong, Tagawa, Trask, Yamauchi and Mr. Speaker. Total, 28.

Absent: Kawakami. Total 1.

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

On motion by Mr. Seong, seconded by Mr. Pule and unanimously carried, reading of the Journal was dispensed with and the Journal of the Second Day was approved.

The House of Representatives proceeded to the order of Messages from the Governor.

None was presented.

The House of Representatives proceeded to the order of Reports, and Communications from the heads of departments.

None was presented.

The House of Representatives proceeded to the order of bills, joint resolutions and other matters from the Senate.

None was presented.

The House of Representatives proceeded to the order of the Day.

Third Reading of House Bill No. 1, entitled "An Act to appropriate money for the expenses of the Legislature of the Territory of Hawaii."

On motion by Mr. Sakakihara, seconded by Mr. Miyake, House Bill No. 1 passed Third reading on the following showing of Ayes and Noes:

Ayes: Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Seong, Tagawa, Yamauchi and Mr. Speaker. Total, 27.

Noes: None.

Absent and not voting: Kawakami and Trask. Total, 2.

Third Reading of House Bill No. 4, entitled "An Act to amend Act 27 of the Session Laws of 1949, relating to harbor improvements at Lahaina, Maui."

On motion by Mr. Paschoal, seconded by Mr. Ezell, House Bill

No. 4 passed Third Reading on the following showing of Ayes and Noes:

Ayes: Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Seong, Tagawa, Yamauchi and Mr. Speaker. Total, 27.

Noes: None.

Absent and not voting: Kawakami and Trask. Total, 2.

The House of Representatives proceeded to the order of Petitions, Memorials and Communications.

The Clerk read a communication from the Wahiawa Community Association extending an invitation to a cocktail party Thursday evening, October 5th, at 5:30 p. m., preceding the opening of the Pineapple Pageant at 7:30 p. m., as follows:

(Misc. Com. No. 4)

The Sergeant-at-Arams was directed to find out which members would avail themselves of this invitation so that a reply could be sent to the Wahiawa Community Association.

The House of Representatives proceeded to the order of Reports of Standing Committees.

None was presented.

The House of Representatives proceeded to the order of Reports of Select Committees.

None was presented.

The House of Representatives proceeded to the Order of Resolutions and Introduction of Bills.

Mr. Sakakihara, Mr. Hind, Mr. Garcia, Mr. Ichinose, Mrs. Richardson, Mr. Yamauchi, Mr. Pule, Mr. Lydgate, Mr. Paschoal, Mr. Apaka, Mr. King, Mr. McGuire, Mr. Porteus, Mr. Fong, Mr. Miyake, Mr. Marcallino,

Mr. Seong, Mr. Itagaki, Mr. Arashiro, Mr. Noda, Mr. Kauhane, Mr. Tagawa and Mr. Ezell jointly offered a Concurrent Resolution (H. C. R. No. 1), extending the aloha of the people of Hawaii to the American Society of Travel Agents.

The Concurrent Resolution was read by the Clerk, as follows:

(H. C. R. No. 1)

On motion by Mr. Sakakihara, seconded by Mr. Miyake and unanimously carried, the Concurrent Resolution was adopted.

Mr. Marcallino moved that the House resolve itself into Committee of the Whole House for the consideration of House Joint Resolution No. 1.

Mr. Sakakihara called the attention of the House to a newspaper article in the Honolulu Advertiser of this date, wherein Mr. Trask claims that when Mr. Sakakihara, as Chairman of the Sub-committee on Hospitals, Medical Care, Health and Welfare of the Holdover Committee of 1949, did not introduce a bill to take care of the deficit which the Department of Public Welfare will face on October 20th, he took it upon himself to do so and that the maneuver in the House to stymie the bill was directly political. Mr. Sakakihara stated that he resented this misconception of facts and that he was assured by the Governor that funds would be provided from the Governor's Contingent Fund to take care of the welfare program for the balance of the biennium, therefore making it unnecessary to introduce legislation for an additional appropriation at the Special Session.

Mr. Trask replied that he introduced the bill in good faith.

After some discussion the Speaker ruled that the matter will be considered closed.

At 10:46 o'clock a. m., Mr. Sakakihara seconded the motion to resolve into Committee of the Whole House for the consideration of House Joint Resolution No. 1. The motion carried unanimously.

At 11:49 o'clock a. m., the House of Representatives, having reconvened, Mr. Marcallino, as Chairman of the Committee of the Whole House, to which Committee was referred House Joint Resolution No. 1, orally reported progress and asked leave to sit again.

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, the report of the committee was adopted.

Mr. Sakakihara, on behalf of the members of the House, presented Mr. Fong with a gift.

Mr. Marcallino, on behalf of the staff of the House, presented Mr. Fong with a gift.

At 11:55 o'clock a. m., on motion by Mr. Apaka, seconded by Mr. Miyake and unanimously carried the House stood in recess until 2:00 o'clock p. m.

AFTERNOON SESSION

Upon reconvening at 2:08 o'clock p. m., the House of Representatives returned to the order of Resolutions.

Mr. King, Mr. Ichinose, Mr. Yamauchi and Mr. Olds offered a resolution (H. R. NO. 12), directing that a Committee of the Whole House of the House of Representatives investigate the need of an appropriation for the Department of Public Welfare and report its findings to the House of Representatives as soon as possible.

The resolution was read by the Clerk, as follows:

(H. R. No. 12)

On motion by Mr. King, seconded by Mr. Olds and carried unanimously House Resolution No. 12 was adopted.

At 2:09 o'clock p. m., on motion by Mr. Marcallino, seconded by Mr. Noda and unanimously carried, the House resolved itself into Committee of the Whole House for the consideration of House Joint Resolution No. 1.

At 4:10 o'clock p. m., the House of Representatives having reconvened, Mr. Marcallino, as Chairman of the Committee of the Whole House, orally reported progress and asked leave to sit again.

On motion by Mr. Marcallino, seconded by Mr. Apaka and unanimously carried, the report of the committee was adopted.

The House of Representatives returned to the order of Reports and Communications from the heads of departments.

The Clerk read a communication from the Governor (Dept. Com. No. 8), informing the House that an additional appropriation for the Department of Public Welfare is not necessary at the Special Session inasmuch as he has earmarked $1,350,000 from the Contingent Fund for the Public Welfare program, and that the above action will not have any effect upon the bonus to public employees, as follows:

(Dept. Com. No. 8)

The communication was received and placed on file.

Mr. Sakakihara moved that House Bill No. 3 be reconsidered. The motion was seconded by Mr. Apaka and carried unanimously.

Mr. Sakakihara then moved that House Bill No. 3 be tabled. The motion was seconded by Mr. Apaka.

Because of the absence of Mr. Trask, introducer of House Bill No. 3, it was unanimously agreed that House Bill No. 3 be laid on the table.

At 4:15 o'clock p. m., on motion by Mr. Porteus, seconded by Mr. Paschoal and carried unanimously, the House of Representatives adjourned to 9:00 o'clock a. m., of Tuesday, the 3rd day of October, 1950.

Respectfully submitted,

Clerk, House of Representatives.

APPROVED:

Speaker, House of Representatives.

1950 SPEC HOUSE

THE TWENTY-FIFTH LEGISLATURE
TERRITORY OF HAWAII

SECOND SPECIAL SESSION

# HOUSE OF REPRESENTATIVES

# JOURNAL
OF THE
# House of Representatives

FOURTH Day October 3, 1950

Approved:
Honolulu, T. H., October 4th 1950

Jas. L. Achong
Clerk, House of Representatives

THE

TWENTY-FIFTH LEGISLATURE

OF THE

TERRITORY OF HAWAII

SECOND SPECIAL SESSION

****

JOURNAL OF THE HOUSE

FOURTH DAY

Tuesday, October 3, 1950.

The House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session, was called to order at 9:21 o'clock a. m.

The Speaker presided.

Reverend John K. Kialoa offered a prayer.

Roll Call of the members of the House of Representatives showed the following members were present:

Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olda, Paschoal, Porteus, Pule, Richardson, Sakakihara, Seong, Tagawa, Trask, Yamauchi and Mr. Speaker. Total, 28.

Absent: Kawakami. Total, 1.

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

On motion by Mr. Marcallino, seconded by Mr. Kauhane and unanimously carried, reading of the Journal was dispensed with and the Journal of the Third Day was approved.

The House of Representatives proceeded to the order of Messages from the Governor.

None was presented.

The House of Representatives proceeded to the order of Reports and Communications from the heads of departments.

None was presented.

The House of Representatives proceeded to the order of bills, joint resolutions and other matters from the Senate.

None was presented.

The House of Representatives proceeded to the Order of the Day.

None was presented.

The House of Representatives proceeded to the order of Petitions, Memorials and Communications.

The Clerk read a communication from the Republican Party of Hawaii (Misc. Com. No. 5), requesting twelve copies of all House bills and resolutions, as follows:

(Misc. Com. No. 5)

The communication was referred to the Committee on Revision and Printing.

The House of Representatives proceeded to the order of Reports of Standing Committees.

None was presented.

The House of Representatives proceeded to the order of Reports of Select Committees.

None was presented.

The House of Representatives proceeded to the Order of Resolutions and Introduction of Bills.

None was presented.

Mr. Sakakihara moved that House Resolution No. 10, requesting that the Commander of the Fourteenth Coast Guard District of the United States use his good offices in bringing about the installation of a navigation safety light at the end of the breakwater in Hilo Harbor, and in bringing about the construction and maintenance of a lighthouse at the point of Keaukaha, Hawaii, to promote the safety of navigation in that locality, be adopted. The motion was seconded by Mr. Yamauchi.

Mr. Nielsen offered an amendment.

The Clerk read the amendment, as follows:

"Amend House Resolution No. 10 in the following respect:

'RESOLVED, that the Commander of the Fourteenth Coast Guard District be further requested to use his good offices in bringing about the construction and maintenance of a suitable beacon at the point of land at the Kohala side of Keauhou Bay, Kona, Hawaii.'"

On motion by Mr. Nielsen, seconded by Mr. Kauhane, and carried, the amendment was adopted.

On motion by Mr. Kauhane, seconded by Mr. Apaka, and carried, House Resolution No. 10, as amended, was adopted.

On motion by Mr. King, seconded by Mr. Olds, and unanimously carried, House Resolution No. 12, directing that a Committee of the Whole House investigate the need of an appropriation for the Department of Public Welfare and report its findings to the House of Representatives as soon as possible, was placed on file.

At 9:28 o'clock a. m., on motion by Mr. Marcallino, seconded by Mr. Olds and unanimously carried, the House resolved itself into Committee of the Whole House for the consideration of House Joint Resolution No. 1.

At 3:39 o'clock p. m., the House of Representatives having reconvened, Mr. Marcallino, as Chairman of the Committee of the

Whole House, to which Committee was referred House Joint Resolution No. 1, orally reported that the Committee recommends that House Joint Resolution No. 1 pass Third Reading, and moved that the report of the Committee be adopted. The motion was seconded by Mr. Porteus and carried unanimously.

Mr. Marcallino moved that House Joint Resolution No. 1, providing for the submission to the people of the Territory of Hawaii of the Constitution framed by the Convention held pursuant to Act 334 of the Session Laws of Hawaii 1949 and in the event of failure of ratification, the framing and submission of a new Constitution, and making appropriations therefor, pass Third Reading. The motion was seconded by Mr. Sakakihara and carried on the following showing of Ayes and Noes:

Ayes: Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Seong, Tagawa, Trask, Yamauchi and Mr. Speaker. Total, 28.

Noes: None.

Absent and not voting: Kawakami. Total, 1.

The House of Representatives returned to the order of bills, joint resolutions and other matters from the Senate.

The Clerk read a communication from the Senate (Sen. Com. No. 2), returning House Concurrent Resolution No. 1, extending the aloha of the people of Hawaii to the American Society of Travel Agents, as follows:

(Sen. Com. No. 2)

The communication was received and placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 3), transmitting Senate Concurrent Resolution No. 2, requesting the boards of supervisors of the several counties to authorize construction of concrete and/or hollow tile school buildings, as follows:

(Sen. Com. No. 3)

The communication was received and placed on file.

Senate Concurrent Resolution No. 2 was thereupon read by the Clerk, as follows:

(S. C. R. No. 2)

By unanimous consent, the Concurrent Resolution was laid on the table.

The House of Representatives returned to the order of Reports and Communications from the heads of departments.

The Clerk read a communication from the Auditor, Territory of Hawaii (Dept. Com. No. 8), requesting a copy of all bills, etc. introduced during this special session, as follows:

(Dept. Com. No. 8)

The communication was referred to the Committee on Revision and Printing.

The House of Representatives returned to the order of Petitions, Memorials and Communications.

The Clerk read a communication from the Secretary, Board of Underwriters of Hawaii (Misc. Com. No. 6), requesting two copies of all bills introduced in the House, as follows:

(Misc. Com. No. 6)

The communication was referred to the Committee on Revision and Printing.

The House of Representatives returned to the order of Resolutions and Introduction of Bills.

Mr. Ichinose, Mr. King, Mr. Olds, Mrs. Hayes, Mr. McGuire and Mr. Porteus jointly offered a resolution (H. R. No. 13), authorizing the Mayor and Board of Supervisors of the City and County of Honolulu to reconstruct and equip the Washington Intermediate School Building.

The Resolution was read by the Clerk, as follows:

(H. R. No. 13)

On motion by Mr. Ichinose, seconded by Mr. McGuire and unanimously carried, House Resolution No. 13 was adopted.

On motion by Mr. Trask, seconded by Mr. McGuire and unanimously carried, House Bill No. 3, entitled "An Act making an appropriation to the Department of Public Welfare," was taken from the table and placed on file.

At 3:50 o'clock p. m., on motion by Mr. Porteus, seconded by Mr. Paschoal and unanimously carried, the House of Representatives adjourned to 10:00 o'clock a. m., of Wednesday, the 4th day of October, 1950.

Respectfully submitted,

Jas. K. Achong
Clerk, House of Representatives.

APPROVED;

Hiram L. Fong
Speaker, House of Representatives.

1950 SPEC HOUSE

THE TWENTY-FIFTH LEGISLATURE
TERRITORY OF HAWAII

SECOND SPECIAL SESSION

# HOUSE OF REPRESENTATIVES

# JOURNAL

OF THE

# House of Representatives

FIFTH Day October 4, 1950

Approved:
Honolulu, T. H., October 9th 1950

Jas. K. Aluong
Clerk, House of Representatives

THE

TWENTY-FIFTH LEGISLATURE

OF THE

TERRITORY OF HAWAII

SECOND SPECIAL SESSION

****

JOURNAL OF THE HOUSE

FIFTH DAY

Wednesday, October 4, 1950

The House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session, was called to order at 10:44 o'clock a. m.

The Speaker presided.

Reverend John K. Kialoa offered a prayer.

Roll Call of the members of the House of Representatives showed the following members were present:

Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Pachoal, Porteus, Pule, Richardson, Sakakihara, Seong, Tagawa, Trask, Yamauchi and Mr. Speaker. Total, 28.

Absent: Kawakami. Total, 1.

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

On motion by Mr. Marcallino, seconded by Mr. Tagawa and unanimously carried, reading of the Journal was dispensed with and the Journal of the Fourth Day was approved.

The House of Representatives proceeded to the order of Messages from the Governor.

None was presented.

The House of Representatives proceeded to the order of Reports and Communications from the heads of departments.

None was presented.

The House of Representatives proceeded to the order of Bills, Joint Resolutions and other matters from the Senate.

The Clerk read a communication from the Senate (Sen. Com. No. 4), returning with an amendment House Bill No. 1, entitled "An Act to appropriate money for the expenses of the legislature of the Territory of Hawaii," as follows:

(Sen. Com. No. 4)

On motion by Mr. Sakakihara, seconded by Mr. Garcia and unanimously carried, the House of Representatives concurred in the amendment proposed by the Senate, and House Bill No. 1, as amended, thereupon passed Final Reading on the following showing of Ayes and Noes:

Ayes: Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Seong, Tagawa, Trask, Yamauchi and Mr. Speaker. Total, 28.

Noes: None.

Absent: Kawakami.

Senate Communication No. 4 was thereupon placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 5), returning House Bill No. 4, entitled "An Act to amend Act

27 of the Session Laws of 1949, relating to harbor improvements at Lahaina, Maui," as follows:

(Sen. Com. No. 5)

By unanimous consent, Senate Communication No. 5 was placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 6), transmitting Senate Bill No. 7, entitled "An Act to amend Act 38 of the Regular Session Laws of Hawaii 1949, providing for the construction of a drainage canal in the County of Kauai," as follows:

(Sen. Com. No. 6)

On motion by Mr. Marcallino, seconded by Mr. Miyake and unanimously carried, Senate Bill No. 7 passed First Reading by title and was placed on the Special Order of the Day for Second Reading on Monday, October 9, 1950.

By unanimous consent, Senate Communication No. 6 was placed on file.

The House of Representatives proceeded to the Order of the Day.

None was presented.

The House of Representatives proceeded to the order of petitions, memorials and communications.

The Clerk read a communication from the Manager and Chief Engineer of the Board of Water Supply (Misc. Com. No. 7), requesting five copies of each House Bill, as follows:

(Misc. Com. No. 7)

By unanimous consent, the communication was referred to the Committee on Revision and Printing.

The House of Representatives proceeded to the order of reports of Standing Committees.

None was presented.

The House of Representatives proceeded to the order of reports of Select Committees.

None was presented.

The House of Representatives proceeded to the order of resolutions and introduction of bills.

Mr. Ichinose, Mr. Pule, Mr. Kido, Mr. Kauhane, Mr. Marcallino, Mr. Noda, Mr. Tagawa, Mr. Seong, Mr. Lydgate, Mr. Paschoal, Mr. Apaka, Mr. Ezell, Mr. Nielsen, Mr. Miyake, Mrs. Richardson and Mr. Hind jointly introduced a bill (H. B. No. 5), entitled "An Act relating to the control of flood waters in Iao Valley, Maui, and making an appropriation."

As per motion hereinafter referred to House Bill No. 5 passed First Reading by title and was placed on the Special Order of the Day for Second Reading on Monday, October 9, 1950.

Mr. Sakakihara, Mr. Nielsen, Mr. Miyake, Mr. Kauhane, Mr. Hind, Mr. Ezell, Mr. Seong, Mr. Ichinose, Mr. Tagawa, Mr. King, Mrs. Richardson, Mr. Pule, Mr. Garcia, Mr. Yamauchi and Mr. Apaka jointly introduced a bill (H. B. No. 6), entitled "An Act authorizing and directing the board of water supply of the county of Hawaii to construct a water supply system for the districts of North and South Kona, and to appropriate three hundred thousand dollars ($300,000) therefor."

As per motion hereinafter referred to House Bill No. 6 passed First Reading by title and was placed on the Special Order of the Day for Second Reading on Monday, October 9, 1950.

Mr. Hind, Mr. Nielsen, Mr. Fong, Mr. King, Mrs. Hayes, Mr. Paschoal, Mr. Marcallino, Mr. Apaka, Mr. McGuire, Mr. Tagawa, Mr. Noda, Mr. Pule, Mr. Richardson, Mr. Kido, Mr. Itagaki, Mr. Ichinose and Mr. Miyake jointly introduced a bill (H. B. No. 7), entitled "An Act authorizing temporary loans for water works improvements in Kona, Hawaii and making an appropriation therefor."

As per motion hereinafter referred to House Bill No. 7 passed First Reading by title and was placed on the Special Order of the Day for Second Reading on Monday, October 9, 1950.

Mr. Sakakihara, Mr. Ezell, Mr. Itagaki, Mr. Apaka, Mr. Nielsen, Mrs. Hayes, Mr. Fong, Mr. Paschoal, Mr. Kauhane, Mr. Kido, Mr. Trask, Mr. Noda, Mr. Miyake, Mr. Marcallino, Mr. Arashiro and Mr. Tagawa jointly introduced a bill (H. B. No. 8), entitled "An Act relating to fishing and amending Section 1223, Revised Laws of Hawaii 1945."

As per motion hereinafter referred to House Bill No. 8 passed First Reading by title and was placed on the Special Order of the Day for Second Reading on Monday, October 9, 1950.

Mr. Miyake, Mr. Kauhane, Mr. Marcallino, Mr. Arashiro, Mr. Noda, Mr. Kido, Mr. Yamauchi, Mr. Trask, Mr. Seong, Mr. Nielsen, Mr. Ichinose, Mr. Hind, Mr. Pule, Mr. Tagawa, Mr. Richardson and Mr. McGuire jointly introduced a bill (H. B. No. 9), entitled "An Act to amend Act 38 of the Regular Session Laws of Hawaii 1949, providing for the construction of a drainage canal and the clearing and improvement of Waimea River, Waimea, County of Kauai."

As per motion hereinafter referred to House Bill No. 9 passed First Reading by title and was placed on the Special Order of the Day for Second Reading on Monday, October 9, 1950.

The motion for the passage on First Reading of the aforelisted bills and for their being placed on the Special Order of the Day for Second Reading on Monday, October 9, 1950, was made by Mr. Sakakihara, was seconded by Mr. Apaka and was carried unanimously.

On motion by Mr. Miyake, seconded by Mr. Paschoal and carried, House Bill No. 2, entitled "An Act making an appropriation for flood control at Waimea, County of Kauai," was taken from the table.

Second Reading of House Bill No. 2.

On motion by Mr. Paschoal, seconded by Mr. Miyake and unanimously carried, House Bill No. 2 passed Second Reading and was referred to the Committee of the Whole House.

Mr. Miyake offered a resolution (H. R. No. 14), requesting the board of harbor commissioners to investigate the feasibility of constructing a small boat harbor at Waimea, Kauai, and to report its findings to the Twenty-Sixth Legislature of the Territory of Hawaii.

The resolution was read by the Clerk, as follows:

(H. R. No. 14)

On motion by Mr. Miyake, seconded by Mr. Apaka and unanimously carried, House Resolution No. 14 was adopted.

Mr. Lydgate offered a resolution (H. R. No. 15), fixing the rates of pay of the officers and employees of the House of Representatives.

The resolution was read by the Clerk, as follows:

(H. R. No. 15)

On motion by Mr. Lydgate, seconded by Mr. Apaka and unanimously carried, House Resolution No. 15 was adopted.

By unanimous consent, Mr. Sakakihara, Mr. Garcia, Mr. Apaka, Mr. Hind, Mr. Yamauchi, Mr. Pule, Mr. Kauhane, Mr. Noda, Mr. Ichinose, Mr. Arashior, Mr. Seong, Mr. Richardson and Mr. Miyake jointly introduced a bill (H. B. No. 10), entitled "An Act to amend Act 61 of the Session Laws of Hawaii 1949, extending the term of existence of the 'Holdover Committee of 1949'."

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, House Bill No. 10 passed First Reading by title and was placed on the Special Order of the Day for Second Reading on Monday, October 9, 1950.

At 11:25 o'clock a. m., by unanimous consent, the House of Representatives stood in recess.

Upon reconvening at 11:48 o'clock a. m., the House of Representatives returned to the order of bills, joint resolutions and other matters from the Senate.

The Clerk read a communication from the Senate (Sen. Com. No. 7), transmitting Senate Concurrent Resolution No. 4, requesting the Attorney General of the Territory to prepare, in consultation with the Hawaii Statehood Commission, such amendments to said H. R. 49 as may be required in the event that the proposed Constitution for the State of Hawaii is ratified by the people at said General Election, as follows:

(Sen. Com. No. 7)

By unanimous consent, the communication was placed on file.

Senate Concurrent Resolution No. 4 was thereupon read by the Clerk, as follows:

(S. C. R. No. 4)

On motion by Mr. Marcallino, seconded by Mr. Porteus and unanimously carried, Senate Concurrent Resolution No. 4 was

laid on the table.

The House of Representatives returned to the order of resolutions and introduction of bills.

Mr. McGuire, Mr. Porteus, Mr. Ichinose, Mr. King, Mr. Olds, Mr. Trask and Mrs. Hayes jointly offered a Concurrent Resolution (H. C. R. No. 2), requesting the governor, through his public land office to make Waimanalo lands available as permanent farm lands, and through his farm advisory board to study farm ownership and development in Waimanalo area.

The Concurrent Resolution was read by the Clerk, as follows:

(H. C. R. No. 2)

On motion by Mr. Trask, seconded by Mr. McGuire and unanimously carried, House Concurrent Resolution No. 2 was adopted.

Mr. Sakakihara, Mr. Yamauchi, Mr. Garcia and Mr. Hind jointly offered a Resolution (H. R. No. 16), requesting the board of harbor commissioners to undertake a survey of the estimated costs of constructing a wooden pier, near the entrance from Hilo Bay to the Wailoa River and to report to this Special Session.

The Resolution was read by the Clerk, as follows:

(H. R. No. 16)

On motion by Mr. Sakakihara, seconded by Mr. Yamauchi and unanimously carried, House Resolution No. 16 was adopted.

At 11:50 o'clock a. m., on motion by Mr. Porteus, seconded by Mr. Kauhane and unanimously carried, the House of Representatives adjourned to 1:30 o'clock p. m., of Monday, the 9th day of October, 1950.

Respectfully submitted,

Jas. S. Achong

Clerk, House of Representatives.

APPROVED:

Miriam L. Tong

Speaker, House of Representatives.

1950 SPEC HOUSE

THE TWENTY-FIFTH LEGISLATURE
TERRITORY OF HAWAII

SECOND SPECIAL SESSION

# HOUSE OF REPRESENTATIVES

# JOURNAL

OF THE

# House of Representatives

SIXTH Day October 5, 1950

Approved:
Honolulu, T. H., October 9th 1950

Jas. L. Achong
Clerk, House of Representatives

THE

TWENTY-FIFTH LEGISLATURE

OF THE

TERRITORY OF HAWAII

SECOND SPECIAL SESSION

*****

JOURNAL OF THE HOUSE

SIXTH DAY

Thursday, October 5, 1950.

No Session.

Respectfully submitted,

Jas. J. Kelong

Clerk, House of Representatives.

APPROVED:

Wm L Lang

Speaker, House of Representatives.

THE TWENTY-FIFTH LEGISLATURE
TERRITORY OF HAWAII

SECOND SPECIAL SESSION

# HOUSE OF REPRESENTATIVES

# JOURNAL

OF THE

# House of Representatives

SEVENTH Day October 6, 1950

Approved:
Honolulu, T. H., October 9th 1950

Jas. K. Aduong
Clerk, House of Representatives

THE

TWENTY-FIFTH LEGISLATURE

OF THE

TERRITORY OF HAWAII

SECOND SPECIAL SESSION

*****

JOURNAL OF THE HOUSE

SEVENTH DAY

Friday, October 6, 1950.

No Session.

Respectfully submitted,

Jas. K. Achong

Clerk, House of Representatives.

APPROVED:

Hiram L. Fong

Speaker, House of Representatives.

1950 SPEC HOUSE

THE TWENTY-FIFTH LEGISLATURE
TERRITORY OF HAWAII

SECOND SPECIAL SESSION

# HOUSE OF REPRESENTATIVES

# JOURNAL

OF THE

# House of Representatives

EIGHTH Day October 19, 1950

Approved:
Honolulu, T. H., October 10th 1950

Jas. K. Athong
Clerk, House of Representatives

THE

TWENTY-FIFTH LEGISLATURE

OF THE

TERRITORY OF HAWAII

SECOND SPECIAL SESSION

*****

JOURNAL OF THE HOUSE

EIGHTH DAY

Monday, October 9, 1950

The House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session, was called to order at 1:45 o'clock p. m.

The Speaker presided.

Reverend John K. Kialoa offered a prayer.

Roll Call of the members of the House of Representatives showed the following were present:

Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Seong, Tagawa, Trask, Yamauchi and Mr. Speaker. Total, 28.

Absent: Kawakami. Total, 1.

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

On motion by Mr. Marcallino, seconded by Mr. Sakakihara and unanimously carried, reading of the Journal was dispensed with and the Journal of the Fifth Day was approved.

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

On motion by Mr. Marcallino, seconded by Mr. Sakakihara and

unanimously carried, the Journal of the Sixth Day was approved.

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

On motion by Mr. Marcallino, seconded by Mr. Sakakihara and unanimously carried, the Journal of the Seventh Day was approved.

At this point the Speaker introduced Miss Sachiko Masumoto, East Oahu Home Demonstration Agent, Mrs. Francis Cooper, President of the East Oahu Home Council and Mrs. Marvin Mace, Flag Chairman, who presented a flag of the United Nationals to the House of Representatives on behalf of the East Oahu Home Council.

Mr. Fong, on behalf of the members of the House of Representatives, accepted the flag and extended the appreciation of the House to the East Oahu Home Council.

The House of Representatives proceeded to the order of Messages from the Governor.

None was presented.

The House of Representatives proceeded to the order of reports and communications from the heads of departments.

The Clerk read a communication from the Secretary of Hawaii (Dept. Com. No. 10), informing the House of Reprsentatives that the Governor had signed, as Act 1, House Bill No. 1, entitled: "An Act to appropriate money for the expenses of the Legislature of the Territory of Hawaii," as follows:

(Dept. Com. No. 10)

By unanimous consent, Departmental Communication No. 10 was placed on file.

The Clerk read a communication from the Superintendent of Public Works (Dept. Com. No. 11) requesting copies of all House bills, resolutions, etc. introduced in the House of Representatives,

as follows:

(Dept. Com. No. 11)

By unanimous consent, Departmental Communication No. 11 was referred to the Committee on Revision and Printing.

The Clerk read a communication from the Civil Service Commission (Dept. Com. No. 12), requesting that the Commission be included in the distribution list for printed matter, as follows:

(Dept. Com. No. 12)

By unanimous consent, Departmental Communication No. 12 was referred to the Committee on Revision and Printing.

The Clerk read a communication from the Employees' Retirement System, requesting copies of all bills and resolutions introduced in the House, as follows:

(Dept. Com. No. 13)

By unanimous consent, Departmental Communication No. 13 was referred to the Committee on Revision and Printing.

The House of Representatives proceeded to the order of bills, joint resolutions and other matters from the Senate.

None was presented.

The House of Representatives proceeded to the Order of the Day.

Second Reading of House Bill No. 5, entitled "An Act relating to the control of flood waters in Iao Valley, Maui, and making an appropriation."

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, House Bill No. 5 was referred to the Committee of the Whole House.

Second Reading of House Bill No. 6, entitled "An Act authorizing and directing the board of water supply of the County of Hawaii to construct a water supply system for the districts of North and

South Kona, and to appropriate three hundred thousand dollars ($300,000) therefor."

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, House Bill No. 6 was referred to the Committee of the Whole House.

Second Reading of House Bill No. 7, entitled "An Act authorizing temporary loans for water work improvements in Kona, Hawaii and making an appropriation therefor."

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, House Bill No. 7 was referred to the Committee of the Whole House.

Second Reading of House Bill No. 8, entitled "An Act relating to fishing and amending Section 1223, Revised Laws of Hawaii 1945."

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, House Bill No. 8 was referred to the Committee of the Whole House.

Second Reading of House Bill No. 9, entitled "An Act to amend Act 38 of the Regular Session Laws of Hawaii 1949, providing for the construction of a drainage canal and the clearing and improvement of Waimea River, Waimea, County of Kauai."

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, House Bill No. 9 was referred to the Committee of the Whole House.

Second Reading of House Bill No. 10, entitled "An Act to amend Act 61 of the Session Laws of Hawaii 1949, extending the term of existence of the 'Holdover Committee of 1949'."

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, House Bill No. 10 was referred to the Committee of the Whole House.

Second Reading of Senate Bill No. 7, entitled "An Act to amend Act 38 of the Regular Session Laws of Hawaii 1949, providing for the construction of a drainage canal in the County of Kauai."

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, Senate Bill No. 7 was referred to the Committee of the Whole House.

The Clerk read a communication from the Clerk of the County of Maui (Misc. Com. No. 8), transmitting certified copy of Resolution No. 264, adopted by the Board of Supervisors of the County of Maui, requesting the Legislature of Hawaii to appropriate the sum of $150,000.00 for the use of said County to acquire fire fighting and other disaster facilities, as follows:

(Misc. Com. No. 8)

By unanimous consent, Miscellaneous Communication No. 8 was laid on the table.

The Clerk read a communication from the Kauai Chamber of Commerce (Misc. Com. No. 9), requesting an appropriation for flood control at Waimea, County of Kauai, as follows:

(Misc. Com. No. 9)

By unanimous consent, Miscellenous Communication No. 9 was referred to the Committee of the Whole House having under consideration House Bill No. 2.

The Clerk read a communication from the International Longshoremen's & Warehousemen's Union (Misc. Com. No. 10), transmitting a letter on the Constitution for the State of Hawaii which was approved by the International Longshoremen's & Warehousemen's Union Locals 136, 142, 150 and 152, National Union of Marine Cooks & Stewards, and United Public Workers Local 646, as follows:

(Misc. Com. No. 10)

By unanimous consent, Miscellaneous Communication No. 10 was laid on the table.

Mr. McGuire, Mr. King, Mr. Ichinose, Mrs. Hayes and Mr. Porteus jointly offered a resolution (H. R. No. 17), requesting that the Governor allot the sum of $12,000.00 for the development of a park area at Waimanalo.

The resolution was read by the Clerk, as follows:

(H. R. No. 17)

On motion by Mr. McGuire, seconded by Mr. King and unanimously carried, House Resolution No. 17 was adopted.

At 1:55 o'clock p. m., on motion by Mr. Marcallino, seconded by Mr. Apaka and unanimously carried, the House of Representatives resolved itself into a Committee of the Whole House for the consideration of House Bill No. 2.

The Speaker appointed Mr. Itagaki, Vice Chairman of the Finance Committee, to be Chairman of the Committee of the Whole House.

Upon reconvening at 3:31 o'clock p. m., Mr. Itagaki, Chairman of the Committee of the Whole House having under consideration House Bill No. 2 reported progress and asked leave to sit again at 10:30 o'clock a. m., tomorrow, October 10, 1950.

Upon motion by Mr. Itagaki, seconded by Mr. Marcallino and unanimously carried, the report of the Committee was adopted.

The Clerk was instructed to invite Colonel H. F. Falkner of the U. S. Engineers Corps to appear before the Committee of the Whole House at 10:30 o'clock a. m., tomorrow, October 10, 1950, with respect to House Bill No. 2.

The Clerk read Resolutions Nos. 128 and 113, adopted by the Board of Supervisors of the County of Kauai, requesting the passage of an appropriation for flood control at Waimea, County of Kauai, as follows:

(Misc. Com. No. 11)

By unanimous consent, Miscellaneous Communication No. 11 was referred to the Committee of the Whole House.

Mr. Kido, Mr. Kauhane, Mr. Garcia, Mr. Ezell, Mr. Lydgate, Mrs. Richardson, Mr. Pule, Mr. Hind, Mr. Nielsen, Mr. Marcallino, Mr. Arashiro, Mrs. Hayes, Mr. Fong, Mr. Seong, Mr. McGuire, Mr. Sakakihara, Mr. Trask, Mr. Apaka, Mr. Itagaki, Mr. Porteus, Mr. Ichinose, Mr. King, Mr. Miyake, Mr. Yamauchi, Mr. Olds and Mr. Tagawa jointly offered a Concurrent Resolution (H. C. R. No. 3), extending the aloha of the people of Hawaii to the President and Directors of the United Air Lines.

The Concurrent Resolution was read by the Clerk, as follows:

(H. C. R. No. 3)

On motion by Mr. McGuire, seconded by Mr. Miyake and unanimously carried, House Concurrent Resolution No. 3 was adopted.

At 3:35 o'clock p. m., on motion by Mr. Kauhane, seconded by Mr. Kido and unanimously carried, the House of Representatives adjourned to 10:00 o'clock a. m., of Tuesday, the 10th day of October, 1950.

Respectfully submitted,

Jas. J. Cachong

Clerk, House of Representatives.

APPROVED:

Hiram L. Fong

Speaker, House of Representatives.

1950 SPEC HOUSE

THE TWENTY-FIFTH LEGISLATURE
TERRITORY OF HAWAII

SECOND SPECIAL SESSION

# HOUSE OF REPRESENTATIVES

# JOURNAL

OF THE

# House of Representatives

NINTH Day October 10, 1950

Approved:
Honolulu, T. H., ..... 1950

.....
Clerk, House of Representatives

THE

TWENTY-FIFTH LEGISLATURE

OF THE

TERRITORY OF HAWAII

SECOND SPECIAL SESSION

*****

JOURNAL OF THE HOUSE

NINTH DAY

Tuesday, October 10, 1950.

The House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session, was called to order at 10:52 o'clock a. m.

The Speaker presided.

Reverend John K. Kialoa offered a prayer.

Roll Call of the members of the House of Representatives showed the following were present:

Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Seong, Tagawa, Trask, Yamauchi and Mr. Speaker. Total, 28.

Absent: Kawakami. Total, 1.

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

On motion by Mr. Marcallino, seconded by Mr. Ezell and unanimously carried, reading of the Journal was dispensed with

and the Journal of the Eighth Day was approved.

The House of Representatives proceeded to the order of Messages from the Governor.

None was presented.

The House of Representatives proceeded to the order of reports and communications from the heads of departments.

None was presented.

The House of Representatives proceeded with the order of bills, joint resolutions and other matters from the Senate.

The Clerk read a communication from the Senate (Sen. Com. No. 8), returning House Concurrent Resolution No. 2, requesting the governor, through his public land office to make Waimanalo lands available as permanent farm lands, and through his farm advisory board to study farm ownership and development in Waimanalo area, as follows:

(Sen. Com. No. 8)

By unanimous consent, Senate Communication No. 8 was placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 9), transmitting Senate Concurrent Resolution No. 5, extending the aloha of the people of Hawaii to the President and Directors of the United Air Lines, as follows:

(Sen. Com. No. 9)

Senate Concurrent Resolution No. 9 was thereupon read by the Clerk, as follows:

(S. C. R. No. 5)

By unanimous consent, action on Senate Concurrent Resolution No. 5 was deferred.

The Clerk read a communication from the Senate (Sen. Com. No. 10), transmitting Senate Bill No. 3, entitled "An Act making

appropriations for public improvements," as follows:

(Sen. Com. No. 10)

Mr. Fong, Mr. Kauhane, Mr. Noda, Mr. Kido, Mr. Itagaki and Mr. Trask jointly offered an amendment to Senate Bill No. 3.

The Clerk read the amendment, as follows:

(Fong, et al, amendment)

Mrs. Richardson offered an amendment to Senate Bill No. 3.

The Clerk read the amendment, as follows:

(Mrs. Richardson's amendment)

Mr. Paschoal, Mr. Ezell, Mr. Seong, Mr. Lydgate, Mr. Tagawa and Mr. Apaka jointly offered an amendment to Senate Bill No. 3.

The Clerk read the amendment, as follows:

(Paschoal, et al, amendment)

On motion by Mr. Marcallino, seconded by Mr. Sakakihara and unanimously carried, Senate Bill No. 3 passed First Reading by Title, and together with the amendments, was referred to the Committee of the Whole House.

By unanimous consent, Senate Communication No. 10 was thereupon placed on file.

Mr. Fong, Mr. Ezell, Mrs. Richardson, Mr. Nielsen, Mr. Apaka, Mr. Lydgate, Mr. Garcia, Mr. Hind, Mr. Olds, Mr. Seong, Mr. King, Mr. Kido, Mr. Pule, Mr. Noda, Mr. Miyake, Mr. Trask, Mr. Arashiro, Mr. Marcallino, Mr. Tagawa, Mr. Paschoal, Mrs. Hayes, Mr. Porteus, Mr. Ichinose, Mr. McGuire, Mr. Yamauchi, Mr. Sakakihara and Mr. Kauhane jointly offered a Resolution (H. R. No. 18), congratulating the Honorable Joseph R. Itagaki on the occasion of the forty-fourth anniversary of his birth.

The Resolution was read by the Clerk, as follows:

(H. R. No. 18)

Mr. Porteus, on behalf of the members of the House of

Representatives, presented a gift to Mr. Itagaki as a token of their appreciation and friendship.

Mr. Marcallino, Mr. Ezell, Mr. Kido, Mr. Fong, Mr. Apaka, Mr. Sakakihara and Mrs. Hayes extended the aloha of the Representatives from their respective districts to Mr. Itagaki and expressed their sorrow at his decision to withdraw from politics.

On motion by Mr. Lydgate, seconded by Mr. Ezell and unanimously carried, House Resolution No. 18 was adopted.

Mr. Fong, Mr. Kauhane, Mr. Kido, Mr. Noda, Mr. Trask and Mr. Itagaki jointly offered a resolution (H. R. No. 19), requesting the Board of Harbor Commissioners to investigate the feasibility of constructing a breakwater at Haleiwa and one at Waianae, Oahu and the cost of said construction, and to report its findings to the regular session of the Twenty-Sixth Legislature of the Territory of Hawaii.

The Resolution was read by the Clerk , as follows:

(H. R. No. 19)

On motion by Mr. Trask, seconded by Mr. Noda and unanimously carried, House Resolution No. 19 was adopted.

Mr. Sakakihara, Mr. Garcia, Mr. Yamauchi, Mr. Hind, Mrs. Richardson and Mr. Pule jointly offered a Concurrent Resolution (H. C. R. No. 4), requesting the Department of Public Instruction to institute and maintain instruction in the fourth, fifth and sixth grades at Kalapana School, Kalapana, District of Puna, County of Hawaii.

The Concurrent Resolution was read by the Clerk, as follows:

(H. C. R. No. 4)

On motion by Mr. Sakakihara, seconded by Mr. Yamauchi and unanimously carried, House Concurrent Resolution No. 4 was adopted.

At 11:20 o'clock a. m., on motion by Mr. Sakakihara, seconded by Mr. Yamauchi and unanimously carried, the House of Representatives resolved itself into a Committee of the Whole House for the consideration of House Bill No. 2 and Senate Bill No. 3, with Mr. Itagaki as Chairman.

AFTERNOON SESSION

Upon reconvening at 3:35 o'clock p. m., Mr. Itagaki, Chairman of the Committee of the Whole House, having under consideration Senate Bill No. 3, reported progress and asked leave to sit again tomorrow, October 11, 1950.

On motion by Mr. Itagaki, seconded by Mr. Noda and unanimously carried, the report of the Committee was adopted.

At 3:40 o'clock p. m., on motion by Mr. Porteus, seconded by Mr. Noda and unanimously carried, the House of Representatives adjourned to 10:30 o'clock a. m., of Wednesday, the 11th day of October, 1950.

Respectfully submitted,

Jas. L. Achong
Clerk, House of Representatives.

APPROVED:

John E. Dong
Speaker, House of Representatives.

1950 SPEC HOUSE

THE TWENTY-FIFTH LEGISLATURE
TERRITORY OF HAWAII

SECOND SPECIAL SESSION

# HOUSE OF REPRESENTATIVES

# JOURNAL

OF THE

# House of Representatives

TENTH Day October 11, 1950

Approved:
Honolulu, T. H., October 12 1950

Jas L Achong
Clerk, House of Representatives

THE

TWENTY-FIFTH LEGISLATURE

OF THE

TERRITORY OF HAWAII

SECOND SPECIAL SESSION

*****

JOUNRAL OF THE HOUSE

TENTH DAY

Wednesday, October 11, 1950.

The House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session, was called to order at 11:25 o'clock a. m.

The Speaker presided.

Reverend John K. Kialoa offered a prayer.

Roll Call of the members of the House of Representatives showed the following were present:

Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Seong, Tagawa, Trask, Yamauchi and Mr. Speaker. Total, 28.

Absent: Kawakami. Total, 1.

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

On motion by Mr. Marcallino, seconded by Mr. Pule and unanimously carried, reading of the Journal was dispensed with and the Journal of the Ninth Day was approved.

The House of Representatives proceeded to the order of Messages from the Governor.

None was presented.

The House of Representatives proceeded to the order of reports and communications from the heads of departments.

None was presented.

The House of Representatives proceeded with the order of bills, joint resolutions and other matters from the Senate.

The Clerk read a communication from the Senate (Sen. Com. No. 11), returning House Concurrent Resolution No. 3, extending the aloha of the people of Hawaii to the President and Directors of United Air Lines, as follows:

(Sen. Com. No. 11)

By unanimous consent, the communication was placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 12), returning House Concurrent Resolution No. 4, requesting the Department of Public Instruction to institute and maintain instruction in the fourth, fifth and sixth grades at Kalapana School, Kalapana, District of Puna, County of Hawaii, as follows:

(Sen. Com. No. 12)

By unanimous consent, the communication was placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 13), transmitting Senate Concurrent Resolution No. 6, requesting the Congress of the United States to grant statehood to the Territory of Hawaii, by passage of House Resolution 49 now pending before the said Congress, as follows:

(Sen. Com. No. 13)

Senate Concurrent Resolution No. 6 was thereupon read by the Clerk, as follows:

(S. C. R. No. 6)

On motion by Mr. Porteus, seconded by Mr. Marcallino and

unanimously carried, Senate Concurrent Resolution No. 6 was laid on the table.

The House of Representatives proceeded to the Order of the Day.

None was presented.

The House of Representatives proceeded to the order of petitions, memorials and communications.

None was presented.

The House of Representatives proceeded to the order of reports of Standing Committees.

None was presented.

The House of Representatives proceeded to the order of reports of Select Committees.

None was presented.

The House of Representatives proceeded to the order of resolutions and introduction of bills.

Mr. Fong, Mr. Trask, Mr. Marcallino, Mr. Ezell, Mr. Lydgate, Mr. Itagaki, Mr. King, Mr. Porteus, Mr. Paschoal, Mr. McGuire, Mr. Noda, Mr. Ichinose, Mr. Arashiro, Mr. Kido, Mr. Garcia, Mr. Yamauchi, Mr. Sakakihara, Mrs. Richardson, Mr. Olds, Mr. Miyake, Mr. Nielsen, Mrs. Hayes, Mr. Apaka, Mr. Pule, Mr. Tagawa and Mr. Seong jointly offered a Concurrent Resolution (H. C. R. No. 5), requesting the Governor of Hawaii to invite the President of the United States to address a Joint Session of the Legislature.

The Concurrent Resolution was read by the Clerk, as follows:

(H. C. R. No. 5)

On motion by Mr. Marcallino, seconded by Mr. Sakakihara and unanimously carried, House Concurrent Resolution No. 5 was adopted.

Mr. Paschoal and Mr. Lydgate jointly offered a Concurrent Resolution (H. C. R. No. 6), requesting the National Park Service to study the feasibility of constructing a road through the crater of Haleakala in the Hawaii National Park.

The Concurrent Resolution was read by the Clerk, as follows:

(H. C. R. No. 6)

On motion by Mr. Paschoal, seconded by Mr. Lydgate and unanimously carried, House Concurrent Resolution No. 6 was adopted.

Mr. Paschoal offered a Resolution (H. R. No. 20), requesting the Board of Harbor Commissioners to investigate the feasibility of constructing a breakwater at Maalaea Bay, Maui, and the cost of said construction, and to report its findings to the regular session of the Twenty-Sixth Legislature of the Territory of Hawaii.

The Resolution was read by the Clerk, as follows:

(H. R. No. 20)

On motion by Mr. Paschoal, seconded by Mr. Lydgate and unanimously carried, House Resolution No. 20 was adopted.

Mr. Lydgate offered a Resolution (H. R. No. 21), providing for the compilation of the Journal of the House of Representatives, Second Special Session.

The Resolution was read by the Clerk, as follows:

(H. R. No. 21)

On motion by Mr. Lydgate, seconded by Mr. Sakakihara and unanimously carried, House Resolution No. 21 was adopted.

The House of Representatives proceeded to the order of unfinished business.

Consideration of Senate Communication No. 9, transmitting Senate Concurrent Resolution No. 5, extending the aloha of the people of Hawaii to the President and Directors of United Air Lines, action on which had been deferred.

On motion by Mr. Sakakihara, seconded by Mr. Kauhane and unanimously carried, Senate Concurrent Resolution No. 5 and Senate Communication No. 9 were placed on file.

At 11:40 o'clock a. m., by unanimous consent, the House stood in recess, subject to the call of the Chair.

Upon reconvening at 12:00 o'clock noon, Mr. Fong, Mr. McGuire, Mr. Apaka, Mr. Pule, Mrs. Richardson, Mr. Miyake, Mr. Noda, Mr. Sakakihara, Mr. Kauhane offered a Resolution (H. R. No. 22), expressing the appreciation of the people of the Territory of Hawaii to Mr. Hainer Hinshaw for his hospitality to the members of the Holdover Committee of 1949 of the Legislature appearing before the Committee on Interior and Insular Affairs of the Senate of the United States to present the case of statehood for Hawaii.

The Resolution was read by the Clerk, as follows:

(H. R. No. 22)

On motion by Mr. McGuire, seconded by Mr. Apaka and unanimously carried, House Resolution No. 22 was adopted.

On behalf of the members of the Holdover Committee of 1949, Mr. Sakakihara presented Mr. Hinshaw with a koa tray and bowl as a token of appreciation.

In thanking the members, Mr. Hinshaw stated that he would always have a place in his heart for the people of Hawaii.

The House of Representatives returned to the order of bills, joint resolutions and other matters from the Senate.

The House of Representatives returned to the order of bills, joint resolutions and other matters from the Senate.

The Clerk read a communication from the Senate (Sen. Com. No. 14), returning House Joint Resolution No. 1, providing for the submission to the people of Hawaii of the Constitution framed by the Convention held pursuant to Act 334 of the Session Laws of Hawaii 1949 and in the event of failure of ratification, the framing and submission of a new Constitution, and making appropriations therefor, as follows:

(Sen. Com. No. 14)

By unanimous consent, the communication was placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 15), transmitting Senate Concurrent Resolution No. 7, requesting the Public Utilities Commission of the Territory of Hawaii to defer until the convening of the Twenty-Sixth Legislature, consideration of, and action on, any application by the Hilo Electric Light Company, Limited, to incorporate any part of the surcharge now being charged and collected by said utility into its permanent rate structure, as follows:

(Sen. Com. No. 15)

Senate Concurrent Resolution No. 7 was thereupon read by the Clerk, as follows:

(S. C. R. No. 7)

On motion by Mr. Sakakihara, seconded by Mr. Apaka and unanimously carried, Senate Concurrent Resolution No. 7 was laid on the table.

The Clerk read a communication from the Senate (Sen. Com. No. 16), transmitting Senate Bill No. 5, entitled "An Act relating to major disasters and making an appropriation therefor," as

follows:

(Sen. Com. No. 16)

On motion by Mr. Marcallino, seconded by Mr. Sakakihara and unanimously carried, Senate Bill No. 5 passed First Reading by title and was placed on the Order of the Day for Second Reading tomorrow, October 12, 1950.

The Clerk read a communication from the Senate (Sen. Com. No. 17), transmitting Senate Bill No. 2, entitled "An Act relating to Statehood: amending the law relating to the Hawaii Statehood Commission; and making an appropriation to said commission for the advancement of the cause of statehood," as follows:

(Sen. Com. No. 17)

On motion by Mr. Marcallino, seconded by Mr. Apaka and unanimously carried, Senate Bill No. 2 passed First Reading by title and was placed on the Order of the Day for Second Reading tomorrow, October 12, 1950.

By unanimous consent, Senate Communication No. 17 was placed on file.

The Speaker presented Colonel Adna G. Clarke, former member of the House of Representatives.

At 12:05 o'clock p. m., on motion by Mr. Porteus, seconded by Mr. Apaka and unanimously carried, the House stood in recess until 2:30 o'clock p. m.

AFTERNOON SESSION.

Upon reconvening at 3:17 o'clock p. m., the House of Representatives returned to the order of resolutions and introduction of bills.

Mr. Sakakihara, Mr. Garcia, Mr. Yamauchi, Mr. Richardson and Mr. Hind jointly offered a Concurrent Resolution (H. C. R. No. 7), requesting the Secretary of the Interior and the Director of the National Park Service to take such steps as may be necessary to keep the present north entrance to the Hawaii National Park, Island of Hawaii, open for the use and convenience of the public.

The Concurrent Resolution was read by the Clerk, as follows:

(H. C. R. No. 7)

Mr. Sakakihara offered the following amendment:

In the fourth line of the last paragraph of the Resolution after the word "Park", add the following: "and the Delegate to Congress from Hawaii."

On motion by Mr. Sakakihara, seconded by Mr. Garcia and unanimously carried, the amendment was adopted.

On motion by Mr. Sakakihara, seconded by Mr. Garcia and unanimously carried, House Concurrent Resolution No. 7, as amended, was adopted.

Mr. Hind, Mr. Lydgate, Mr. Miyake, Mr. Richardson, Mr. Fong, Mr. Sakakihara and Mr. Porteus jointly offered a Concurrent Resolution (H. C. R. No. 8), requesting the Board of Supervisors of the County of Hawaii to order an estimate of the cost of a road widening project at Kailua, Kona, Hawaii.

The Concurrent Resolution was read by the Clerk, as follows:

(H. C. R. No. 8)

On motion by Mr. Hind, seconded by Mrs. Richardson and unanimously carried, House Concurrent Resolution No. 8 was adopted.

Mr. Sakakihara, Mr. Garcia and Mr. Yamauchi jointly offered a Resolution (H. R. No. 23), requesting the Commissioner of Public Lands and the Surveyor of the Territory of Hawaii to expedite the opening of public lands located at 29 Miles Olaa, District of Puna, Hawaii, for farming.

The Resolution was read by the Clerk, as follows:

(H. R. No. 23)

On motion by Mr. Sakakihara, seconded by Mr. Yamauchi and unanimously carried, House Resolution No. 23 was adopted.

Mr. Sakakihara, Mr. Garcia, Mr. Yamauchi, Mrs. Richardson and Mr. Hind offered a Resolution (H. R. No. 24), requesting the Governor of the Territory of Hawaii to allocate the sum of $500

from the Governor's Contingent Fund for the purpose of carrying out a soil survey of public lands located at Olaa, District of Puna, County of Hawaii.

The Resolution was read by the Clerk, as follows:

(H. R. No. 24)

On motion by Mr. Sakakihara, seconded by Mr. Garcia and unanimously carried, the Resolution was adopted.

Mr. Nielsen and Mr. Tagawa jointly offered a Concurrent Resolution (H. C. R. No. 9), inviting Colonel Cobb to address a joint session of the Legislature on the subject of safeguarding the people of the Territory in the event of atomic warfare.

The Concurrent Resolution was read by the Clerk, as follows:

(H. C. R. No. 9)

On motion by Mr. Porteus, seconded by Mr. Ichinose and unanimously carried, House Concurrent Resolution No. 9 was referred to the Committee of the Whole House.

At 3:40 o'clock p. m., on motion by Mr. Itagaki, seconded by Mr. Marcallino and unanimously carried the House resolved itself into a Committee of the Whole House for the consideration of House Bills Nos. 6 and 7 and Senate Bills Nos. 3 and 7, with Mr. Itagaki as Chairman.

Upon reconvening at 3:47 o'clock p. m., Mr. Itagaki, Chairman of the Committee of the Whole House, reported progress and recommended that House Bills Nos. 6 and 7, Senate Bill No. 3, together with all amendments offered, and Senate Bill No. 7 pass Second Reading and be recommitted to the Committee of the Whole House tomorrow, October 12, 1950.

On motion by Mr. Itagaki, seconded by Mr. Marcallino and unanimously carried, the report of the Committee was adopted and House Bills Nos. 6 and 7, Senate Bill No. 3, as amended, and Senate Bill No. 7 passed Second Reading and was recommitted to the Committee of the Whole House tomorrow, October 12, 1950.

At 3:50 o'clock p. m., on motion by Mr. Porteus, seconded by Mr. Apaka and unanimously carried, the House of Representatives adjourned to 11:00 o'clock a. m., of Thursday, the 12th day of October, 1950.

Respectfully submitted,

Clerk, House of Representatives.

APPROVED:

Speaker, House of Representatives.

1950 SPEC HOUSE

THE TWENTY-FIFTH LEGISLATURE
TERRITORY OF HAWAII

SECOND SPECIAL SESSION

# HOUSE OF REPRESENTATIVES

# JOURNAL

OF THE

# House of Representatives

ELEVENTH Day October 12, 1950

Approved:
Honolulu, T. H., October 13th 1950

Jas. K. Achong
Clerk, House of Representatives

THE

TWENTY-FIFTH LEGISLATURE

OF THE

TERRITORY OF HAWAII

SECOND SPECIAL SESSION

******

JOURNAL OF THE HOUSE

ELEVENTH DAY

Thursday, October 12, 1950

The House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session, was called to order at 11:25 o'clock a. m.

The Speaker presided.

Reverend John K. Kialoa offered a prayer.

Roll Call of the members of the House of Representatives showed the following were present:

Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Seong, Tagawa, Yamauchi and Mr. Speaker. Total, 25.

Absent: Ichinose, Itagaki and Kawakami. Total, 3.

Excused: Trask. Total, 1.

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

On motion by Mr. Marcallino, seconded by Mr. Seong and unanimously carried, reading of the Journal was dispensed with the Journal of the Tenth Day was approved.

The House of Representatives proceeded to the order of Messages from the Governor.

None was presented.

The House proceeded to the order of reports and communications from the heads of departments.

None was presented.

The House proceeded to the order of bills, joint resolutions and other matters from the Senate.

The Clerk read a communication from the Senate (Sen. Com. No. 18), returning House Concurrent Resolution No. 5, requesting the Governor of Hawaii to invite the President of the United States to address a joint session of the Legislature, as follows:

(Sen. Com. No. 18)

By unanimous consent, Senate Communication No. 18 was placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 19), returning House Concurrent Resolution No. 6, requesting the National Park Service to study the feasibility of constructing a road through the crater of Haleakala in the Hawaii National Park, as follows:

(Sen. Com. No. 19)

By unanimous consent, Senate Communication No. 19 was placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 20), transmitting Senate Concurrent Resolution No. 8, extending the felicitation and aloha of the Twenty-Fifth Legislature of the Territory of Hawaii to the Chamber of Commerce of Honolulu, as follows:

(Sen. Com. No. 20)

Senate Concurrent Resolution No. 8 was thereupon read by the Clerk, as follows:

(S. C. R. No. 8)

On motion by Mr. Marcallino, seconded by Mr. Pule and unanimously carried, Senate Concurrent Resolution No. 8 was adopted.

Senate Communication No. 20 was thereupon placed on file.

The House of Representatives proceeded to the Order of the Day.

Second Reading of Senate Bill No. 2, entitled "An Act relating to statehood: amending the law relating to Hawaii Statehood Commission; and making an appropriation to said commission for the advancement of the cause of statehood."

On motion by Mr. Sakakihara, seconded by Mr. Pule and unanimously carried, Senate Bill No. 2 passed Second Reading and was referred to the Committee of the Whole House.

Second Reading of Senate Bill No. 5, entitled "An Act relating to major disasters and making an appropriation therefor."

On motion by Mr. Marcallino, seconded by Mr. Sakakihara and unanimously carried, Senate Bill No. 5 passed Second Reading and was referred to the Committee of the Whole House.

The House of Representatives proceeded to the order of Petitions, Memorials and Communications.

None was presented.

The House of Representatives proceeded to the order of reports of Standing Committees.

None was presented.

The House of Representatives proceeded to the order of reports of Select Committees.

None was presented.

The House of Representatives proceeded to the order of resolutions and introduction of bills.

None was presented.

On motion by Mr. Marcallino, seconded by Mr. Sakakihara and unanimously carried, Senate Concurrent Resolution No. 6, requesting the Congress of the United States to grant statehood to Hawaii, was taken from the table.

Mr. Marcallino offered an amendment, which was read by the Clerk, as follows:

(Marcallino's amendment)

On motion by Mr. Marcallino, seconded by Mr. Lydgate and unanimously carried, the amendment was adopted.

On motion by Mr. Marcallino, seconded by Mr. Ezell and unanimously carried, Senate Concurrent Resolution No. 6, as amended, was adopted.

The House of Representatives returned to the order of petitions, memorials and communications.

The Clerk read a communication from the Commanding Officer of the United States Coast Guard, 14th Coast Guard District, acknowledging receipt of House Resolution No. 10, as follows:

(Misc. Com. No. 12)

By unanimous consent, the communication was placed on file.

Mr. Nielsen offered a Resolution (H. R. No. 25), requesting the Hawaii Aeronautics Commission to prepare plans for construction of an airport in the District of Kau, Hawaii.

The Resolution was read by the Clerk, as follows:

(H. R. No. 25)

On motion by Mr. Nielsen, seconded by Mrs. Richardson and unanimously carried, House Resolution No. 25 was adopted.

Mr. Kauhane, Mr. Noda and Mr. Kido jointly offered a Concurrent Resolution (H. C. R. No. 10), requesting the director of Selective Service for the Territory of Hawaii to defer drafting of small farmers.

The Concurrent Resolution was read by the Clerk, as follows:

(H. C. R. No. 10)

On motion by Mr. Porteus, seconded by Mr. Marcallino and unanimously carried, House Concurrent Resolution No. 10 was referred to the Committee of the Whole House.

Mr. Olds, Mr. Seong, Mr. Paschoal, Mr. Tagawa, Mr. Ezell, Mr. Nielsen, Mrs. Hayes, Mr. Marcallino, Mr. King, Mr. Miyake, Mr. Kauhane, Mr. Lydgate, Mr. Garcia, Mr. McGuire, Mr. Apaka, Mr. Kido, Mr. Fong, Mr. Sakakihara, Mr. Arashiro, Mr. Pule, Mrs. Richardson, Mr. Hind, Mr. Porteus, Mr. Yamauchi and Mr. Noda jointly offered a Resolution (H. R. No. 26), expressing the sincere regret of the House of Representatives at the passing of David Kaukaohu Trask and extending to his family their deepest sympathy.

The Resolution was read by the Clerk, as follows:

(H. R. No. 26)

Mr. Marcallino moved that the resolution be adopted on a rising vote and that when the House adjourns it do so in respect to the memory of the late David Kaukaohu Trask. The motion was seconded by Mr. Olds and carried unanimously.

At 11:46 o'clock a. m., on motion by Mr. Marcallino, seconded by Mr. Olds and unanimously carried, the House resolved itself into a Committee of the Whole House for the consideration of House Bills Nos. 6 and 7 and Senate Bill No. 3, with Mr. Marcallino as Chairman.

AFTERNOON SESSION

Upon reconvening at 4:20 o'clock p. m., Mr. Marcallino, for the Committee of the Whole House, reported progress and recommended that Senate Bill No. 3 pass Third Reading, with certain amendments; and that House Billd Nos. 6 and 7 be placed on file.

The amendments were read by the Clerk, as follows:

(Amendments)

On motion by Mr. Marcallino, seconded by Mr. Kido and unanimously carried the report of the Committee was adopted.

On motion by Mr. Marcallino, seconded by Mr. Apaka, Senate Bill No. 3, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Apaka, Arashiro, Garcia, Hayes, Hind, Kauhane, Kido, King, Lydgate, Marcallino, Miyake, Nielsen, Noda, Paschoal, Porteus, Pule, Richardson, Sakakihara and Mr. Speaker. Total, 19.

Noes: Ezell, McGuire, Olds and Yamauchi. Total, 4.

Absent: Ichinose, Itagaki, Kawakami, Seong and Tagawa. Total, 5.

Excused: Trask.

House Bills Nos. 6 and 7 were thereupon placed on file.

The House of Representatives returned to the order of reports and communications from the heads of departments.

The Clerk read a communication from the Governor of Hawaii (Dept. Com. No. 14), acknowledging receipt of House Concurrent Resolution No. 5, as follows:

(Dept. Com. No. 14)

By unanimous consent, the communication was placed on file.

The House of Representatives returned to the order of bills, joint resolutions and other matters from the Senate.

The Clerk read a communication from the Senate (Sen. Com. No. 21), informing the House that the Senate had agreed to the amendments proposed by the House to Senate Concurrent Resolution No. 6, requesting the Congress of the United States to grant statehood to the Territory of Hawaii, by passage of House Resolution 49 now pending before the said Congress, as follows:

(Sen. Com. No. 21)

By unanimous consent, Senate Communication No. 21 was placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 22), returning House Concurrent Resolution No. 8, requesting the board of supervisors of the County of Hawaii to order an estimate of the cost of a road widening project at Kailua, Hawaii, as follows:

(Sen. Com. No. 22)

By unanimous consent, Senate Communication No. 22 was placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 23), returning House Concurrent Resolution No. 7, requesting the Secretary of the Interior and the Director of the National Park Service to take such steps asmay be necessary to keep the present North entrance to the Hawaii National Park, Island of Hawaii, open for the use and convenience of the public,

as follows:

(Sen. Com. No. 23)

By unanimous consent, the communication was placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 24), transmitting Senate Bill No. 11, entitled "An Act to repeal Act 51 of the Session Laws of Hawaii 1949 and to revive and re-enact Sections 270, 273, 275 and 276 of the Revised Laws of Hawaii 1945," as follows:

(Sen. Com. No. 24)

Mr. Apaka moved that Senate Bill No. 11 pass First Reading by title and be placed on the Order of the Day for Second Reading tomorrow, October 13, 1950. The motion was seconded by Mr. Sakakihara.

Mr. Paschoal moved that Senate Bill No. 11 be tabled. The motion was seconded by Mr. McGuire.

Mr. McGuire moved that action on Senate Bill No. 11 be deferred until tomorrow, October 13, 1950. The motion was seconded by Mr. Noda.

Mrs. Richardson moved that the motion to defer action on Senate Bill No. 11 until tomorrow, October 13, 1950, be tabled. The motion was seconded by Mr. Kauhane.

Roll call having been demanded by a sufficient number of the members present, the motion to table the motion to defer Senate Bill No. 11 until tomorrow, October 13, 1950, was put by the Chair and lost on the following showing of Ayes and Noes:

Ayes: Apaka, Ezell, Kauhane, Noda, Olds, Pule, Richardson, Sakakihara, Yamauchi and Mr. Speaker. Total, 10.

Noes: Arashiro, Garcia, Hayes, Hind, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Paschoal and Porteus. Total, 13.

Absent: Ichinose, Itagaki, Kawakami, Seong and Tagawa. Total, 5.

Excused: Trask.

Senate Bill No. 11 was thereupon deferred until tomorrow.

The House of Representatives returned to the order of resolutions and introduction of bills.

Mr. Kauhane, Mr. Noda, Mr. Kido and Mr. Fong jointly offered a Resolution (H. R. No. 27), directing the board of supervisors of the City and County of Honolulu to provide adequate facilities for fire protection of the citizens of Waianae, Nanakuli and Hauula.

The Resolution was read by the Clerk, as follows:

(H. R. No. 27)

On motion by Mr. Kido, seconded by Mr. Kauhane and unanimously carried, House Resolution No. 27 was adopted.

At 4:35 o'clock p. m., on motion by Mr. Apaka, seconded by Mr. Sakakihara and unanimously carried, the House of Representatives adjourned to 10:30 o'clock a. m., of Friday, the 13th day of October, 1950.

Respectfully submitted,

Jas. S. Ahchong

Clerk, House of Representatives.

APPROVED:

Thos. L. Fong

Speaker, House of Representatives.

1950 SPEC HOUSE

THE TWENTY-FIFTH LEGISLATURE
TERRITORY OF HAWAII

SECOND SPECIAL SESSION

# HOUSE OF REPRESENTATIVES

# JOURNAL

OF THE

# House of Representatives

TWELFTH Day October 13, 1950

Approved:
Honolulu, T. H., October 13th 1950

Jno. S. Cahang
Clerk, House of Representatives

THE

TWENTY-FIFTH LEGISLATURE

OF THE

TERRITORY OF HAWAII

SECOND SPECIAL SESSION

*****

JOURNAL OF THE HOUSE

TWELFTH DAY

Friday, October 13, 1950.

The House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session, was called to order at 10:55 o'clock a. m.

The Speaker presided.

Reverend John K. Kialoa offered a prayer.

Roll Call of the members of the House of Representatives showed the following were present:

Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Trask, Yamauchi and Mr. Speaker. Total, 26.

Absent: Kawakami.

Excused: Seong and Tagawa. Total, 2

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

On motion by Mr. Marcallino, seconded by Mrs. Richardson and unanimously carried, reading of the Journal was dispensed with and the Journal of the Eleventh Day was approved.

The House of Representatives proceeded to the order of Messages from the Governor.

None was presented.

The House of Representatives proceeded to the order of Reports and Communications from the heads of departments.

The Clerk read a communication from the Secretary of Hawaii (Dept. Com. No. 15), informing the House of Representatives that the Governor has signed, as Joint Resolution 1, House Joint Resolution No. 1, entitled "Joint Resolution providing for the submission to the people of the Territory of Hawaii of the constitution framed by the Convention held pursuant to Act 334 of the Session Laws of Hawaii 1949 and in the event of failure of ratification, the framing and submission of a new constitution, and making appropriations therefor," as follows:

(Dept. Com. No. 15)

By unanimous consent, Departmental Communication No. 15 was placed on file.

The House of Representatives proceeded to the order of Bills, Joint Resolutions and other matters from the Senate.

None was presented.

The House of Representatives proceeded to the Order of the Day.

None was presented.

Consideration of Senate Bill No. 11, entitled "An Act to

repeal Act 51 of the Session Laws of Hawaii 1949 and to revive and re-enact Sections 270, 273, 275 and 276 of the Revised Laws of Hawaii 1945," on First Reading, said Bill having been deferred to this time.

Mr. Sakakihara moved that Senate Bill No. 11 pass First Reading by title and be referred to the Committee of the Whole House. The motion was seconded by Mr. Pule.

Mr. Paschoal moved that Senate Bill No. 11 be tabled. The motion was seconded by Mr. McGuire.

On motion by Mr. Porteus, seconded by Mr. Olds and unanimously carried, action on Senate Bill No. 11 was deferred until tomorrow, October 14, 1950.

The House of Representatives proceeded to the order of Petitions, Memorials and Communications.

The Clerk read a communication from the Board of Supervisors, City and County of Honolulu (Misc. Com. No. 13), acknowledging receipt of House Resolution No. 13, as follows:

(Misc. Com. No. 13)

By unanimous consent, Miscellaneous Communication No. 13 was placed on file.

The Clerk read a communication from Mrs. Lucy Blaisdell (Misc. Com. No. 14), acknowledging receipt of House Resolution No. 6, as follows:

(Misc. Com. No. 14)

By unanimous consent, Miscellaneous Communication No. 14 was placed on file.

The House of Representatives proceeded to the order of reports of Standing Committees.

None was presented.

The House of Representatives proceeded to the order of reports of Select Committees.

None was presented.

The House of Representatives proceeded to the order of resolutions and introduction of bills.

Mr. Nielsen offered a resolution (H. R. No. 28), directing the Commissioner of Public Lands to supply certain information to the House of Representatives.

The Resolution was read by the Clerk, as follows:

(H. R No. 28)

On motion by Mr. Kauhane, seconded by Mr. Porteus and unanimously carried, House Resolution No. 28 was referred to the Committee of the Whole House.

On motion by Mr. Marcallino, seconded by Mr. Nielsen and unanimously carried, Senate Concurrent Resolution No. 2, requesting the boards of supervisors of the several counties to authorize construction of concrete and/or hollow tile school buildings, was taken from the table.

On motion by Mr. Marcallino, seconded by Mr. Nielsen and unanimously carried, Senate Concurrent Resolution No. 2 was tabled.

On motion by Mr. Marcallino, seconded by Mr. Sakakihara and unanimously carried, Senate Concurrent Resolution No. 4, requesting the Attorney General of the Territory to prepare in consultation with the Hawaii Statehood Commission, such amendments to

said H. R. 49 as may be required in the event that the proposed constitution for the state of Hawaii is ratified by the people at said General Election, was taken from the table.

Mr. Porteus offered an amendment to Senate Concurrent Resolution No. 4, by deleting the words "with or" in the fourth line of the first "WHEREAS" of said Concurrent Resolution.

On motion by Mr. Marcallino, seconded by Mr. Sakakihara and unanimously carried, the amendment was agreed to.

On motion by Mr. Marcallino, seconded by Mr. Pule and unanimously carried, Senate Concurrent Resolution No. 4, as amended, was adopted.

On motion by Mr. Nielsen, seconded by Mr. Olds and unanimously carried, Senate Concurrent Resolution No. 7, requesting the public utilities commission of the Territory of Hawaii to defer until the convening of the Twenty-Sixth Legislature, consideration of, and action on, any application by the Hilo Electric Light Company, Limited, to incorporate any part of the surcharge now being charged and collected by said utility into its permanent rate structure, was taken from the table.

On motion by Mr. Nielsen, seconded by Mr. Olds and unanimously carried, Senate Concurrent Resolution No. 7 was tabled.

The House of Representatives returned to the order of Resolutions and Introduction of Bills.

Mr. Kauhane, Mr. Noda, Mr. Kido, Mr. Trask, Mr. Itagaki and Mr. Fong jointly offered a Resolution (H. R. No. 29), directing the Board of Supervisors of the City and County of Honolulu to establish an ambulance station to serve the people of Waianae and Nanakuli districts.

The Resolution was read by the Clerk, as follows:

(H. R. No. 29)

On motion by Mr. Kauhane, seconded by Mr. Noda and unanimously carried, House Resolution No. 29 was adopted.

At 11:10 o'clock a. m., on motion by Mr. Marcallino, seconded by Mr. Itagaki and unanimously carried, the House of Representatives resolved itself into a Committee of the Whole House for the consideration of House Bills Nos. 2, 5, 8, 9 and 10, Senate Bills Nos. 2, 5 and 7 and other miscellaneous matters, with Mr. Itagaki as Chairman.

AFTERNOON SESSION

Upon reconvening at 3:25 o'clock p. m., Mr. Itagaki, Chairman of the Committee of the Whole House, reported that the Committee recommends the following:

> The passage on Third Reading of Senate Bill No. 7, entitled "An Act to amend Act 38 of the Regular Session Laws of Hawaii 1949, providing for the construction of a drainage canal, and for the acquisition of land and rights of way for flood control purposes in the County of Kauai," with certain amendments.

On motion by Mr. Itagaki, seconded by Mr. Apaka, Senate Bill No. 7, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Trask, Yamauchi and Mr. Speaker. Total, 26.

Noes: None.

Absent: Kawakami.

Excused: Seong and Tagawa. Total, 2.

The passage on Third Reading of Senate Bill No. 2, entitled: "An Act relating to statehood: amending the law relating to the Hawaii Statehood Commission; and making an appropriation to said commission for the advancement of the cause of statehood."

On motion by Mr. Itagaki, seconded by Mr. Marcallino, the report of the Committee was adopted, and Senate Bill No. 2 passed Third Reading on the following showing of Ayes and Noes:

Ayes: Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Olds, Paschoal, Porteus, Pule, Richardson, Sakakihara, Trask, Yamauchi and Mr. Speaker. Total, 26.

Noes: None

Absent: Kawakami.

Excus ed: Seong and Tagawa. Total, 2.

The passage on Third Reading of Senate Bill No. 5, entitled: "An Act relating to major disasters and making an appropriation therefor," with an amendment.

On motion by Mr. Itagaki, seconded by Mr. King, the report of the Committee was adopted and Senate Bill No. 5, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Apaka, Arashiro, Ezell, Garcia, Hayes, Hind, Ichinose, Itagaki, Kauhane, Kido, King, Lydgate, Marcallino, McGuire, Miyake, Nielsen, Noda, Paschoal, Porteus, Pule, Richardson, Sakakihara, Trask, Yamauchi and Mr. Speaker. Total, 25.

Noes: Olds.

Absent: Kawakami.

Excused: Seong and Tagawa. Total, 2.

That House Bill No. 8, entitled "An Act relating

to fishing and amending Section 1223, Revised Laws of Hawaii 1945," be referred to the Holdover Committee of 1949.

On motion by Mr. Itagaki, seconded by Mr. Marcallino and unanimously carried, the report of the Committee was adopted and House Bill No. 8 was thereupon referred to the Holdover Committee of 1949.

At this point Mary Ellen and Marvin Allen, twin children of the Speaker were escorted to the Speaker's dais by Mr. Ichinose and Mr. Porteus and the Speaker was flanked by his twins.

Mr. Itagaki resumed his report, as follows:

That House Bill No. 2, entitled "An Act making an appropriation for flood control at Waimea, County of Kauai," House Bill No. 9, entitled "An Act to amend Act 38 of the Regular Session Laws of Hawaii 1949, providing for the construction of a drainage canal and the clearing and improvement of Waimea River, Waimea, County of Kauai," House Bill No. 5, entitled "An Act relating to the control of flood waters in Iao Valley, Maui, and making an appropriation," House Bill No. 10, entitled "An Act to amend Act 61 of the Session Laws of Hawaii 1949, extending the term of existence of the Holdover Committee of 1949," House Concurrent Resolution No. 9, inviting Colonel Cobb to address a joint session of the Legislature on the subject of safeguarding the people of the Territory in the event of atomic warfare; Miscellaneous Communication No. 9 from the Kauai Chamber of Commerce and Miscellaneous Communication No. 11 from the Board of Supervisors of the

County of Kauai and House Resolution No. 28, directing the Commissioner of Public Lands to supply certain information to the House of Representatives, be placed on file.

On motion by Mr. Itagaki, seconded by Mr. Apaka and unanimously carried, the report of the Committee was adopted and House Bills Nos. 2, 9, 5 and 10, House Concurrent Resolution No. 9 and Miscellaneous Communications Nos. 9 and 11 and House Resolution No. 28 were thereupon placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 25), informing the House of Representatives that the Senate has agreed to the amendments proposed by the House to Senate Concurrent Resolution No. 4, requesting the Attorney General of the Territory to prepare, in consultation with the Hawaii Statehood Commission, such amendments to said H. R. 49 as may be required in the event that the proposed Constitution for the State of Hawaii is ratified by the people at said General Election, as follows:

(Sen. Com. No. 25)

By unanimous consent, Senate Communication No. 25 was placed on file.

The Clerk read a communication from the Senate, transmitting Senate Concurrent Resolution No. 9, requesting the Congress of the United States of America to pass legislation to extend the federal reclamation program to cover the Territory of Hawaii and its reclamation and irrigation needs, as follows:

(Sen. Com. No. 26)

Senate Concurrent Resolution No. 9 was thereupon read by the Clerk, as follows:

(S. C. R. No. 9)

On motion by Mr. Ezell, seconded by Mr. Marcallino and unanimously carried, Senate Concurrent Resolution No. 9 was adopted.

By unanimous consent, Senate Communication No. 26 was placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 27), transmitting Senate Bill No. 15, entitled "An Act appropriating Twenty-Seven Thousand Dollars ($27,000.00) to the office of the Territorial Surveyor, as follows:

(Sen. Com. No. 27)

On motion by Mr. Marcallino, seconded by Mr. Apaka and unanimously carried, Senate Bill No. 15 was placed on file.

By unanimous consent, Senate Communication No. 27 was placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 28), informing the House of Representatives that the Senate has agreed to the amendments proposed by the House to Senate Bill No. 3, entitled "An Act making appropriations for public improvements," as follows:

(Sen. Com. No. 28)

By unanimous consent, Senate Communication No. 28 was placed on file.

The House of Representatives returned to the order of Resolutions and Introduction of Bills.

Mr. Miyake and Mr. Marcallino jointly offered a Resolution (H. R. No. 30), requesting the superintendent of public works to investigate the feasibility of constructing a highway serving the northwestern area of the island of Kauai.

The Resolution was read by the Clerk, as follows:

(H. R. No. 30)

On motion by Mr. Miyake, seconded by Mrs. Hayes and unanimously carried, House Resolution No. 30 was adopted.

Mr. Miyake and Mr. Marcallino jointly offered a Resolution (H. R. No. 31), requesting the Commanding General of the United States Army Pacific Area to use his good offices to restore Barking Sands, Kauai, to Territorial control or to make that area available to the public.

The Resolution was read by the Clerk, as follows:

(H. R. No. 31)

On motion by Mr. Miyake, seconded by Mr. Marcallino and unanimously carried, House Resolution No. 31 was adopted.

Mrs. Hayes, Mr. Olds, Mr. King, Mr. Ichinose, Mr. Porteus and Mr. McGuire jointly offered a Resolution (H. R. No. 32), requesting the Hawaiian Homes Commission and the Board of Public Parks and Recreation of the City and County of Honolulu to maintain a kindergarten at Wilson Park, Papakolea Homesteads, Honolulu.

The Resolution was read by the Clerk, as follows:

(H. R. No. 32)

On motion by Mrs. Hayes, seconded by Mr. Olds and unanimously carried, House Resolution No. 32 was adopted.

Mr. Porteus, Mr. Itagaki, Mr. Trask, Mr. Ezell, Mr. McGuire, Mr. Lydgate, Mr. King, Mr. Olds, Mr. Pule, Mr. Garcia, Mr. Fong, Mr. Noda, Mr. Marcallino, Mr. Kauhane, Mr. Miyake, Mr. Sakakihara, Mr. Yamauchi, Mr. Apaka, Mr. Paschoal, Mrs. Richardson, Mr. Hind, Mrs. Hayes, Mr. Ichinose, Mr. Nielsen and Mr. Kido jointly offered a Resolution (H. R. No. 33), expressing its approval

of Aloha Week and urging territory-wide support of Aloha Week 1950.

The Resolution was read by the Clerk, as follows:

(H. R. No. 33)

On motion by Mr. Porteus, seconded by Mr. King and unanimously carried, House Resolution No. 33 was adopted.

Mr. Sakakihara offered a Resolution (H. R. No. 34), providing for employment of officers and employees after adjournment of the House of Representatives sine die.

The Resolution was read by the Clerk, as follows:

(H. R. No. 34)

On motion by Mr. Lydgate, seconded by Mr. Garcia and unanimously carried, Resolution No. 34 was adopted.

Mr. Sakakihara offered a Resolution (H. R. No. 35), expressing appreciation to the newspaper reporters for their reporting of the activities of the House of Representatives.

The Resolution was read by the Clerk, as follows:

(H. R. No. 35)

Mr. Sakakihara offered the following amendment:

"Amend House Resolution No. 35 by adding the names of Robert Gibson of the United Press and Harry Shiramizu of the Hawaii Times in the fourth paragraph of the Resolution."

By unanimous consent, the amendment was agreed to.

On motion by Mr. Sakakihara, seconded by Mr. Yamauchi and unanimously carried, House Resolution No. 35, as amended, was adopted.

Mr. Sakakihara offered a Resolution (H. R. No. 36), thanking the Hawaiian Pineapple Company, Limited, for supplying fresh

pineapple juice to the House of Representatives.

The Resolution was read by the Clerk, as follows:

(H. R. No. 36)

On motion by Mr. Sakakihara, seconded by Mr. Garcia and unanimously carried, House Resolution No. 36 was adopted.

Mr. Sakakihara offered a Resolution (H. R. No. 37), to pay Douglas Fukumori and John Muraoka the sum of $150.00 each for services as clerks of the Printing Committee during the Second Special Session.

The Resolution was read by the Clerk, as follows:

(H. R. No. 37)

On motion by Mr. Sakakihara, seconded by Mr. Lydgate and unanimously carried, House Resolution No. 37 was adopted.

On motion by Mr. Kauhane, seconded by Mr. Nielsen and unanimously carried, the House of Representatives reconsidered its action in referring House Concurrent Resolution No. 10, requesting the director of Selective Service for the Territory of Hawaii to defer drafting of small farmers, to the Committee of the Whole House.

On motion by Mr. Nielsen, seconded by Mr. Kauhane and unanimously carried, House Concurrent Resolution No. 10 was adopted.

At 3:40 o'clock p. m., by unanimous consent, the House of Representatives stood in recess subject to the call of the Chair.

Upon reconvening at 4:45 o'clock p. m., the House of Representatives returned to the order of Bills, Joint Resolutions and other matters from the Senate.

The Clerk read a communication from the Senate (Sen. Com. No. 29), informing the House of Representatives that the Senate has agreed to the amendment proposed by the House to Senate Bill No. 5, entitled "An Act relating to major disasters and making an appropriation therefor," as follows:

(Sen. Com. No. 29)

By unanimous consent, Senate Communication No. 29 was placed on file.

The Clerk read a communication from the Senate (Sen. Com. No. 30), informing the House of Representatives that the Senate has agreed to the amendments proposed by the House to Senate Bill No. 7, entitled "An Act to amend Act 38 of the Regular Session Laws of Hawaii 1949, providing for the construction of a drainage canal, and for the acquisition of land and rights of way for flood control purposes in the County of Kauai," as follows:

(Sen. Com. No. 30)

By unanimous consent, Senate Communication No. 30 was placed on file.

The House of Representatives returned to the order of Resolutions and Introduction of Bills.

Mr. Sakakihara offered a Resolution (H. R. No. 38), authorizing the Speaker of the House of Representatives to approve the Journal of the House for the Twelfth Day of the Second Special Session.

The Resolution was read by the Clerk, as follows:

(H. R. No. 38)

On motion by Mr. Marcallino, seconded by Mr. Apaka and unanimously carried, House Resolution No. 38 was adopted.

Mr. Sakakihara offered a Resolution (H. R. No. 39), to appoint a Committee to advise the Senate and the Governor that the House of Representatives is ready to adjourn sine die.

The Resolution was read by the Clerk, as follows:

(H. R. No. 39)

On motion by Mr. Porteus, seconded by Mr. Kauhane and unanimously carried, House Resolution No. 39 was adopted.

The Speaker thereupon appointed Mrs. Hayes, Mrs. Richardson and Mr. Kauhane.

At 4:47 o'clock p. m., the House of Representatives stood in recess subject to the call of the Chair.

At 5:10 o'clock p. m., the House of Representatives having reconvened, the Governor, accompanied by the Committee of the House of Representatives and Senate appeared, stating that he had no further message for the Legislature and congratulated the members of the House for their splendid work.

The Clerk read a communication from the Senate (Sen. Com. No. 31), informing the House of Representatives that the Senate was ready to adjourn sine die, as follows:

(Sen. Com. No. 31)

By unanimous consent, Senate Communication No. 31 was placed on file.

Mr. Sakakihara, Mr. Apaka, Mr. Ezell, Mr. Yamauchi, Mrs. Richardson, Mr. Pule, Mr. Kauhane and Mr. Noda jointly offered a Resolution (H. R. No. 40), requesting the Legislative Reference Bureau to make a survey of the results of the Primary Election.

The Resolution was read by the Clerk, as follows:

(H. R. No. 40)

On motion by Mr. Porteus, seconded by Mr. Itagaki and carried, House Resolution No. 40 was tabled.

At 5:22 o'clock p. m., after a closing prayer by Representative Apaka, on motion by Mr. Porteus, duly seconded and unanimously carried, the House of Representatives adjourned sine die.

After adjournment sine die, the members joined in singing "Hawaii Ponoi", "My Country 'Tis of Thee" and "Aloha Oe".

Respectfully submitted,

Jas. S. Achong

Clerk, House of Representatives.

APPROVED:

Hiram L. Fong

Speaker, House of Representatives.

1950

# SECOND SPECIAL SESSION

## HOUSE OF REPRESENTATIVES

# HOUSE
# BILLS

House Bill No. 1

1950 SPEC HOUSE

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO APPROPRIATE MONEY FOR THE EXPENSES OF THE LEGISLATURE OF THE TERRITORY OF HAWAII.

Introduced September 29, , 1950, by Representatives Fong, Sakakihara, Ezell, Miyake, Yamauchi, Garcia and Arashiro

First Reading in House September 29, 1950
Referred to Printing Committee
Second Reading in House September 30, 1950
Referred to
Third Reading in House October 2, 1950

First Reading in Senate
Referred to
Second Reading in Senate
Referred to
Third Reading in Senate

Clerk, House of Representatives.

HB 1

AN ACT

TO APPROPRIATE MONEY FOR THE EXPENSES OF THE LEGISLATURE OF THE TERRITORY OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the public treasury the sum of Fifty Thousand Dollars ($50,000.00), or so much thereof as may be necessary, for the purpose of defraying the expenses of the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii for the Second Special Session.

SECTION 2. There is hereby appropriated from the public treasury the sum of Twenty-five Thousand Dollars ($25,000,00), or so much thereof as may be necessary, for the purpose of defraying the expenses of the Senate of the Twenty-fifth Legislature of the Territory of Hawaii for the Second Special Session.

SECTION 3. The expenses of any member of the Legislature while traveling abroad on official business of the Legislature shall not be limited by the provisions of section 455 of the Revised Laws of Hawaii 1945, as amended by Act 322 of the Session Laws of Hawaii 1949, or by the provisions of any other general statute. The expenses of such member shall be such as may be allowed by the Senate or by the House of Representatives respectively as to members of said Senate or of said House of Representatives.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

Mrs Sa Kavanaugh — Brian L. Tong

J. H. Ezell, _____ District

Joseph Lamarick

Joseph R. Garcia Jr.

Matsuki Arashiro

Honolulu T. H.
Sept 29, 1950

H. B. No. 1

A N  A C T

TO APPROPRIATE MONEY FOR THE EXPENSES OF THE LEGISLATURE OF THE TERRITORY OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the public treasury the sum of Fifty Thousand Dollars ($50,000.00), or so much thereof as may be necessary, for the purpose of defraying the expenses of the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii for the Second Special Session.

SECTION 2. There is hereby appropriated from the public treasury the sum of Twenty-five Thousand Dollars ($25,000.00), or so much thereof as may be necessary, for the purpose of defraying the expenses of the Senate of the Twenty-fifth Legislature of the Territory of Hawaii for the Second Special Session.

SECTION 3. The expenses of any member of the

Legislature while traveling abroad on official business of the Legislature shall not be limited by the provisions of section 455 of the Revised Laws of Hawaii 1945, as amended by Act 322 of the Session Laws of Hawaii 1949, or by the provisions of any other general statute. The expenses of such member shall be such as may be allowed by the Senate or by the House of Representatives respectively as to members of said Senate or of said House of Representatives.

SECTION 4. This Act shall take effect upon its approval.

Honolulu, T. H., October 2, 1950

We hereby certify that the foregoing Bill this day passed third reading in the House of Representatives of the Second Special Session.

William L. Tong
Speaker, House of Representatives

Jas. K. Carlos
Clerk, House of Representatives

H. B. No. 1
S. D. 1

A N  A C T

TO APPROPRIATE MONEY FOR THE EXPENSES OF THE LEGISLATURE OF THE TERRITORY OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the public treasury the sum of fifty thousand dollars ($50,000.00), or so much thereof as may be necessary, for the purpose of defraying the expenses of the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii for the Second Special Session.

SECTION 2. There is hereby appropriated from the public treasury the sum of thirty-five thousand dollars ($35,000.00), or so much thereof as may be necessary, for the purpose of defraying the expenses of the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii for the Second Special Session.

SECTION 3. The expenses of any member of the legislature while traveling abroad on official business of the legislature shall not be limited by the provisions of section 455 of the Revised Laws of Hawaii 1945, as amended by Act 322 of the Session Laws of Hawaii 1949, or by the provisions of any other general statute. The expenses of such member shall be such as may be allowed by the Senate or by the House of Representatives respectively as to members of said Senate or of said House of Representatives.

SECTION 4. This Act shall take effect upon its approval.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 4, 1950.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Wilfred C. Tsukiyama
President of the Senate

Ethel C. Chillingworth
Clerk of the Senate.

House Bill No. 2

# 1950 SPEC HOUSE

## The Legislature
of the
## Territory of Hawaii

### AN ACT

MAKING AN APPROPRIATION FOR FLOOD CONTROL AT WAIMEA, COUNTY OF KAUAI.

Introduced September 29, 1950, by
Representative s Miyake, Marcallino and Arashiro

First Reading in House Sept. 29, 1950
Referred to Printing Committee
Second Reading in House Oct. 4, 1950
Referred to Com. Whole House
~~Third Reading in House~~ 10/13/50 — Filed

First Reading in Senate
Referred to
Second Reading in Senate
Referred to
Third Reading in Senate

Clerk, House of Representatives.

Filed

V

H. B. NO. ____

AN ACT

MAKING AN APPROPRIATION FOR FLOOD CONTROL AT WAIMEA, COUNTY OF KAUAI

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the general revenues of the Territory of Hawaii the sum of $ 300,000.00, or so much thereof as may be necessary for flood contrd, at Waimea, County of Kauai.

SECTION 2. The moneys appropriated by this Act shall be in addition to any other moneys appropriated for the same purpose by Act 401 of the Session Laws of Hawaii 1949 or by any other law or laws and may be expended in connection with such other funds.

SECTION 3. The moneys appropriated by this Act shall be disbursed in the same manner as the moneys appropriated for Waimea Flood Control in Act 401 of the Session Laws of Hawaii 1949.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

Representative, Sixth District

A. J. Marcallino

Matsuki Arashiro

House Bill No. 3

1950 SPEC HOUSE

# The Legislature
of the
# Territory of Hawaii

## AN ACT

MAKING AN APPROPRIATION TO THE DEPARTMENT OF PUBLIC WELFARE.

Introduced SEPTEMBER 29, 19 50, by Representatives Trask, Kido and Ichinose.

First Reading in House Sept. 29, 1950
Referred to Printing Committee
Second Reading in House
Referred to
~~Third Reading in~~ House Filed

First Reading in Senate
Referred to
Second Reading in Senate
Referred to
Third Reading in Senate

Clerk, House of Representatives.

3

AN ACT

MAKING AN APPROPRIATION TO THE DEPARTMENT OF PUBLIC WELFARE.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated to the department of public welfare of the Territory of Hawaii the sum of $3,380,981, or so much thereof as may be necessary, out of the general revenues of the Territory of Hawaii, to be expended in the amounts and for the purposes as follows:

a. for the General Assistance program..... $1,706,072.00
b. for the Old Age Assistance program..... 178,704.00
c. for the Aid to Dependent Children program 1,258,695.00
d. for the Aid to the Blind program..... 6,549.00
e. for the Child Welfare Service program.... 230,961.00

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

James K. Trask
Mitsuyuki Kido
James Kealoha

Honolulu, T. H.
Sept 29, 1950

House Bill No. 4

1950 SPEC HOUSE

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND ACT 27 OF THE SESSION LAWS OF 1949, RELATING TO HARBOR IMPROVEMENTS AT LAHAINA, MAUI.

Introduced September 29, 1950, by
Representatives Paschoal, Lydgate, Seong, Tagawa, Apaka and Ezell

First Reading in House September 29, 1950
Referred to Printing Committee
Second Reading in House September 30, 1950
Referred to
Third Reading in House October 2, 1950

First Reading in Senate October 2, 1950
Referred to
Second Reading in Senate October 3, 1950
Referred to
Third Reading in Senate October 4, 1950

Clerk, House of Representatives.

H.B. 4

AN ACT

TO AMEND ACT 27 OF THE SESSION LAWS OF 1949, RELATING TO HARBOR IMPROVEMENTS AT LAHAINA, MAUI

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Act 27 of the Session Laws of Hawaii 1949, is hereby amended in the following respects:

(a) By amending Section 1 thereof to read as follows:

"Section 1. There is hereby appropriated from the general funds of the Territory not otherwise appropriated the sum of $75,000, or so much thereof as may be required, for the construction of a breakwater, for dredging and for other harbor improvements at Lahaina, Maui."

(b) By deleting Section 3 thereof.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

M. C. Paschoal

[illegible], 3 DISTRICT

E. P. Hydgate

Clarence K. Stong

Thomas T. Tagawa

Alfred A. Apaka

Allan H. Ezell

A N  A C T

TO AMEND ACT 27 OF THE SESSION LAWS OF 1949, RELATING TO HARBOR IMPROVEMENTS AT LAHAINA, MAUI

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Act 27 of the Session Laws of Hawaii 1949, is hereby amended in the following respects:

(a) By amending Section 1 thereof to read as follows:

"Section 1. There is hereby appropriated from the general funds of the Territory not otherwise appropriated the sum of $75,000, or so much thereof as may be required, for the construction of a breakwater, for dredging and for other harbor improvements at Lahaina, Maui."

(b) By deleting Section 3 thereof.

SECTION 2. This Act shall take effect upon its approval.

Honolulu, T. H., October 2, 1950

We hereby certify that the foregoing Bill this day passed third reading in the House of Representatives of the Second Special Session.

Wm L. Tong
Speaker, House of Representatives

Jas. K. Trask
Clerk, House of Representatives

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 4, 1950.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Nelson K. Doi
President of the Senate

Ethel C. Chillingworth
Clerk of the Senate.

House Bill No. 5

1950 SPEC HOUSE

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO THE CONTROL OF FLOOD WATERS IN IAO VALLEY, MAUI, AND MAKING AN APPROPRIATION.

Introduced October 4, , 1950, by Representatives ~~Ichinose, Pule, Kido,~~ Kauhane, Marcallino, Noda, Tagawa, Seong, Lydgate, Paschoal, Apaka, Ezell, Nielsen, Miyake, Richardson and Hind.

First Reading in House October 4, 1950
Referred to Printing Committee
Second Reading in House Oct. 9, 1950
Referred to Com. Whole House
Third Reading in House

First Reading in Senate
Referred to
Second Reading in Senate
Referred to
Third Reading in Senate

Clerk, House of Representatives.

filed

H.B. No 5

AN ACT

RELATING TO THE CONTROL OF FLOOD WATERS IN IAO VALLEY, MAUI, AND MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated out of the general revenues of the Territory the sum of one hundred thousand dollars or so much thereof as may be necessary for the purpose of controlling flood waters in the Iao Valley, Maui.

SECTION 2. The moneys appropriated by this Act shall be expended by the board of supervisors of the county of Maui in accordance with plans and specifications prepared by the engineers of such county, provided, however, that no moneys shall be expended until the methods, materials, plans and specifications proposed to be used for the construction or reconstruction of the improvements required to be made to effect such flood water control shall first have been passed upon and approved by the superintendent of public works of the Territory, and before giving such approval, the superintendent shall inspect the locality in which the improvements are to be made and shall familiarize himself with the conditions affecting such improvements.

SECTION 3. This Act shall take effect upon its approval.

Samuel M. Ashmore
Akoni Pule
Mitsuyuki Kido
C. Kauhane
H. D. Marcallino

Honolulu, T. H.
~~9-30-50~~ 10-4-50
Henry G. Noda

INTRODUCED BY:
Thomas T. Tagawa
Clarence K. Seong
E. C. Lydgate
M. G. Paschoal
Alfred A. Apaka
A. H. Ezell
Earl A. Nielsen
[illegible]
Esther A. Richardson
Robert S. Hind, Jr.

House Bill No. 6

1950 SPEC HOUSE

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AUTHORIZING AND DIRECTING THE BOARD OF WATER SUPPLY OF THE COUNTY OF HAWAII TO CONSTRUCT A WATER SUPPLY SYSTEM FOR THE DISTRICTS OF NORTH AND SOUTH KONA, AND TO APPROPRIATE THREE HUNDRED THOUSAND DOLLARS ($300,000) THEREFOR.

Introduced October 4, 1950, by Representative S. Sakakihara, Nielsen, Miyake, Kauhane, Hind, Ezell, Seong, Ichinose, Tagawa, King, Richardson, Pule, Noda, Garcia, Yamauchi and Apaka.

First Reading in House October 4, 1950
Referred to Printing Committee
Second Reading in House Oct. 9, 1950
Referred to Com. Whole House
Third Reading in House Filed

First Reading in Senate
Referred to
Second Reading in Senate
Referred to
Third Reading in Senate

Clerk, House of Representatives.

Filed

H.B. 6

AN ACT

AUTHORIZING AND DIRECTING THE BOARD OF WATER SUPPLY OF THE COUNTY OF HAWAII TO CONSTRUCT A WATER SUPPLY SYSTEM FOR THE DISTRICTS OF NORTH AND SOUTH KONA, AND TO APPROPRIATE THREE HUNDRED THOUSAND DOLLARS ($300,000) THEREFOR

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The board of water supply of the county of Hawaii is hereby authorized and directed to construct a water supply system for and within the districts of North and South Kona in the island and county of Hawaii.

SECTION 2. There is hereby appropriated out of the general funds of the Territory of Hawaii, not otherwise appropriated, the sum of three hundred thousand dollars ($300,000) to be disbursed on warrants issued by the auditor of the Territory based on vouchers approved by the county treasurer of Hawaii and the chairman of the board of water supply of the county of Hawaii.

SECTION 3. The amount herein appropriated shall be used for costs of surveys, plans and construction of the water supply system for the districts of North and South Kona in the county of Hawaii, and all expenses necessarily incurred in connection with such construction project.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

Representative, First District

October, 1950

House Bill No. 7

1950 SPEC HOUSE

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AUTHORIZING TEMPORARY LOANS FOR WATER WORK IMPROVEMENTS IN KONA, HAWAII AND MAKING AN APPROPRIATION THEREFOR.

Introduced October 4, , 1950, by Representative S Hind, Nielsen, Fong, King, Hayes, Paschoal, Marcallino, Apaka, McGuire, Tagawa, Noda, Pule, Richardson, Kido, Itagaki, Ichinose, and Miyake.

First Reading in House October 4, 1950
Referred to Printing Committee
Second Reading in House Oct. 9, 1950
Referred to Com. Whole House
~~Third Reading~~ in House Filed

First Reading in Senate
Referred to
Second Reading in Senate
Referred to
Third Reading in Senate

Clerk, House of Representatives.

Filed

7

AN ACT

AUTHORIZING TEMPORARY LOANS FOR WATER WORK IMPROVEMENTS IN KONA, HAWAII AND MAKING AN APPROPRIATION THEREFOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The treasurer is authorized and directed to make temporary loans, from funds appropriated hereinafter, to the county of Hawaii for construction of public water systems and water works in Kona, for which projects the issuance of county revenue bonds was authorized by Act 28 of the Session Laws of Hawaii, Regular Session of 1949. Such temporary loans shall be made only upon request of the county treasurer approved by the board of supervisors of the county of Hawaii and shall in no case total more than two hundred thousand dollars ($200,000). The said loans shall be without interest.

SECTION 2. No loan made under the provisions of this Act shall be of a term to exceed three years. Such loans shall be repaid to the territorial treasurer upon issuance and sale of revenue bonds for the construction of water systems and water works in Kona, Hawaii, as authorized by Act 28 of the Session Laws of Hawaii, Regular Session of 1949. Upon the sale of such bonds, should the county of Hawaii fail to repay loans made under the provisions of this Act, or, in any case, should any such loan remain unpaid three years after it was made, the treasurer of the territory shall retain, from time to time, tax moneys deposited in the treasury which would otherwise be payable to the county of Hawaii, until the treasury shall be reimbursed for the total amount of such loans.

SECTION 3. There is hereby appropriated from the public treasury the sum of two hundred thousand dollars ($200,000), or so much thereof as may be necessary, for the purposes of this Act.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

Honolulu, T. H.

1950 SPEC HOUSE

House Bill No. 8

On 2nd

Hold Does Committee

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO FISHING AND AMENDING SECTION 1223, REVISED LAWS OF HAWAII 1945.

Introduced October 4, 1950, by Representative S Sakakihara, Ezell, Itagaki, Apaka, Nielsen, Hayes, Fong, Paschoal, Kauhane, Kido, Trask, Noda, Miyake, Marcallino, Arashiro and Tagawa.

First Reading in House October 4, 1950
Referred to Printing Committee
Second Reading in House Oct. 9, 1950
Referred to Com. White House
~~Third Reading in House~~

First Reading in Senate
Referred to
Second Reading in Senate
Referred to
Third Reading in Senate

Clerk, House of Representatives.

10/13/50 -
Referred to
Holdover Committee
of 1949.

8

AN ACT

RELATING TO FISHING AND AMENDING SECTION 1223, REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 1223, Revised Laws of Hawaii 1945 is hereby amended to read as follows:

"Section 1223. Nets and traps, minimum sizes. It shall be unlawful for any person to use fish nets or traps of any type with a stretched mesh of less than one and one-half inches, or to use any trap which is not portable or which is more than ten feet in length or six feet in height or width; provided, however, that (1) pond owners or operators who hold a license issued under section 1236 may use nets of smaller mesh to take young mullet or pua for stocking their fish ponds, (2) commercial fishermen who hold a permit issued under section 1237 may use nets of smaller mesh to take nehu and iao for bait, and (3) all persons may use nets of smaller mesh to take shrimp or opae, ~~or~~ opelu," or hinana.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

Honolulu, T. H.

1950 SPEC HOUSE

House Bill No. 9

Title

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND ACT 38 OF THE REGULAR SESSION LAWS OF HAWAII 1949, PROVIDING FOR THE CONSTRUCTION OF A DRAINAGE CANAL AND THE CLEARING AND IMPROVEMENT OF WAIMEA RIVER, WAIMEA, COUNTY OF KAUAI.

Introduced October 4, 1950, by Representatives ~~Miyake, Kauhane, Marcellino~~, Arashiro, Noda, Kido, Yamauchi, Trask, Seong, Nielsen, Ichinose, Hind, Pule, Tagawa, Richardson and McGuire.

First Reading in House October 4, 1950
Referred to Printing Committee
Second Reading in House Com. Whole House
Referred to Oct 9, 1950
~~Third Reading in House~~ Filed

First Reading in Senate
Referred to
Second Reading in Senate
Referred to
Third Reading in Senate

Clerk, House of Representatives.

Filed

AN ACT

TO AMEND ACT 38 OF THE REGULAR SESSION LAWS OF HAWAII 1949, PROVIDING FOR THE CONSTRUCTION OF A DRAINAGE CANAL AND THE CLEARING AND IMPROVEMENT OF WAIMEA RIVER, WAIMEA, COUNTY OF KAUAI.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Act 38 of the Session Laws of Hawaii, Regular Session of 1949, is hereby amended to read as follows:

"Section 1. The board of supervisors of the county of Kauai is hereby authorized to appropriate the sum of fifty thousand dollars for the clearing and improvement of the Waimea river, and for the construction of a drainage canal, following the course of the present drainage ditch starting from the pali, running eastward across the Waimea Valley and emptying into the Waimea River, of a size sufficient to prevent the periodic flooding of Waimea, County of Kauai.

"Section 2. So much of the funds hereby directed to be appropriated as is sufficient shall be expended for the second-named project; any remaining funds shall be expended for the first-named purpose.

"Section 3. The moneys appropriated in accordance with this Act shall be expended under the supervision and direction of the county engineer, in cooperation with the superintendent of public works, Territory of Hawaii."

SECTION 2. This Act shall take effect upon its approval.

Honolulu, T. H.

INTRODUCED BY:

On 2nd

House Bill No. 10

file

1950 SPEC HOUSE

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND ACT 61 OF THE SESSION LAWS OF HAWAII 1949, EXTENDING THE TERM OF EXISTENCE OF THE "HOLD-OVER COMMITTEE OF 1949".

Introduced October 4, , 1950, by Representative s Sakakihara, Garcia, Apaka, Hind, Yamauchi, Pule, Kauhane, Noda, Ichinose Arashiro, Seong, Richardson, Miyake

First Reading in House October 4, 1950

Referred to Printing Committee

Second Reading in House

Referred to Com. Activity House

~~Third Reading in House~~ Filed

First Reading in Senate

Referred to

Second Reading in Senate

Referred to

Third Reading in Senate

Clerk, House of Representatives.

10

AN ACT

TO AMEND ACT 61 OF THE SESSION LAWS OF HAWAII 1949, EXTENDING THE TERM OF EXISTENCE OF THE "HOLDOVER COMMITTEE OF 1949".

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Act 61 of the Session Laws of Hawaii 1949 providing for a Holdover Committee of the Legislature is hereby amended by deleting the fifth line of paragraph (a) of section 1 thereof and inserting in place of said fifth line the following:

"of the convening of the Twenty-sixth Legislature of the Territory of Hawaii in February 1951, or (2) in case Hawaii".

SECTION 2. Act 61 of the Session Laws of Hawaii 1949 is hereby further amended by deleting the period at the end of the fourth sentence of paragraph (b) of section 1 thereof and inserting thereafter the following:

", and except that any member who is no longer holding office as a senator or representative after the general election of November 7, 1950, shall no longer act as a member of the said committee."

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

First Representative District

1st Dist.

1950

# SECOND SPECIAL SESSION

## HOUSE OF REPRESENTATIVES

# HOUSE

# JOINT

# RESOLUTIONS

1950 SPEC HOUSE

House Joint Resolution No. 1

House of Representatives

# JOINT RESOLUTION

## The Legislature
of the
## Territory of Hawaii

Offered September 29, 1950, by Representatives Fong, Porteus, Kauhane, Marcallino, Arashiro, Lydgate, King, Ichinose, Pule, Hayes, Noda, Yamauchi, Hind, Olds, Tagawa, Garcia, Miyake, Apaka, Sakakihara, Trask, McGuire, Ezell, Paschoal, Richardson, Seong and Itagaki

PROVIDING FOR THE SUBMISSION TO THE PEOPLE OF HAWAII OF THE CONSTITUTION FRAMED BY THE CONVENTION HELD PURSUANT TO ACT 334 OF THE SESSION LAWS OF HAWAII 1949 AND IN THE EVENT OF FAILURE OF RATIFICATION, THE FRAMING AND SUBMISSION OF A NEW CONSTITUTION, AND MAKING APPROPRIATIONS THEREFOR.

First Reading in House September 29, 1950

Referred to

Second Reading in House September 30, 1950

Referred to Committee of the Whole House

Third Reading in House

First Reading in Senate

Referred to

Second Reading in Senate

Referred to

Third Reading in Senate

Clerk, House of Representatives.

> H J Rls. (1)

JOINT RESOLUTION

PROVIDING FOR THE SUBMISSION TO THE PEOPLE OF THE TERRITORY OF HAWAII OF THE CONSTITUTION FRAMED BY THE CONVENTION HELD PURSUANT TO ACT 334 OF THE SESSION LAWS OF HAWAII 1949 AND IN THE EVENT OF FAILURE OF RATIFICATION, THE FRAMING AND SUBMISSION OF A NEW CONSTITUTION, AND MAKING APPROPRIATIONS THEREFOR.

WHEREAS, pursuant to Act 334 of the Session Laws of Hawaii 1949, the duly elected delegates to the Constitutional Convention of 1950 were assembled at Honolulu from the 4th day of April, 1950, to the 22d day of July, 1950, for the purpose of forming a constitution and state government and otherwise preparing for the admission of Hawaii as a state; and

WHEREAS, a proposed constitution consisting of sixteen articles was duly framed by said Convention in full conformity with all of the provisions of said Act 334; and

WHEREAS, the results of said Convention have been reported to the Legislature of the Territory of Hawaii for its consideration; and

WHEREAS, the proposed constitution is acceptable in its entirety to the Legislature of the Territory of Hawaii; and

WHEREAS, it is necessary and proper that the proposed constitution be submitted to the people of the Territory for ratification or rejection; now, therefore,

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The proposed constitution framed by the Convention held pursuant to Act 334 of the Session Laws of Hawaii 1949 shall be submitted to the people of the Territory of Hawaii for ratification or rejection at the general election to be held on the 7th day of November, 1950. Persons possessing the qualifications to vote for representatives to the Legislature of the Territory of Hawaii shall be entitled to vote on the ratification or rejection of said constitution. Such submission shall be by ballot and shall be conducted and the results thereof determined in conformity with the law governing general elections, except as herein otherwise provided. The ballot for such submission shall be printed and distributed by the Secretary of Hawaii and shall be substantially in the following form:

OFFICIAL BALLOT

General Election, Tuesday, November 7, 1950

| | | |
|---|---|---|
| Shall the proposed Constitution of the State of Hawaii be adopted | YES | |
| | NO | |

To vote, make a X in the square to the right of "YES" or "NO".

The voter shall mark his ballot by a cross mark (X) in one of the squares to the right of the word "YES" or "NO".

The returns of said submission shall be made by the election officers directly to the Secretary of Hawaii, who shall certify the results of the submission to the Governor.

SECTION 2. If a majority of the legal votes cast upon the submission provided for by section 1 shall reject the constitution, the Governor by proclamation shall order the Constitutional Convention to reassemble at a date not later than twenty days after the results of the submission are certified to the Governor and thereupon the Convention shall frame a new constitution, which shall be submitted to the people in the manner provided by this Joint Resolution at a special election to be held not later than sixty days after it is agreed upon by the Convention. The Governor shall issue a proclamation fixing the date of the special election. The compensation of each delegate shall be the sum of $500 for the session.

Whenever a majority of the legal votes cast upon such submission shall ratify the constitution, the Governor shall cause certified copies of the constitution to be transmitted to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Chairman of the Committee on Interior and Insular Affairs of the Senate, the Chairman of the Committee on Public Lands of the House of Representatives, and the Delegate to Congress from Hawaii.

SECTION 3. At least ten days before the general election to be held on the 7th day of November, 1950, the Secretary of Hawaii shall cause a true and correct copy of the proposed constitution framed by the Convention held pursuant to Act 334 of the Session Laws of Hawaii 1949, to be published in two newspapers of general circulation in

the Territory of Hawaii. In the event of the submission of a new constitution as provided in section 2, it shall be published in like manner.

SECTION 4. There is hereby appropriated from the general revenues of the Territory the sum of $5,000, or so much thereof as may be necessary, to carry out the provisions of sections 1 and 3 of this Joint Resolution. 10000

There is further appropriated from the general revenues of the Territory the sum of $75,000, or so much thereof as may be necessary, for the compensation and mileage of the delegates and other expenses of the Constitutional Convention and the expenses of the special election in the event that the Convention is reassembled and the special election is held pursuant to the provisions of section 2 of this Joint Resolution.

The moneys appropriated herein shall be disbursed upon vouchers approved by the Secretary of Hawaii.

SECTION 5. This Joint Resolution shall take effect upon its approval.

INTRODUCED BY:

Representative, District

JOINT RESOLUTION

PROVIDING FOR THE SUBMISSION TO THE PEOPLE OF THE TERRITORY OF HAWAII OF THE CONSTITUTION FRAMED BY THE CONVENTION HELD PURSUANT TO ACT 334 OF THE SESSION LAWS OF HAWAII 1949 AND IN THE EVENT OF FAILURE OF RATIFICATION, THE FRAMING AND SUBMISSION OF A NEW CONSTITUTION, AND MAKING APPROPRIATIONS THEREFOR.

WHEREAS, pursuant to Act 334 of the Session Laws of Hawaii 1949, the duly elected delegates to the Constitutional Convention of 1950 were assembled at Honolulu from the 4th day of April, 1950, to the 22nd day of July, 1950, for the purpose of forming a constitution and state government and otherwise preparing for the admission of Hawaii as a state; and

WHEREAS, a proposed constitution consisting of sixteen articles was duly framed by said Convention in full

conformity with all of the provisions of said Act 334; and

WHEREAS, the results of said Convention have been reported to the Legislature of the Territory of Hawaii for its consideration; and

WHEREAS, the proposed constitution is acceptable in its entirety to the Legislature of the Territory of Hawaii; and

WHEREAS, it is necessary and proper that the proposed constitution be submitted to the people of the Territory for ratification or rejection; now, therefore,

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The proposed constitution framed by the Convention held pursuant to Act 334 of the Session Laws of Hawaii 1949 shall be submitted to the people of the Territory of Hawaii for ratification or rejection at the general election to be held on the 7th day of November, 1950. Persons possessing the qualifications to vote for represent-

atives to the Legislature of the Territory of Hawaii shall be entitled to vote on the ratification or rejection of said constitution. Such submission shall be by ballot and shall be conducted and the results thereof determined in conformity with the law governing general elections, except as herein otherwise provided. The ballot for such submission shall be printed and distributed by the Secretary of Hawaii and shall be substantially in the following form:

OFFICIAL BALLOT

General Election, Tuesday, November 7, 1950

| | | |
|---|---|---|
| Shall the proposed Constitution of the State of Hawaii be adopted | YES | |
| | NO | |

To vote, make a X in the square to the right of "YES" or "NO".

The voter shall mark his ballot by a cross mark (X) in one of the squares to the right of the word "YES or "NO".

The returns of said submission shall be made by the election officers directly to the Secretary of Hawaii, who shall certify the results of the submission to the Governor.

SECTION 2. If a majority of the legal votes cast upon the submission provided for by section 1 shall reject the constitution, the Governor by proclamation shall order the Constitutional Convention to reassemble at a date not later than twenty days after the results of the submission are certified to the Governor and thereupon the Convention shall frame a new constitution, which shall be submitted to the people in the manner provided by this Joint Resolution at a special election to be held not later than sixty days after it is agreed upon by the Convention. The Governor shall issue a proclamation fixing the date of the special election. The compensation of each delegate shall be the sum of $500 for the session.

Whenever a majority of the legal votes cast upon

such submission shall ratify the constitution, the Governor shall cause certified copies of the constitution to be transmitted to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Chairman of the Committee on Interior and Insular Affairs of the Senate, the Chairman of the Committee on Public Lands of the House of Representatives, and the Delegate to Congress from Hawaii.

SECTION 3. At least ten days before the general election to be held on the 7th day of November, 1950, the Secretary of Hawaii shall cause a true and correct copy of the proposed constitution framed by the Convention held pursuant to Act 334 of the Session Laws of Hawaii 1949, to be published in two newspapers of general circulation in the Territory of Hawaii. In the event of the submission of a new constitution as provided in section 2, it shall be published in like manner.

SECTION 4. There is hereby appropriated from

the general revenues of the Territory the sum of $5,000, or so much thereof as may be necessary, to carry out the provisions of sections 1 and 3 of this Joint Resolution.

There is further appropriated from the general revenues of the Territory the sum of $75,000, or so much thereof as may be necessary, for the compensation and mileage of the delegates and other expenses of the Constitutional Convention and the expenses of the special election in the event that the Convention is reassembled and the special election is held pursuant to the provisions of section 2 of this Joint Resolution.

The moneys appropriated herein shall be disbursed upon vouchers approved by the Secretary of Hawaii.

SECTION 5. This Joint Resolution shall take effect upon its approval.

Honolulu, T. H., October 3, 1950

We hereby certify that the foregoing House Joint Resolution this day passed Third Reading in the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session.

Speaker, House of Representatives.

Clerk, House of Representatives.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 11, 1950.

We hereby certify that the foregoing House Joint Resolution this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

President of the Senate

Clerk of the Senate.

1950

SECOND SPECIAL SESSION

HOUSE OF REPRESENTATIVES

# HOUSE CONCURRENT RESOLUTIONS

1950 SPEC HOUSE

House Concurrent Resolution No. 1

House of Representatives

# Concurrent Resolution

## The Legislature of the Territory of Hawaii

Offered October 2, 1950, by Representatives Sakakihara, Hind, Garcia, Ichinose, Richardson, Yamauchi, Pule, Lydgate, Paschoal, Apaka, King, McGuire, Porteus, Fong, Miyake, Marcallino, Seong, Itagaki, Arashiro, Noda, Kauhane, Tagawa and Ezell

EXTENDING THE ALOHA OF THE PEOPLE OF HAWAII TO THE AMERICAN SOCIETY OF TRAVEL AGENTS.

MEMO:

October 2, 1950 - Adopted.

Clerk, House of Representatives.

H.C.Res. No. ____

CONCURRENT RESOLUTION

EXTENDING THE ALOHA OF THE PEOPLE OF HAWAII TO THE AMERICAN SOCIETY OF TRAVEL AGENTS

WHEREAS, the Pacific Conference of the American Society of Travel Agents is now being held in Honolulu, Territory of Hawaii; and

WHEREAS, the people and their elected representatives of the Territory of Hawaii have ever been mindful of their great justified reputation for hospitality; and

WHEREAS, the Twenty-fifth Legislature of Hawaii, in Regular Session assembled in 1949, did express its great interest in the growing tourist industry in and of the Territory of Hawaii by appropriating large sums of money for the development of this industry by and through the famous Hawaii Visitors Bureau; and

WHEREAS, it has been made known to the Twenty-fifth Legislature of Hawaii, in Special Session assembled that this Territory is being considered as the site of the 1951 National Convention of the American Society of Travel Agents; now, therefore, be it

~~BE IT~~ RESOLVED by the House of Representatives of the Twenty-fifth Legislature of Hawaii, in Special Session assembled, the Senate concurring, that the fond Aloha of the people of Hawaii, acting by and through their representatives in their legislature, be extended to the American Society of

Travel Agents now convened in Hawaii for their Pacific Conference; and be it further

~~BE IT FURTHER~~ RESOLVED that a cordial invitation from the people of Hawaii be hereby extended to the American Society of Travel Agents for the holding of their 1951 National Convention in these glorious Islands; and be it further

~~BE IT FURTHER~~ RESOLVED that a certified copy of this Concurrent Resolution be presented to the Pacific Conference of the American Society of Travel Agents.

OFFERED BY:

Representative, First District

October 2, 1950

Honolulu, T. H.

Honolulu T. H.
Oct. 2, 1950

CONCURRENT RESOLUTION

EXTENDING THE ALOHA OF THE PEOPLE OF HAWAII TO THE AMERICAN SOCIETY OF TRAVEL AGENTS

WHEREAS, the Pacific Conference of the American Society of Travel Agents is now being held in Honolulu, Territory of Hawaii; and

WHEREAS, the people and their elected representatives of the Territory of Hawaii have ever been mindful of their great justified reputation for hospitality; and

WHEREAS, the Twenty-fifth Legislature of Hawaii, in Regular Session assembled in 1949, did express its great interest in the growing tourist industry in and of the Territory of Hawaii by appropriating large sums of money for the development of this industry by and through the famous Hawaii Visitors Bureau; and

WHEREAS, it has been made known to the Twenty-fifth Legislature of Hawaii, in Special Session assembled that this

Territory is being considered as the site of the 1951 National Convention of the American Society of Travel Agents; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of Hawaii, in Special Session assembled, the Senate concurring, that the fond Aloha of the people of Hawaii, acting by and through their representatives in their legislature, be extended to the American Society of Travel Agents now convened in Hawaii for their Pacific Conference; and

BE IT FURTHER RESOLVED that a cordial invitation from the people of Hawaii be hereby extended to the American Society of Travel Agents for the holding of their 1951 National Convention in these glorious Islands; and

BE IT FURTHER RESOLVED that a certified copy of this Concurrent Resolution be presented to the Pacific Conference of the American Society of Travel Agents.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., October 2, 1950

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the House of Representatives of the Second Special Session.

Speaker, House of Representatives

Clerk, House of Representatives

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 3, 1950.

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

President of the Senate

Clerk of the Senate.

1950 SPEC HOUSE

House Concurrent Resolution No. 2

House of Representatives

## Concurrent Resolution

## The Legislature
of the
## Territory of Hawaii

Offered October 4, 1950, by McGuire, Porteus, Ichinose, King, Representatives Olds, Trask and Hayes

REQUESTING THE GOVERNOR, THROUGH HIS PUBLIC LAND OFFICE TO MAKE WAIMANALO LANDS AVAILABLE AS PERMANENT FARM LANDS, AND THROUGH HIS FARM ADVISORY BOARD TO STUDY FARM OWNERSHIP AND EVELOPMENT IN WAIMANALO AREA.

MEMO:

October 4, 1950. Adopted.

Clerk, House of Representatives.

H. C. R. No. 8

CONCURRENT RESOLUTION

REQUESTING THE GOVERNOR, THROUGH HIS PUBLIC LAND OFFICE TO MAKE WAIMANALO PUBLIC LANDS AVAILABLE AS PERMANENT FARM LANDS, AND THROUGH HIS FARM ADVISORY BOARD TO STUDY FARM OWNERSHIP AND DEVELOPMENT IN WAIMANALO AREA.

WHEREAS, the present leases on about 2,500 acres of public lands in Waimanalo expire in 1953; and

WHEREAS, those public lands are ideal for farming, having irrigation facilities, water and other favorable conditions; and

WHEREAS, there are, at present, one hundred and twenty farm families, twenty per cent of whom are veterans; and

WHEREAS, progressive agricultural program and sound territorial economy require that farm families be assured secure land tenure; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-fifth Legislature, in Second Special Session assembled, the Senate concurring, that the Governor of the Territory of Hawaii through his Public Land Commissioner be requested to establish and administer a substantial portion of the Waimanalo public lands as permanent farm lands; and be it further

RESOLVED, that the Governor, through his Farm Advisory Board be requested to study the possibility of farm ownership and development at Waimanalo, Oahu.

Offered by :

Honolulu, T. H.

October 4, 1950

CONCURRENT RESOLUTION

REQUESTING THE GOVERNOR, THROUGH HIS PUBLIC LAND OFFICE TO MAKE WAIMANALO PUBLIC LANDS AVAILABLE AS PERMANENT FARM LANDS, AND THROUGH HIS FARM ADVISORY BOARD TO STUDY FARM OWNERSHIP AND DEVELOPMENT IN WAIMANALO AREA.

WHEREAS, the present leases on about 2,500 acres of public lands in Waimanalo expire in 1953; and

WHEREAS, those public lands are ideal for farming, having irrigation facilities, water and other favorable conditions; and

WHEREAS, there are, at present, one hundred and twenty farm families, twenty per cent of whom are veterans; and

WHEREAS, progressive agricultural program and sound territorial economy require that farm families be assured secure land tenure; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-fifth Legislature, in Second Special Session assembled, the Senate concurring, that the Governor of the Territory of Hawaii through his Public Land Commissioner be requested to establish and administer a substantial portion of the Waimanalo public lands as permanent farm lands; and be it further

RESOLVED, that the Governor, through his Farm Advisory Board be requested to study the possibility of farm ownership and development at Waimanalo, Oahu.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., October 4, 1950

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Speaker, House of Representatives.

Clerk, House of Representatives.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 9, 1950

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

President of the Senate.

Clerk of the Senate.

1950 SPEC HOUSE

House Concurrent Resolution No. 3

House of Representatives

## Concurrent Resolution

## The Legislature of the Territory of Hawaii

Offered October 9, 1950, by Representatives Kido, Kauhane, Garcia, Richardson, Pule, Hind, Marcallino, Arashiro, Fong, Noda, Nielsen, Hayes, Seong, Apaka, Porteus, Ichinose, King, Yamauchi, Olds, Tagawa, Trask, [illegible], Lydgate, Ezell, McGuire, Sakakihara, and Itagaki.

EXTENDING THE ALOHA OF THE PEOPLE OF HAWAII TO THE PRESIDENT AND DIRECTORS OF UNITED AIR LINES.

MEMO:

October 9, 1950 - Adopted

Clerk, House of Representatives.

Engross
Extend
Backing

H. C. R. No. 3

CONCURRENT RESOLUTION

EXTENDING THE ALOHA OF THE PEOPLE OF HAWAII TO THE PRESIDENT AND DIRECTORS OF UNITED AIR LINES.

WHEREAS, the United Air Lines with an established office in Honolulu has provided daily flights between Honolulu and San Francisco, California; and

WHEREAS, the inaugural flights of United Air Lines will be made today and Tuesday over its new route between Honolulu and Los Angeles; and

WHEREAS, this new route will be a great convenience to passengers traveling from Hawaii to Los Angeles; now, therefore,

BE IT RESOLVED, by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, the Senate concurring, that the Aloha of the people of Hawaii, acting by and through their representatives in their legislature, be extended to Mr. W. A. Patterson, President, and to the Directors of United Air Lines on the occasion of the inauguration of the Honolulu to Los Angeles route; and

BE IT FURTHER RESOLVED, that a certified copy of this Concurrent Resolution be transmitted to Mr. W. A. Patterson, President of United Air Lines.

Offered by:

Honolulu, T. H.
Oct. 9, 1950

H. C. R. No. 3

CONCURRENT RESOLUTION

EXTENDING THE ALOHA OF THE PEOPLE OF HAWAII TO THE PRESIDENT AND DIRECTORS OF UNITED AIR LINES.

WHEREAS, the United Air Lines with an established office in Honolulu has provided daily flights between Honolulu and San Francisco, California; and

WHEREAS, the inaugural flights of United Air Lines will be made today and Tuesday over its new route between Honolulu and Los Angeles; and

WHEREAS, this new route will be a great convenience to passengers traveling from Hawaii to Los Angeles; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, the Senate concurring, that the Aloha of the people of Hawaii, acting by and through their

representatives in their legislature, be extended to Mr. W. A. Patterson, President, and to the Directors of United Air Lines on the occasion of the inauguration of the Honolulu to Los Angeles route; and be it further

RESOLVED, that a certified copy of this Concurrent Resolution be transmitted to Mr. W. A. Patterson, President of United Air Lines.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., October 9, 1950.

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Speaker, House of Representatives.

Clerk, House of Representatives.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 10, 1950

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

President of the Senate.

Clerk of the Senate

1950 SPEC HOUSE

House Concurrent Resolution No. 4

House of Representatives

# Concurrent Resolution

## The Legislature of the Territory of Hawaii

Offered October 10, 1950, by

Representatives Sakakihara, Garcia, Yamauchi, Hind, Richardson and Pule.

REQUESTING THE DEPARTMENT OF PUBLIC INSTRUCTION TO INSTITUTE AND MAINTAIN INSTRUCTION IN THE FOURTH, FIFTH AND SIXTH GRADES AT KALAPANA SCHOOL, KALAPANA, DISTRICT OF PUNA, COUNTY OF HAWAII.

MEMO:

October 10, 1950. Adopted.

Clerk, House of Representatives.

H.C.R. NO. 4

CONCURRENT RESOLUTION

WHEREAS, it is desirable and proper that the educational opportunities for the children residing at Kalapana, District of Puna, County of Hawaii, be expanded to meet their needs; now, therefore,

BE IT RESOLVED, by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, the Senate concurring, that the Department of Public Instruction of the Territory of Hawaii be and it is hereby requested to institute as of September 1951 and thereafter to maintain instruction in the fourth, fifth and sixth grades at Kalapana School, Kalapana, District of Puna, County of Hawaii; and

BE IT FURTHER RESOLVED, that a certified copy of this Concurrent Resolution be transmitted to the Superintendent of Public Instruction of the Territory of Hawaii.

OFFERED BY:

Thomas T. Sakakihara
Representative, First District

October 10, 1950

Honolulu, Hawaii

Joseph R. Garcia, Jr. 1st Dist
Joseph Tamanaha " "
Robert L. Hind, Jr. 2nd
Esther K. Richardson 3rd Dist
Akoni Pule - 2nd Dist

CONCURRENT RESOLUTION

WHEREAS, it is desirable and proper that the educational opportunities for the children residing at Kalapana, District of Puna, County of Hawaii, be expanded to meet their needs; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, the Senate concurring, that the Department of Public Instruction of the Territory of Hawaii be, and it is hereby requested to institute as of September, 1951 and thereafter to maintain instruction in the fourth, fifth and sixth grades at Kalapana School, Kalapana, District of Puna, County of Hawaii; and be it further

RESOLVED, that a certified copy of this Concurrent Resolution be transmitted to the Superintendent of Public Instruction of the Territory of Hawaii.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., October 10, 1950.

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Speaker, House of Representatives.

Clerk, House of Representatives.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T.H., October 10, 1950

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

President of the Senate.

Clerk of the Senate.

1950 SPEC HOUSE

House Concurrent Resolution No. 5

House of Representatives

**Concurrent Resolution**

**The Legislature**
of the
**Territory of Hawaii**

Offered October 11, 1950, by

Representatives Fong, Trask, Marcallino, Ezell, Lydgate, Itagaki, King, Porteus, Paschoal, McGuire, Noda, Ichinose, Arashiro, Kido, Garcia, Yamauchi, Sakakihara, Richardson, Olds, Miyake, Nielsen, Hayes, Apaka, Pule, Tagawa and Seong

REQUESTING THE GOVERNOR OF HAWAII TO INVITE THE PRESIDENT OF THE UNITED STATES TO ADDRESS THE JOINT SESSION OF THE LEGISLATURE.

MEMO:

October 11, 1950. Adopted.

Clerk, House of Representatives.

adopted

H. C. Res. No. 5

CONCURRENT RESOLUTION

REQUESTING THE GOVERNOR OF HAWAII TO INVITE THE PRESIDENT OF THE UNITED STATES TO ADDRESS THE JOINT SESSION OF THE LEGISLATURE

WHEREAS, the Honorable Harry S. Truman, President of the United States, is held in the highest esteem by the people and the Legislature of the Territory of Hawaii; and

WHEREAS, the Honorable Harry S. Truman is a particular favorite of these islands by virtue of his great championship of the cause of statehood for Hawaii; and

WHEREAS, news dispatches from the nation's capital in Washington, D. C., indicate that President Truman is en route to the Territory of Hawaii for a conference with General Douglas MacArthur; and

WHEREAS, both President Truman and the people of Hawaii have expressed a mutual desire to meet each other in these islands, and a splendid opportunity for fulfillment of such mutual desire is presented by the occasion of the conference between the President and General MacArthur; and

WHEREAS, the Legislature of the Territory of Hawaii is most anxious to be addressed by the President of the United States, and to have the people of Hawaii hear directly from their chief executive; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Special Session assembled, the Senate concurring, that the Governor of Hawaii be and he is hereby respectfully requested and urged to extend a most cordial invitation to the Honorable Harry S. Truman, President of the United States, to address a Joint Session of the Legislature and the people of the Territory of Hawaii, on or during the occasion of the visit of President Truman to this Pacific area, at any time most suitable to the convenience of the President;

AND BE IT FURTHER RESOLVED that a certified copy of this Concurrent Resolution be forwarded forthwith to the Governor of Hawaii.

OFFERED BY:

Representative, Fifth District

Honolulu, T. H.

October 11, 1950

CONCURRENT RESOLUTION

REQUESTING THE GOVERNOR OF HAWAII TO INVITE THE PRESIDENT OF THE UNITED STATES TO ADDRESS THE JOINT SESSION OF THE LEGISLATURE

WHEREAS, the Honorable Harry S. Truman, President of the United States, is held in the highest esteem by the people and the Legislature of the Territory of Hawaii; and

WHEREAS, the Honorable Harry S. Truman is a particular favorite of these islands by virtue of his great championship of the cause of statehood for Hawaii; and

WHEREAS, news dispatches from the nation's capital in Washington, D. C., indicate that President Truman is enroute to the Territory of Hawaii for a conference with General Douglas MacArthur; and

WHEREAS, both President Truman and the people of Hawaii have expressed a mutual desire to meet each

other in these islands, and a splendid opportunity for fulfillment of such mutual desire is presented by the occasion of the conference between the President and General MacArthur; and

WHEREAS, the Legislature of the Territory of Hawaii is most anxious to be addressed by the President of the United States, and to have the people of Hawaii hear directly from their chief executive; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, the Senate concurring, that the Governor of Hawaii be and he is hereby respectfully requested and urged to extend a most cordial invitation to the Honorable Harry S. Truman, President of the United States, to address a Joint Session of the Legislature and the people of the Territory of Hawaii, on or during the occasion of the visit of President Truman to this Pacific

area, at any time most suitable to the convenience of the President; and be it further

RESOLVED, that a certified copy of this Concurrent Resolution be forwarded forthwith to the Governor of Hawaii.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., October 11, 1950.

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Wm L. Long
Speaker, House of Representatives.

Jas. K. Aching
Clerk, House of Representatives.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 11, 1950

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Wilfred C. Tsukiyama
President of the Senate.

Ethel C. Chillingworth
Clerk of the Senate.

1950 SPEC HOUSE

House Concurrent Resolution No. 6

House of Representatives

# Concurrent Resolution

## The Legislature of the Territory of Hawaii

Offered October 11, 1950, by

Representatives Paschoal and Lydgate

Requesting the National Park Service to study the feasibility of constructing a road through the crater of Haleakala in the Hawaii National Park.

MEMO:

Oct. 11 1950 Adopted

Clerk, House of Representatives.

H.C.R. NO. 6

CONCURRENT RESOLUTION

WHEREAS, the construction of a road in the crater of Haleakala in the Hawaii National Park would greatly facilitate and increase the enjoyment of its scenic attractions by both the people of the Territory and visitors to the Territory; now, therefore, be it

~~BE IT~~ RESOLVED, by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii in Second Special Session, the Senate concurring, that the National Park Service be and it is hereby requested to study the feasibility of constructing a road through the crater of Haleakala in the Hawaii National Park, from Koolau Gap to Kaupo Gap or such other points as may be determined; and be it further

~~BE IT FURTHER~~ RESOLVED, that certified copies of this Concurrent Resolution be transmitted to the Secretary of the Interior and the Director of the National Park Service.

OFFERED BY:

M G Paschoal
MANUEL GOMES PASCHOAL
Representative, Third District
E. R. Rydgate

Honolulu, Hawaii
October 11, 1950

CONCURRENT RESOLUTION

WHEREAS, the construction of a road in the crater of Haleakala in the Hawaii National Park would greatly facilitate and increase the enjoyment of its scenic attraction by both the people of the Territory and visitors to the Territory; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, the Senate concurring, that the National Park Service be and it is hereby requested to study the feasibility of constructing a road through the crater of Haleakala in the Hawaii National Park, from Koolau Gap to Kaupo Gap or such other points as may be determined; and, be it further

RESOLVED, that certified copies of this Concurrent Resolution be transmitted to the Secretary of the Interior and the Director of the National Park Service.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., October 11, 1950

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Speaker, House of Representatives.

Clerk, House of Representatives.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 11, 1950

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

President of the Senate.

Clerk of the Senate.

1950 SPEC HOUSE

House Concurrent Resolution No. 7

House of Representatives

**Concurrent Resolution**

**The Legislature**

of the

**Territory of Hawaii**

Offered October 11, 1950, by

Representatives Sakakihara, Garcia, Yamauchi, Richardson and Hind.

Requesting the Secretary of the Interior and the Director of the National Park Service to take such steps as may be necessary to keep the present North entrance to the Hawaii National Park, Island of Hawaii, open for the use and convenience of the public.

MEMO:

Oct. 11, 1950. Adopted.

Clerk, House of Representatives.

adopted

7

H.C.R. NO.

CONCURRENT RESOLUTION

WHEREAS, in connection with the plans for the construction of a new highway through the Hawaii National Park on the Island of Hawaii to be located westerly of the present highway, it is proposed that the present north entrance to the Hawaii National Park be closed and abandoned; and

WHEREAS, the closing and abandonment of said north entrance to the Hawaii National Park would greatly inconvenience the residents of the surrounding area who have been availing themselves of the many facilities provided in the National Park, including the United States Post Office; and

WHEREAS, such action will also be to the substantial detriment of the various persons engaged in business in that area; now, therefore, be it

~~BE IT~~ RESOLVED, by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii in Special Session, the Senate concurring, that the Secretary of the Interior and the Director of the National Park Service be and they are hereby requested to take such steps as may be necessary to keep the present north entrance to the Hawaii National Park on the Island of Hawaii open for the use and convenience of the public; and be it further

~~BE IT FURTHER~~ RESOLVED, that certified copies of this Concurrent Resolution be transmitted to the Secretary of the Interior, the Director of the National Park Service, ~~and~~ the Director of the Hawaii National Park, and the Delegate to Congress from Hawaii

OFFERED BY:

THOMAS T. SAKAKIHARA
Representative, First District

Honolulu, T.H.

October 11, 1950

H.C.R. No. 7

CONCURRENT RESOLUTION

WHEREAS, in connection with the plans for the construction of a new highway through the Hawaii National Park on the Island of Hawaii to be located westerly of the present highway, it is proposed that the present north entrance to the Hawaii National Park be closed and abandoned; and

WHEREAS, the closing and abandonment of said north entrance to the Hawaii National Park would greatly inconvenience the residents of the surrounding area who have been availing themselves of the many facilities provided in the National Park, including the United States Post Office; and

WHEREAS, such action will also be to the substantial detriment of the various persons engaged in business in that area; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session, the Senate concurring, that the Secretary of the Interior and the Director of the National Park Service be and they are hereby requested to take such steps as may be necessary to keep the present north entrance to the Hawaii National Park on the Island of Hawaii open for the use and convenience of the public; and, be it further

RESOLVED, that certified copies of this Concurrent Resolution be transmitted to the Secretary of the Interior, the Director of the National Park Service, the Director of the Hawaii National Park, and the Delegate to Congress from Hawaii.

THE HOUSE OF REPRESENTATIVES OF THE

TERRITORY OF HAWAII

Honolulu, T. H., October 11, 1950

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Speaker, House of Representatives.

Clerk, House of Representatives.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 12, 1950.

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

President of the Senate

Clerk of the Senate.

1950 SPEC HOUSE

House Concurrent Resolution No. 8

House of Representatives

## Concurrent Resolution

## The Legislature
of the
## Territory of Hawaii

Offered October 11, 1950, by

Representatives Hind, Lydgate, Miyake, Richardson, Fong, Sakakihara and Porteus.

Requesting the Board of Supervisors of the County of Hawaii to order an estimate of the cost of a road widening project at Kailua, Hawaii.

MEMO:

Oct. 11, 1950 Adopted.

Clerk, House of Representatives.

adopted

H. C. Res. No. 8

CONCURRENT RESOLUTION

REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HAWAII TO ORDER AN ESTIMATE OF THE COST OF A ROAD WIDENING PROJECT AT KAILUA, KONA, HAWAII

WHEREAS, the existing main road at Kailua, Kona, Hawaii is not adequate for the needs of the public, and the widening and improving of certain sections of said road is a desirable and necessary project; now, therefore, be it

~~BE IT~~ RESOLVED, BY the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, the Senate concurring, that the board of supervisors of the county of Hawaii be and they are hereby requested to cause to be made a survey and estimate of the cost of widening that portion of the main road at Kailua, Kona, Hawaii, which extends from Hulihee Palace to the wharf at said Kailua, together with the cost of constructing a new sea wall in connection therewith; the said construction project to be confined to the widening of said road at its makai or sea wall side; and, be it further

~~BE IT FURTHER~~ RESOLVED, that the said Board of Supervisors cause a report of said survey and estimate to be furnished to the Twenty-sixth Legislature of the Territory of Hawaii, in February 1951; and, be it further

Stencil

~~BE IT FURTHER~~ RESOLVED, that certified copies of this Concurrent Resolution be forwarded to the board of supervisors of the county of Hawaii.

OFFERED BY:

Robert L. Hind Jr.
Representative, Second District

Honolulu, T.H.
October 11th, 1950

H. C. R. No. 8

CONCURRENT RESOLUTION

REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HAWAII TO ORDER AN ESTIMATE OF THE COST OF A ROAD WIDENING PROJECT AT KAILUA, KONA, HAWAII.

WHEREAS, the existing main road at Kailua, Kona, Hawaii is not adequate for the needs of the public, and the widening and improving of certain sections of said road is a desirable and necessary project; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, the Senate concurring, that the board of supervisors of the county of Hawaii be, and they are hereby requested to cause to be made a survey and estimate of the cost of widening that portion of the main road at Kailua, Kona, Hawaii, which extends from Hulihee Palace to the wharf at said Kailua, together with the cost of constructing a new sea wall in connection there-

with; the said construction project to be confined to the widening of said road at its makai or sea wall side; and, be it further

RESOLVED, that the said board of supervisors cause a report of said survey and estimate to be furnished to the Twenty-Sixth Legislature of the Territory of Hawaii in February 1951; and, be it further

RESOLVED, that certified copies of this Concurrent Resolution be forwarded to the board of supervisors of the county of Hawaii.

Offered by:
Part names

THE HOUSE OF REPRESENTATIVES OF THE

TERRITORY OF HAWAII

Honolulu, T. H., October 11, 1950

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Speaker, House of Representatives.

Clerk, House of Representatives.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 12, 1950.

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

President of the Senate

Clerk of the Senate.

1950 SPEC HOUSE

House Concurrent Resolution No. 9

House of Representatives

# Concurrent Resolution

## The Legislature of the Territory of Hawaii

Offered October 11, 1950, by

Representatives Nielsen and Tagawa

INVITING COLONEL COBB TO ADDRESS A JOINT SESSION OF THE LEGISLATURE ON THE SUBJECT OF SAFEGUARDING THE PEOPLE OF THE TERRITORY IN THE EVENT OF ATOMIC WARFARE.

MEMO:

Oct. 11, 1950 - Referred to the Committee of the Whole House.

October 13, 1950 - Placed on file.

Clerk, House of Representatives.

Filed

HCR 9
COM'H

CONCURRENT RESOLUTION

INVITING DISASTER RELIEF COORDINATOR TO ADDRESS THE LEGISLATURE.

WHEREAS, Colonel William B. Cobb, Disaster Relief Coordinator of the Territory of Hawaii, recently participated in a national conference at Chicago at which techniques of defense against atomic bombs were considered; and

WHEREAS, the members of this legislature should be informed of the possibilities of such defense in this Territory, which bore the first and most terrible brunt of America's participation in World War II; now, therefore, be it

~~BE IT~~ RESOLVED by the House of Representatives of the Territory of Hawaii, ~~in~~ Special Session assembled, the Senate concurring, that Colonel Cobb be and hereby is invited to address a joint session of this legislature on the subject of safeguarding the people of this Territory in the event of atomic warfare, the date and time of such session to be set by the Speaker of the House of Representatives and the President of the Senate upon conferring with Colonel Cobb; and, be it further

~~BE IT FURTHER~~ RESOLVED, that a certified copy of this Concurrent Resolution be forwarded to Colonel William B. Cobb.

OFFERED BY:

Earl A. Nielsen

Thomas T. Tagawa

Honolulu, T. H.

10-11-58

Senate

1950 SPEC HOUSE

House Concurrent Resolution No. 10

House of Representatives

# Concurrent Resolution

## The Legislature of the Territory of Hawaii

Offered October 12, 1950, by

Representative S. Kauhane, Noda and Kido

REQUESTING THE DIRECTOR OF SELECTIVE SERVICE FOR THE TERRITORY OF HAWAII TO DEFER DRAFTING OF SMALL FARMERS.

MEMO:

October 12, 1950. Referred to Committee of the Whole House.

Clerk, House of Representatives.

# CORRECTION

THE PRECEDING DOCUMENT(S) HAS
BEEN REPHOTOGRAPHED TO ASSURE
LEGIBILITY
SEE FRAME(S)
IMMEDIATELY FOLLOWING

HCR 9
COM'T

CONCURRENT RESOLUTION

INVITING DISASTER RELIEF COORDINATOR TO ADDRESS THE LEGISLATURE.

WHEREAS, Colonel William B. Cobb, Disaster Relief Coordinator of the Territory of Hawaii, recently participated in a national conference at Chicago at which techniques of defense against atomic bombs were considered; and

WHEREAS, the members of this legislature should be informed of the possibilities of such defense in this Territory, which bore the first and most terrible brunt of America's participation in World War II; now, therefore, be it

~~BE IT~~ RESOLVED by the House of Representatives of the Territory of Hawaii, ~~in~~ Special Session assembled, the Senate concurring, that Colonel Cobb be and hereby is invited to address a joint session of this legislature on the subject of safeguarding the people of this Territory in the event of atomic warfare, the date and time of such session to be set by the Speaker of the House of Representatives and the President of the Senate upon conferring with Colonel Cobb; and, be it further

~~BE IT FURTHER~~ RESOLVED, that a certified copy of this Concurrent Resolution be forwarded to Colonel William B. Cobb.

OFFERED BY:

Earl A. Nielsen

Thomas T. Tagawa

Honolulu, T. H.

10-11-53

Senate

1950 SPEC HOUSE

House Concurrent Resolution No. 10

House of Representatives

**Concurrent Resolution**

**The Legislature**

of the

**Territory of Hawaii**

Offered October 12, 1950, by

Representatives Kauhane, Noda and Kido

REQUESTING THE DIRECTOR OF SELECTIVE SERVICE FOR THE TERRITORY OF HAWAII TO DEFER DRAFTING OF SMALL FARMERS.

MEMO:

October 12, 1950. Referred to Committee of the Whole House.

Clerk, House of Representatives.

1950 SPEC HOUSE

House Concurrent Resolution No. 10

House of Representatives

# Concurrent Resolution

## The Legislature of the Territory of Hawaii

Offered October 12, 1950, by

Representative S. Kauhane, Noda and Kido

REQUESTING THE DIRECTOR OF SELECTIVE SERVICE FOR THE TERRITORY OF HAWAII TO DEFER DRAFTING OF SMALL FARMERS.

MEMO:

October 12, 1950. Referred to Committee of the Whole House.

Clerk, House of Representatives.

10

CONCURRENT RESOLUTION

REQUESTING THE DIRECTOR OF SELECTIVE SERVICE FOR THE TERRITORY OF HAWAII TO DEFER DRAFTING OF SMALL FARMERS.

WHEREAS, the Territory of Hawaii is heavily dependent upon foodstuffs produced within its areas; and

WHEREAS, such dependence will be increased in case of another world war; and

WHEREAS, the bulk of island-produced crops are grown on small farms throughout the Territory and the food supply of the Territory would be seriously threatened by the drafting into the armed services of the operators of said farms; and

WHEREAS, the present policy of the Selective Service within the Territory does not provide for exemption or deferment of small farmers; now, therefore, be it

~~BE IT~~ RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, the Senate concurring, that the Director of Selective Service in the Territory of Hawaii, acting within such rules and regulations as may be established by the national Director of the Selective Service, be and hereby is requested to give due consideration toward the deferment of induction into the armed forces of persons actively engaged in small scale farming in the Territory of Hawaii, such deferment to be continued until the paramount needs of the United States for manpower in case of a national emergency shall dictate the discontinuance of said deferment policy; and be it further

~~BE IT FURTHER~~ RESOLVED that a duly certified copy of this Concurrent Resolution be delivered to Lieutenant Colonel William A. Boyen, Director of Selective Service for the Territory of Hawaii, at Iolani Barracks, Honolulu, Territory of Hawaii.

OFFERED BY:

5th

5th

Mitsuyuki Kido, 5th

COW

Honolulu, T. H.

October 12, 1950

# 1950

# SECOND SPECIAL SESSION

## HOUSE OF REPRESENTATIVES

# RESOLUTIONS

House Resolution No. 1

1950 SPEC HOUSE

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered September 29, 1950, by

Representatives Fong, Porteus, King, Apaka, Sakakihara, Noda, Seong, Paschoal, Richardson, Olds, Kauhane, Miyake, Garcia, Yamauchi and Ichinose.

DECLARING THAT ALL PERSONS NAMED THEREIN, EXCEPTING MR. JOSEPH G. ANDREWS, NOW DECEASED, BEING ALL THE PERSONS HERETOFORE DECLARED BY THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FIFTH LEGISLATURE IN REGULAR SESSION TO HAVE BEEN DULY ELECTED AND LEGALLY QUALIFIED TO TAKE SEATS IN THE HOUSE OF REPRESENTATIVES, ARE ENTITLED TO THEIR SEATS AS MEMBERS OF THE HOUSE IN SECOND SPECIAL SESSION.

MEMO:
September 29, 1950
Adopted

Clerk, House of Representatives.

(1)

HR (1)

RESOLUTION

WHEREAS, the House of Representatives of the Legislature of the Territory of Hawaii sitting in regular session on February 16, 1949, duly found that the following were legally qualified to take their seats as members of the House of Representatives, to wit:

FIRST REPRESENTATIVE DISTRICT:

Joseph G. Andrews, Joseph R. Garcia, Jr., Thomas T. Sakakihara, Joseph Takao Yamauchi,

SECOND REPRESENTATIVE DISTRICT:

Robert L. Hind, Jr., Earl A. Nielsen, Akoni Pule, Esther K. Richardson,

THIRD REPRESENTATIVE DISTRICT:

Alfred A. Apaka, Allan H. Ezell, E. P. Lydgate, Manuel G. Paschoal, Clarence ~~K~~ Seong, Thomas T. Tagawa,

FOURTH REPRESENTATIVE DISTRICT:

Flora K. Hayes, Samuel M. Ichinose, Jack P. King, Walter F. McGuire, Kenneth T. Olds, Hebden Porteus,

FIFTH REPRESENTATIVE DISTRICT:

Hiram L. Fong, Joseph Itagaki, Charles E. Kauhane, Mitsuyuki Kido, Steere G. Noda, James K. Trask,

SIXTH REPRESENTATIVE DISTRICT:

Matsuki Arashiro, Norito Kawakami, A. Q. Marcallino, Noboru Miyake,

WHEREAS, all of the said Representatives on the 16th day of February, 1949, duly took the Oath of Office required by Section 19 of the Organic Act of the Territory of Hawaii; and

WHEREAS, the Honorable Joseph G. Andrews, Representative from the First Representative District is now deceased; now, therefore be it

RESOLVED, that all of the Representatives above named, excepting the Honorable Joseph G. Andrews, who is now deceased, be declared the duly elected and legally qualified Representatives to take their seats as members of the House of Representatives for the Second Special Session called by the Governor of the Territory of Hawaii by proclamation issued September 25, 1950, and legally entitled to act as such members by virtue of having taken their oath of office.

Offered by:

Jack P. King, 4th

Honolulu, T. H.
September 29, 1950

House Resolution No. 2

1950 SPEC HOUSE

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered September 29, 1950, by

Representatives Marcallino, Noda, King, Lydgate, Sakakihara, and Hind

ADOPTING THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FIFTH LEGISLATURE OF THE TERRITORY OF HAWAII, REGULAR AND SPECIAL SESSIONS OF 1949, AS THE RULES OF THE HOUSE FOR THE SECOND SPECIAL SESSION.

MEMO:

September 29, 1950 - Adopted

Clerk, House of Representatives.

HR 2

RESOLUTION

RESOLVED, that the rules of the House of Representatives in the Regular and Special Sessions of 1949, be and the same are hereby adopted as the rules of the House of Representatives, Second Special Session.

Offered by:

A. J. Marcallino, 6th

Steve L. Noda, 5th

Jack P. King, 4th

E. T. Pryor, 3rd

Mos. T. Kawahara, 1st

Robert L. Hind, Jr., 2nd

Honolulu, T. H.
September 29, 1950

1950 SPEC HOUSE

House Resolution No. 3

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered September 29, 1950, by

Representative S. Sakakihara, Hayes, Ichinose, Olds, Kauhane, Seong, Noda, Richardson, Miyake, Yamauchi, Garcia and Ezell

DECLARING THE SPEAKER AND VICE-SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FIFTH LEGISLATURE OF THE TERRITORY OF HAWAII, REGULAR SESSION OF 1949, TO BE SPEAKER AND VICE-SPEAKER, RESPECTIVELY, OF THE SECOND SPECIAL SESSION, AND NAMING THE OTHER OFFICERS OF THE HOUSE AND PROVIDING FOR THE SEVERAL COMMITTEES.

MEMO:

September 29, 1950 - Adopted

Clerk, House of Representatives.

3.

HR 3

RESOLUTION

RESOLVED, that Hiram L. Fong, Representative from the Fifth Representative District, and Speaker of the Regular and Special Sessions of 1949, and Hebden Porteus, Representative from the Fourth Representative District, and Vice-Speaker of the Regular and Special Sessions of 1949, are hereby, pursuant to the Rules, declared Speaker and Vice-Speaker, respectively, of the House of Representatives for the Second Special Session, with the rules governing the procedure of the House of Representatives of the Territory of Hawaii; and be it further

RESOLVED, that the following persons be elected as officers of the House of Representatives for the Second Special Session;

| | |
|---|---|
| James S. Achong | Clerk |
| Kape R. Putnam | Assistant Clerk |
| Reverend Solomon Kuni | Chaplain |
| H. F. Kuhlman | Sergeant-at-Arms |

and be it further

RESOLVED, that the Speaker appoint to the several committees provided for by the Rules of Procedure those persons who served as members of those respective committees during the Regular Session of 1949.

Offered by:

, 6th
, 1st
, 1st
, 3rd

, 1st
, 4th
, 4th
, 4th
, 5th
, 3rd
, 5th
, 2nd

Honolulu, T. H.
September 29, 1950

1950 SPEC HOUSE

House Resolution No. 4

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered September 29, 1950, by

Representatives Sakakihara, Pule, Ichinose, Yamauchi, Ezell, King, Miyake, Seong, Kauhane, Richardson, Olds and Noda and Garcia.

INFORMING THE SENATE THAT THE HOUSE OF REPRESENTATIVES IS READY TO TRANSACT BUSINESS.

MEMO:

September 29, 1950 - Adopted

Clerk, House of Representatives.

(1)

HR 4

RESOLUTION

RESOLVED, that a message be sent to the Senate to inform that Honorable Body that the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session, is assembled; that Honorable Hiram L. Fong, Representative from the Fifth District, pursuant to the Rules, has been declared Speaker; that Honorable Hebden Porteus, Representative from the Fourth District, has been declared Vice-Speaker; that Mr. James S. Achong, a citizen of Hawaii, has been elected Clerk; and that the House is ready to transact business.

Offered by:

Honolulu, T. H.
September 29, 1950

1950 SPEC HOUSE

House Resolution No. 5

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered September 29, 1950, by

Representatives Sakakihara, Ezell, Olds, Garcia, Miyake, Richardson, King, Noda, Seong, Apaka, Kauhane, Pule, Yamauchi and Ichinose

TO PROVIDE A COMMITTEE OF THREE TO NOTIFY THE GOVERNOR THAT THE LEGISLATURE IS READY TO RECEIVE ANY COMMUNICATION HE MAY BE PEEASED TO MAKE.

MEMO:

September 29, 1950 - Adopted.

Clerk, House of Representatives.

(5)

HR (5)

RESOLUTION

RESOLVED, that a committee of three be appointed by the Speaker, on the part of the House of Representatives, to join with such committee as the Senate might appoint, to wait on the Governor of the Territory of Hawaii, and notify him that the two Houses have assembled, and that the Legislature is ready to receive any communication he may be pleased to make.

Offered by:

Thos. S. A. Ravenscroft, 1st — Jack P. King, 4th

A. H. Ezell, 3rd — Steve G. Roda, 5th

~~Jack P. King~~ — Clarence K. Acoy, 3rd

Kenneth T. Ord, 4th — Alfred A. Apaka, 3rd

Joseph R. Garcia, Jr., 1st — C. E. Kaulhane, 5th

[illegible], 6th — Akoni Rule, 2nd

Esther K. Richardson, 2nd — Joseph Fernandez, 1st

Samuel M. Ichinose, 4th

Honolulu, T. H.
September 29, 1950

1950 SPEC HOUSE

House Resolution No. 6

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered September 29, 1950, by

Representatives Fong, Porteus, King, Lydgate, Ezell, Miyake, Yamauchi, Ichinose, Olds, Noda, Itagaki, Kido, Seong, Pascual, Hind, Richardson, Sakakihara, Trask, Arashiro, Marcallino, Kauhane, Garcia, Hayes Pule, Tagawa and McGuire.

EXTENDING THE HEARTFELT SYMPATHY OF AND BEST WISHES OF THE HOUSE FOR A VERY SPEEDY RECOVERY AND RETURN TO PUBLIC LIFE TO HONORABLE NEAL S. BLAISDELL

MEMO:

September 29, 1950 - Adopted.

Clerk, House of Representatives.

HR 6

RESOLUTION

WHEREAS, because of the untimely illness of the Honorable Neal S. Blaisdell, there is missing from our midst one who served his people long and well as a member of the Senate; now, therefore, be it

RESOLVED, that this House extend to the Honorable Neal S. Blaisdell our heartfelt sympathy and best wishes for a very speedy recovery and return to public life; and be it further

RESOLVED; that this Resolution be spread on the Journal of the House of Representatives of the Territory of Hawaii and that a duly certified copy thereof be transmitted to the Honorable Neal S. Blaisdell.

Offered by:

Honolulu, T. H.
September 29, 1950

House Resolution No. 7

1950 SPEC HOUSE

House of Representatives

# RESOLUTION

## The Legislature
of the
## Territory of Hawaii

Offered September 29, , 19 50, by

Representatives ~~Paschoal, Lydgate, Ezell~~, Seong and Tagawa

EXTENDING THE HEARTFELT SYMPATHY OF THE HOUSE TO REPRESENTATIVE ALFRED A. APAKA AND HIS CHILDREN AT THE DEATH OF MRS. APAKA

MEMO:

September 29, 1950 - Adopted

Clerk, House of Representatives.

HR 7

RESOLUTION

WHEREAS, Death has robbed the home of Representative Alfred A. Apaka of a loving wife and mother; and

WHEREAS, the members of the House of Representatives are sorrowful at the passing of Mary K. Apaka, wife of Alfred A. Apaka, a member of this House; now, therefore, be it

RESOLVED, by the House of Representatives of the Territory of Hawaii that they do by this means extend their heartfelt sympathy to their colleague and to his children, who have lost their beloved one; and be it further

RESOLVED, that a certified copy of this Resolution be transmitted to the widower and children of the late Mrs. Apaka.

Offered by:

M. V. Paschoal, 3rd
E. P. Snydgate, 3rd
Art Ezrae, 3rd
Clarence K. Seong, 3rd
Thomas T. Tagawa, 3rd

Honolulu, T. H.
September 29, 1950

House Resolution No. 8

1950 SPEC HOUSE

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered September 29, 1950, by

Representative s Fong, Sakakihara, Garcia, Pule, Apaka, Tagawa, Yamauchi, Marcallino, Olds, Seong, Trask, Paschoal, Hind, Arashiro, Itagaki, Richardson, Kauhane, Ezell, Noda, Lydgate, Hayes, Ichinose, King, Miyake, Porteus, McGuire and Kido

EXTENDING TO THE FAMILY OF THE LATE HONORABLE JOSEPH G. ANDREWS THE DEEP SYMPATHY OF THE HOUSE AT THE DEATH OF HONORABLE JOSEPH G. ANDREWS.

MEMO:

September 29, 1950 - Adopted.

Clerk, House of Representatives.

HR 8

RESOLUTION

WHEREAS, because of the untimely death of the Honorable Joseph G. Andrews, there is missing from our midst one who served his people long and well as a member of this House; and

WHEREAS, in the passing of the Honorable Joseph G. Andrews, not only the First Representative District but the whole Territory of Hawaii has lost one whose talents as a legislator could ill be spared; and

WHEREAS, in the calling away of the Honorable Joseph G. Andrews, his family has lost a loving and devoted father, the Territory has lost an honored citizen and we have lost an able Representative; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, that we record our aloha at the passing of the Honorable Joseph G. Andrews; and be it further

RESOLVED, that we extend to the bereaved family of the late Honorable Joseph G. Andrews our deepest sympathy at their great loss; and be it further

RESOLVED, that this Resolution be spread on the records of this House and a duly certified copy thereof be forwarded to the family of the late Joseph G. Andrews.

Offered by:

Honolulu, T. H.
September 29, 1950.

1950 SPEC HOUSE

House Resolution No. 9

House of Representatives

# RESOLUTION

## The Legislature
of the
## Territory of Hawaii

Offered September 30, 1950, by
Representatives Sakakihara, Garcia, Yamauchi, Richardson, Pule and Apaka

TO CONGRATULATE HONORABLE HIRAM L. FONG, SPEAKER OF THE HOUSE OF REPRESENTATIVES, ON THE OCCASION OF HIS BIRTHDAY.

MEMO:

September 30, 1950 - Adopted

Clerk, House of Representatives.

9

H. R. No. 9

RESOLUTION

WHEREAS, the Honorable Hiram L. Fong, Speaker of this House, was born forty-three years ago, on October 1, 1907; and

WHEREAS, the Honorable Hiram L. Fong has served as a member of this House during the Sessions of 1939 and 1941, as Vice-Speaker and Floor Leader during the Session of 1945, and as Republican Floor Leader during the Session of 1947; and

WHEREAS, the Honorable Hiram L. Fong voluntarily withdrew from political life between the Sessions of 1941 and 1945 in order to serve his country as Judge Advocate of the Seventh Fighter Command, United States Army, being honorably discharged with the rank of Major; and

WHEREAS, the birthday of the Honorable Hiram L. Fong is a fitting occasion upon which to honor him; now, therefore be it

RESOLVED, by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii in Second Special Session assembled, that this House congratulates the Honorable Hiram L. Fong, Speaker, on the occasion of the celebration of his birthday ~~today~~, and wishes him many happy returns of the day; and be it further

RESOLVED, that these Resolutions be spread upon the minutes of this House and a duly certified copy thereof presented to the Honorable Hiram L. Fong. T. T. S.

Offered by:

Honolulu, T. H.
September 30, 1950

1950 SPEC HOUSE

House Resolution No. 10

House of Representatives

# RESOLUTION

## The Legislature
of the
## Territory of Hawaii

Offered September 30 19 50 by
Representative Sakakihara, Garcia, Yamauchi, Hind, s Richardson and Pule

REQUESTING THAT THE COMMANDER OF THE FOURTEENTH COAST GUARD DISTRICT OF THE UNITED STATES USE HIS GOOD OFFICES IN BRINGING ABOUT THE INSTALLATION OF A NAVIGATION SAFETY LIGHT AT THE END OF THE BREAKWATER IN HILO HARBOR, AND IN BRINGING ABOUT THE CONSTRUCTION AND MAINTENANCE OF A LIGHTHOUSE AT THE POINT OF KEAUKAHA, HAWAII, TO PROMOTE THE SAFETY OF NAVIGATION IN THAT LOCALITY.

MEMO:

September 30, 1950 - Laid on table
Oct. 3, 1950 - Adopted - amended

Clerk, House of Representatives.

10

H.R.NO. 10

RESOLUTION

~~BE IT~~ RESOLVED, by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Special Session Assembled, that the Commander of the Fourteenth Coast Guard District of the United States, be and he is hereby respectfully requested to use his good offices in bringing about the installation of a navigation safety light at the end of the breakwater in Hilo Harbor, between the end of the breakwater and the bell buoy, to promote the safety in navigation of sampan and pleasure craft sailing in such waters; and be it further

~~AND BE IT FURTHER~~ RESOLVED, that the Commander of the Fourteenth Coast Guard District be further requested to use his good offices in bringing about the construction and maintenance of a lighthouse at the point of Keaukaha, Hawaii, near the old Puumaile Hospital, to promote the safety of navigation in that locality.

OFFERED BY:

Representative, 1st District

Joseph R. Garcia, Jr. 1st Dist

" "

Esther K. Richardson

Akoni Pule - 2nd Dist

Robert L. Hind, Jr. " "

~~October~~ September 30th 1950

Honolulu, T. H.

1950 SPEC HOUSE

House Resolution No. 11

House of Representatives

# RESOLUTION

## The Legislature
of the
## Territory of Hawaii

Offered September 30, 1950, by Representatives Sakakihara, Lydgate, Paschoal, Apaka, Seong, Ezell, Tagawa

EXPRESSING THE CONDOLENCES AND HEARTFELT SYMPATHY OF THIS HOUSE TO THE FAMILY OF THE LATE MRS. KESA ANSAI ON HER DECEASE.

MEMO:

September 30, 1950 - Adopted

Clerk, House of Representatives.

11

H. R. No. ____

RESOLUTION

WHEREAS, Mrs. Kesa Ansai, mother of the Honorable Toshio Ansai, senator from the second senatorial district in this twenty-fifth legislature of Hawaii, departed this life at Wailuku, Maui on the 4th day of September 1950 at the age of 80 years; and

WHEREAS, Mrs. Kesa Ansai has been a resident of the Territory of Hawaii and the island of Maui continuously for the past 55 years, and at her death left surviving her Mr. Kumataro Ansai, her husband, and 9 children and 29 grandchildren; and

WHEREAS, Mrs. Kesa Ansai, by her exemplary life as wife and mother had endeared herself deeply in the hearts of all who knew her; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, that this House and all its members express its condolences and heartfelt sympathy to the family of the late Mrs. Kesa Ansai on her decease;

AND BE IT FURTHER RESOLVED that a duly certified copy of this resolution be presented to the family of Mrs. Kesa Ansai.

OFFERED BY:

Representative, First District

Honolulu, T. H.,
September 30, 1950

1950 SPEC HOUSE

House Resolution No. 12

House of Representatives

# RESOLUTION

## The Legislature
of the
## Territory of Hawaii

Offered October 2, 19 50, by

Representative s King, Ichinose, Yamauchi and Olds

DIRECTING THAT A COMMITTEE OF THE WHOLE HOUSE OF REPRESENTATIVES INVESTIGATE THE NEED OF AN APPROPRIATION FOR THE DEPARTMENT OF PUBLIC WELFARE AND REPORT ITS FINDINGS TO THE HOUSE OF REPRESENTATIVES AS SOON AS POSSIBLE.

MEMO:

October 2, 1950, Adopted.

October 3, 1950, Placed on file.

Clerk, House of Representatives.

H. R. NO. 1

RESOLUTION

RESOLVED, that a Committee of the Whole House of ~~the House of~~ Representatives of the Twenty-fifth Legislature of the Territory of Hawaii in Second Special Session assembled, investigate the need of an appropriation for the Department of Public Welfare and report its findings to the House of Representatives as soon as possible.

Offered by:

Jack P. King
Representative, 4th District

Samuel N. Ichinose 4th

Joseph Yamauchi, 1st

Kenneth T. Oeda 4th

Honolulu, T. H.
October 2, 1950

1950 SPEC HOUSE

House Resolution No. 13

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 3, 1950, by Representatives Ichinose, King, Olds, Hayes, McGuire and Porteus

AUTHORIZING THE MAYOR AND BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF HONOLULU TO RECONSTRUCT AND EQUIP THE WASHINGTON INTERMEDIATE SCHOOL BUILDING.

MEMO:

October 3, 1950, Adopted.

Clerk, House of Representatives.

H.R. 13

RESOLUTION

RESOLVED, by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, that the Mayor and Board of Supervisors of the City and County of Honolulu be authorized to reconstruct and equip the Washington Intermediate School Building which was only recently razed by fire; and be it further

RESOLVED, that because of the hardship and inconvenience upon the children and teachers of this institution, it is requested that immediate consideration be given this matter; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the Mayor and Board of Supervisors of the City and County of Honolulu.

Offered by:

Samuel M. Ichinose

Jack P. King 4th Dist.

Hermit T. Aeda

Flora K. Sayes

W. M. Quine

Hebden Porteus

Honolulu, T. H.
Oct. 3, 1950

1950 SPEC HOUSE

House Resolution No. 14

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 4, 1950, by

Representative Miyake

REQUESTING THE BOARD OF HARBOR COMMISSIONERS TO INVESTIGATE THE FEASIBILITY OF CONSTRUCTING SMALL BOAT HARBOR AT WAIMEA, KAUAI, AND TO REPORT ITS FINDINGS TO THE TWENTY-SIXTH LEGISLATURE OF THE TERRITORY OF HAWAII.

MEMO:

October 4, 1950 - Adopted

Clerk, House of Representatives.

14

A RESOLUTION

REQUESTING the BOARD OF HARBOR COMMISSIONERS TO INVESTIGATE the FEASIBILITY OF CONSTRUCTING a SMALL BOAT HARBOR AT WAIMEA, KAUAI.

WHEREAS, the Twenty-fifth Legislature of the Territory of Hawaii, by Act 382 of the Regular Session Laws of 1949 empowered and authorized the board of supervisors of the county of Kauai to issue bonds in the sum of $75,000 to provide a retaining wall and to make other improvements to prevent beach erosion at Waimea, in the county of Kauai; and,

WHEREAS, said construction has not yet been undertaken; and

WHEREAS, it may be feasible to utilize said funds for the construction of a small boat harbor at Waimea as well as for the prevention of beach erosion; now therefore, be it

RESOLVED, by the House of Representatives of the Territory of Hawaii, that the Board of Harbor Commissioners be, and it hereby is, requested to investigate the feasibility of constructing a small boat harbor at Waimea, county of Kauai and the cost of said construction, and to report its findings to the regular session of the Twenty-sixth Legislature of the Territory of Hawaii; and, be it further

RESOLVED, that certified copies of this Resolution be delivered to the chairman of the Board of Harbor Commissioners and to the chairman of the board of supervisors of the county of Kauai.

OFFERED BY:

6th Dist

Honolulu, T. H.

Feb 1, 1950

1950 SPEC HOUSE

House Resolution No. 15

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 4, 1950, by

Representative Lydgate

FIXING THE RATES OF PAY OF THE OFFICERS AND EMPLOYEES OF THE HOUSE OF REPRESENTATIVES.

MEMO:

October 4, 1950 - Adopted.

Clerk, House of Representatives.

H.R. No. 15

RESOLUTION

RESOLVED, by the House of Representatives of the Territory of Hawaii, Second Special Session, that the salaries of its officers and other employees shall be as follows:

OFFICERS

| | | PER DAY | |
|---|---|---|---|
| Jas. S. Achong | Clerk | $ 45.00 | |
| Kape R. Putnam | Assistant Clerk | 37.50 | |
| Solomon Kuni | Chaplain | 250.00 | (For Session) |
| Herman F. Kuhlman | Sergeant at Arms | 22.50 | |

EMPLOYEES

| | | |
|---|---|---|
| Ella Lam | Secretary to Speaker and Engrossing Clerk | 25.00 |
| Joseph E. Medeiros | Utility Clerk | 15.00 |
| William I. Kanakanui | Messenger and Utility Clerk | 15.00 |
| Herbert U. Kai | Messenger and Utility Clerk | 15.00 |
| Harry K. Purdy | Janitor and Custodian | 15.00 |

Offered by:

C. R. Rydgate
Rep., 3rd District

Honolulu, T. H.,
October 4, 1950

1950 SPEC HOUSE

House Resolution No. 16

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 4, 1950, by Representatives Sakakihara, Yamauchi, Garcia and Hind

REQUESTING THE BOARD OF HARBOR COMMISSIONERS TO UNDERTAKE A SURVEY OF THE ESTIMATED COSTS OF CONSTRUCTING A WOODEN PIER, NEAR THE ENTRANCE FROM HILO BAY TO THE WAILOA RIVER AND TO REPORT TO THIS SPECIAL SESSION.

MEMO:

October 4, 1950 - Adopted.

Clerk, House of Representatives.

H. Res. No. 16

RESOLUTION

WHEREAS, the existing pier and docking facilities at and in the Wailoa River where it connects with Hilo Bay at Hilo, Hawaii, are totally inadequate for regular use of the larger sampan fishing boats needing such facilities; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Special Session assembled, that the board of harbor commissioners be and they are hereby requested to undertake a survey of the estimated costs of constructing a wooden pier, including the necessary costs of dredging and blasting, at or near the site of the old railroad wharf, near the entrance from Hilo Bay to the Wailoa River, said site being near to and in a northeasterly direction from the triangulation station "Boat Landing"; and that the said board of harbor commissioners make a report of said survey to this Special Session of the Twenty-fifth Legislature;

AND BE IT FURTHER RESOLVED that a duly certified copy of this Resolution be forwarded to the board of harbor commissioners.

OFFERED BY:

Representative, First District

October 4, 1950
Honolulu, T. H.

1950 SPEC HOUSE

House Resolution No. 17

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 9, 1950, by Representatives McGuire, King, Ichinose, Hayes and Porteus

REQUESTING THE GOVERNOR TO ALLOT THE SUM OF TWELVE THOUSAND DOLLARS ($12,000.00) FOR THE DEVELOPMENT OF A PARK AREA AT WAIMANALO.

MEMO:

October 9, 1950 - Adopted

Ce

Clerk, House of Representatives.

Stencil
Engross ✓
Backing

H. R. No. 17

RESOLUTION

WHEREAS, Act 335 of the Regular Session Laws of Hawaii 1949 appropriated the sum of Twelve Thousand Dollars ($12,000.00), under the Hawaiian Homes Commission, for the development of a park area at Waimanalo; and

WHEREAS, up to the present time no action has been taken regarding the development of this park; now, therefore, be it

RESOLVED by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, that the Governor is hereby requested to allot the said sum of Twelve Thousand Dollars ($12,000.00) for the development of said park; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Governor and to the Hawaiian Homes Commission.

Offered by:

W. F. McGuire
Jack P. King
Samuel M. Ichinose
Flora K. Hayes
Hebden Porteus

Honolulu, T. H.
October 9, 1950.

1950 SPEC HOUSE

House Resolution No. 18

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 10, 1950, by

Representatives Fong, Ezell, Richardson, Nielsen, Apaka, Lydgate, Garcia, Hind, Olds, Seong, King, Kido, Pule, Noda, Miyake, Trask, Arashiro, Marcallino, Tagawa, Paschoal, Hayes, Porteus, Ichinose, McGuire, Yamauchi, Sakakihara and Kauhane.

CONGRATULATING THE HONORABLE JOSEPH R. ITAGAKI ON THE OCCASION OF THE FORTY-FOURTH ANNIVERSARY OF HIS BIRTH.

MEMO:

October 10, 1950. Adopted.

Clerk, House of Representatives.

H. R. No. 18

RESOLUTION

WHEREAS, today marks the forty-fourth anniversary of the birth of the Honorable Joseph R. Itagaki, who was born at Aiea, Oahu, Territory of Hawaii; and

WHEREAS, the Honorable Joseph R. Itagaki is now serving his second term as a member of the House of Representatives of the Legislature of the Territory of Hawaii from the Fifth District; is Vice Chairman of the Committee on Finance and Chairman of the Committee on Public Institutions of this House; and immediately prior to his election to this House served with honor and distinction with the 442nd Regimental Combat Team, United States Army, in Italy and France; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, that this House congratulates the Honorable Joseph R. Itagaki on the occasion of the forty-fourth anniversary of his birth, and wishes him success and long life in the future; and be it further

RESOLVED, that this Resolution be spread upon the minutes of this House and a duly certified copy thereof presented to the Honorable Joseph R. Itagaki.

Offered by:

Honolulu, T. H.
October 10, 1950

1950 SPEC HOUSE

House Resolution No. 19

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 10, 1950, by

Representatives Fong, Kauhane, Kido, Noda, Trask and Itagaki

REQUESTING THE BOARD OF HARBOR COMMISSIONERS TO INVESTIGATE THE FEASIBILITY OF CONSTRUCTING A BREAKWATER AT HALEIWA AND ONE AT WAIANAE, OAHU, AND THE COST OF SAID CONSTRUCTION, AND TO REPORT ITS FINDINGS TO THE REGULAR SESSION OF THE TWENTY-SIXTH LEGISLATURE.

MEMO:

October 10, 1950. Adopted.

Clerk, House of Representatives.

H. R. No. 19

RESOLUTION

REQUESTING THE BOARD OF HARBOR COMMISSIONERS TO INVESTIGATE THE FEASIBILITY OF CONSTRUCTING A BREAKWATER AT HALEIWA AND A BREAKWATER AT WAIANAE, OAHU.

RESOLVED, by the House of Representatives of the Territory of Hawaii, that the Board of Harbor Commissioners be, and it hereby is, requested to investigate the feasibility of constructing a breakwater at Haleiwa and one at Waianae, Oahu and the cost of said construction, and to report its findings to the regular session of the Twenty-Sixth Legislature of the Territory of Hawaii; and, be it further

RESOLVED, that a certified ~~copies~~ copy of this resolution be delivered to the chairman of the Board of Harbor Commissioners. ~~and the chairman of the Board of Supervisors of the city and county of Honolulu, T. H.~~

Offered by:

Honolulu, T. H.
Oct. 10, 1950

1950 SPEC HOUSE

House Resolution No. 20

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 11, 1950, by

Representative Paschoal

Requesting the Board of Harbor Commissioners to investigate the feasibility of constructing a breakwater at Maalaea Bay, Maui, and the cost of said construction, and to report its findings to the regular session of the twenty-sixth Legislature of the Territory of Hawaii.

MEMO:

Oct. 11, 1950. Adopted.

Clerk, House of Representatives.

H. R. 20

RESOLUTION

RESOLVED, by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, that the Board of Harbor Commissioners be, and it hereby is, requested to investigate the feasibility of constructing a breakwater at Maalaea Bay, Maui and the cost of said construction, and to report its findings to the regular session of the Twenty-Sixth Legislature of the Territory of Hawaii; and, be it further

RESOLVED, that a certified copy of this resolution be forwarded to the Chairman of the Board of Harbor Commissioners.

Offered by:

M G Paschoal

Rep 3 dist

Honolulu, T. H.,

October 11, 1950.

1950 SPEC HOUSE

House Resolution No. 21

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 11, 1950, 19..., by

Representative Lydgate

Providing for the compilation of the Journal of the House of Representatives, Second Special Session.

MEMO:

Oct. 11, 1950. Adopted

Clerk, House of Representatives.

H. R. No. 21

RESOLUTION

WHEREAS, the printing, binding and sewing of the Journal of the House of Representatives of the Twenty-Fifth Legislature, Second Special Session, will not involve an amount above the amount prescribed by law to be expended without calling for sealed tenders; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-Fifth Legislature, Second Special Session, that subject to the direction and control of the Committee on Journal, the Clerk of the House of Representatives be and he is hereby authorized and directed to proceed to compile the journal of the House of Representatives of the Second Special Session, in the manner provided by rule 38 of said House, and in that respect is further authorized under the direction and supervision of the Committee on Journal, to correct grammatical and orthographical errors.

The journal shall be in the same general form as the House Journal of the Regular Session of 1949, and shall contain in addition to the matters required by said rule 38 and required by law, only such matters as the Speaker of the House and/or the House may from time to time direct; and be it further

RESOLVED, that the Clerk shall prepare one original copy thereof, to be filed with the Archives of the Territory of Hawaii, and one carbon copy for the printer, on paper eight and one-half inches in width by thirteen inches in length with a top margin of two and one-half inches, a bottom margin of two inches and side margins of one and one-half inches each,

using double spacing throughout, except quotations, for which single spacing shall be used.

In full compensation for compiling, typewriting and indexing the journal as aforesaid, the Clerk shall receive at the rate of seventy-five cents per page of original copy, a page being twenty-six lines on paper with margins as indicated above; and be it further

RESOLVED, that in addition to the amount specified above, the Clerk shall be allowed the sum of twenty-five cents per page as defined above, for proof-reading and supervision of the printing of the journal.

Offered by:

G. R. Englgate

Honolulu, T. H.,
October 11, 1950.

1950 SPEC HOUSE

House Resolution No. 22

House of Representatives

# RESOLUTION

## The Legislature
of the
## Territory of Hawaii

Offered October 11, 1950, by

Representatives Fong, McGuire, Apaka, Pule, Richardson, Miyake, Noda and Kauhane. Sakakihara

Expressing the appreciation pf the people of the Territory of Hawaii to Hainer Hinshaw for his hospitality to the members of the Holdover Committee of 1949 appearing before the Committee on Interior and Insular Affairs of the Senate of the United States, to present the case of Statehood for Hawaii.

MEMO:

Oct. 11, 1950. Adopted

Clerk, House of Representatives.

H.R. NO. 22

RESOLUTION

WHEREAS, members of the House of Representatives of the Twenty-Fifth Legislature of Hawaii, being also members of the Holdover Committee of 1949, on or about May 1, 1950, did travel to the nation's Capitol in Washington, D. C. for presentation of the case of statehood for Hawaii before the Committee on Interior and Insular Affairs of the Senate of the United States; and

WHEREAS, during their sojourn in the nation's Capitol the said representatives of the people of the Territory of Hawaii were accorded gracious and abundant hospitality through the efforts of Mr. Hainer Hinshaw, assistant to the president of United Air Lines; and

WHEREAS, Mr. Hainer Hinshaw gave unstintingly of his time and attention to the representatives of the people of the Territory of Hawaii, "over and above the call of any duty", and the representatives of the people and the Territory of Hawaii are deeply grateful and appreciative of the magnificent treatment so accorded them; now therefore

BE IT RESOLVED, by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in second Special Session assembled, that we record, on behalf of the representatives and people of the Territory of Hawaii, our profound gratitude to Mr. Hainer Hinshaw for his splendid and helpful hospitality to the representatives of the people of the Territory of Hawaii; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the record of the Journal of this House, and that a duly certified copy thereof be forwarded to Mr. Hainer Hinshaw.

OFFERED BY:

THOMAS T. SAKAKIHARA
Representative, First
District.

October 11, 1950
Honolulu, T. H.

1950 SPEC HOUSE

House Resolution No. 23

House of Representatives

# RESOLUTION

## The Legislature
of the
## Territory of Hawaii

Offered October 11, 1950, by Richardson, Hind

Representatives Sakakihara, Garcia, and Yamauchi

Requesting the Commissioner of Public Lands and the Surveyor of the Territory of Hawaii to expedite the opening of public lands located at 2 9 miles Olaa, District of Puna, Hawaii, for farming.

MEMO:

Oct. 11, 1950. Adopted.

Clerk, House of Representatives.

H. R. NO. 23

RESOLUTION

~~BE IT~~ RESOLVED, by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii in Special Session that the Commissioner of Public Lands and the Surveyor of the Territory of Hawaii be and they are hereby requested to expedite the opening of public lands located at 29 Miles Olaa, District of Puna, County of Hawaii, for farming, said land being the 1,000 acres, more or less, heretofore withdrawn from the Upper Olaa Forest Reserve; and, be it further

~~BE IT FURTHER~~ RESOLVED, that certified copies of this Resolution be transmitted to the Commissioner of Public Lands and the Surveyor of the Territory of Hawaii.

OFFERED BY:

THOMAS T. SAKAKIHARA
Representative, First District

Joseph R. Garcia, Jr. 1st

Honolulu, Hawaii

October 11, 1950

1950 SPEC HOUSE

House Resolution No. 24

House of Representatives

# RESOLUTION

## The Legislature
of the
## Territory of Hawaii

Offered October 11, 1950, by

Representatives Sakakihara, Garcia, Yamauchi, Richardson and Hind.

Requesting the Governor of the Territory of Hawaii to allocate the sum of $500 from the Governor's Contingent Fund for the purpose of carrying out a soil survey of public lands located at Olaa, District of Puna, County of Hawaii.

MEMO:

Adopted. October 11, 1950.

Clerk, House of Representatives.

H. R. NO. 24

RESOLUTION

~~BE IT~~ RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii in Second Special Session, that the Governor of the Territory of Hawaii be and he is hereby requested to allocate the sum of $500 from the Governor's Contingent Fund for the purpose of carrying out a soil survey of the 1,000 acres, more or less, of public lands located at 29 Miles Olaa, District of Puna, County of Hawaii, being the lands heretofore withdrawn from the Upper Olaa Forest Reserve and to be opened in the near future for farming; and, be it further

~~BE IT FURTHER~~ RESOLVED that a certified copy of this Resolution be transmitted to the Governor of the Territory of Hawaii.

OFFERED BY:

THOMAS T. SAKAKIHARA
Representative, First District

Joseph R. Garcia, Jr.

Honolulu, Hawaii
October 11th, 1950

1950 SPEC HOUSE

House Resolution No. 25

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 12, 1950, by

Representative Nielsen

REQUESTING THE HAWAII AERONAUTICS COMMISSION TO PREPARE PLANS FOR CONSTRUCTION OF AN AIRPORT IN THE DISTRICT OF KAU, HAWAII.

MEMO:

October 12, 1950. Adopted.

Clerk, House of Representatives.

25

RESOLUTION

REQUESTING HAWAII AERONAUTICS COMMISSION TO PREPARE PLANS FOR CONSTRUCTION OF AN AIRPORT IN DISTRICT OF KAU, HAWAII.

WHEREAS, the district of Kau is not adequately served by existing airports in the county of Hawaii; and

WHEREAS, topographical conditions indicate that an airport may be advantageously and economically constructed in the vicinity of Pahala or the vicinity of Naalehu, in said district; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature, in ~~Special~~ second Session assembled, that the Hawaii Aeronautics Commission be, and hereby is, requested to survey the area in the vicinity of Pahala and Naalehu, Hawaii, to determine the area on which an airport may be constructed most economically and to best advantage; and

BE IT FURTHER RESOLVED that the Hawaii Aeronautics Commission be requested to submit plans and estimates of costs of constructing such airport to the Twenty-sixth Legislature of the Territory of Hawaii; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be delivered to the Director of the Hawaii Aeronautics Commission.

OFFERED BY:
Earl A. Kiela, 2nd

Honolulu, T. H.
10-17-50

Adopted

1950 SPEC HOUSE

House Resolution No. 26

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 12, 1950, by

Representatives Olds, Seong, Pashhoal, Tagawa, Ezell, Nielsen, Hayes, Marcallino, King, Miyake, Kauhane, Lydgate, Garcia, McGuire, Apaka, Kido, Fong, [illegible], Sakakihara, Arashiro, Pule, Richardson, Hind, Porteus, Yamauchi and Noda.

EXPRESSING THE SINCERE REGRET OF THE HOUSE OF REPRESENTATIVES AT THE PASSING OF DAVID KAUKAOHU TRASK AND EXTENDING TO HIS FAMILY THEIR DEEPEST SYMPATHY.

MEMO:

October 12, 1950. Adopted.

Clerk, House of Representatives.

26

RESOLUTION

Adopted

WHEREAS, David Kaukaohu Trask, a native son, and a long devoted servant of the people of Hawaii has departed from our midst; and

WHEREAS, David Kaukaohu Trask gave unstintingly of his time and energy to serving the people of Hawaii as sheriff of the City and County of Honolulu, as a long time member of the Senate, as High Sheriff of the Territory, and in many other important capacities; and

WHEREAS, the rise of David Kaukaohu Trask from an orphan boy of Kauai to a position of prominence and high respect is exemplary to all youths of the Territory; and

WHEREAS, David Kaukaohu Trask was a devoted father, leaving a family of definite asset to the Territory of Hawaii which includes a member of this Legislature, Representative James Trask; now, therefore,

BE IT RESOLVED by the members of the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, that they do by this means express their sincere regrets at the passing of David Kaukaohu Trask and extend to his family their deepest sympathy at their bereavement; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be transmitted to the family of the late David Kaukaohu Trask.

OFFERED BY:

Alfred A. Apaka, 3rd
Mitsuyuki Kido, 5th
Thram L. Tong, 5th
Mos. T. Nakahara 1st
Matsuki Arashiro, 6th
Akoni Pule, 2nd
Oct. 12, 1950
Esther K. O. Richards 2nd
Robert S. Hinck, 2nd
Hebden Porteus, 4th
Joseph Yamamoto, 1st

Kenneth T. Aiden, 4th
Clarence K. Tong, 3rd
M. S. Paschoal, 3rd
Thomas Yagawa 3rd
Carl Ezell, 3rd
Earl A. Nielsen, 2nd
Edward O. Davis 4th
A. J. Marcallino 6th
Jack P. King 4th
Shiro Noda 5th
E. R. Cridgate 3rd
C. E. Kauhane 5th
Joseph R. Garcia Jr., 1st
Wm. Fuid, 4th

adopted

Honolulu, T.H.

1950 SPEC HOUSE

House Resolution No. 27

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 12, 1950, by

Representative s Kauhane, Noda, Kido and Fong.

DIRECTING THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF HONOLULU TO PROVIDE ADEQUATE FACILITIES FOR FIRE PROTECTION OF THE CITIZENS OF WAIANAE, NANAKULI AND HAUULA.

MEMO:

October 12, 1950. Adopted.

Clerk, House of Representatives.

27

RESOLUTION

WHEREAS, the people of Waianae, Nanakuli, and Hauula districts of the city and county of Honolulu have inadequate facilities for fire protection; and

WHEREAS, it is incumbent upon the city and county of Honolulu adequately to protect its citizens from the ravages of fire and from feelings of insecurity resulting from the lack of adequate fire protection; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, that the board of supervisors of the city and county be and is hereby directed to provide facilities for adequate protection of the citizens of Waianae, Nanakuli, and Hauula, among which facilities there shall be included a triple combination pump in each of the said districts; and

BE IT FURTHER RESOLVED that duly certified copies of this Resolution be transmitted to the Mayor and the board of supervisors of the city and county of Honolulu.

OFFERED BY:

Honolulu, T. H.
10/12/50

1950 SPEC HOUSE

House Resolution No. 28

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 13, 1950, by

Representative Nielsen

DIRECTING THE COMMISSIONER OF PUBLIC LANDS TO SUPPLY CERTAIN INFORMATION TO THE HOUSE OF REPRESENTATIVES.

MEMO:

October 13, 1950. Referred to the Committee of the Whole House.

October 13, 1950. Placed on file.

Clerk, House of Representatives.

H.R. 28
COW

RESOLUTION

DIRECTING COMMISSIONER OF PUBLIC LANDS TO SUPPLY CERTAIN INFORMATION TO THE HOUSE OF REPRESENTATIVES.

WHEREAS, administration of public lands is one of the major problems of the Territory; and

WHEREAS, the Board of Public Lands is an agency established by law to participate in the administration of public lands, and should properly be comprised of persons financially disinterested in such lands; and

WHEREAS, Archie S. Kaaua, a member of Board of Public Lands, is also an employee of Castle and Cooke, Limited, which corporation and its subsidiaries hold many government leases; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature, in Special Session assembled, that the Commissioner of Public Lands be, and hereby is directed to furnish to the House of Representatives at the next session of the Legislature, a complete list of all government leases held by Castle and Cooke, Limited, Hawaiian Pineapple Company, Limited, Waialua Agricultural Company, Limited, Hawaiian Tuna Packers, Limited, Castle and Cooke Terminals, Limited, Matson Navigation Company, Ewa Plantation Company, A. F. Stubenberg, Limited, Honolulu Oil Corporation, Helemano Company, and any and all other concerns in which Castle and Cooke, Limited, has a major interest; and

BE IT FURTHER RESOLVED that a duly certified copy of this Resolution be forwarded to the Commissioner of Public Lands of the Territory of Hawaii.

OFFERED BY:

Earl A. Fuller

Honolulu, T. H.

10-13-50

1950 SPEC HOUSE

House Resolution No. 29

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 13, 1950, by

Representative s Kauhane, Noda, Kido, Trask, Itagaki and Fong.

DIRECTING THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF HONOLULU TO ESTABLISH AN AMBULANCE STATION TO SERVE THE PEOPLE OF WAIANAE AND NANAKULI DISTRICTS,

MEMO:

October 13, 1950. Adopted.

Clerk, House of Representatives.

H.R 29

RESOLUTION

WHEREAS, when emergencies occur requiring the services of an ambulance, the people of Waianae, and Nanakuli, ~~and Hawula~~, Oahu, must await the arrival of an ambulance from other districts, endangering the lives of persons requiring medical attention; and

WHEREAS, with an increase of population in the Waianae, and Nanakuli, ~~and Hawula~~ districts there is increasing need for the establishment of such ambulance services; now, therefore, be it

~~BE IT~~ RESOLVED, by the House of Representatives of the Twenty-fifth Legislature, of the 7 of 18 in Special Session assembled, that the Board of Supervisors of the City and County of Honolulu be, and is hereby, directed to establish an ambulance station centrally located so as to provide adequate ambulance service to the people of Waianae, Nanakuli, ~~and Hawula~~ districts; and be it further

~~BE IT FURTHER~~ RESOLVED that duly certified copies of this Resolution be forwarded to the Mayor and Board of Supervisors of the City and County of Honolulu.

OFFERED BY: C. A. Kanhane
Steve G. Roda
Mitsuyuki Kido
James K. Trask
Joseph R. Stagako
Thomas L. Song

Honolulu, T. H.
Oct. 13, 1950

Adopted

1950 SPEC HOUSE

House Resolution No. 30

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 13, 1950, by

Representative s Miyake and Marcallino

REQUESTING THE SUPERINTENDENT OF PUBLIC WORKS TO INVESTIGATE THE FEASIBILITY OF CONSTRUCTING A HIGHWAY SERVING THE NORTH-WESTERN AREA OF THE ISLAND OF KAUAI.

MEMO:

October 13, 1950. Adopted.

Clerk, House of Representatives.

H.R. 30

RESOLUTION

REQUESTING THE SUPERINTENDENT OF PUBLIC WORKS TO INVESTIGATE THE FEASIBILITY OF CONSTRUCTING A HIGHWAY SERVING THE NORTHWESTERN AREA OF THE ISLAND OF KAUAI.

WHEREAS, the Island of Kauai contains areas of great natural beauty, including the Great Waimea Canyon, Kalalai Valley, Hanalei Valley, Hanapepe Valley, and numerous other places; and

WHEREAS, other areas of natural beauty, such as Nuulolo, Minolii, Kalalau, and Hanakapia are relatively inaccessible for lack of good roads, but possess great potential for development, not only for the tourist trade, but also for agriculture, ranching, and fishing; and

WHEREAS, this inaccessible area, which consists of some forty miles lying in the northwesterly region of the Island of Kauai could be opened for development if adequate roads were built; now, therefore,

BE IT RESOLVED by the House of Representatives, in Special Session assembled, that the Superintendent of Public Works be, and hereby is, requested to investigate the possibility of constructing a road or roads into the said area of northwestern Kauai by the use of prison labor; and

BE IT FURTHER RESOLVED that the Superintendent of Public Works be requested to report the results of his findings, together with plans and estimates of costs of constructing said road or roads, should such construction appear to be feasible, to the Twenty-sixth Legislature of the Territory of Hawaii; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be delivered to the Superintendent of Public Works.

OFFERED BY:

Honolulu, T. H.
Oct. 13, 1957

Engrossed adopted

1950 SPEC HOUSE

House Resolution No. 31

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 13, 1950, by

Representatives Miyake and Marcallino

REQUESTING THE COMMANDING GENERAL OF THE UNITED STATES ARMY PACIFIC AREA TO USE HIS GOOD OFFICES TO RESTORE BARKING SANDS, KAUAI TO TERRITORIAL CONTROL OR TO MAKE THAT AREA AVAILABLE TO THE PUBLIC.

MEMO:

October 13, 1950. Adopted.

Clerk, House of Representatives.

H.R. 31

RESOLUTION

REQUESTING the COMMANDING GENERAL OF THE UNITED STATES ARMY PACIFIC AREA TO USE HIS GOOD OFFICES TO RESTORE BARKING SANDS, KAUAI, TO TERRITORIAL CONTROL OR TO MAKE THAT AREA AVAILABLE TO PUBLIC the

WHEREAS, the "barking sand", an area of white sand dunes which sand barks like a dog when forced together or rubbed violently, is a tourist attraction of wide renown; and

WHEREAS, prior to World War II said "barking sand" was accessible both to tourists and to the people of the Territory of Hawaii; and

WHEREAS, during World War II a military airport was constructed in said "barking sands" area and for security purposes said area was closed to the public; and

WHEREAS, the "barking sand" airfield is no longer used as an active military base; now, therefore, be it

~~BE IT~~ RESOLVED, by the House of Representatives of the Territory of Hawaii, in Second Special Session assembled, that the Commanding General of the United States Army of the Pacific Area be requested to use his good offices to restore the "barking sand" area to territorial control and to make it again freely available to the people of the Territory of Hawaii and to tourists when they visit this Territory; and, be it further

~~BE IT FURTHER~~ RESOLVED, that a certified copy of this Resolution be delivered to General Henry S. Aurand, Commanding General, United States army Pacific Area.

OFFERED BY:

A. S. Marcallino

Honolulu, T. H.

Oct. 13, 1950

Adopted
Engross

1950 SPEC HOUSE

House Resolution No. 32

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 13, 1950, by

Representatives Hayes, Olds, King, Ichinose, Porteus and McGuire

REQUESTING THE HAWAIIAN HOMES COMMISSION AND THE BOARD OF PUBLIC PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU TO MAINTAIN A KINDERGARTEN AT WILSON PARK, PAPAKOLEA HOMESTEADS, HONOLULU.

MEMO:

October 13, 1950. Adopted.

Clerk, House of Representatives.

H. R. No. 37

# RESOLUTION

WHEREAS, there has been maintained for many years a kindergarten at Wilson Park, in Papakolea Homesteads in the City and County of Honolulu, by the Hawaiian Homes Commission, which kindergarten has had its school hours until 2:00 o'clock P.M., in the afternoon of each week day; and

WHEREAS, it has been made known to this House that the Board of Public Parks and Recreation of the City and County of Honolulu has requested that the Hawaiian Homes Commission caused the school hours at said kindergarten to terminate at 12:30 o'clock P.M. each day; and

WHEREAS, it is believed by the members of this House that said kindergarten should continue in session until 2:00 o'clock P.M. each day; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, that the Hawaiian Homes Commission and the Board of Public Parks and Recreation of the City and County of Honolulu be and they hereby are requested to maintain and permit the maintenance of the kindergarten at Wilson Park until the hour of 2:00 o'clock P.M., as the practice has heretofore been established.

OFFERED BY:

Flora K. Hayes

Representative, Fourth District

Kenneth T. Alds

Jack P. King

Samuel M. Ichinose

Hilton Porteus

WFM & Guire

Honolulu, T. H.

October 13, 1950

adopted

1950 SPEC HOUSE

House Resolution No. 33

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 13, 1950, by

Representatives Porteus, Itagaki, Trask, Ezell, McGuire, Lydgate, King, Olds, Pule, Garcia, Fong, Noda, Marcallino, Kauhane, Miyake, Sakakihara, Yamauchi, Apaka, Paschoal, Richardson, Hind, Hayes, Ichinose, Nielsen and Kido.

EXPRESSING ITS APPROVAL OF ALOHA WEEK AND URGING TERRITORY-WIDE SUPPORT OF ALOHA WEEK 1950.

MEMO:

October 13, 1950. Adopted.

Clerk, House of Representatives.

H. R. NO. 33

RESOLUTION

WHEREAS, Aloha Week is an Hawaiian celebration which now is recognized as a world festival; and

WHEREAS, Aloha Week gives visitors a view of the Territory of Hawaii at its best and aids in bringing the attention of other lands to our Islands; and

WHEREAS, Aloha Week is sponsored by a non-profit organization, the Jaycee Oldtimers of Hawaii, and depends upon public funds and volunteer effort for its success; and

WHEREAS, Aloha Week is a means of preserving the traditions and culture of Ancient Hawaii and a demonstration of the harmony with which peoples of many races work and live together in the Territory of Hawaii; ~~be it~~ now therefore, be it

RESOLVED, that the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, expresses its approval of Aloha Week 1950; and, be it further

RESOLVED, that the members of this House of Representatives shall as business men and as private citizens each personally aid where possible.

adopted

OFFERED BY:

Honolulu, T. H.
October ~~13~~, 1950

1950 SPEC HOUSE

House Resolution No. 34

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 13, 1950, by

Representative Sakakihara

PROVIDING FOR EMPLOYMENT OF OFFICERS AND EMPLOYEES AFTER ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES SINE DIE.

MEMO:

October 13, 1950. Adopted.

Clerk, House of Representatives.

H. R. No. 34

RESOLUTION

RESOLVED, that all officers and employees of the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, other than the Chaplain, be given employment after the adjournment of the House sine die at their respective rates of pay for a maximum of ten days after the adjournment of the House sine die.

Offered by

Honolulu, T. H.
October 13, 1950

as Captured

1950 SPEC HOUSE

House Resolution No. 35

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 13, 1950, by

Representative Sakakihara

EXPRESSING APPRECIATION TO THE NEWSPAPER REPORTERS FOR THEIR REPORTING OF THE ACTIVITIES OF THE HOUSE OF REPRESENTATIVES.

MEMO:

October 13, 1950. Adopted.

Clerk, House of Representatives.

35

RESOLUTION

WHEREAS, through the medium, and with the cooperation, of the press and radio, the public has been kept informed of the activi ies of the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, Second Special Session; and

WHEREAS, the business of the House has been fully, accurately and impartially reported in the local press and on the air from day to day; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii, Second Special Session, that this House expresses its appreciation of the reporting done by Douglas Boswell, of the Honolulu Star Bulletin and Gerald Lopez of the Honolulu Advertiser and Robert Ruben of the United Press and Harry Shiramizu of the Hawaii Times; be it further

RESOLVED, that duly certified copies of this Resolution be forwarded to the reporters above named and to their respective editors or superiors.

Offered by:

Honolulu, T. H.,
October 13, 1950

adopted

1950 SPEC HOUSE

House Resolution No. 36

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 13, 1950, by

Representative Sakakihara

THANKING THE HAWAIIAN PINEAPPLE COMPANY, LIMITED FOR SUPPLYING FRESH PINEAPPLE JUICE TO THE HOUSE OF REPRESENTATIVES.

MEMO:

October 13, 1950. Adopted.

Clerk, House of Representatives.

36

RESOLUTION

WHEREAS, the Hawaiian Pineapple Company, Limited, has supplied the House of Representatives with fresh pineapple juice throughout the entire Second Special Session of the Twenty-Fifth Legislature of the Territory of Hawaii; now, therefore, be it

RESOLVED, by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, that it hereby expresses its thanks for and appreciation of the generosity and courtesy of the Hawaiian Pineapple Company, Limited, in supplying fresh pineapple juice to this House; and be it further

RESOLVED, that a duly certified copy of this Resolution be forwarded to the said Hawaiian Pineapple Company, Limited.

Offered by:

Honolulu, T. H.
October 13, 1950.

Adopted

1950 SPEC HOUSE

House Resolution No. 37

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 13, 1950, by

Representative Sakakihara

TO PAY DOUGLAS FUKUMORI AND JOHN MURAOKA $150.00 EACH FOR SERVICES AS CLERKS OF THE PRINTING COMMITTEE DURING THE SECOND SPECIAL SESSION.

MEMO:

October 13, 1950. Adopted.

Clerk, House of Representatives.

37

RESOLUTION

WHEREAS, Douglas Fukumori and John Muraoka have performed services to the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, as clerks of the Committee on Revision and Printing; now, therefore, be it

RESOLVED by the House of Representatives that said Douglas Fukumori and John Muraoka be paid the sum of $150.00 each for such services.

Offered by:

Honolulu, T. H.
October 13, 1950.

adopted

1950 SPEC HOUSE

House Resolution No. 38

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 13, 1950, 19 50, by

Representative Sakakihara

AUTHORIZING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO APPROVE THE JOURNAL OF THE HOUSE FOR THE TWELFTH DAY OF THE SECOND SPECIAL SESSION.

MEMO:

October 13, 1950. Adopted.

Clerk, House of Representatives.

H.R. 138

RESOLUTION

RESOLVED, by the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, that the Speaker of this House be, and he is hereby authorized to approve the Journal of this House for the Twelfth Day of this Second Special Session.

Offered by:

Mos Takasaka

Honolulu, T. H.
October 13, 1950

adopted

1950 SPEC HOUSE

House Resolution No. 39

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 13, 1950, by

Representative Sakakihara

TO APPOINT A COMMITTEE TO ADVISE THE SENATE AND THE GOVERNOR THAT THE HOUSE OF REPRESENTATIVES IS READY TO ADJOURN SINE DIE.

MEMO:

October 13, 1950. Adopted.

Clerk, House of Representatives.

H.R. 39

RESOLUTION

RESOLVED, that a Special Committee of three be appointed to advise the Senate and the Governor that the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, is ready to adjourn sine die.

Offered by:

Mrs. Sakakihara

Honolulu, T. H.

October 13, 1950

Richardson
Hayes
Kauhane

Com. to wait on Governor

Adopted

1950 SPEC HOUSE

House Resolution No. 40

House of Representatives

# RESOLUTION

## The Legislature of the Territory of Hawaii

Offered October 13, 1950, by

Representatives Sakakihara, Apaka, Ezell, Yamauchi, Richardson, Pule, Kauhane and Noda.

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO MAKE A SURVEY OF THE RESULTS OF THE PRIMARY ELECTION.

MEMO:

October 13, 1950. Tabled.

Clerk, House of Representatives.

Tabled

House Res. No. 40

RESOLUTION

RESOLVED by the House of Representatives that the Legislative Reference Bureau is hereby requested to make a survey of the results of the Primary Election, held on October 7, 1950, in order to determine the effect of the Closed Primary Election.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Legislative Reference Bureau.

OFFERED BY:

Representative, 1st District

Honolulu, T. H.
October 13th 1950

Tabled

1950

SECOND SPECIAL SESSION

HOUSE OF REPRESENTATIVES

# GOVERNOR'S MESSAGES

Gov Mes No. 1

MESSAGE

OF

INGRAM M. STAINBACK

GOVERNOR OF HAWAII

TO THE

TWENTY-FIFTH LEGISLATURE

TERRITORY OF HAWAII

SPECIAL SESSION, 1950

Friday, September 29, 1950

TERRITORY OF HAWAII
EXECUTIVE CHAMBERS
HONOLULU

September 29, 1950

MR. PRESIDENT, MR. SPEAKER, AND MEMBERS
OF THE
TWENTY-FIFTH LEGISLATURE:

You have been convened in Special Session for consideration of the Constitution framed by the Constitutional Convention of 1950, together with any ordinances of said Convention requiring ratification, and to provide for the submission of the proposed Constitution to the people of the Territory of Hawaii, together with any alternative or additional provisions or ordinances which you suggest.

A Petition of a majority of your members was presented to me on Monday, September 25th, and less than an hour later the Proclamation issued calling the Legislature into Special Session. This Petition had been signed by 25 of the 30 members of the House of Representatives and by 8 of the 15 members of the Senate.

Although at no time objecting to a special session of the legislature, in view of the intensive campaigning that remains before most of you for reelection to the legislature, I had hesitated to call such session prior to election without your approval thereof, as called for by the provisions of Act 334, Session Laws of 1949. I hope that the interests of statehood and Hawaii will not suffer because some of your members may be champing at the bit to get back into the current political campaign.

I believe that on the whole the proposed constitution is an excellent one, but that it can and should be improved in certain respects.

Some of you who were members of the Constitutional Convention may possibly feel through pride of authorship that the Legislature should simply approve the proposed constitution in its entirety without modifications, changes, or alternatives to be voted upon by the people. If such were the intent of Act 334, there would

have been no occasion for calling this special session. Instead, the Act would have provided for the direct submission of the proposed constitution to a vote of the people without the intermediary of a special session of the legislature. This Act clearly contemplates that you will carefully consider the constitution with the thought in mind of preparing alternative provisions where you deem the same desirable, and give the people a chance to select. It specifically provides that the legislature will submit the constitution to the people "together with any alternative or additional provisions or ordinances suggested by the Legislature." Further, the submission of additional or alternative provisions would in no way delay statehood but, on the contrary, if it improves the constitution, would hasten it. The vote will be on the same date regardless of whether additional or alternative provisions are permitted to be voted upon.

Regarding one provision of the proposed constitution, I desire to call your particular attention to the increased size of the

proposed legislative body. The constitution provides for a total of 76 -- 51 members of the House and 25 in the Senate -- as compared with a present total of 45 -- 30 in the House and 15 in the Senate.

Experience over the last fifty years has thoroughly demonstrated to political thinkers that a large legislature is unwieldly, cumbersome and expensive, and the larger it is the less responsibility each legislator has and feels for the acts of the whole.

If there is one lesson that stands out in the minds of students of modern government, it is that a short ballot makes for a more responsible democratic form of government. This applies not only when there are a number of offices to be filled, but where there are very numerous members of one body. As the number of elective offices increases, it becomes more and more difficult to place responsibility so that the people can have true responsible representative government.

Considering our small population and geographical area, this large number of legislators is not in keeping with the trend of every modern constitution on mainland United States. It is a step

backwards. For example: New Jersey, the most recent of the states which has adopted a new constitution, has a senate membership of only 21 and a House of 60. New Jersey, which has more than ten times our population and a 30% greater area, would have well over 200 senators instead of 21 and over 500 members of the house if it used our basis of population. Then, again, Nebraska in its fairly modern constitution has a unicameral legislature consisting of only 43 members, yet it has a population of about three times that of Hawaii and twelve times the area. Other modern state constitutions have also streamlined the legislative body.

Careful consideration might also be given to the provision for an annual meeting of the legislature. Only 7 of the 48 states have this provision, although there are 5 states which have provisions which make it mandatory for the Governor to call a special session upon a petition of some three-fifths or some three-fourths of the membership of the legislature.

The proposed constitution calls for regular sessions each year, special sessions at the call of the Governor, and also special sessions after the close of any session in order to attempt to override any veto by the Governor. It would seem that the constitution calls for too many sessions of the legislature, making sessions mandatory regardless of necessity.

You members of this Legislature have had the unfortunate experience of having been called into special session last year and again this year. I fully realize the personal sacrifice it has meant to you in being constantly drawn from your business affairs to perform legislative duties. Your unfortunate experience of the past two years, however, will be the normal thing for future legislators under the constitution as proposed. The effect of this provision may well be to discourage men and women like yourselves from running for the legislature. You have private jobs and businesses and your legislative duties are, of necessity,

a side line. It might well be that to a large extent you will be replaced by the professional politician dependent upon his legislative salary as a major means of support, or by wealthy men who can well afford the heavy expenditure of time and absence from business.

When a legislature doubles in size, the costs do not merely double. Experience shows that it is more apt to triple or quadruple as there are more committees with more chairmen, clerks and employees.

I venture to say that the expense of such an enlarged body meeting annually would be at least four-fold the expenses of our existing smaller body meeting once in two years.

For some forty years or more our Legislature has refused to carry out that provision of the Organic Act providing for reapportionment of the legislature, though urged to do so by every governor, Republican and Democrat alike, during the period.

The proposed constitution would perpetuate the existing injustice so far as the Senate is concerned, for less than one-third of the population would have 60% of the senators. A provision correcting this inequity should at least be submitted to the vote of the people as an alternative.

Under the proposed constitution Oahu, with 68.6% of the population, would be entitled to only 10 of the 25 seats in the Senate. This unjust situation will be accentuated rather than cured as the years go by, for, according to the report of the United States Bureau of the Census, the population of Oahu has nearly doubled since 1940 while the population of each of the other counties has shown a decrease in this ten-year period. Indications are that Oahu's population will continue to increase at a faster rate than the other counties. Political expediency is a weak justification for preventing rule by the majority.

As I have said before, I consider the proposed constitution on the whole to be an excellent document, superior in many respects

to the constitutions of most of the states. However, I do believe that the people should at least be given the chance to vote upon the matters I have mentioned. You in your legislative wisdom may find that additional alternates are desirable.

In conclusion, I wish to assure you of my wholehearted cooperation and that of the executive departments. We shall ever be ready to consult and advise with you regarding the labors before you.

Ingram M. Stainback

INGRAM M. STAINBACK
Governor of Hawaii

1950

# SECOND SPECIAL SESSION

## HOUSE OF REPRESENTATIVES

# SENATE COMMUNICATIONS

/

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

THIRD DISTRICT
HON. THELMA AKANA HARRISON
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. HERBERT K. H. LEE
HON. WILLIAM H. HEEN
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. September 29, 1950.

Sen. Com. 1

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to inform your Honorable Body that the Senate of the Twenty-fifth Legislature of the Territory of Hawaii in Second Special Session assembled, has been duly organized and is prepared to transact business, with the following officers:

| | |
|---|---|
| President | Hon. Wilfred C. Tsukiyama |
| Vice President | Hon. Eugene S. Capellas |
| Clerk | Mrs. Ethel C. Chillingworth |
| Assistant Clerk | Mrs. Eva R. Hart |
| Sergeant-at-Arms | Joseph Shikata |
| Chaplain | Rev. Henry P. Judd |

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

THIRD DISTRICT
HON. THELMA AKANA HARRISON
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. HERBERT K. H. LEE
HON. WILLIAM H. HEEN
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

**THE SENATE**
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 3, 1950.

Sen Com 2

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to return herewith House Concurrent Resolution No. 1 which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

Sen Com #3

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

THIRD DISTRICT
HON. THELMA AKANA HARRISON
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. HERBERT K. H. LEE
HON. WILLIAM H. HEEN
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

**THE SENATE**
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 3, 1950.

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to transmit herewith Senate Concurrent Resolution No. 2, which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

3

FIRST DISTRICT
Hon. Eugene S. Capellas
Hon. William H. Hill
Hon. William J. Nobriga
Hon. Charles H. Silva

SECOND DISTRICT
Hon. Toshio Ansai
Hon. John Gomes Duarte
Hon. Reuben Goodness

# The Twenty-Fifth Legislature
OF THE
## Territory of Hawaii

THIRD DISTRICT
Hon. Thelma Akana Harrison
Hon. Neal S. Blaisdell
Hon. Benjamin F. Dillingham
Hon. Herbert K. H. Lee
Hon. William H. Heen
Hon. Wilfred C. Tsukiyama

FOURTH DISTRICT
Hon. Manuel R. Aguiar Jr.
Hon. John B. Fernandes

**THE SENATE**
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 4, 1950. # 4
Sen. Com.

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to return herewith House Bill No. 1, which this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, with the following amendment:

"Substitute the words and figures 'Thirty-five Thousand Dollars ($35,000.00)', for the words and figures 'Twenty-five Thousand Dollars ($25,000.00)' where the same appear in Section 2 of said bill."

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

FIRST DISTRICT
Hon. Eugene S. Capellas
Hon. William H. Hill
Hon. William J. Nobriga
Hon. Charles H. Silva

SECOND DISTRICT
Hon. Toshio Ansai
Hon. John Gomes Duarte
Hon. Reuben Goodness

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

THIRD DISTRICT
Hon. Thelma Akana Harrison
Hon. Neal S. Blaisdell
Hon. Benjamin F. Dillingham
Hon. Herbert K. H. Lee
Hon. William H. Heen
Hon. Wilfred C. Tsukiyama

FOURTH DISTRICT
Hon. Manuel R. Aguiar Jr.
Hon. John B. Fernandes

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 4, 1950.

#5
Sen Cmt

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to return herewith House Bill No. 4, which this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

FIRST DISTRICT
Hon. Eugene S. Capellas
Hon. William H. Hill
Hon. William J. Nobriga
Hon. Charles H. Silva

SECOND DISTRICT
Hon. Toshio Ansai
Hon. John Gomes Duarte
Hon. Reuben Goodness

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

THIRD DISTRICT
Hon. Thelma Akana Harrison
Hon. Neal S. Blaisdell
Hon. Benjamin F. Dillingham
Hon. Herbert K. H. Lee
Hon. William H. Heen
Hon. Wilfred C. Tsukiyama

FOURTH DISTRICT
Hon. Manuel R. Aguiar Jr.
Hon. John B. Fernandes

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 4, 1950

Sen. Com. # 6

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to transmit herewith Senate Bill No. 7, which this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 4, 1950

Sen. Conc. #7

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to transmit herewith Senate Concurrent Resolution No. 4, which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

Sen. Corr 8

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 9, 1950

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii:

I have the honor to return herewith House Concurrent Resolution No. 2, which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

8

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII, October 9, 1950.

Sr Com. 9

Filed

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to transmit herewith Senate Concurrent Resolution No. 5, which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

9

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

Gen. Corr
#10

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 9, 1950.

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to transmit herewith Senate Bill No. 3, which this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

File

10

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

**THE SENATE**
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 10, 1950

Sen. Com. 11

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to return herewith House Concurrent Resolution No. 3, which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

11

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

**THE SENATE**
SECOND SPECIAL SESSION

HONOLULU, HAWAII, October 10, 1950

Sen. Com. #12

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to return herewith House Concurrent Resolution No. 4, which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 10, 1950.

Sen. Com. #13

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to transmit herewith Senate Concurrent Resolution No. 6, which was this day unanimously adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

To Senate 10/12

adopted as amended

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII, October 11, 1950.

14
Sen Com

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to return herewith House Joint Resolution No. 1, which this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

**THE SENATE**
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 11, 1950

Sen. Com #15

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to transmit herewith Senate Concurrent Resolution No. 7, which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

Lay on table

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

Sen Com 16

HONOLULU, HAWAII, October 11, 1950.

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to transmit herewith Senate Bill No. 5, which this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII, October 11, 1950

Sen. Com. # 19

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to transmit herewith Senate Bill No. 2, which this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

1st reading
2nd "
Transmit

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

Sen. Com. 16

HONOLULU, HAWAII, October 11, 1950

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to return herewith House Concurrent Resolution No. 5, which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

To Governor ✓

Filed

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

Sen Corr 19

HONOLULU, HAWAII. October 11, 1950

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to return herewith House Concurrent Resolution No. 6, which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

Engross for Secy Int + Pr Nat Park

Filed

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANBAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

Sen. Com 20

HONOLULU, HAWAII. October 11, 1950.

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to transmit herewith Senate Concurrent Resolution No. 8, which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

Ref. to Senate 10/12/50

Adopted

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAN J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII, October 12, 1950.

Sen. Com. 21

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to inform your Honorable Body that the amendments proposed by the House to Senate Concurrent Resolution No. 6, were this day agreed to by the Senate; and said Concurrent Resolution as so amended, was this day finally adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 12, 1950.

Sen. Com 22

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to return herewith House Concurrent Resolution No. 8, which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

Filed

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
Hon. Eugene S. Capellas
Hon. William H. Hill
Hon. William J. Nobriga
Hon. Charles H. Silva

SECOND DISTRICT
Hon. Toshio Ansai
Hon. John Gomes Duarte
Hon. Reuben Goodness

THIRD DISTRICT
Hon. Neal S. Blaisdell
Hon. Benjamin F. Dillingham
Hon. Thelma Akana Harrison
Hon. William H. Heen
Hon. Herbert K. H. Lee
Hon. Wilfred C. Tsukiyama

FOURTH DISTRICT
Hon. Manuel R. Aguiar Jr.
Hon. John B. Fernandes

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 12, 1950.

Sen. Com. 23

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to return herewith House Concurrent Resolution No. 7, which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

Filed

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 12, 1950.

24

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to transmit herewith Senate Bill No. 11, which this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 13, 1950.

Sen. Com. 25

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to inform your Honorable Body that the amendment proposed by the House to Senate Concurrent Resolution No. 4, was this day agreed to by the Senate; and said Concurrent Resolution as so amended, was this day finally adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

Filed

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 13, 1950.

Sen Com 26

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to transmit herewith Senate Concurrent Resolution No. 9, which was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

adopted

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
Hon. Eugene S. Capellas
Hon. William H. Hill
Hon. William J. Nobriga
Hon. Charles H. Silva

SECOND DISTRICT
Hon. Toshio Ansai
Hon. John Gomes Duarte
Hon. Reuben Goodness

THIRD DISTRICT
Hon. Neal S. Blaisdell
Hon. Benjamin F. Dillingham
Hon. Thelma Akana Harrison
Hon. William H. Heen
Hon. Herbert K. H. Lee
Hon. Wilfred C. Tsukiyama

FOURTH DISTRICT
Hon. Manuel R. Aguiar Jr.
Hon. John B. Fernandes

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 13, 1950.

27

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to transmit herewith Senate Bill No. 15, which this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

Filed

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII, October 13, 1950.

28

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to inform your Honorable Body that the amendments proposed by the House to Senate Bill No. 3, was this day agreed to by the Senate; and said Bill as so amended, passed Final Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

filed

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 13, 1950.

Sen. Com. 29

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to inform your Honorable Body that the amendment proposed by the House to Senate Bill No. 5, was this day agreed to by the Senate; and said Bill as so amended, passed Final Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

Filed

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 13, 1950.

Sen. Com. 30

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to inform your Honorable Body that the amendments proposed by the House to Senate Bill No. 7, were this day agreed to by the Senate; and said Bill as so amended, passed Final Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Very respectfully,

Ethel C. Chillingworth
Clerk of the Senate.

Filed

HON. WILFRED C. TSUKIYAMA
PRESIDENT

HON. EUGENE S. CAPELLAS
VICE PRESIDENT

MRS. ETHEL C. CHILLINGWORTH
CLERK

FIRST DISTRICT
HON. EUGENE S. CAPELLAS
HON. WILLIAM H. HILL
HON. WILLIAM J. NOBRIGA
HON. CHARLES H. SILVA

SECOND DISTRICT
HON. TOSHIO ANSAI
HON. JOHN GOMES DUARTE
HON. REUBEN GOODNESS

THIRD DISTRICT
HON. NEAL S. BLAISDELL
HON. BENJAMIN F. DILLINGHAM
HON. THELMA AKANA HARRISON
HON. WILLIAM H. HEEN
HON. HERBERT K. H. LEE
HON. WILFRED C. TSUKIYAMA

FOURTH DISTRICT
HON. MANUEL R. AGUIAR JR.
HON. JOHN B. FERNANDES

# The Twenty-Fifth Legislature
OF THE
# Territory of Hawaii

## THE SENATE
SECOND SPECIAL SESSION

HONOLULU, HAWAII. October 13, 1950.

Sen Com 31

To the Honorable Speaker and
Members of the House of Representatives
of the Territory of Hawaii

I have the honor to inform your Honorable Body that the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session, has completed all business before it and is ready to adjourn sine die.

Very respectfully

Ethel C. Chillingworth
Clerk of the Senate.

1950

# SECOND SPECIAL SESSION

## HOUSE OF REPRESENTATIVES

# DEPARTMENTAL COMMUNICATIONS

TERRITORY OF HAWAII

DEPARTMENT OF THE SECRETARY OF HAWAII

HONOLULU

(1)

September 29, 1950

To The Honorable Speaker and
Members of the House of
Representatives of the
Territory of Hawaii:

I have the honor to transmit herewith certified copy of proclamation issued under date of September 25, 1950, convening the Legislature of the Territory of Hawaii in Special Session.

Respectfully

OREN E. LONG
Secretary of Hawaii

T E R R I T O R Y  O F  H A W A I I

Office of the Secretary

oOo

THIS IS TO CERTIFY That the attached copy of Proclamation convening the Legislature of the Territory of Hawaii in Special Session is a true and correct copy of the original which is on file and of record in this office.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the Territory of Hawaii to be affixed.

DONE at Iolani Palace, in Honolulu, this 29th day of September, A. D. Nineteen Hundred and Fifty.

Oren E. Long

OREN E. LONG
Secretary of Hawaii

PROCLAMATION

I, INGRAM M. STAINBACK, Governor of the Territory of Hawaii, by virtue of the authority in me vested by law, do hereby convene the Legislature of the Territory of Hawaii in Special Session on Friday, the twenty-ninth day of September, A. D. Nineteen Hundred and Fifty, for consideration of the Constitution framed by the Constitution Convention of 1950, together with any ordinances of said Convention requiring ratification, and for providing for the submission of the said Constitution to the people of the Territory of Hawaii, together with any alternative or additional provisions or ordinances suggested by the Legislature.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the Territory of Hawaii to be affixed.

DONE at Iolani Palace, in Honolulu, this twenty-fifth day of September A. D. Nineteen Hundred and Fifty.

(S E A L)

/s/ Ingram M. Stainback
Governor of the Territory of Hawaii

TERRITORY OF HAWAII

DEPARTMENT OF THE SECRETARY OF HAWAII

HONOLULU

Dept. Com. 7

September 29, 1950

To The Honorable Speaker and
Members of the House of
Representatives of the
Territory of Hawaii:

It is respectfully requested that this office be furnished with a copy of the minutes of the House of Representatives and also two copies of each bill, and joint and concurrent resolutions that are printed.

Will you kindly make it possible for me to receive six copies of each engrossed bill and joint resolution transmitted to the Governor, so that one copy of each may be made available to the following:

1 for English newspaper, for publication
1 for the Compiler and Indexer
1 for the Attorney General
1 for the Treasurer of the Territory
1 for the Auditor of the Territory
1 for the Director of the Budget

Respectfully,

OREN E. LONG
Secretary of Hawaii

Dept. Com. 3

TERRITORY OF HAWAII
DEPARTMENT OF THE SECRETARY OF HAWAII
HONOLULU

September 28, 1950

The Honorable
The Speaker of the House of Representatives
Twenty-Fifth Legislature
Territory of Hawaii
Honolulu, Hawaii

Dear Sir:

It is respectfully requested that five (5) copies each of all bills, resolutions, joint resolutions, concurrent resolutions, and reports introduced in the 1950 Special Session of the Legislature be set aside for the Public Archives.

Very truly yours,

Oren E. Long

OREN E. LONG
SECRETARY OF HAWAII
and
CHAIRMAN, BOARD OF COMMISSIONERS
OF PUBLIC ARCHIVES

Dept. Com. 4

TERRITORY OF HAWAII
EXECUTIVE CHAMBERS
HONOLULU

September 29,
1950

The Honorable
The Speaker of the
House of Representatives
Twenty-Fifth Legislature
Honolulu, Hawaii

Sir:

It is respectfully requested that this office be furnished with two copies of each bill and Joint and Concurrent Resolution which may be printed by your honorable body.

Respectfully,

Harry L. Stroup

HARRY L. STROUP
Secretary to the Governor

ADDRESS REPLY TO
"THE ATTORNEY GENERAL OF HAWAII"
AND REFER TO
INITIALS AND NUMBER
J
20:164

Dept Com. 5

TERRITORY OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
HONOLULU

September 29, 1950

Mr. James Achong
Clerk of the House
of Representatives
Honolulu, T. H.

Dear Sir:

Will you please furnish this department with eight sets of all Bills and Resolutions introduced in the House of Representatives. The bills and resolutions will be for the use of myself and deputies of my department.

Very truly yours,

Walter D. Ackerman, Jr.

Walter D. Ackerman. Jr.
Attorney General

Dept. Comm
#6

TERRITORY OF HAWAII
EXECUTIVE CHAMBERS
HONOLULU

September 29, 1950

The Honorable President
and Members of the House of Representatives
Twenty-Fifth Legislature
Territory of Hawaii

Gentlemen:

This is to acknowledge letter of even date from the Clerk of the House of Representatives informing me that the House of Representatives of the Territory of Hawaii, in Special Session assembled, has been duly organized and is ready to transact business.

Respectfully,

Ingram M. Stainback

INGRAM M. STAINBACK
Governor of Hawaii

TERRITORY OF HAWAII
DEPARTMENT OF PUBLIC WORKS
HONOLULU

IN REPLY REFER
TO LETTER NO. 1.8273

Dept. Com
#7

September 29, 1950.

Honorable Hiram L. Fong,
Speaker, and Members,
House of Representatives,
Special Session of the Legislature,
Iolani Palace,
H o n o l u l u, T. H.

Gentlemen:

Transmitted herewith are thirty (30) copies of the Annual Report of the Superintendent of Public Works for the period ended June 30, 1950.

Respectfully yours,

R. M. BELT
Superintendent of Public Works.

Encls.

AH-6 (1/1991) Appendix D

HAWAII STATE ARCHIVES

**Separation Sheet**

Collection Name: Records of the Legislature of the Territory of Hawaii
Series 228 - Records of the Clerks

Accession No. HSA No.

Type of Material: Publication

Dates: 1950

Description: Annual Report of the Superintendent of Public Works

Originally filed in ~~container~~ as a part of Departmental Communication No. 7
as part of (filing system or series) 1950 Second Special Session, House

Now located in: N/A
specific location: Weeded

Separation date: February 6, 1995

Separated by: A. Hoof

Remarks: Copy available in Government Publications Library

Note: file one copy in original location, one copy with materials in new location, and one copy in collection file.

Dept. Com
#8

TERRITORY OF HAWAII
EXECUTIVE CHAMBERS
HONOLULU

October 2, 1950

Honorable Hiram L. Fong, Speaker
and Members of the House of Representatives
Twenty-fifth Legislature
Territory of Hawaii
Iolani Palace
Honolulu, T. H.

Gentlemen:

In view of the understandable concern expressed by many of you regarding the financing of the public welfare program of the Territory of Hawaii for the remainder of the biennium, I wish to inform you that I do not believe an additional appropriation for this program is necessary at the special session.

I have earmarked $1,350,000 from the Contingent Fund for the Public Welfare program. This sum has been estimated by the Director of the Bureau of the Budget to be adequate to meet the program's deficits until the Legislature convenes in February of 1951. At that time a supplemental appropriation will be requested to meet the deficit for the remainder of the biennium.

Also, I wish to advise you that the above action will not have any effect upon the bonus to public employees. Upon the basis of present estimates of income and expenditure, it is highly improbable that any reduction in the bonus will be necessary during the remainder of the biennium.

Respectfully,

Ingram M. Stainback

INGRAM M. STAINBACK
Governor of Hawaii

JOSEPH DICKSON, C. P. A.
AUDITOR

E. H. COOK
DEPUTY AUDITOR

TERRITORY OF HAWAII
AUDITING DEPARTMENT
HONOLULU 10, T. H.

FILE No. L-2-2

Audit Corr #9

October 3, 1950

Mr. James S. Achong
Clerk of the House
Twenty-Fifth Legislature
Second Special Session
Honolulu, T. H.

Dear Sir:

I shall be glad if you will arrange to set aside each day a copy of all House bills, etc., introduced during this special session. A messenger from this office will call for same each morning.

Thanking you for your attention, I remain

Very truly yours,

Joseph Dickson.

JOSEPH DICKSON, C.P.A.
Auditor, Territory of Hawaii

mk

Dept Com
#10
Filed

TERRITORY OF HAWAII

DEPARTMENT OF THE SECRETARY OF HAWAII

HONOLULU

October 4, 1950

To The Honorable Speaker and
Members of the House of
Representatives of the
Territory of Hawaii:

I have the honor to inform your Honorable Body that the Governor has this day signed the following Bill:

House Bill No. 1, as Act 1, entitled: "AN ACT TO APPROPRIATE MONEY FOR THE EXPENSES OF THE LEGISLATURE OF THE TERRITORY OF HAWAII."

Respectfully,

Oren E. Long

OREN E. LONG
Secretary of Hawaii

Dept. Com. No 10 -

Dept. Com #11

IN REPLY REFER TO LETTER NO. 1.8316

Ref. & Printing

TERRITORY OF HAWAII

DEPARTMENT OF PUBLIC WORKS

HONOLULU

October 5, 1950.

Mr. James C. Achong,
Clerk, House of Representatives,
Special Session of the Legislature 1950,
Iolani Palace,
H o n o l u l u, T. H.

Dear Mr. Achong:

We would appreciate receiving copies of all House bills, resolutions, etc., introduced in the House of Representatives, concerning the work of this Department.

Sincerely,

R. M. BELT
Superintendent of Public Works.

Dept. Com. #12
Rec. + Print

TERRITORY OF HAWAII
CIVIL SERVICE COMMISSION
AND
PERSONNEL CLASSIFICATION BOARD
HONOLULU 13
October 4, 1950

Mr. James Achong
Clerk, House Of Representatives
Iolani Palace
Honolulu, T.H.

Dear Mr. Achong:

We would appreciate your including this Commission in your distribution list for printed matter for general circulation issued in connection with the Special Session of the Legislature which is now in session.

We thank you.

Very truly yours,

ARTHUR A. AKINA, JR.
Director Of Personnel

Dept. Com. #13
Rec. & Printing

TERRITORY OF HAWAII
EMPLOYEES' RETIREMENT SYSTEM
HONOLULU 13

Oct. 4, 1950

Honorable Hiram L. Fong
Speaker, House of Representatives,
Iolani Palace
Honolulu, Hawaii

Dear Sir:

We would appreciate it very much if you would instruct the printing committee to reserve copies of all bills and resolutions for our use, in order that we may be informed on any proposed legislation that might concern our System and its members.

We will arrange to have someone from my office call at the printing committee office each day to pick up such bills and resolutions, if they are made available to us.

Thanking you for your help in this matter, we are

Yours very truly,

JOHN MacLAREN,
Secretary, Employees' Retirement System of the Territory of Hawaii

JM:L

TERRITORY OF HAWAII
EXECUTIVE CHAMBERS
HONOLULU

Dft Corr 14

October 12, 1950

Mr. Jas. S. Achong
Clerk, House of Representatives
Twenty-Fifth Legislature
Territory of Hawaii
Second Special Session
Honolulu, Hawaii

Dear Mr. Achong:

This will acknowledge receipt of your letter of today with which you transmitted House Concurrent Resolution No. 5, adopted by the Legislature of the Twenty-fifth Legislature of the Territory of Hawaii, Second Special Session.

As requested, I will be glad to convey to the President the invitation of the members of the Legislature for him to address a Joint Session and the people of the Territory at a time suitable to his convenience.

Yours sincerely,

Ingram M Stainback

INGRAM M. STAINBACK
Governor of Hawaii

TERRITORY OF HAWAII

DEPARTMENT OF THE SECRETARY OF HAWAII

HONOLULU

draft 15

October 12, 1950

To The Honorable Speaker and
Members of the House of
Representatives of the
Territory of Hawaii:

I have the honor to inform your Honorable Body that the Governor has this day signed the following Resolution:

House Joint Resolution No. 1, as Joint Resolution 1, entitled: "JOINT RESOLUTION PROVIDING FOR THE SUBMISSION TO THE PEOPLE OF THE TERRITORY OF HAWAII OF THE CONSTITUTION FRAMED BY THE CONVENTION HELD PURSUANT TO ACT 334 OF THE SESSION LAWS OF HAWAII 1949 AND IN THE EVENT OF FAILURE OF RATIFICATION, THE FRAMING AND SUBMISSION OF A NEW CONSTITUTION, AND MAKING APPROPRIATIONS THEREFOR."

Respectfully,

Oren E. Long

OREN E. LONG
Secretary of Hawaii

filed

Dept. Com. No. 16

TERRITORY OF HAWAII
DEPARTMENT OF THE SECRETARY OF HAWAII
HONOLULU

October 30, 1950

Mr. James S. Achong
Clerk of the House of Representatives
Legislature of the Territory of Hawaii
Special Session of 1950
Honolulu, Hawaii

Dear Sir

I hand you herewith list of Acts signed by the Governor since the adjournment of the Legislature sine die.

Yours very truly

OREN E. LONG
Secretary of Hawaii

ACTS SIGNED BY THE GOVERNOR AFTER ADJOURNMENT OF THE LEGISLATURE OF THE SPECIAL SESSION OF 1950

| Date | Bill | Act | Title |
|---|---|---|---|
| Oct. 16 | H.B. 4 | 2 | AN ACT TO AMEND ACT 27 OF THE SESSION LAWS OF 1949, RELATING TO HARBOR IMPROVEMENTS AT LAHAINA, MAUI. |
| 26 | S.B. 5 | 3 | AN ACT RELATING TO MAJOR DISASTERS AND MAKING AN APPROPRIATION THEREFOR. |
| 27 | S.B. 2 | 4 | AN ACT RELATING TO STATEHOOD: AMENDING THE LAW RELATING TO THE HAWAII STATEHOOD COMMISSION; AND MAKING AN APPROPRIATION TO SAID COMMISSION FOR THE ADVANCEMENT OF THE CAUSE OF STATEHOOD. |
| 27 | S.B. 3 | 5 | AN ACT MAKING APPROPRIATIONS FOR PUBLIC IMPROVEMENTS. |
| 27 | S.B. 7 | 6 | AN ACT TO AMEND ACT 38 OF THE REGULAR SESSION LAWS OF HAWAII 1949, PROVIDING FOR THE CONSTRUCTION OF A DRAINAGE CANAL, AND FOR THE ACQUISITION OF LAND AND RIGHTS OF WAY FOR FLOOD CONTROL PURPOSES IN THE COUNTY OF KAUAI. |

---

1950

SECOND SPECIAL SESSION

HOUSE OF REPRESENTATIVES

# MISCELLANEOUS COMMUNICATIONS

OFFICERS

Samuel Wilder King, Pres.
Hiram L. Fong, Vice-Pres.
Thomas T. Sakakihara, Vice-Pres.
Arthur Davies Woolaway, Vice-Pres.
Charles A. Rice, Vice-Pres.
Hebden Porteus, Secretary

Ellen D. Smythe
Chief Clerk

# Hawaii State Constitutional Convention

Honolulu, Territory of Hawaii

(1)

DELEGATES

**First Representative District**
Nelson Kiyoshi Doi
Teruo Ihara
Frank C. Luiz
Richard J. Lyman, Jr.
Tom T. Okino
Thomas T. Sakakihara
James Kiyoji Yamamoto
Takao Yamauchi

**Second Representative District**
Peter Kawahara
Earl A. Nielsen
Sakuichi Sakai
Charles H. Silva

**Third Representative District**
Marguerite K. Ashford
J. Pia Cockett
Kazuo Kage
Harold T. Kido
Harold W. Rice
W. O. Smith
Richard St. Sure
Cable A. Wirtz
Arthur Davies Woolaway

**Fourth Representative District**
J. Garner Anthony
Samuel K. Apoliona, Jr.
Alexander H. F. Castro
Ann H. Corbett
Flora Kaai Hayes
William H. Heen
Elizabeth R. Kellerman
Katsumi Kometani
John K. Lai
Nils P. Larsen
Herbert K. H. Lee
W. Harold Loper
John R. Phillips
Hebden Porteus
Harold S. Roberts
C. Nils Tavares
Henry A. White
Benjamin O. Wist

**Fifth Representative District**
Trude M. Akau
Edward C. Bryan
George Dowson
Hiram L. Fong
Yasutaka Fukushima
James F. Gilliland
Edward B. Holroyde
Frank Y. Kam
Masao Kanemaru
Charles Ernest Kauhane
Samuel Wilder King
Chuck Mau
Steere G. Noda
Frederick Ohrt
Herbert M. Richards
Clarence Y. Shimamura
Arthur K. Trask
James K. Trask

**Sixth Representative District**
Matsuki Arashiro
Randolph Crossley
H. S. Kawakami
Jack H. Mizuha
Charles A. Rice
Toshio Serizawa

September 29, 1950

Honorable Hiram L. Fong
Speaker, House of Representatives

Honorable Wilfred C. Tsukiyama
President of the Senate

Sirs:

The Committee on Submission and Information charged with the responsibility of presenting the Constitution to the respective houses of the Legislature are pleased to inform you that it has, in conformity with your desire, appointed the following sub-committee to work with the members of the Legislature in a liaison capacity:

Randolph Crossley, Chairman
Benjamin O. Wist, Vice-Chairman

Samuel Wilder King
Harold S. Roberts
Frederick Ohrt
Nils P. Larsen
Arthur K. Trask

The Committee recognizes the important task before you and wishes to offer whatever aid it may in supplying documentary and other materials available to it. We hope that the Liaison Committee may be further utilized in representing the Committee as a whole.

We appreciate the opportunity to be of service and to work with you in your study of the Constitution which was adopted by 62 of the 63 delegates on July 22, 1950.

Sincerely yours,

RANDOLPH CROSSLEY
Chairman, Committee on
Submission & Information

# Hawaii Farm Bureau Federation

1180 ALAKEA STREET · · HONOLULU 13, HAWAII

TELEPHONE 65773

Mis. Com. 7

September 29, 1950

Honorable members of the House
Iolani Palace
Honolulu, T. H.

Gentlemen:

We would like to be placed on the distribution list of all the resolutions, measures, and reports of your special session.

Sincerely yours,

HAWAII FARM BUREAU FEDERATION

Herbert M. Hiroshige

Herbert M. Hiroshige
Executive Secretary

HMH:yh

YALE UNIVERSITY
DEPARTMENT OF PUBLIC HEALTH
NEW HAVEN, CONNECTICUT

2

September 20, 1950

The Honorable Thomas T. Sakakihara
Vice President, The Constitutional Convention
Hilo, Hawaii

Dear "Tommy":

You were kind enough to make it possible for Mrs. Hiscock and me to attend the impressive ceremony when the new Constitution of Hawaii was signed. You also signed my printed copy and secured the signatures of the other officers.

This copy is being given to the Library of Yale University where many members of the Faculty and the Students will have opportunity to read it. This is a valuable document, unique in the care and skill and wisdom of preparation, and demonstrating again that Hawaii is well equipped to be a state of which we will all be proud.

We are proud of the progress in public health which has been made in your county, and in the whole Territory of Hawaii. It was an unusual pleasure to observe the developments this summer. I was greatly impressed with the careful work of your Holdover Committee and of your Advisory Group, and shall be interested in your report.

Please accept my congratulations and appreciation.

Sincerely yours,

Ira V. Hiscock
Chairman

IVH/mml

P.S. Before leaving, I discussed briefly with the Director of the Budget, among other things, the importance of increased salaries for persons in key jobs in the Health Department. Including Wilbar & Lee.

Mrs. Cone #4

Wahiawa
oct. 1, 1950

The Wahiawa Community Association and the three pineapple companies in Wahiawa are giving a cocktail party Thursday evening, preceding the opening of the Wahiawa Pineapple Festival.

The party is to be given at the home of J. Dickson (Jot) Pratt, plantation manager for the Hawaiian Pineapple Company at Wahiawa.

Mr. Pratt's home is at 1453 California Ave. in Wahiawa.

The party will begin at 5:30 p.m. and will conclude in time for those present to then proceed to the opening of the Pineapple Pageant at 7:30 p.m. A light supper will be served at the cocktail party.

INCLUDES WIVES

PINCETICH
54951

Thursday
Oct. 5

CABLE AND WIRELESS ADDRESS "REPUBLICAN" HONOLULU

# Territorial Central Committee
## Republican Party of Hawaii

P. O. BOX 700
HONOLULU 9, HAWAII

October 3, 1950

OFFICERS

JOHN E. BOTELHO
HONORARY CHAIRMAN
RANDOLPH CROSSLEY
CHAIRMAN
SAMUEL P. KING
VICE-CHAIRMAN

EXECUTIVE COMMITTEE
RANDOLPH CROSSLEY
CHAIRMAN
SAMUEL P. KING
VICE-CHAIRMAN
SAMUEL S. LUKE
SECRETARY
THOMAS C. MAJOR
ASSISTANT SECRETARY
H. P. FAYE
TREASURER
GAVIEN A. BUSH
NOBUO MARUYAMA
JAMES BEATTY
WENDELL F. CROCKETT
ARTHUR D. WOOLAWAY
SAMUEL M. ASKINS
JAMES M. GREENWELL
DR. GEORGE K. NAKAGAWA
JOHN ANDERSON
ERNEST I. FURUKAWA
CALVIN MCGREGOR
DR. SAU YEE CHANG
HOWARD KINNEY

CENTRAL COMMITTEE

FIRST DISTRICT
ALFRED AWONG
KENZO HAMAMOTO
R. M. LINDSAY
GEORGE MAIR
NOBUO MARUYAMA
DAVID PACHECO
ALEXANDER PENOVAROFF
TADASHI SUGIYAMA
HERBERT Y. TAKETA

SECOND DISTRICT
JAMES S. BEATTY
DAVID FRASER
MRS. CLARA S. HAYASHI
BERNARD KINNEY
CLARENCE NAKAHARA
J. F. RAMSAY
ALVAN C. STEARNS
GAVIEN A. BUSH, EX-OFFICIO
(CHAIRMAN, HAWAII COUNTY COMM.)

THIRD DISTRICT
KENNETH AULD
C. W. BROOKS
A. M. CHEE
DAVID T. FLEMING
H. J. MEYER
SHIZUICHI MIZUNA
HECTOR MUNRO
MANUEL G. PASCHOAL
DEAN SHIGETA
LOUISE SMITH
ARTHUR WOOLAWAY
HENRY YAMASHITA
WENDELL F. CROCKETT, EX-OFFICIO
(CHAIRMAN, MAUI COUNTY COMM.)

FOURTH DISTRICT
SAMUEL M. ASKINS
JOHN E. BOTELHO
MARCUS R. COLBURN, JR.
WESLEY EDWARDS
H. P. FAYE
JAMES GREENWELL
EDWIN S. HEIBE
Y. S. LOO
THOMAS C. MAJOR
DR. GEORGE K. NAKAGAWA
HARRY S. OZAKI
PHILIP N. SING
ROBERT T. CARSON, EX-OFFICIO
(CHAIRMAN, OAHU COUNTY COMM.)

FIFTH DISTRICT
JOHN ANDERSON
SAM R. DAMON
MRS. JOSEPH DWIGHT
ERNEST I. FURUKAWA
D. K. GARRISON
ARTHUR K. F. KAU
SAMUEL P. KING
AH TONG LEONG
SAMUEL S. LUKE
CALVIN MCGREGOR
CHARLES K. NISHIMURA
GEORGE E. RICHARDSON

SIXTH DISTRICT
DR. SAU YEE CHANG
JOE CONTRADES, JR.
RANDOLPH CROSSLEY
HARWOOD W. DANFORD
MRS. ANNIE HOLT
HOWARD KINNEY
A. O. MARCALLINO
DAVID TERUI
DONALD J. MARTIN, EX-OFFICIO
(CHAIRMAN, KAUAI COUNTY COMM.)

OFFICERS

O. P. SOARES
HONORARY CHAIRMAN
SAMUEL S. LUKE
SECRETARY
THOMAS C. MAJOR
ASSISTANT SECRETARY
H. P. FAYE
TREASURER

Mia ltr. 5

Hon. Hiram L. Fong
Speaker of the House
Territorial Legislature
2nd Special Session
Iolani Palace
Honolulu, Hawaii

Dear Rep. Fong:

We would appreciate it very much if you will be able to fulfill our request of twelve (12) copies of all daily House bills and resolutions from the 2nd Special Session of the Territorial Legislature for the Republican Party of Hawaii.

Thank you very much.

REPUBLICAN PARTY OF HAWAII

HARRY G. ALBRIGHT
SECRETARY

TELEPHONE 52-2455

# Board of Underwriters of Hawaii

317 DILLINGHAM TRANSPORTATION BLDG.
Honolulu 13, T.H.

Mis. Com. # 50

October 3, 1950

Honorable Clerk of the
House of Representatives
Territory of Hawaii
Territorial Building
Honolulu, T. H.

Dear Sir:

Will you kindly lay aside for this office two (2) copies of all bills which are to come before the House?

We will call for same two or three times a week.

Yours very truly,

Harry G. Albright

HARRY G. ALBRIGHT
Secretary

HGA:ls

FREDERICK OHRT
MANAGER AND CHIEF ENGINEER

MEMBERS
RALPH E. CLARK, CHAIRMAN
SIMES T. HOYT, VICE-CHAIRMAN
LEROY C. BUSH, SECRETARY
ROBERT M. BELT
TAIJIRO MIYAHARA
KARL A. SINCLAIR
JAMES B. WILSON

BOARD OF WATER SUPPLY
CITY AND COUNTY OF HONOLULU
TELEPHONE 6201
P. O. BOX 3410
HONOLULU 1, HAWAII

October 3, 1950

Honorable Hiram L. Fong, Speaker
House of Representatives
Special Session of 1950
25th Legislature, Territory of Hawaii
Honolulu, Hawaii

Dear Sir:

Will you please place the Board of Water Supply on your list for five (5) printed copies of each House Bill for the use of this department.

We shall be very glad to have our messenger call for the same.

Very truly yours,

Frederick Ohrt
Manager and Chief Engineer

FO:mc

G. N. TOSHI ENOMOTO
County Clerk

BONIFACE ESPINDA
Deputy County Clerk

OFFICE OF
# COUNTY CLERK
COUNTY OF MAUI
WAILUKU, MAUI, T. H.

Misc. Com #8 Laid on table

October 3, 1950

The Honorable Hiram L. Fong
Speaker of the House of Representatives
The Twenty-fifth Legislature
Territory of Hawaii
Honolulu, T. H.

Dear Sir:

By direction of the Board of Supervisors of the County of Maui, I am transmitting herewith, a certified copy of Resolution No. 264, requesting the Legislature of the Territory of Hawaii now in Special Session assembled, to appropriate the sum of $150,000.00 for the use of the County of Maui to acquire fire fighting and other disaster facilities, said resolution having been adopted by the Board of Supervisors of the County of Maui at its meeting held on October 3, 1950.

Very truly yours,

Boniface Espinda
BONIFACE ESPINDA
Deputy County Clerk

:iw

Encl.

Wailuku, Maui, T. H., October 3, 1950

Resolution No. 264

Presented by Louis K. Fernandez Supervisor

REQUESTING THE LEGISLATURE OF THE TERRITORY OF HAWAII NOW IN SPECIAL SESSION ASSEMBLED TO APPROPRIATE THE SUM OF $150,000.00 FOR THE USE OF THE COUNTY OF MAUI TO ACQUIRE FIRE FIGHTING AND OTHER DISASTER (RELIEF) FACILITIES

WHEREAS, the Director of Disaster Relief Agency of the Territory of Hawaii, through his Deputy Director for the County of Maui, has recommended that the County of Maui should acquire certain equipment and facilities for fire fighting and other disaster (relief) purposes, amounting in the neighborhood of $150,000.00, as set forth particularly in the letter to the Board of Supervisors of the County of Maui from the said Deputy Director, a copy of which is hereto attached and by reference made a part hereof; and

WHEREAS, the Board of Supervisors of the County of Maui believes that it should immediately acquire and otherwise provide for such equipment and facilities, and it desires to do so, in view of the present international situation; and

WHEREAS, notwithstanding such desires, the County of Maui does not now have the funds to purchase or otherwise acquire and maintain such equipment and facilities, and believes that in view of such emergency the necessary funds for such purposes should be immediately provided by a Territorial appropriation; now, therefore,

BE IT RESOLVED by the Board of Supervisors of the County of Maui that it does hereby respectfully request the Legislature of the Territory of Hawaii, now in special session assembled, to appropriate the sum of $150,000.00 out of such funds that may be available in the Treasury of the Territory of Hawaii for the use of the County of Maui to purchase or otherwise acquire and maintain such necessary fire fighting and other disaster (relief) equipment or facilities as may be recommended by the Territorial Disaster Agency; and

Be it further resolved that a certified copy hereof be transmitted to the President of the Senate and to the Speaker of the House of Representatives of the Twenty-Fifth Legislature of the Territory of Hawaii and to the Director of the Territorial Disaster Relief Agency for their attention and immediate consideration.

Seconded by George Alan Freeland Supervisor

| BOARD OF SUPERVISORS | Ayes | Noes | Ab. | Ex |
|---|---|---|---|---|
| EDDIE TAM, *Chairman* | x | | | |
| JOHN BULGO | x | | | |
| LOUIS K. FERNANDEZ | x | | | |
| GEORGE ALAN FREELAND | x | | | |
| FRANCIS S. KAGE | x | | | |
| DR. SHIGERU MIURA | x | | | |
| MANUEL RODRIGUES | x | | | |
| Total | 7 | | | |

(SIGNED) C. N. TOSHI ENOMOTO
County Clerk, County of Maui,
Territory of Hawaii.

I, BONIFACE ESPINDA, Deputy County Clerk for the County of Maui, Territory of Hawaii, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 264 of the Board of Supervisors of the County of Maui, Territory of Hawaii, as passed on the 3rd day of October, 1950, the original of which is now on file in the Office of the County Clerk, County of Maui, Territory of Hawaii.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Seal of the County of Maui, Territory of Hawaii, this 3rd day of October, 1950.

Boniface Espinda

Deputy County Clerk, County of Maui,
Territory of Hawaii.

# CORRECTION

THE PRECEDING DOCUMENT(S) HAS
BEEN REPHOTOGRAPHED TO ASSURE
LEGIBILITY
SEE FRAME(S)
IMMEDIATELY FOLLOWING

I, BONIFACE ESPINDA, Deputy County Clerk for the County of Maui, Territory of Hawaii, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 264 of the Board of Supervisors of the County of Maui, Territory of Hawaii, as passed on the 3rd day of October, 1950, the original of which is now on file in the Office of the County Clerk, County of Maui, Territory of Hawaii.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Seal of the County of Maui, Territory of Hawaii, this 3rd day of October, 1950.

Boniface Espinda

Deputy County Clerk, County of Maui, Territory of Hawaii.

POLICE DEPARTMENT

COUNTY OF MAUI

TERRITORY OF HAWAII

WAILUKU, T. H.

September 18, 1950

Chairman and Members of the
Board of Supervisors
County of Maui
Wailuku, Maui

Gentlemen:

Attached you will find recommendations made by the disaster committees which have been approved by the Advisory Commitee of the Deputy Director and also by the Deputy Director. Recommendations for the acquiring of equipment cover both normal and emergency needs.

Inclosure #1 refers to Fire fighting equipment required for the entire County which amounts to approximately $100,000.00. Under the circumstances this sum appears prohibitive, therefore, the requirements have been listed in accordance with its importance.

Leading the list is certain minor equipment needed by the Wailuku Fire Department i.e. 1 only Fog Nozzle for 1½" hose at $83.65 and 1 only Fog Nozzle for 2½" hose at $98.50.

Second in order of importance because of the potential danger from fire and explosions in the Kahului Harbor area is the recommendation for a complete and fully manned fire fighting unit stationed at Kahului town. At the present time only one County fire truck is equipped to fight oil fires. Equipment for such a station would cost approximately $30,000.00. Also to be considered is the cost of land and an appropriate building.

The Hawaiian Commercial and Sugar Company is willing to furnish the land for a fire station in Kahului as well as a building if the County will move the building to the selected location. This Company will also furnish one pumper fire truck and one chemical truck for this station if the County will provide a full time crew for the operation of the station. This alone would save the County the full amount cited in the paragraph above. If this offer is acceptable to the County then Items #2 and 6 on the attached equipment list amounting to $26,076.30 should be deducted for the original request.

Next in order of importance is the request for 6 only portable pumps which can be operated from irrigation ditches or from the ocean, along with 500 feet of 1½" hose for each pump. In time of emergency, any sort of a truck could be used for transporting of this equipment. Cost - about $3,000.00.

Makawao and Lanai City should both have County fire stations, however, if only the equipment can be obtained it is believed that a volunteer fire fighting unit can be organized at both places. Further, if the 2 fire trucks at Hawaii Housing can be obtained then Items 4 and 8 also can be eliminated from the list which brings the total cost for fire fighting equipment down to $61,732.00.

Inclosure #2 refers to an emergency mobile unit fully equipped as a field headquarters with all the necessary radio equipment as well as a portable generator for lighting up a disaster area, and sea and mountain rescue equipment. Such a unit would be invaluable to the County and would be used many times during the year. For instance, such equipment would have been valuable when the three business men lost their lives at Kahakuloa, and again at Pier 2 when a life was lost for the lack of inexpensive diving equipment. This unit would amount to approximately $10,000.00.

At the present time the County has no adequate warning system. It is suggested that the County purchase and install sirens of an approved type at the following places:

1. Kahului Town
2. Paukukalo
3. Waihee
4. Lahaina
5. Spreckelsville
6. Lower Paia
7. Maalaea Bay area (2)
8. Keanae
9. Hana
10. Kaunakakai Town

The undersigned has asked the Territorial Disaster Director for prices on suitable sirens and also the possibility of acquiring them through surplus property.

Your favorable consideration of these matters will be appreciated.

Very truly yours,

/S/ JEAN R. LANE
Deputy Director
Maui County Disaster Agency

JRL: ekt

Inclosures 2
cc: Members of the Board of Supervisors

MAUI COUNTY DISASTER AGENCY
EQUIPMENT NEEDED FOR FIRE DEPARTMENT

| | DISTRICT | Aparatus Needed | Booster Line 1" | 2½" Hose Needed | 1½" Hose Needed | Ladders Needed | Gas Mask Needed | Fog Nozzle Needed | Applicators Needed | Other Equip Needed | Approx Cost All Equip |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Wailuku | | | | | | | 1--1½" | | | 83.65 |
| 2 | Kahului | 1-750 $9,700.00 | 200 | 2000 | 400 | 1--35' | 4 | 1--2½" 1--1½" | 1--8' 1--8' | 14 fire helmet 800 lbs foam powder, 1 " generator | 13,088.30 |
| 3 | 6 Portable Pumps @ $250.00 | | | | 3000 | | | | | | 3,000.00 |
| | Makawao | Comb.Tanker 1-500 $8,850.00 | 200 | | 500 | 1--24' | 4 | | | 10 fire helmets | 9,524.50 |
| 5 | Lanai | Comb.Tanker 1-500 $8,800.00 | | 2000 | 1500 | 1--24' | 10 | 1--2½" 1--1½" | 1--8' 1--8' | 10 fire helmet 1 foam gen. 800 lb powder | 12,000.00 |
| 6 | Wailuku | 1-750 $9,700.00 | 200 | 2000 | 400 | 1--35' | 4 | 1--2½" | 1--8' | 14 fire helmet | |
| 7 | Haiku | 1-500 $8,800.00 | 200 | 1000 | 400 | 1--24' | 4 | 1--1½" | 1--8' | 800 lb powder | 12,988.00 |
| 8 | Kula | Comb.Tanker) 1-500 ) $8,850.00 ) | 200 | | 500 | 1--24' | 4 | | | 10 fire helmet | 10,603.00 |
| 9 | Lahaina | 1-500 $8,800.00 | 200 | 2000 | 500 | 1--24' | 4 | 1--2½" 1--1½" | 1--8' 1--8' | 10 fire helmet 1 foam gen. 10 fire helmet 800 lb powder | 9,524.50 12,039.50 |
| 10 | Molokai | 1-500 Comb.Tanker 1-500 $17,350.00 | 400 | 2000 | 500 | 1--24' | 6 | | | 1 foam gen. 800 lb powder | 20,589.50 |
| 11 | Repairs to Sanford fire trucks plus hose (see note below) - $3,500.00 | | | | | | | | | | |

TOTAL ----- $103,357.30

ADDITIONAL FIRE EQUIPMENT NEEDED - Items located at the HAWAII HOUSING AUTHORITY AT NASKA, KAHULUI

1. Sanford Fire Truck...3 Tons
   Model 722 RB
   Eng. No. N 207512
   Serial No. N 27412
   Pump - Centrifugal, Cap. 750 GPM

2. Sanford Fire Truck...3 Tons
   Model 722FC
   Serial No. N 756
   Pump - Centrifugal
   Capacity 750 GPM

NOTE: The above not in shape, cost $2,000.00 to put in shape and another $1,500.00 for the Hose.

INFORMATION ON PORTABLE PUMPS

1. Sterling self priming pumps; 3" Model 15L; Wisconsin Model AK Engine; Cap 15000 G.P.H. Semi-Steel; Net 175 lbs. Approx. Cost $250.00, AGENT - Von Hamm Young

RESCUE AND DISASTER EQUIPMENT RECOMMENDED FOR USE IN THE COUNTY OF MAUI BY THE MAUI POLICE DEPARTMENT.

| | | Approximate Cost (New) |
|---|---|---|
| 1 | Truck 2½ Ton | $2800.00 |
| | Power winch with light cable, 3/8" x 400' with power take off. | 550.00 |
| | Construction of truck body made to care for the storage of all equipment in most convenient location. To include: | 1000.00 |
| 1 | Station transmitter and receiver | 774.00 |
| 1 | Mobile transmitter and receiver | 415.00 |
| 1 | Built in public address system | 125.00 |
| 1 | Portable battery speaker | 50.00 |
| 3 | Walkie talkie radios | 900.00 |
| 1 | AC Generator on trailer to furnish power for radio and 4 flood lights (similar to "Nite Hawk" - Von Hamm Young) | 1050.00 |
| 2 | Spot lights for vehicle | 20.00 |
| 4 | Way red flasher for top of truck (may be used as marker in field) | 50.00 |
| 6 | 2 or 4 cell (#6 battery) lights (big beam $18.00 ea.) | 108.00 |
| 6 | Regular 5 cell flashlights | 18.00 |
| 1 | 50 gallon water tank | 25.00 |
| 1 | Large size first aid kit | 60.00 |
| 1 | Kerosene hot plate (or electric) | 25.00 |
| 2 | Piece of canvas about 5' x 7' | 5.00 |
| 1 | Oxygene diving helmet | 150.00 |
| 1 | H & R line throwing kit with rewind machine | 267.50 |
| 4 | Small cylinders of Oxygen and Carbon dioxide with hose and nose piece to be used with artificial respiration. | on hand now |
| 8 | Wool Blankets | on hand now |
| 8 | Sections of 200 ft. ea. ½" rope | 80.00 |
| 5 | Sections of 200 ft. ea. ¼" rope | 40.00 |
| 1 | One piece asbestos suit | 82.50 |
| 2 | Atlas life belts with brake | 63.30 |
| 2 | All service gas masks with speaking diaphram | 100.00 |
| 2 | Pike poles | 36.00 |
| 2 | All aluminum pompier ladders 14 ft. | 180.00 |
| 1 | 20 ft. folding ladder | 112.20 |
| 1 | Porter Cohardite Insulated Fireman's cutter | 25.15 |
| 2 | Large size CO2 fire extinguishers | on hand |
| 2 | Small size CO2 fire extinguishers | on hand |
| 1 | Basket type wire stretcher | 42.50 |
| 1 | Jack - 10,000 lbs. | 30.00 |
| 1 | Block and Tackle (1" rope size) | 30.00 |
| 1 | Set leg irons for pole climbing and safety belts | 45.00 |
| | Sub Total | 9259.15 |

MISCELLANEOUS:

1 Pick, 1 ax, 2 shovels, 1 large crowbar, 2 pinch bars, 1 heavy saw and 2 cane knives.

LIFE SAVING EQUIPMENT:

2 Rubber Rafts - 1 large, 1 small

2 Torpedo buoys, 4 Ring buoys, 1 Rescue surf board

6 Life Jackets, 2 - 3 phase grappling hooks

Mis No. 9.

MASARU SHINSEKI
PRESIDENT

FREDERICK W. WEBER
TREASURER

DIRECTORS
ALFRED O. GILES
K. C. YAMASAKI
Y. YAMAURA
STEPHEN AU
FRANK A. BARTH
PRES. JR. C. OF C.

R. C WILLIAMSON
1ST VICE-PRESIDENT

PAUL TATE
2ND VICE-PRESIDENT

ROBERT G. CREIG
SECRETARY

A. H. CASE
AUDITOR

DIRECTORS
ALBERT HORNER
MITCHELL OTA
R. GARLINGHOUSE
DONALD MARTIN
ADAM BRUN
JOSEPH S. COLE

# Kauai Chamber of Commerce

Lihue, Kauai, T. H.

October 6, 1950

Honorable Hiram L. Fong
Speaker, House of Representatives
Territory of Hawaii
Honolulu, T. H.

Dear Mr. Speaker:

As President of the Kauai Chamber of Commerce it gives me honor to address you and the members of your honorable body, now in session, with reference to the urgent need there is at the present time for the enactment of legislation that will bring about relief and a guarantee of reasonable safety to that large number of citizens who are residents of Waimea Valley, Kauai. I have reference to the relief sought by our Kauai Representatives and Senators through the appropriation of the necessary territorial funds to rebuild and lengthen the retaining wall, as it now exists, at Waimea, Kauai.

Our Chamber of Commerce is deeply concerned over the suffering that has been brought upon these people as the result of those floods that have inundated the valley and town of Waimea, causing severe losses of belongings and property, not only to citizens of limited means, some of them really poor, but also to those persons operating business enterprises in that town. These losses have been estimated as being close to $1,000,000.00.

The Territory of Hawaii has, in the past, through the appropriation of territorial funds, recognized the responsibility of the Territory to safeguard the property and interests of these citizens from the ravages of the Waimea River. We appreciate your interest and recognition of this responsibility and urgently pray that, at this Special Session of our Legislature, you again continue to recognize this responsibility and give the people of Waimea those necessary funds that will give them assurance that, for the future, their little homes, their farms, their live-stock, and their business enterprises will be safeguarded from the damage that may be caused by any future flood.

Respectfully yours,

Masaru Shinseki

Masaru Shinseki, President
Kauai Chamber of Commerce.

Filed
COW

Misc Com # 10

# INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION

HAWAII REGIONAL OFFICE • [redacted] HONOLULU 16, HAWAII
1685 KAPIOLANI BLVD., HONOLULU 14, T. H.

JACK W. HALL
Regional Director

October 9, 1950

The House
Legislature of the Territory of Hawaii
Iolani Palace
Honolulu, T. H.

Gentlemen:

Attached hereto is a letter on the Constitution for the State of Hawaii which was approved at a meeting on Saturday, October 7, 1950 of the following organizations: International Longshoremen's & Warehousemen's Union Locals 136, 142, 150, and 152, National Union of Marine Cooks & Stewards, and United Public Workers Local 646.

Very truly yours,

Yukio Abe
Recording Secretary

uopwa 190

Laid on table

10

INTERNATIONAL [redacted]
LONGSHOREMEN'S & WAREHOUSEMEN'S
UNION

HAWAII REGIONAL OFFICE • [redacted] • HONOLULU 16, HAWAII
1685 KAPIOLANI BLVD., HONOLULU 14, T. H.

JACK W. HALL
Regional Director

October 9, 1950

The House
Legislature of the Territory of Hawaii
Iolani Palace
Honolulu, T. H.

Gentlemen:

You are in Special Session to study a Constitution drafted by the State Constitutional Convention of Hawaii of 1950. Alternative proposals which you make may be voted on when the Draft Constitution is placed on the ballot for ratification or rejection by the people.

Already, members of the House have approved the Draft Constitution. We are concerned that this seeming haste means that approval of the Constitution drafted by the Convention has become confused with the cause of Statehood.

Statehood and the cause of Statehood means more than the form of changed status — the people want Statehood because they want the substantive rights of self-government. The Constitution is the instrument by which the people can secure maximum participation and opportunity for expression in governing themselves.

We have long been staunch supporters of the cause of Statehood. We have supported Statehood because we believe in the right of the people of Hawaii to govern themselves. Because we believe the people want Statehood in its fullest sense, we have carefully studied and examined the Draft Constitution now before you.

It is our considered judgment that the hurried acceptance of the Draft Constitution without substantial change will bring the people of Hawaii nothing more than statehood in a straight-jacket. That is too high a price to pay for a Constitutional package which is in fact a political Pandora's Box.

We believe that the Constitution should place maximum original power in the hands of the people. The Draft Constitution entrusts minimum original power to the people.

We believe that the Constitution should guarantee means of popular expression necessary to act as a curb on abuse of governmental power or misuses of public trust. The Draft Constitution does not provide for direct action by the people to curb governmental abuse of power or misuse of public trust.

We believe that the Constitution should be in accord with basic principles of American democratic government. The Draft Constitution diverges from such basic principles in two important respects -- it fails to provide for the real separation of powers into three distinct branches, the executive, legislative and judicial -- for the system of checks and balances; it fails to secure to the people opportunity for maximum participation in their government as broadened by practice of democratic government since our nation was founded.

If the Constitution of Hawaii does not meet these tests, we believe the people of Hawaii will not achieve the "Statehood" they have supported and desire.

By these tests the following are the principal points where we believe the Draft Constitution is contrary to the aspirations of a democratically minded people.

1. The apportionment of districts is specified in detail preserving, with minor exceptions, the present gerry-mandered system. This inequity is frozen by the reapportionment provision which permits change only on the basis of mathematical formula. We believe that apportionment should be based upon the 1950 census, just completed, and that the changes in districting on Oahu and in West Hawaii should be reexamined.

2. Apportionment is based upon the number of "registered voters." In Hawaii, where restrictive naturalization legislation prevents many permanent residents from voting, we believe that we should have apportionment on the basis of population, what is popularly termed "proportional representation."

3. Voters are required to be able to "speak, read and write the English or the Hawaiian language." This eligibility requirement appears in the Organic Act. However, the Organic Act was passed half a century ago by and with the aid of a strong Southern Bloc in Congress. We believe that this is an unwarranted qualification in a modern Constitution, and are concerned that its rigid application could be used to disfranchise many Hawaiian voters.

4. The size of the Legislature is enormously increased. We are forced to agree with even the Governor that a legislative body of such size would be unwieldy, is unjustified, and would be an undue burden on the taxpayers.

5. The Legislature is empowered to "prescribe" disqualifications for its members. The power of any parliamentary body to discipline its members is proper, but we believe that only the people should have the power to remove or "disqualify" a representative whom they have elected to office. Once a candidate has qualified to run for office, and has been elected by the people, he should be removed from office only by action of those who elected him. We believe that the people are entitled to exercise the "recall" and object to placing "recall" power in the hands of the legislature.

6. The Legislature is given the power to punish non-members, to fine or jail persons on their own motion. In our judgment this is a clear invasion of the judicial field. We believe that this provision is a usurpation of the power of the police force and the courts, that it would place persons in double jeopardy, and that it could be turned to the purpose of intimidating witnesses before legislative committees while protecting favored witnesses whose testimony is of questionable accuracy. We believe that this provision is in violation of the due process clause of the Federal Constitution, as it would authorize Star Chamber Proceedings by Legislative Committees. Even the U.S. Congress turns over to the Judiciary proceedings against persons whom Congress alleges have been in contempt. For the Legislature to charge, try and punish persons alleged to have been in contempt reminds us of the well-known quote from Alice In Wonderland: "I'll be judge, I'll be jury," said cunning old Fury; "I'll try the whole cause, and condemn you to death!"

7. The Executive is not assured the right to remove members of his "cabinet"...department heads and other appointive officials... without concurrence of the Senate. We believe that this is contrary to practice under the Federal Constitution, where appointments are approved by the Senate, but removal is not subject to review. We believe that the restrictions on the Executive could hamper a unified administration, and that there is not adequate provision for the "checks and balances" characteristic of American government.

8. All of the judges in the State would be appointed. We believe that the people are qualified to elect their own judges.

9. The Governor and Lt. Governor are elected officials, and all other officials are appointed. We believe that the people desire a more direct voice in the administration of their government. The people want the right to elect at least their Treasurer, Land

Commissioner, Attorney General, Secretary of State, Auditor and Board of Education. We believe the people are qualified to do so.

10. Free public education is not provided in the Constitution. We believe that a truly free system of public education is essential to a growing democracy. The provision on education does not stop or prohibit the continued practice of charging fees, book rentals, and supply costs.

11. The provisions on taxation and finance set a debt limitation and in all financial matters complete control is placed with the Legislature. We believe that the people should be entitled to vote on bond issues and other large expenditures. Public hearings on the budget should be mandatory. We are convinced that a debt limitation is at best an artificial figure, unwise because in time of public need it would hamper if not stop necessary expenditures while in time of prosperity when debt retirement is possible it is of no significance. The $60,000,000.00 limitation could easily be worth only $30,000,000.00 in terms of purchasing power a few years hence.

12. The provision on the Hawaiian Homes Commission, while in accord with HR 49, does not assure the retention of the Hawaiian Homes Commission. We believe that the Constitution should make mandatory the effective administration of the Hawaiian Homes Act in order to carry out the original intent of the Act -- to secure for the Hawaiian people good arable land for homesteading. It is not sound to leave the Hawaiian people at the mercy of future Congresses.

13. The right of labor to organize and bargain collectively is "recognized" in the Constitution. We have no objection to this Article, nor do we rejoice at its inclusion. It could be deleted without affecting labor's rights as they are now established under the guarantees of the Federal Constitution. We believe it to be a sop thrown in to secure support of organized labor for the Constitution so long as that right may be proscribed by the Legislature.

14. The Draft Constitution does not provide for the initiative or referendum. This means that the people are barred from initiating legislation or constitutional amendments (under the amendment procedure). We believe that the people of Hawaii want the right to initiate legislation and propose constitutional change. We believe they have the judgment and maturity to do so.

The fourteen points which we have outlined are illustrative of the fact that the draft Constitution does not provide the substantive rights which Statehood means to the common people who have supported it. We believe that the legislature has a responsibility to the people, to propose alternative provisions so that the voters can cast more than a "Jah" vote. A close study of the draft Constitution will reveal many more sections and articles which require alternative proposals.

We respectfully urge that the members of the House reconsider their immediate approval of the draft Constitution, and join with the Senate in a careful scrutiny of this document. We particularly urge that alternative proposals be presented to the voters on the points we have enumerated so that they may be free to determine how they wish to govern themselves when Hawaii becomes a state.

If we are wrong in our estimation of what the people want in their Constitution for the State of Hawaii, giving the people a chance to vote on these alternatives will cause no delay in or harm to Statehood. Alternative proposals which need not necessarily carry the endorsement of the Legislature can be quickly drafted and submitted to the voters for <u>their</u> expression together with the Convention draft.

Your granting the voters this choice <u>now</u> will tend to minimize criticism of the Constitution in the future.

And finally, let us record here our belief that it would be better to delay Statehood temporarily unless the voters get a chance to decide whether they want to wear the straitjacket styled by the Constitutional Convention or cut themselves a new suit of democratic clothing.

Very truly yours,

INTERNATIONAL LONGSHOREMEN'S & WAREHOUSEMEN'S UNION, LOCALS 136, 142, 150 and 152,

UNITED PUBLIC WORKERS, LOCAL 646,

NATIONAL UNION OF MARINE COOKS AND STEWARDS.

uopwa 190

BILL NO. 131

RESOLUTION NO. 128

The town of Waimea, County of Kauai, Territory of Hawaii, which is a thriving community, has been a constant victim due to flood waters of the Waimea river. The Legislature of Hawaii as long as 45 years ago recogni,ed this condition, so from time to time appropriated moneys therefor out of the funds of the Territory.

About 40 years ago the flow of flood waters in said river was estimated at the rate of 25,000 cubic feet per second, but recent floods revealed that such rate has doubled. In the tremendous flood on February 7, 1949, which so engaged the attention of the Governor of Hawaii and the honorable members of the Legislature, resulting in local public hearings by them on ways and means as to how to combat future flood waters, it was estimated that the rate of the flow of flood waters was 43,400 cubic feet per second. In the recent floods of the month of August, 1950, the rate of such flow was estimated at a larger volume than in 1949. Just prior to these disastrous floods the U.S. District Engineer, Corps of Engineers, Honolulu, T. H. recommended the construction of a flood control to cope with a maximum flow of flood waters at the rate of 50,500 feet per second.

The abovementioned recent floods of Waimea river caused great damage to property in Waimea town estimated at $1,000,000.00, and they endangered the lives of the residents. In the floods of August, 1950, the larger section of the existing retaining wall, being undermined by the flood waters, collapsed to such an extent, that the improvements as set forth in Resolution No. 113, dated August 25, 1950, and transmitted to the Governor of Hawaii, a copy of which is hereby attached, were deemed inadequate by the said U. S. District Engineer. In lieu thereof the said office recommends the construction of an earth-levee of adequate cross-section and heights for a distance of approximately 6,400 lineal feet, provided with stone facing to prevent erosion from rapid currents

such as are found in Waimea river floods, and further provided with suitable measures to prevent undercutting of protective structure. It is also necessary to widen the river channel by excavating the bank on the opposite side of the river for an average width of 75 feet, to increase the waterway area. This construction, exclusive of moneys required for purchase of land therefor and other expenses incidental thereto, is estimated to cost about $575,000.00.

For construction designed to prevent further destruction of property from such flood waters and the endangering of lives of the residents of Waimea town, the Legislature of Hawaii at its regular session following the visit of certain members thereof to Waimea in 1949, provided moneys therefor under several measures, to wit: Act 401, $175,000.00; Joint Resolution 1, $75,000.00; Joint Resolution 2, $50,000.00; making a total of $300,000.00 designed for Waimea flood control, and other operations, all of which but a balance of about $172,000.00 have been expended.

With the approach of the winter months, a repitition of such flood waters as recently witnessed will likely occur again. That Waimea town is so vulnerable to such flood waters without any protective barrier, gives rise to fear that unprecedented disaster inevitably will happen.

Mindful of this condition, the House of Representatives has for its consideration House Bill No. 2, to appropriate $300,000.00, and the Senate seeks to appropriate under Senate Bill No. 3, $400,000.00, out of the general revenues of the Territory, so as to make available immediately enough money to proceed with the construction of the levee aforesaid.

The Board of Supervisors being fully appreciative of the efforts being made for the relief, and being equally cognizant of the need, of Waimea town, does hereby resolve, that, in view of the foregoing, the board places itself on record in support of the measures aforesaid for the immediate construction of the Waimea flood control, and respectfully

request each representative and senator to give his or her help.

BE IT FURTHER RESOLVED that a copy of this resolution be delivered in person by the Chairman and Executive Officer of the Board of Supervisors, to Honorable Ingram M. Stainback, Governor of Hawaii, Honorable Wilfred C. Tsukiyama, President of the Senate, and Honorable Hiram L. Fong, Speaker of the House of Representatives, Territory of Hawaii.

Dated: October 6, 1950.

INTRODUCED BY:

(Sgd.) William Ellis
Chairman and Executive Officer

(Sgd.) Toshio Serizawa
Supervisor

(Sgd.) J. W. Bertrand
Supervisor

(Sgd.) Francis M.F. Ching
Supervisor

(Sgd.) David K. Luke
Supervisor

(Sgd.) George K. Watase
Supervisor

---

OFFICE OF THE COUNTY CLERK, COUNTY OF KAUAI
TERRITORY OF HAWAII
LIHUE, KAUAI, HAWAII

CERTIFICATE

I hereby certify that the foregoing is a full, true and correct copy of Bill No. 131 which was adopted as Resolution No. 128, by the Board of Supervisors of the County of Kauai at a meeting held on October 6, 1950, by the following vote of the Board:

For Adoption: Bertrand, Ching, Luke, Serizawa, Watase, Ellis - Total 6,
Against Adoption: None - Total 0,
Absent and Not Voting: None - Total 0.

J. K. Burgess, Jr.,
County Clerk, County of Kauai.

Dated at Lihue, Kauai, T. H.,
this 6th. day of
October, A. D. 1950.

BILL NO. 116

RESOLUTION NO. 113

WHEREAS, in February, 1949, the town of Waimea, County of Kauai, suffered tremendously from floods which caused considerable damage to it, amounting to thousands of dollars; and

WHEREAS, pursuant thereto, the Legislature of Hawaii, by Act 401, Session Laws 1949, appropriated the sum of One Hundred Seventy-Five Thousand Dollars ($175,000.00), to help in effecting flood control measures for this area; and

WHEREAS, before adequate flood control measures were constructed, the said town was overrun again by two floods of like intensity, the last one being on August 17, 1950, causing great damage to property, and endangering the lives of residents; and

WHEREAS, the larger section of the existing retaining walls (the height of which was intended to be raised), being undermined, collapsed to such an extent that the raising of its height is now impracticable, necessitating the construction of an entirely new retaining wall approximately 40 feet back of the existing stonewall, running down for a distance of 2400 feet, and the widening of the river channel by excavating the bank on the opposite side of the Waimea River for an average width of approximately 75 feet, thereby increasing the waterway area greatly, and the putting up of a stonewall, running for a distance of approximately 1300 feet, at the bend of the Waimea River; and

WHEREAS, the cost of such construction, by estimation will be approximately Four Hundred Fifty-Five Thousand Dollars ($455,000.00), exclusive of the money needed for the acquisition of lands; and

WHEREAS, the construction of the said project should proceed forthwith in order to protect the residents of the said district from future floods, especially winter floods; and

WHEREAS, the County of Kauai has no funds with which to meet the costs of construction of the said project: Now, Therefore,

BE IT RESOLVED by the Board of Supervisors of the County of Kauai, Territory of Hawaii, that the Governor of the Territory of Hawaii be and is hereby respectfully requested to render financial aid to the County of Kauai by allocating the sum of Two Hundred Eighty Thousand Dollars ($280,000) from the Contingent Fund, the same to be in addition to the said appropriation of One Hundred Seventy-Five Thousand Dollars ($175,000), in order that the people of the said district and their property be protected; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor of the Territory of Hawaii.

INTRODUCED BY:

/s/ J. W. Bertrand
Supervisor

/s/ Francis M. F. Ching
Supervisor

/s/ David K. Luke
Supervisor

/s/ George K. Watase
Supervisor

/s/ [illegible]
Supervisor

Dated: Lihue, Kauai, T. H., August 25, 1950.

CERTIFICATE OF COUNTY CLERK

I hereby certify that the Resolution hereto attached was adopted by the Board of Supervisors of the County of Kauai at a meeting held on August 25, 1950, by the following vote of the Board:

For Adoption: Bertrand, Ching, Luke, Serizawa, Watase, Ellis - Total 6,
Against Adoption: None - Total 0,
Absent and Not Voting: None - Total 0.

J. K. Burgess, Jr.,
County Clerk, County of Kauai.

Dated at Lihue, Kauai, T.H., this 7th day of October, A. D. 1950.

UNITED STATES COAST GUARD

Misc. Corr. 2

ADDRESS REPLY TO
Commander
14th CG District
REFER TO FILE
P. O. Box 4010
Honolulu, T. H.

10 October 1950
File: 64

Mr. James S. Achong
Clerk, House of Representatives
House of Representatives
Territory of Hawaii
Honolulu, T. H.

Dear Sir:

Receipt of your letter of October 3, 1950 transmitting House Resolution No. 10 is hereby acknowledged.

This request for establishment of aids to navigation on Hilo Breakwater, at Keaukaha, Hawaii, and at Keauhou Bay will receive careful consideration and appropriate action will be initiated.

You will be kept advised concerning the status of action on these proposed projects.

Very truly yours,

J. D. Conway

J. D. CONWAY
Captain, U. S. Coast Guard
Commander, 14th Coast Guard District
Acting

Filed

Mayor
JOHN H. WILSON

Board of Supervisors
JOHN M. ASING
MILTON D. BEAMER
ERNEST N. HEEN
RICHARD M. KAGEYAMA
NOBLE K. KAUHANE
CHUCK MAU
MANUEL C. PACHECO

LEON K. STERLING, SR.
City and County Clerk

Deputies
ELLEN D. SMYTHE
EDWARD LEONG
LEILA F. VANNATTA
EMPEROR A. HANAPI

# BOARD OF SUPERVISORS
CITY AND COUNTY OF HONOLULU
HONOLULU 13, HAWAII

October 11, 1950

Refer to
M-752

Misc Com 13

The Twenty-Fifth Legislature
of the Territory of Hawaii
Second Special Session
House of Representatives
Honolulu, T. H.

Attention: James S. Achong, Clerk

Gentlemen:

Your communication of October 3rd transmitting House Resolution No. 13, relating to Washington Intermediate School, was referred to the Committee on Finance.

Respectfully yours,

BOARD OF SUPERVISORS

By Leon K. Sterling Jr.
LEON K. STERLING, SR.
City and County Clerk

eah

Filed

COMMITTEE ON PUBLIC WORKS (ROADS, BRIDGES, PUBLIC HIGHWAYS, GARBAGE, WATER, SEWERS, MUNICIPAL GARAGE AND TRAFFIC).
Noble K. Kauhane, Chairman — Milton D. Beamer, Vice-Chairman — Chuck Mau, Member — Richard M. Kageyama, Member

COMMITTEE ON FINANCE (PUBLIC EXPENDITURE, POLICE, FIRE, HEALTH, SCHOOLS, PUBLIC BUILDINGS, PARKS AND PLAYGROUNDS).
Manuel C. Pacheco, Chairman — Ernest N. Heen, Vice-Chairman — John M. Asing, Member — Richard M. Kageyama, Member

NEAL S. BLAISDELL
749 16th Ave.
Honolulu 16, T. H.

Mis 14

To the Members of the House of Representatives
Twenty-fifth Legislature
Second Special Session
Iolani Palace
Honolulu, T. H.

Dear Friends,

Neal has asked me to write you to express his appreciation and gratitude for your heartfelt sympathy and best wishes for a speedy recovery and return to public life.

Neal is just beginning to relax after a difficult six weeks of adjustment and treatment. I think he will be confined for the next six months and I'm sure he will be "better than ever."

He sends his Aloha, Best Wishes and Mahalo to each and everyone of you.

Very sincerely,
(Mrs.) Lucy Blaisdell

H.R. No. 6

October 13, 1950

Filed

14

Mayor
JOHN H. WILSON

Board of Supervisors
JOHN M. ASING
MILTON D. BEAMER
ERNEST N. HEEN
RICHARD M. KAGEYAMA
NOBLE K. KAUHANE
CHUCK MAU
MANUEL C. PACHECO

Misc Com 15

LEON K. STERLING, SR.
City and County Clerk

Deputies
ELLEN D. SMYTHE
EDWARD LEONG
LEILA F. VANNATTA
EMPEROR A. HANAPI

Refer to
M-787

# BOARD OF SUPERVISORS
CITY AND COUNTY OF HONOLULU

HONOLULU 13, HAWAII
October 18, 1950.

House of Representatives
The Twenty-Fifth Legislature
Territory of Hawaii
Second Special Session
Honolulu, T. H.

Attention: Jas. S. Achong, Clerk

Gentlemen:

Your communication of October 12th transmitting House Resolution No. 27, relating to facilities for fire protection, was referred to the Committee on Finance.

Respectfully yours,

BOARD OF SUPERVISORS

By Leon K. Sterling, Sr.
LEON K. STERLING, SR.
City and County Clerk

eah

COMMITTEE ON PUBLIC WORKS (ROADS, BRIDGES, PUBLIC HIGHWAYS, GARBAGE, WATER, SEWERS, MUNICIPAL GARAGE AND TRAFFIC).
Noble K. Kauhane, Chairman — Milton D. Beamer, Vice-Chairman — Chuck Mau, Member — Richard M. Kageyama, Member

COMMITTEE ON FINANCE (PUBLIC EXPENDITURE, POLICE, FIRE, HEALTH, SCHOOLS, PUBLIC BUILDINGS, PARKS AND PLAYGROUNDS).
Manuel C. Pacheco, Chairman — Ernest N. Heen, Vice-Chairman — John M. Asing, Member — Richard M. Kageyama, Member

15

Mayor
JOHN H. WILSON

Board of Supervisors
JOHN M. ASING
MILTON D. BEAMER
ERNEST N. HEEN
RICHARD M. KAGEYAMA
NOBLE K. KAUHANE
CHUCK MAU
MANUEL C. PACHECO

Misc. Corr
16

LEON K. STERLING, SR.
City and County Clerk

Deputies
ELLEN D. SMYTHE
EDWARD LEONG
LEILA F. VANNATTA
EMPEROR A. HANAPI

Refer to
M-788

# BOARD OF SUPERVISORS
CITY AND COUNTY OF HONOLULU
HONOLULU 13, HAWAII

October 18, 1950.

House of Representatives of the
Twenty-Fifth Legislature
Second Special Session
Honolulu, T. H.

Attention: Jas. S. Achong, Clerk

Gentlemen:

Your communication of October 13th transmitting House Resolution No. 29, relating to ambulance service for the Waianae District, was referred to the Committee on Finance.

Respectfully yours,

BOARD OF SUPERVISORS

By Leon K. Sterling Sr.
LEON K. STERLING, SR.
City and County Clerk

eah

COMMITTEE ON PUBLIC WORKS (ROADS, BRIDGES, PUBLIC HIGHWAYS, GARBAGE, WATER, SEWERS, MUNICIPAL GARAGE AND TRAFFIC).
Noble K. Kauhane, Chairman — Milton D. Beamer, Vice-Chairman — Chuck Mau, Member — Richard M. Kageyama, Member

COMMITTEE ON FINANCE (PUBLIC EXPENDITURE, POLICE, FIRE, HEALTH, SCHOOLS, PUBLIC BUILDINGS, PARKS AND PLAYGROUNDS).
Manuel C. Pacheco, Chairman — Ernest N. Heen, Vice-Chairman — John M. Asing, Member — Richard M. Kageyama, Member

16

(COPY)

Report of the

COMMITTEE

on

Misc. Com No. 17

FINANCE, Public Expenditure, Police, Fire, Health, Schools, Public Buildings, Parks and Playgrounds.

Manuel C. Pacheco, Chairman  Ernest N. Heen, Vice-Chairman  Richard M. Kageyama, Member  John M. Asing, Member

Honolulu, T. H.

October 17, 1950

MR. MAYOR:

Your Committee on Finance and Public Expenditures, to which was referred communication (M - 752) from the House of Representatives, transmitting House Resolution No. 13, relating to Washington Intermediate School, recommends that the resolution be received and placed on file and that the Acting Building Superintendent be requested to furnish the necessary information to the House of Representatives.

House of Representatives

17

CITY AND COUNTY OF HONOLULU
BOARD OF SUPERVISORS

The foregoing is a copy of Committee Report this day ADOPTED by the Board of Supervisors of the City and County of Honolulu.

Honolulu, T. H. Oct. 17, 1950

Leon K. Sterling Sr.

LEON K. STERLING SR.
City and County Clerk

Reference:

Resolution No.

Bill No.

COMMITTEE
REPORT NO.

2884

JOSEPH R. FARRINGTON
DELEGATE FROM HAWAII

Misc. Corr 18

# Congress of the United States
## House of Representatives
### Washington, D. C.

HONOLULU, T. H.

October 20, 1950

Mr. James S. Achong
Clerk, House of Representatives
Twenty-fifth Legislature
Second Special Session
Iolani Palace
Honolulu, T. H.

Dear Mr. Achong:

I wish to acknowledge herewith your letter of October 13th with which you forwarded House Concurrent Resolution No. 7, adopted by the Twenty-Fifth Legislature of the Territory of Hawaii in the Second Special Session.

Sincerely yours,

J. R. Farrington

Misc. Corr. 19

Honolulu Star-Bulletin.

ESTABLISHED 1882
EVENING DAILY EXCEPT SUNDAY

HONOLULU 2, HAWAII, U.S.A.

POST OFFICE BOX 3080
TELEGRAPHIC ADDRESS: "STARBUL"

October 21, 1950

Mr. James S. Achong, Clerk
House of Representatives
Twenty-Fifth Territorial Legislature
Iolani Palace
Honolulu, T. H.

Dear Mr. Achong:

This acknowledges with thanks your letter of October 13 transmitting a House Resolution adopted on that date praising the work of the press, radio and other newsmediums, for coverage of the House of Representatives.

We of the Star-Bulletin cherish such testimony to the excellence of our reporting of legislative events.

Please, if you have opportunity, thank the Speaker of the House and other members for their thoughtful and appropriate action.

Yours truly,

Riley H. Allen
Editor

RHA:hlc

Misc Corr. 20

HEADQUARTERS
UNITED STATES ARMY, PACIFIC
OFFICE OF THE COMMANDING GENERAL
APO 958

In reply refer to:
GPCOS 680/17

23 OCT 1950

Mr. James S. Achong, Clerk
House of Representatives
Iolani Palace
Honolulu, Hawaii

Dear Mr. Achong:

General Aurand has asked me to reply to your note of October 13, 1950 which transmitted House Resolution No. 31 adopted by the House of Representatives, requesting that the "barking sand" area be released to Territorial control and the area made available to the public.

This area is no longer a responsibility of the Army. It has been declared an Air Force area and it is therefore suggested that the matter be referred to the Commanding General, U. S. Air Force, Pacific, at Hickam Field.

If there is anything that this Headquarters can do at any time, please do not hesitate to let us know.

Very sincerely,

Kendall J. Fielder

KENDALL J. FIELDER
Colonel, GSC
Chief of Staff

Misc. Corr
27

UNITED STATES

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE
HAWAII NATIONAL PARK
HAWAII

October 20, 1950

Air Mail

Mr. Jas. S. Achong, Clerk
House of Representatives
Territory of Hawaii
Honolulu, Oahu, T. H.

Dear Mr. Achong:

We have received your letter of October 13 to Mr. Oberhansley and the accompanying House Concurrent Resolution No. 7 of the 25th Territorial Legislature urging retention of the present road from the northeast boundary to the headquarters area of Hawaii National Park in view of the proposed new approach road.

Copies of your letter and the Resolution are being forwarded to Mr. Oberhansley on the mainland for his consideration.

Sincerely yours,

I. J. Castro

I. J. Castro
Acting Superintendent

LYMAN H. BIGELOW
Acting Superintendent of Buildings

Misc Com
No. 22

# DEPARTMENT OF BUILDINGS
## CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

October 24, 1950

Second Special Session
Twenty-Fifth Legislature
Territory of Hawaii
Honolulu, Hawaii

Gentlemen:

House Resolution No. 13 sent to the Honorable Mayor and Members of the Board of Supervisors, City and County of Honolulu, has been referred to me for reply.

For the information of your Honorable Body, the Mayor and Board of Supervisors of the City and County of Honolulu have already authorized the Building Department to proceed with the reconstruction and equipment for the Washington Intermediate School. The architect has been working on the plans and specifications for several months and funds have been provided for the work from the Territorial Insurance Fund. It is hoped that actual construction will start not later than February, 1951.

Very truly yours,

Lyman H. Bigelow

Lyman H. Bigelow
Actg. Superintendent of Buildings

1950

# SECOND SPECIAL SESSION

## HOUSE OF REPRESENTATIVES

# MISCELLANEOUS

IN REPLY REFER
TO LETTER NO. 2.12934

TERRITORY OF HAWAII

DEPARTMENT OF PUBLIC WORKS

HONOLULU

October 13, 1950.

Honorable Hiram L. Fong,
Speaker, House of Representatives,
Second Special Session, 1950,
Iolani Palace,
H o n o l u l u, T. H.

Dear Hiram:

I am enclosing a copy of the Washington News-letter of September 13, 1950, published by the American Municipal Association.

Although intended primarily as a simple description of the Federal-aid Highway Act of 1950, this is the best general outline of Federal-aid highway policies and procedures that I have ever seen.

I am sure you will find it readable, interesting and of value as a reference.

Sincerely yours,

R. M. BELT
Territorial Highway Engineer.

Encl.

58911

a a

# WASHINGTON NEWS LETTER

*A Weekly Report For Municipal Officials*

AMERICAN MUNICIPAL ASSOCIATION * CHICAGO * WASHINGTON

Vol. XV - No. 28

September 13, 1950

## THE FEDERAL-AID HIGHWAY ACT OF 1950

Congress has authorized $250 million in federal contributions for urban road projects to be constructed as part of the Federal-Aid Highway Program in the two years starting July 1, 1951. In addition, part of federal funds for the primary system and the secondary system in certain states may be allocated for projects in municipalities. This special News Letter explains the Federal-Aid Highway Act of 1950, shows the difference between the new act and earlier laws, and tells municipalities how to obtain federal highway aid.

The new law is somewhat different from the acts of earlier years. The total authorization for primary, secondary, and urban projects is $500 million a year, $50 million a year more than in the Act of 1948 though the same as in the Act of 1944. As in the past, the urban money ($125 million a year) may be used only on the federal-aid system in urban areas. Federal funds for the federal-aid primary system ($225 million a year) may be spent on urban projects. Allocations for the secondary system ($150 million a year) may be spent in municipalities under 5,000 population not in urban areas and on urban projects in states which have a population density of 200 or more per square mile. Under a new provision, the federal-aid urban and primary funds appropriated pursuant to the new law may be used to retire bonds, including municipal bonds, issued for toll-free primary or urban system projects when plans have been approved by state and federal authorities. While matching requirements for construction are unchanged, for acquisition of rights-of-way the maximum federal share has been increased to one-half. As in the past, the federal funds may be used for construction, preliminary engineering, and rights-of-way but never for maintenance, and the funds may not be used for toll roads.

Municipalities must work through their state highway departments to obtain federal-aid highway projects. The Act of 1950 and previous acts recognize the state highway department as the over-all highway authority in the state. The state highway department negotiates with the U. S. Bureau of Public Roads. While in a limited number of cases the federal, state, and local officials confer jointly, the state highway department determines what amounts of federal aid of the various classes will be spent on projects in urban areas. No federal-aid highway funds may be paid directly to municipalities by the Bureau of Public Roads.

Apportionments remain available for two years in addition to the fiscal year for which they were authorized. Formal agreements between the state highway department and Bureau of Public Roads for the construction of projects are deemed to be expenditures. Such agreements within the limits of the funds authorized by Congress are federal obligations, and Congress has always made the appropriations necessary to meeting these obligations. Approximate state-by-state apportionments available for 1952 and 1953 are tabulated on page 7.

## HOW MUNICIPALITIES GET FEDERAL HIGHWAY AID

If a municipality wishes federal aid on one of the federal-aid highways within the municipality in order to increase the highway's traffic capacity or otherwise expedite traffic, it takes its case first to the state highway department. Ask for a joint conference with the state officials and representatives of the Bureau of Public Roads. The Bureau encourages this personal conference as the initial step.

If the state highway department is interested, traffic surveys and other studies will be undertaken to obtain the substantiating data. Traffic surveys assist in determining the proper routes of the federal-aid highways and establish the need of particular types of construction. The surveys may be

made either by the state highway department, using federal funds earmarked for the purpose (1-1/2% of apportionments) or by municipal forces under state highway department supervision.

Remember that the proposed project must be approved not only by the state highway department but by the Bureau of Public Roads as well. No urban project will be approved by the Bureau of Public Roads without substantiating traffic data and assurance that the project will substantially increase the traffic capacity of the route. No urban projects will be approved unless the result will be additional width, better grades, better sight distance, increased weight carrying capacity, etc., or an essential new or alternate route.

The Bureau of Public Roads makes this recommendation:

"Plan in advance of action and present your problem in a clear cut and definite manner so that it is uniformly understood by all. Keep in mind that you are presenting a proposition for approval, finally, by someone who will not visit your municipality to review the proposal, and that he must act on the information that is furnished."

## TWELVE STEPS TO A PROJECT

The various steps have been listed by the Bureau of Public Roads as follows:

1. Determination of project and type of work, culminating in program submission and approval.
2. Execution of an agreement between the municipality and the state highway department.
3. Design of the project.
4. Making of a field and office check of plans.
5. Procurement of the right-of-way.
6. Presentation of plans, specifications and estimates for approval and issuance of a letter of authority to advertise for letting.
7. Concurrence in award by the Bureau of Public Roads.
8. Submission of the contract and contract estimate by the state to the Bureau.
9. Preparation and execution of the project agreement between the state highway department and the Bureau of Public Roads.
10. Supervision of construction.
11. Submission of the intermediate vouchers to the Bureau for collection of earned federal funds.
12. Acceptance of the completed project by all concerned and submission of the final voucher.

## BUREAU STATEMENT

"Upon the approval of the urban system for your city," says the Bureau of Public Roads, "you, the city officials, are ready to proceed with negotiations with the state highway department for the programming of your project. In your discussions with the state highway department you will reach a mutual agreement on financing, designing, procurement of right-of-way, supervision of construction, regulation of traffic, parking, control of access, maintenance, and all those things that go with the making of an urban improvement. These matters are all covered at some stage in the proceedings in an agreement entered into between the city and the state, which agreement becomes a part of the federal-aid record. The program submission itself includes a description of the project proposed and becomes an item in a program when submitted by the state to the Bureau of Public Roads. The subject matter shown in the program listing: item number, county, project number, route number, both federal-aid and state-aid; termini; class of work, i.e., surveys and plans, right-of-way, construction; total cost, federal funds, state funds; length; character of work; and remarks. In addition to this listing a justification is furnished for each numbered item. This justification amounts to a description of the present road or street, the work to be accomplished with information on traffic, widths, drainage, and other essential information to give a picture of the improvements proposed.

"A project may be designed by the city's own engineering staff, by the state highway department under an agreement with the city, or by a consulting engineer under a contract. The agreement for the engineering services requires the approval of Public Roads, if federal participation in the cost of preliminary engineering is requested. During the process of making the survey and the preparation of the plans you are urged to keep in close touch with the state highway department and they in turn will keep us advised. Agreement in the preliminary stage avoids delays at a later date when the plans are well advanced toward completion.

"The right of way is acquired in accordance with the legal requirements of the state. The cost may include the actual value of the land, damages, fences, etc., and the costs incident to the purchase such as appraisers' fees, filing fees and other proper costs. Where it is desired to provide partial or full control of access, provisions as consistent with pertinent state and local laws should be made for it in the right-of-way purchase arrangements. It is suggested that where a city is handling the purchase of right-of-way its representatives should work very closely at all times with the state highway department and take full advantage of its familiarily with acceptible procedures.

"When the design of the project has advanced to the stage where prints can be made, a set is taken into the field by representatives of all parties concerned, i. e., city, state and Public Roads, and a review is made. It is the usual practice to use the state highway specifications that have been approved by Public Roads, and prepare for inclusion in the proposals such supplemental specifications as are needed to bring them in line with the needs of the urban project. The special specifications are also discussed and agreement reached at the time of the field and office check of the plans.

"After the plans for the project have been completed and the specifications generally agreed upon, the city will turn the plans, specifications and cost estimates, based on their judgment, over to the state highway department which will prepare the project for presentation to the Bureau of Public Roads.

"The project engineer on urban work should be acceptable to the city and the state, and he may be either an engineer from the state's forces or from the city's engineering department. An engineer of the Bureau of Public Roads will make inspections of the project at least once a month.

"The arrangement for determining the manner in which federal-aid payments are credited to the project will be indicated in the agreement between the city and the state.

"The maintenance of all improvements made with federal aid is a responsibility of the state. However, the state highway department may provide for maintenance of federal-aid highways by municipalities through agreement with the municipality."

## State Responsibility

The entire program is based on the relationships between the state highway department and the Bureau of Public Roads of the Department of Commerce. The state highway department is responsible for providing the non-federal shares of the costs. It may obtain the non-federal shares either from state funds or from the funds of the local governments. Whatever the municipality does in connection with the program is by way of a delegation of authority by the state highway department to the municipality, whether this be making surveys and plans, sharing the non-federal portion of the costs, or whatever. The state makes the non-federal commitments with reference to all phases of the program. Its authority extends to the selection of all routes and projects, including urban projects in which the municipal government may or may not participate. Virtually all the state highway department's actions with reference to a federal-aid highway project is subject to approval of the Bureau of Public Roads. The department is responsible for all surveys and plans, handling of rights-of-way and property damage actions, bidding, and initiation of construction.

## Federal Responsibility

The Bureau of Public Roads prescribes the regulations and establishes the criteria of eligibility. While it does not direct where the federal-aid funds shall be spent, it can veto the state plans and selections of projects. Through its field organization, the Bureau exercises close supervision. Its authority and influence over policy and procedure in the state highway departments is obviously considerable.

Three general phases of the program are subject to approval or veto by the Bureau of Public Roads at Washington:

1. Designation of urban areas.
2. Selection and designation of routes (designation of the systems).
3. Program of project construction (approval of individual projects).

### Municipal Responsibility

The responsibility of the municipality in planning or construction of a federal-aid project varies as to financing, planning, and use of personnel from state to state. The Bureau of Public Roads will not by-pass the state highway department to negotiate with a municipality. The making of surveys or plans, or other phases of the program, may be delegated by the state highway department to the municipality. In such cases BPR will assist the municipality in all feasible ways.

The major element of municipal responsibility may be financial. Municipalities in some states are called upon, either by state law or as a result of policy in the state highway department, to finance certain percentages of the urban project construction. While reliable current figures are not available, it can be reported that in 1947 in two states the municipalities were required to pay half the cost of construction, in six states they were required to pay one-sixth, other amounts in two states and none of the cost in 38 states. Facts were not available from two states. In the same period (1947) for financing rights-of-way, in ten states or territories the municipalities were required to pay one-third, in one one-half, in four two-thirds, in seven all, in 17 none, other various amounts in seven, and the policy had not been determined in four.

## CLASSIFICATIONS AND APPORTIONMENTS

Projects in urban areas may share in the three classes of funds prescribed in the act:

Urban funds may be spent only on projects in urban areas. They are apportioned to the states on the basis of such state's population in urban places of 5,000 or more, in proportion to the total population of such places throughout the country.

Primary funds may be spent either in urban areas or rural areas. They are apportioned a third for the state's total population, a third for total area, and a third for the mileage of rural delivery mail and star mail routes, in the proportion that each bears to the national total. No state receives less than 1/2 of 1% of each year's allotment.

Secondary funds may be spent on projects in urban areas only in Connecticut, Massachusetts, New York, New Jersey, Pennsylvania, and Rhode Island, and in other states which may obtain a population density of 200 per square mile, and in municipalities of less than 5,000 not in designated urban areas. Secondary funds are apportioned on the basis of a third each for total state area, total rural population, and mileage of rural mail delivery and star mail routes, in the proportion that each bears to the national total, with no state receiving less than 1/2 of 1% of each year's allotment.

The population basis will be that of the 1950 census. The act does not prescribe apportionments among local jurisdictions within the state.

The amounts and percentages of federal funds available under the 1950 and the 1948 acts are shown below. The percentages were not changed.

| | Act of 1950 | | Act of 1948 | |
|---|---|---|---|---|
| Urban | $125 million | 25% | $112.5 million | 25% |
| Primary | 225 " | 45% | 202.5 " | 45% |
| Secondary | 150 " | 30% | 135 " | 30% |

## MATCHING FORMULAS

The three classes of funds apportioned among the states--urban, primary, and secondary--may be used to match non-federal funds for acquisition of rights-of-way, for preliminary engineering, and for construction.

### General Construction

Any of the three classes may be used to pay up to 50%, and in certain public lands states a larger percentage, of the cost of project construction.

In the 13 public lands states where more than 5% of the area is unappropriated or unreserved public lands or nontaxable Indian lands, the federal share of project construction cost on projects of all classes is increased in the proportion of such lands in the state to the total area of the state. The current (September 1950) federal share in the public lands states is as follows: Arizona 71.66%, California 58.33%, Colorado 56.66%, Idaho 62.59%, Montana 57.06%, Nevada 82.69%, New Mexico 63.80%, Oklahoma 52.78%, Oregon 62.04%, South Dakota 56.17%, Utah 73.76%, Washington 53.68%, and Wyoming 64.98%.

### Rights-of-Way Acquisition

The Act of 1950 permits the federal share for rights-of-way acquisitions to range hereafter up to 50% in all states. This repealed the rights-of-way matching formula previously in effect, which limited the federal share to 33-1/3% in all states except the public lands states. The cost of project rights-of-way may be met entirely by non-federal funds, or the federal share may be any amount not exceeding 50% as determined by state law or policies of the state highway department.

### Grade Crossing Eliminations

Not to exceed 10% of the three classes of funds combined may be used to finance up to 100% of the cost of railroad-highway grade crossing elimination or protection, and up to 50% of the cost of acquiring necessary rights-of-way in either urban or rural areas. In practice, the railroad pays 10% of the cost if the railroad benefits by the improvement. Otherwise the railroad generally does not participate.

## FEDERAL-AID URBAN SYSTEM

Urban funds may be used only on projects on the federal-aid urban system, which consists of all federal-aid primary highways in designated urban areas.

Funds for urban projects were first authorized separately in 1944. There were two main provisions relating to urban projects: (1) the designation of a fund limited to the federal-aid system in urban areas, and (2) the establishment of urban areas around and including communities of 5,000 or more population. Any municipality of 5,000 or more population is automatically an urban area or part of a larger urban area. Urban areas are not limited to the area within municipal boundaries, but may reach outward to include areas affected by characteristic urban traffic. An urban area may embrace two or more municipalities.

The state highway department defines the boundaries of the urban area, with the approval of the Bureau of Public Roads. Existing urban areas may be enlarged, and revisions in urban area designations are effected from time to time.

As previously noted, urban funds may not be spent on projects outside urban areas. The fund was provided to offset the inclination of certain state highway departments to spend federal-aid funds only for projects in the rural areas. If the state highway department should ignore the urban area funds, they would revert to the U.S. Treasury.

In addition to the urban funds, the state highway department may use portions of the primary system funds for urban area projects which carry primary system routes through the urban area or provide connections between primary routes.

In the six densely populated states the state highway department may use secondary system funds on urban area projects which will integrate a secondary road with another secondary road or with a federal-aid highway on the primary system.

Urban funds may not be spent on projects on the secondary system.

Selection of the federal-aid urban system in each urban area is made by the state highway department, usually after consultation with appropriate municipal authorities, and always subject to the approval of the Bureau of Public Roads.

The federal-aid urban system may include, in addition to through or connecting routes, the more important radial and circumferential or by-pass routes within the urban areas. All routes selected for inclusion in the federal-aid urban system should connect at each end with a route of one of the other two federal-aid systems (primary or secondary) except in those cases where there is an important terminus such as a major airport, dock, or rail terminus.

## SECONDARY FUNDS

The secondary road funds authorized in the Act of 1950 may be spent on secondary and feeder roads, farm-to-market roads, rural mail routes, public school bus routes, local rural roads, county roads, township roads, and roads of the county-road class, selected both as to route and project jointly by state highway department and appropriate local officials, and approved by the Bureau of Public Roads. The construction must be of a type that can be maintained at reasonable cost. The state highway department may, in its discretion, arrange for construction of either primary or secondary roads by county highway departments or, where the county does not have jurisdiction, may make such arrangements with the local governmental unit which has jurisdiction over local highways. Urban projects, as previously noted, may share in the secondary funds in states where the population density is 200 or more per square mile, and secondary funds may be spent in municipalities of less than 5,000 population which are not part of a designated urban area. Otherwise, secondary funds may not be spent in urban areas.

## USING FEDERAL-AID FUNDS TO RETIRE PROJECT BONDS

The Act of 1950 permits the use of apportionments of primary and urban funds becoming available after July 1, 1951, to retire the principal of bonds issued by any state, county, municipality, or other political subdivision for construction of toll-free urban highway projects on the primary system. Amounts available each year will be limited to the apportionments to the state, and may apply only to the proceeds of bonds actually expended for construction of projects in accordance with plans and specifications approved in advance by the state highway department and the Bureau of Public Roads. Such bonds, however, do not become a federal obligation in any manner, and Congress is not committed to provide more federal aid than is provided in the Act of 1950, to retire such bonds.

## RESPONSIBILITY FOR MAINTENANCE

In previous years the state highway department has been ultimately responsible for maintenance of all highways built with federal aid in the state. The Bureau of Public Roads could withhold approval of new projects in the state if federal-aid highways were in poor condition of maintenance, after giving 90 days' notice. The Bureau can still do this with respect to rural federal-aid highways and with respect to urban highways which are the state highway department's responsibility to maintain.

However, the Act of 1950 contains a new provision which in some cases localizes the penalty. In any state where the state highway department is without legal authority to maintain a secondary or urban road project and where the state highway department has a formal agreement with the appropriate officials of the county or municipality in which the highway is located for its maintenance, if the highway is not properly maintained after 90 days' notice the Bureau of Public Roads must withhold approval of further secondary or urban projects in that county or municipality until the highway is placed in a proper condition of maintenance.

## BY-PASSES

A new requirement in the Act of 1950 relates to by-passes. When the state highway department submits plans for a federal-aid project involving the by-passing of any municipality, it must certify that it has held a public hearing and considered the economic effects of the by-pass.

## APPROXIMATE APPORTIONMENTS

The table on the next page shows the approximate apportionments of federal-aid highway funds under the Act of 1950. The figures are estimates prepared by the Bureau of Public Roads. The exact amounts will be announced by the Bureau later this calendar year.

| State | Primary $225,000,000 | Secondary $150,000,000 | Urban $125,000,000 | Total $500,000,000 |
|---|---|---|---|---|
| Alabama | $ 4,605,000 | $ 3,620,000 | $ 1,160,000 | $ 9,385,000 |
| Arizona | 3,291,000 | 2,305,000 | 338,000 | 5,934,000 |
| Arkansas | 3,711,000 | 2,958,000 | 486,000 | 7,155,000 |
| California | 10,273,000 | 5,734,000 | 10,830,000 | 26,837,000 |
| Colorado | 3,948,000 | 2,661,000 | 872,000 | 7,481,000 |
| Connecticut | 1,421,000 | 784,000 | 2,660,000 | 4,865,000 |
| Delaware | 1,083,000 | 722,000 | 205,000 | 2,010,000 |
| Florida | 3,392,000 | 2,284,000 | 1,816,000 | 7,492,000 |
| Georgia | 5,419,000 | 4,117,000 | 1,433,000 | 10,969,000 |
| Idaho | 2,746,000 | 1,924,000 | 206,000 | 4,876,000 |
| Illinois | 8,442,000 | 4,587,000 | 8,788,000 | 21,817,000 |
| Indiana | 5,325,000 | 3,587,000 | 3,084,000 | 11,996,000 |
| Iowa | 5,354,000 | 3,826,000 | 1,432,000 | 10,612,000 |
| Kansas | 5,466,000 | 3,843,000 | 1,034,000 | 10,343,000 |
| Kentucky | 4,040,000 | 3,247,000 | 1,141,000 | 8,428,000 |
| Louisiana | 3,372,000 | 2,531,000 | 1,472,000 | 7,375,000 |
| Maine | 1,886,000 | 1,360,000 | 520,000 | 3,766,000 |
| Maryland | 1,872,000 | 1,204,000 | 1,846,000 | 4,922,000 |
| Massachusetts | 2,832,000 | 772,000 | 6,234,000 | 9,838,000 |
| Michigan | 6,925,000 | 4,191,000 | 5,931,000 | 17,047,000 |
| Minnesota | 5,856,000 | 4,042,000 | 2,031,000 | 11,929,000 |
| Mississippi | 3,923,000 | 3,175,000 | 505,000 | 7,603,000 |
| Missouri | 6,408,000 | 4,399,000 | 2,829,000 | 13,636,000 |
| Montana | 4,450,000 | 3,029,000 | 247,000 | 7,726,000 |
| Nebraska | 4,289,000 | 3,015,000 | 660,000 | 7,964,000 |
| Nevada | 2,871,000 | 1,931,000 | 83,000 | 4,885,000 |
| New Hampshire | 1,083,000 | 722,000 | 454,000 | 2,259,000 |
| New Jersey | 2,911,000 | 1,061,000 | 5,593,000 | 9,565,000 |
| New Mexico | 3,585,000 | 2,483,000 | 246,000 | 6,314,000 |
| New York | 10,295,000 | 4,134,000 | 17,314,000 | 31,743,000 |
| North Carolina | 5,339,000 | 4,370,000 | 1,394,000 | 11,103,000 |
| North Dakota | 3,220,000 | 2,298,000 | 175,000 | 5,693,000 |
| Ohio | 7,797,000 | 4,605,000 | 7,531,000 | 19,933,000 |
| Oklahoma | 4,831,000 | 3,529,000 | 1,147,000 | 9,507,000 |
| Oregon | 3,932,000 | 2,714,000 | 1,115,000 | 7,761,000 |
| Pennsylvania | 8,797,000 | 5,096,000 | 9,755,000 | 23,648,000 |
| Rhode Island | 1,083,000 | 722,000 | 1,011,000 | 2,816,000 |
| South Carolina | 2,955,000 | 2,429,000 | 595,000 | 5,979,000 |
| South Dakota | 3,419,000 | 2,424,000 | 194,000 | 6,037,000 |
| Tennessee | 4,717,000 | 3,638,000 | 1,526,000 | 9,881,000 |
| Texas | 14,227,000 | 10,074,000 | 4,527,000 | 28,828,000 |
| Utah | 2,545,000 | 1,698,000 | 465,000 | 4,708,000 |
| Vermont | 1,083,000 | 722,000 | 188,000 | 1,993,000 |
| Virginia | 4,115,000 | 3,215,000 | 1,492,000 | 8,822,000 |
| Washington | 3,783,000 | 2,582,000 | 1,885,000 | 8,250,000 |
| West Virginia | 2,360,000 | 1,970,000 | 712,000 | 5,042,000 |
| Wisconsin | 5,236,000 | 3,559,000 | 2,451,000 | 11,246,000 |
| Wyoming | 2,746,000 | 1,865,000 | 130,000 | 4,741,000 |
| Hawaii | 1,083,000 | 722,000 | 428,000 | 2,233,000 |
| Dist. of Col. | 1,083,000 | 722,000 | 1,299,000 | 3,104,000 |
| Puerto Rico | 1,137,000 | 1,173,000 | 843,000 | 3,153,000 |

Note: The population factors used in computing these apportionments were based on 1949 Census Bureau estimates of total population (1948 estimates for Hawaii and Puerto Rico), and 1940 ratios of rural and urban population to total population. The area factor used was based on 1940 census data, and the factor for mileage of rural delivery and star routes was based on 1949 data. The apportionments are subject to revision upon availability of 1950 data.

## DEFENSE HIGHWAYS

The Act of 1950 authorizes $10 million to be spent by the Bureau of Public Roads, under the Defense Highway Act of 1941 as amended, to pay part or all of the cost of rights-of-way and construction, reconstruction, or improvement of roads to give access to defense facilities and installations, and to defense plants, and to correct critical deficiencies in existing roads in adjacent communities on which there is serious congestion due primarily to traffic generated by national defense activities. Roads and streets in municipalities where these funds may be spent must be certified as important to national defense by the Secretary of Defense or by whomever else the President designates.

## DISASTER FUND

The Act of 1950 provides $5 million to cover up to half the cost of repair or reconstruction of primary or secondary federal-aid highways or bridges which have been damaged as a result of disasters after an emergency has been declared by the Governor of the state and concurred in by the Secretary of Commerce. This continues the disaster relief program begun in previous enactments. Payments are made to the state highway department.

## TRAFFIC SAFETY

The Act of 1950 provides $75,000 a year to be spent by the Bureau of Public Roads to cooperate with the President's Highway Safety Conference, with state highway departments, and with other agencies to advance the cause of safety on streets and highways.

## OTHER AUTHORIZATIONS

In addition to providing funds as indicated above, the Act of 1950 authorized the following per year for the two years: forest highways $20 million, forest roads and trails $17.5 million, park roads and trails $10 million, parkways $13 million, Indian roads $6 million, Tongass Forest roads in Alaska $3.5 million, and roads in the public domain $5 million. It also authorized $4 million per year for two years for the Inter-American Highway.

## NOT IN THE NEW LAW

Several provisions passed by either the House or Senate received wide publicity but were finally rejected before the Act of 1950 was enacted.

It should be noted that Congress did not adopt the provision allowing funds to be shifted to use on roads judged necessary to the national defense. This provision, passed by the Senate, was rejected by the House-Senate conference committee which resolved this and other differences between the House and Senate versions of the bill.

The conference committee struck out a special authorization of $70 million a year, voted by the House, for projects on the interstate system. The provision would have permitted a lower non-federal share for projects on this one system. There are no extra monies for interstate projects and the existing 50-50 matching rate is continued.

The conference committee dropped a provision approved by the Senate limiting the secondary funds to local rural roads or county roads or roads of the county road class.

The Senate killed an amendment which would have denied federal highway aids to states which permit trucks having more than 18,000 pounds weight per axle to operate on federal-aid highways.

AMA WASHINGTON NEWS LETTER
522 Transportation Building
Washington 6, D. C.

Sec. 34.66, P.L.&R.
U. S. POSTAGE
PAID
Washington, D. C.
Permit No. 4780

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF TERRITORIES
Washington 25, D. C.

NOV 1 - 1950

Mr. James S. Achong
Clerk of the House of Representatives
Honolulu, T. H.

My dear Mr. Achong:

This will acknowledge receipt of your letters of October 13 to Secretary Chapman with which you forwarded certified copies of House Concurrent Resolutions No. 6 and 7, as adopted by the Territorial Legislature.

Sincerely yours,

James P. Davis

James P. Davis
Director

HEADQUARTERS
UNITED STATES AIR FORCES, PACIFIC
APO 953

Mr. James S. Achong, Clerk
House of Representatives
Iolani Palace
Honolulu, Hawaii

17 NOV 1950

25847

Dear Mr. Achong:

Your letter of 25 October 1950, inclosing House Resolution No. 31 and a copy of a letter, dated 23 October 1950, from the Chief of Staff, United States Army, Pacific, is respectfully acknowledged.

Barking Sands Air Force Base was declared excess on 26 August 1949 and the Honolulu Area Engineer was in the process of effecting its return to the Territory of Hawaii when a suspension of such action was ordered by the General Services Administration in Washington. This was done to permit rescreening of excess military installations in order to determine whether or not there was a requirement for their retention in view of the current National situation. Consequently, further action is indefinitely suspended. I have been advised that, as soon as this suspension is removed by higher authority, the Honolulu Area Engineer will proceed with the return of this installation if it is not selected for future use. I regret that, due to these circumstances, the early return of Barking Sands Air Force Base to the Territory of Hawaii may not be presently anticipated.

As you may know, the policy of the Department of Defense is to release those installations not required for the performance of the mission assigned to the Service concerned. In consonance with the above policy, those installations in this area which are excess to Air Force requirements are being processed by the Honolulu Area Engineer and many already have been returned to their former owners.

I trust that you will feel free to call upon me whenever it is felt that Air Force assistance would be desirable on matters of interest to the House of Representatives.

Sincerely,

Harold Q. Huglin

HAROLD Q. HUGLIN
Brigadier General, USAF
Commanding

cc:
CO, 1500th ATW
Hon Area Engr
ComMATS
Chmn, Land Use Bd

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

DEC 19 1950

Mr. Jas. S. Achong, Clerk
House of Representatives
Territory of Hawaii
Honolulu, Oahu, T. H.

Dear Mr. Achong:

We have received your letter of October 13 with which was transmitted House Concurrent Resolution No. 7 of the 25th Legislature of the Territory of Hawaii, Second Special Session, requesting that the National Park Service take such steps as may be necessary to keep the present north entrance to Hawaii National Park open for the use and convenience of the public.

This resolution requests that consideration be given to the retention of the present north entrance to the park. We shall be glad to review this point in detail with our regional and field representatives in the interests of both the private parties affected and the public that is to be served. Our Region Four Office in San Francisco informed this Office recently that Superintendent Oberhansley is reviewing the matter at this time and will report his findings to us.

We appreciate your interest in this matter.

Sincerely yours,

Newton B. Drury

Newton B. Drury
Director

UNITED STATES COAST GUARD

ADDRESS REPLY TO
Commander
14thCGDistrict
REFER TO FILE
P.O. Box 4010
Honolulu, T.H.

o
11 January 1951
H2
Serial #475

Mr. James S. Achong
Clerk, House of Representatives
House of Representatives
Territory of Hawaii
Honolulu, T. H.

Dear Sir:

Please refer to House Resolution No. 10, adopted 3 October 1950 and to my letter of 10 October 1950.

The need for the establishment of aids to navigation on Hilo Breakwater, at Keaukaha, Hawaii and Keauhou Bay, Kona, Hawaii has been investigated with the following results.

There appears to be no requirement for a lighted aid on the end of Hilo Breakwater since the aids to navigation are so placed in Kuhio Bay as to give a vessel approaching that harbor all the protection that can reasonably be expected. If a vessel follows the directions in the Hawaiian Islands Pilot and uses reasonable care in navigation there is absolutely no reason why it should not be in safe water at all times.

The establishment of a lighted aid to navigation at Keaukaha (Leleiwi Point) Hawaii is not considered justified in view of the fact that three aids to navigation fixed lights are in sight at all times in this area and in certain positions in the area four such lighted aids are visible. These lights are (a) Cape Kumakahi Light, (b) Paukaa Point Light, (c) Pepeekeo Point Light and (d) Aero Beacon, General Lyman Field.

In view of the sufficiency of lighted aids to navigation in Hilo Harbor, Hawaii and at Keaukaha Point, Hawaii, the Commander, Fourteenth Coast Guard District believes that additional aids are not required.

The establishment of a lighted aid to navigation at Keauhou Bay is not considered justified in view of the fact that Kailua Light, Napoopoo Light and Keahole Point Light are available to the boat operator in Kailua-Keauhou-Kealakekua Bay Area and traffic in this area is estimated as very light, consisting mostly of small craft. If the volume of traffic increases, the matter of establishment of an unlighted buoy with reflector off Keauhou Bay will be considered.

The Commander, Fourteenth Coast Guard District is always glad to cooperate in matters which affect safety at sea.

Very truly yours,

J. D. CONWAY
Captain, U. S. Coast Guard
Commander, 14th Coast Guard District
Acting

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

In reply refer to:
D3015 HAWA

JAN 30 1951

Mr. James S. Achong, Clerk
House of Representatives
Territory of Hawaii
Honolulu, Oahu, T. H.

Dear Mr. Achong:

We wrote to you on December 19, 1950 to acknowledge receipt of House Concurrent Resolution #7 of the 25th Legislature of the Territory of Hawaii, Second Special Session, which requested that the National Park Service take such steps as may be necessary to keep the present north entrance to Hawaii National Park open for the use and convenience of the public. At that time we informed you that we were reviewing this matter but had not yet received a report from our field offices.

In response to the request stated in the resolution we wish to advise you that the new Mamalahoa Highway is proposed for construction northwesterly of the present highway in order to eliminate freight hauling and through traffic from the headquarters area of the park, an entrance connection is planned from this road to park headquarters, and that the present Hilo entrance is to be retained as long as a continuing need for it is demonstrated.

When the new Mamalahoa Highway is constructed, a road connection is to be made to it by the extension of Wright Road in the Kilauea Settlement Area just outside the park. Wright Road would be a portion of Federal Aid Secondary Road as now planned by the Territorial Highway Department and the Bureau of Public Roads.

Sincerely yours,

A. E. Demaray
Associate Director

(COPY)

Report of the

COMMITTEE

on

FINANCE, Public Expenditure, Police, Fire, Health, Schools, Public Buildings, Parks and Playgrounds.

Manuel C. Pacheco, Chairman  Ernest N. Heen, Vice-Chairman  Richard M. Kageyama, Member  John M. Asing, Member

Honolulu, T. H.

October 24, 1950

MR. MAYOR:

Your Committee on Finance and Public Expenditures, to which were referred the following communications, to-wit:

D - 2129, from the Board of Public Parks and Recreation, transmitting copies of the October 2, 1950 minutes of the Board of Public Parks and Recreation;

M - 767, from the House of Representatives, transmitting House Resolution No. 27, directing the Board of Supervisors to provide facilities for adequate protection of the citizens of Waianae, Nanakuli and Hauula from the ravages of fire and from feelings of insecurity resulting from the lack of adequate fire protection; and

M - 788, from the House of Representatives, transmitting House Resolution No. 29, directing the Board of Supervisors to establish an ambulance station in the Waianae and Nanakuli Districts,

recommends that the above communications be received and placed on file.

House of Representatives

CITY AND COUNTY OF HONOLULU
BOARD OF SUPERVISORS

The foregoing is a copy of Committee Report this day ADOPTED by the Board of Supervisors of the City and County of Honolulu.

Honolulu, T. H. Oct. 24, 1950

Leon K. Sterling Sr.

LEON K. STERLING SR.
City and County Clerk

Reference:

Resolution No.

Bill No.

COMMITTEE REPORT NO. 2977

FOR IMMEDIATE RELEASE
September 20, 1950

STATEHOOD VOTE IS 'GUARANTEED,'
O'MAHONEY SAYS AS BILLS ARE MADE
'UNFINISHED BUSINESS' OF SENATE

Senator Joseph C. O'Mahoney, (D.Wyo.), Chairman of the Senate Committee on Interior and Insular Affairs, today issued the following statement:

"Now that the leadership in both Houses of Congress has agreed that this session of Congress will not adjourn sine die but will recess November 27th, it is my firm opinion that full consideration of the bills to admit Alaska and Hawaii into the Union as states is now guaranteed.

"I have informed Delegate E. L. Bartlett of Alaska, Delegate Joseph R. Farrington of Hawaii, and George H. McLane of the Hawaii Statehood Commission of the agreement reached in the Democratic Policy Committee meeting today (September 20) under which the statehood bills, H. R. 331 and H. R. 49 would be made the unfinished order of business of the Senate when the time comes to recess. This development gives us a much better assurance of success than if an attempt were made to press for action now while members are under compulsion to return to the states they represent.

"This procedure, I am firmly convinced, offers the best possible assurance that action will be taken on both of these bills before the 81st Congress adjourns, and that the situation after the Congress reconvenes on November 27th will be advantageous for their passage.

"Supporters of statehood for both Alaska and Hawaii should, in my opinion, be more certain than ever that their struggle will reach a successful conclusion in this Congress.

"When Congress reassembles on November 27th, the House will proceed to consideration of the excess profits tax bill, while the Senate proceeds to the consideration of the statehood measures. I am confident that an outstanding victory will be won on both.

"I wish to say to the people of Hawaii that the prior consideration of the Alaska bill will serve to open up a general discussion of the whole policy of statehood and should in no way interfere with action to admit Hawaii.

"I am heartily in favor of both measures and will continue to do everything I can to bring them to a vote in the Senate.

"In conclusion I want to say that I am in a most optimistic frame of mind about the prospects of achieving statehood for both Territories before the 81st Congress adjourns."

REMARKS OF JOSEPH R. FARRINGTON

Mr. Speaker, Mr. President, Members of the Legislature and Friends:

As the Speaker has correctly stated, I expect to talk to you informally. I only reduced my thoughts to writing for the purpose of clarity and brevity. I want to bring to you as clearly and concisely as possible an understanding of the situation that confronts us in Washington as that was the reason that prompted me to recommend that the Legislature be called into session and arrangements be made to submit the Constitution to the vote of the people of the Territory at the General Election on November 7th.

Remarks of Joseph R.Farrington,Delegate to Congress from Hawaii to members of the Territorial legislature at a joint meeting of both houses on Saturday,September 30.

Our struggle--and it has been a struggle--to win statehood for Hawaii is slowly and surely comeing to a conclusion and ,I believe, a successful conclusion.

It has been a fight and a hard fight all the way. Each advance has been won only by dint of determination and great effort. I believe the history of the fight will show this.

We our now engaged in its final phases. I would be the last to predict but the outcome will be. But I have no hesitation in saying our prospects are such that we would be remiss in our duty not [redacted] if we did not do everything within our power to win victory at this time.

This is why I believe you of the legislature were completely right in insisting that you be called into special session at this time to receive the report of the constitutional convention and prepare for its submission to the voters of the Territory for their approval. I fully realize and I believe our people generally realize that your meeting is here at a very genuine sacrifice on your part. In all of our history no legislature has been called upon to

deal with more pressing and vexing problems than you have or to devote more time to them. I know you are tired and anxious to complete your work.

But time is of the essence in this situation.

Exactly ten days ago today, on Wednesday, September 20, the Democratic Policy committee of the Senate met to reach some determination on the legislative program for the balance of this session of this Congress. This is the committee which represents the majority and is responsible for the legislative program. On the committee are the Majority Leader, Senator Lucas of Illinois, who is the chairman, and Senators O'Mahoney of Wyoming, Greene of Rhode Island, Tydings of Maryland, Russell of George and Hill of Alabama. Senator Myers of Pennsylvania, the Majority whip and Senator Mc Mahon of Connecticut usually sit in with the committee in an advisory capacity. The composition of the committee is of interests as three of its members are said to be passively, if not actively opposed to statehood for Hawaii.

At the time of this meeting the statehood bills, the bills providing statehood for both Hawaii and Alaska, were among the measures to be brought before the Senate for consideration before

adjournment of this Congress. For some weeks preceding there had been various and sundry announcements as to what plans would be adopted for their consideration. I say "various and sundry " because they were exactly that. The changes in the legislative program were many and at times quite confusing with the statehood legislation suffering,first ,from the prior claim of legislation having to do with the emergency created by the Korean war;second,from the desire of members of the senate to return to their states for the election campaign and,third,from the opposition whose purpose has been from the outset to prevent the statehood legislation from coming to a vote. The latter although comstituting a definite minority have on one pretense or another suuceeded in preventing the statehood legislation from coming to a vote through this underground filibuster for a period lasting over three years.

The decision of the Policy committee at this meeting carries a promise and offers a hope beyond anything we have ever had before to bring this opposition into the open and win our fight. Following this meeting I arranged for a conference with Cahirman O ' Mahoney of the Senate committee on Interior and nsular

at which I asked that the Delaget from Alaska, E.L.Bartlett and George Morlane of the Hawaii Statehood Commission be present in order that the outcome of thhis meeting ~~xkx~~ could be clearly defined. The Senator issued, at my request, following the meeting a formal ~~xk~~statement in which he said:

"Now that the leadership in both House of Congress has agreed that this session of Congress will not adjourn sine die but will recess to Nove mber 27th, it is my firm opinion that full consideration of the bills to admit Alaska and Hawaii into the union as states is now guaranteed."

Insert balance of O'Mahoney statement

~~READ BALANCE OF O'MAHONEY STATEMENT~~

Coming from the chairman of the Senate committee on interior and insular affairs, from a member of the Democratic Policy committee of the Senate and from the man who will be princiPlally responsible for handling this legislation this is an extremely signficant and encouraging declaration.

It is regarded as such not only by myself, but the the supporters of Alaskan statehood and by the Secertary of Interior as well. I think it should be apparent from this that ~~everythix~~ anything and everything possible should be done to fortify those who are going to

this fight for us. They are going to be confronted with some very determined opposition, who will draw heavily on testimony given secrectly to Senator Butler of Nebraska on his visit to Hawaii in November of 1948, a summary of which has been prepared for private circulation among members of the Senate. I know that there is nothing in it that can survive the daylight of free and open discussion, but our friends must nevertheless be prepared to contend with it.

I do not believe that anything that we can do will strengthen them more than to have the people of this territory approve by an overwhelming vote the State Consttituion drawn by the constitituional convention whose deliberations were concluded last July 22. In this document and in its approval is the complete and final answer to the charges that are being advanced against us.

The Consttituion as presented to the legislature has already been incorporated into a public document by the Senate committee on Interior and Insular Affairs and has been in the hands of the member of the Senate for several weeks already. The Senate committees amendment to the House bill providing that the

Constitution for the state of Hawaii approved by the people be submitted to Congress for approval before the admission of Hawaii to the Union may very well be eliminated if the Constitution already drawn is approved by the people of the territory before the Senate meets again.

It is well to complete this job now for several other reasons. The submission of the Constituion to the people at the time of the general election will bring out a very large vote.

Approval of the Consttitution by an overwhelming majority--and I anticipate this is what can be obtained--will offer an exceptionally compelling evidence of our interest in and detereminationto win statehood for Hawaii. It will in effect constitute a new plebsicite on this issue.

I believe ,moreover,money and effort will be saved by submitting the Consttitution to the people at this time;at a time,too,when it is fresh in the minds of everyone and the facilities are readily available in the current poliitical meetings of both parties for those responisble for the Constitution to tell the story to the people.

It is difficult for me to see how further opposition or delay in admiitting Hawaii to the union as a state can be justified

in the face of a record such as this--once it is made. [illegible] Coming close upon the magnificent contribtuion made by Hawaii's sons to the victory in Korea, I [illegible] cannot see how those members of the Senate who opposing us can possibly prevent the full force of [illegible] the public opinion of America,which is today on our side almost unanimously, from bringing this fight to a successful conclusion. I believe it is important to [illegible] the position of our country in the world today,to our efforts to stregtnehn the United SNations and our program of world peace,to thus demonstrate to Pacific peoples particularly that the promise of free [illegible] government,when given to any people as it has been to us,will be fulfilled.

It is [illegible] my earnest hope,therefore,that you w ll find it possible to carry out promptly and fefectively the program for which you requested this special session. The fact alone that request originated with youmour own representatives,is in itself of real signficance. I sure in this situation as in many others who will fully vindicate the great confidence that the people[illegible] of the territory have reposed in you.

--30--

SPEECH MADE BY SAMUEL W. KING
Before the
Joint Session of the Territorial Legislature
September 30, 1950

Mr. Speaker, Mr. President, Delegate Farrington, and Members of the 25th Legislature of Hawaii: It gives me great pleasure to have this opportunity to discuss with you the Constitution which this Legislature authorized.

In the attainment of statehood there are certain steps that must be taken before the President of the United States issues his Proclamation announcing the admission of another sovereign state into the Union.

The usual procedure has been for Congress to pass an enabling Act to authorize the people of a Territory to elect delegates to a constitutional convention to draft a constitution for the proposed state. This constitution is then ratified by the people, and then submitted to the National government for approval. Only rarely has Congress required more than Presidential approval of a constitution that has been ratified by the people of a Territory.

H. R. 49 as passed by the U. S. House of Representatives followed this procedure. The Senate Committee amended the bill to require Congressional approval in our case.

The enabling act is therefore permissive legislation, and has been by-passed by many territories in their achievement of statehood.

Delegate Farrington has told you of the status of the bill he introduced in this Congress, the bill so overwhelmingly approved by the House of Representatives, and reported out by the Senate Committee by a vote of 9 to 1 in favor of its adoption by the Senate.

We have every reason to believe it will pass when Congress reconvenes in November. It is very desirable that it should pass, as it sets the seal of Congressional approval on our aspiration to become a state.

The approval of our Constitution would follow almost as a matter of course; and H. R. 49 also carries other provisions regarding our transition to statehood on which legislative action is necessary.

Nevertheless, there is a possibility that H. R. 49 may die in this Congress, as it did in the 80th Congress. We have yet to win the final goal, and what you do here in this special session and what the voters of Hawaii do, when the Constitution is before them for approval, may well have an important bearing on what Congress does when again in session.

Anticipating the delays that have occurred, and the possible failure by Congress to take any action, this body, the very men and women whom I have the privilege of addressing at this moment, had the vision and the courage to adopt legislation that would greatly advance the progress of statehood.

Introduced as House Bill No. 1, Act 334 of the Regular Session Laws of 1949 is one of the most outstanding pieces of legislation passed by any legislature of this Territory.

Following the precedents established by 15 states that have followed the same procedure, and in the best traditions of American democracy, Hawaii accepted the responsibility to do all that could be done on our own initiative to achieve statehood.

We have completed a part of the program called for by the terms of that Act. Congress has ratified this step by incorporating in H. R. 49, Section 2 thereof, in lieu of the original provisions, calling for a Constitutional Convention.

You are now embarked on the second step, the consideration of the constitution drafted by the convention you authorized, and its

submission to the people, together with such alternative provisions you may deem desirable.

I am most happy that this body has again taken initiative, and followed through on its own responsibility, to expedite the ratification of the Constitution for the State of Hawaii. I believe this course will be another great step forward, on the road to statehood.

As president of the Constitutional Convention I am at your service, in your study of the Constitution. The Committee on Submission and Information of the Convention has appointed a liaison committee, ready to cooperate with you as required.

We have in the files of the Convention a mass of data, Standing Committee Reports, reports of the Committees of the Whole, and Minutes of the Committees, that contain in detail the arguments pro and con, and the reasons for the adoption of each article and section of the constitution. All this material is at your disposal.

As it happens we had as delegates to the Convention 13 members of this Honorable Body, 3 Senators and 10 Representatives. The knowledge of parliamentary procedure, and their practical experience in legislation was of inestimable value to the Convention.

As you consider the Constitution, section by section, they will be able to give you first-hand reports of why particular provisions were adopted rather than others.

They will tell you in detail of how conscientiously the delegates to the Convention you authorized undertook their tasks, and how arduously they worked.

The final product has been highly praised as one of the best state constitutions in existence. Those competent to judge are most complimentary.

Nevertheless you will want to satisfy yourself that there is good reason for the retention of each article. No document is perfect, and you may feel that some alternative provisions will improve the draft submitted by the Convention and signed by 62 of the 63 delegates.

With regard to any alternatives, we have this problem. If you make one amendment you will have to follow up with others. I had the privilege of delivering a certified copy of the Constitution to Secretary Chapman and Senator O'Mahoney, Chairman of the committee in charge of H. R. 49, and had the opportunity to discuss some of the provisions of the Constitution with them. I also gave copies of the document now before you to many other Senators. Several were interested in specific articles, as for instance, Senator Johnson of Colorado, who highly commended our article on the Executive branch.

I ask you to read the memorandum which I have circulated in regard to the size of the Legislature. Comparison has been made with the State of New Jersey. That is no argument — comparing one political unit with another. Comparison cannot be made between Hawaii, New Jersey, or any other state. In fact, if New Jersey were compared with New York it would indicate that New Jersey has an overlarge legislature on the basis of population.

It would be more reasonable to compare Hawaii with the states of about equal population. If you will turn to the Manual on State Constitutional Provisions, as prepared by the Legislative Reference Bureau, you will

find that Arizona, with a population of 745,259, has 19 senators and 58 representatives; Delaware, with a population of 316,609, has 12 senators and 35 representatives; Idaho, with a population of 585,092, has 44 senators and 59 representatives; Maine, with a population of 910,456, has 33 senators and 151 representatives; New Hampshire, with a population of 529,880, has 24 senators and 399 representatives; South Dakota, with a population of 650,029, has 35 senators and 75 representatives; Vermont, with a population of 375,833, has 30 senators and 246 representatives.

Of special interest to us is the State of Wyoming, for two reasons; first, Wyoming became a state by following the same procedure we are following; that is, by authorizing a constitutional convention and ratifying its constitution without prior authorization from Congress; and second, the Senator from Wyoming, Joseph C. O'Mahoney, is Chairman of the Senate Committee on Interior and Insular Affairs, and has been our strong champion in the Senate. Wyoming, with a population of 288,800, has 27 senators and 56 representatives.

The Committee on Legislative Powers and Functions finally fixed the membership of our legislature to fit our needs. In apportioning the Senate we followed the precedent of every state that has a predominating urban community. In the city of Honolulu we have 260,000 people, over 50 percent of the population. The other islands, on a population basis, would be all but disenfranchised. Every state in the Union with a large city has a senate controlled by the country districts, New York, Illinois, Maryland, and California.

So that is why we arrived at a preponderance of senators on the other islands. On the other hand to keep the same ratio between Oahu and

the neighbor islands while increasing the number of senators from Oahu required a membership of 25 in the Senate. For the House the principle of equal proportions, which is the principle used by the Congress of the United States for reapportioning that body, was adopted. By this method of equal proportions, with fifty-one members for the House of Representatives, there is no decrease in the number of representatives from the other islands. The other islands now have the following number of representatives; 8 from Hawaii; 6 from Maui; 4 from Kauai, a total of 18. Then Oahu should have 33 representatives, if we are to maintain equal representation. Any reduction in the membership of the House will be at the expense of the other islands, as the analysis I have circulated among you shows so clearly.

It is said the cost of the legislature will be greatly increased because of the increased membership. That is not exactly true. The memorandum I have circulated shows that the per capita cost of the legislature has gone up very slightly in fifty years, while the per capita cost of government has gone up very greatly.

We must realize that the dollar of today has not the purchasing power of 1900. The cost of a 51-member House and a 25-member Senate will not necessarily increase the cost of the government. There are other elements of costs of a legislative session which are more important.

The other point made and discussed was the question of annual sessions. The very statement which compared us with the legislature of New Jersey in size, as a state which most recently revised its constitution, neglected to mention that New Jersey in its new constitution, adopted annual sessions. California, Massachusetts, New York, Rhode Island, South Carolina all have annual sessions. So that in the 48 states we have a number of states

which have annual sessions.

It is very difficult with a biennial session to anticipate our needs, as you gentlemen know. We are having a special session at this time to consider the Constitution, but there has been strong argument advanced for a special session for other important public matters.

In concluding let me say that in this fight for statehood we have two opponents — the one who goes out in the open and states his reasons for his opposition — then we have the opponents who say one thing and mean another — who are surreptitiously opposed to statehood — we have them in Washington — we have them, unfortunately, here in Hawaii.

While I was in Washington recently it was suggested by those who opposed H. R. 49 that we, that is Hawaii, might accept in lieu of statehood, a larger degree of self-government for another indefinite period of years. This would put us in a status somewhat similar to that of Puerto Rico; in other words, we might elect our own governor and secretary of the territory, and control the appointment of our territorial judiciary. I replied that if we were to be demoted from the position of an organized and incorporated territory to that of an insular possession the only basis on which such a program would be acceptable to the people of Hawaii would be the inclusion in such a program of the exemptions from federal taxes and other obligations of full citizenship which the citizens of insular possessions enjoy. I stated that I personally would not approve of such a program but that the people of Hawaii might accept a further reduction in political status if the proponents of the plan could guarantee that Congress would incorporate in it the exemptions which apply to Puerto Rico and other insular possessions. With the Nation facing heavy taxes and with Hawaii's material contributions, in excess of those made by many states, needed to

meet the federal expenditures I was sure that no Congress would approve such a plan. Under the circumstances, I could not as an individual or as spokesman for the proponents of statehood, accept any status less than complete admission into the Union.

I feel that this honorable body's consideration of the Constitution before you and its submission to the people on November 7th in such form as you see fit will be taking another great step forward in attaining statehood, a step which Congress must consider, and I am confident Congress will be unable to answer our plea unfavorably. Thank you.

1950

# SECOND SPECIAL SESSION

## HOUSE OF REPRESENTATIVES

# SENATE

# BILLS

1950 SPEC HOUSE

Senate Bill No. 11

The Legislature
of the
Territory of Hawaii

# AN ACT

TO REPEAL ACT 51 OF THE SESSION LAWS OF HAWAII 1949 AND TO REVIVE AND RE-ENACT SECTIONS 270, 273, 275 AND 276 OF THE REVISED LAWS OF HAWAII 1945.

| | |
|---|---|
| Introduced | OCTOBER 10 , 1950 , by |
| Senator | CHARLES H. SILVA |
| First Reading in Senate | OCTOBER 10, 1950 |
| Referred to Printing Committee | OCTOBER 10, 1950 |
| Second Reading in Senate | OCTOBER 11, 1950 |
| Referred to | |
| Third Reading in Senate | OCTOBER 12, 1950 |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

File

Deferred to Saturday
Oct. 14, 1950

S. B. No. 11

A N  A C T

TO REPEAL ACT 51 OF THE SESSION LAWS OF HAWAII 1949 AND TO REVIVE AND RE-ENACT SECTIONS 270, 273, 275 AND 276 OF THE REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Act 51 of the Session Laws of Hawaii 1949 entitled "An Act to provide for a closed primary election, and amending Sections 270, 273, 275 and 276 of the Revised Laws of Hawaii 1945" is hereby repealed.

SECTION 2. Sections 270, 273, 275 and 276 of the Revised Laws of Hawaii 1945, as the same now appear in the authorized publication of the Revised Laws of Hawaii 1945, are hereby revived and re-enacted.

SECTION 3. This Act shall take effect upon its approval.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 12, 1950.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

President of the Senate

Clerk of the Senate.

1950 SPEC HOUSE

Senate Bill No. 15

The Legislature
of the
Territory of Hawaii

# AN ACT

APPROPRIATING TWENTY-SEVEN THOUSAND DOLLARS ($27,000.00) TO THE OFFICE OF THE TERRITORIAL SURVEYOR.

Introduced OCTOBER 11, 1950, by

Senators WILLIAM J. NOBRIGA and CHARLES H. SILVA

| | |
|---|---|
| First Reading in Senate | OCTOBER 11, 1950 |
| Referred to Printing Committee | OCTOBER 11, 1950 |
| Second Reading in Senate | OCTOBER 12, 1950 |
| Referred to | |
| Third Reading in Senate | OCTOBER 13, 1950 |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ETHEL C. CHILLINGWORTH
Clerk of the Senate

Filed

S. B. No. 15

A N  A C T

APPROPRIATING TWENTY-SEVEN THOUSAND DOLLARS ($27,000.00) TO THE OFFICE OF THE TERRITORIAL SURVEYOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated to the office of the territorial surveyor from the general revenues of the Territory not otherwise appropriated the sum of twenty-seven thousand dollars ($27,000.00), or so much thereof as may be necessary, for the following purposes and in the following amounts:

(1) For surveying territorial lands at Lalamilo, Waimea, South Kohala, Hawaii, containing an area of 1,000 acres and for subdividing same into parcels ranging in size from 15 to 40 acres . . . . . $ 4,000.00

(2) For surveying territorial lands at

Olaa, Puna, Hawaii, containing an area of 1,000 acres and for subdividing such lands into approximately 33 parcels of approximately 30 acres each . . . . $ 3,000.00

(3) For surveying public lands at Waialee, Koolauloa, Oahu, formerly occupied by the Waialee Training School for Boys, containing 630 acres . . . . 5,000.00

(4) For surveying all public lands presently under revocable permits which have expired and for which leases are to be sold, and for subdividing such lands into smaller parcels . . . . . 15,000.00

TOTAL . . . . $27,000.00

SECTION 2. The moneys appropriated by this Act shall be in addition to moneys appropriated to the department of

public lands and survey by Act 335 of the Session Laws of Hawaii 1949.

SECTION 3. This Act shall take effect upon its approval.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 13, 1950.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

President of the Senate

Clerk of the Senate.

1950

SECOND SPECIAL SESSION

HOUSE OF REPRESENTATIVES

# SENATE CONCURRENT RESOLUTIONS

1950 SPEC HOUSE

Senate Concurrent Resolution No. 2

THE SENATE

# Concurrent Resolution

## The Legislature
of the
## Territory of Hawaii

Presented OCTOBER 2 , 1950 , by

Senators REUBEN GOODNESS and JOHN G. DUARTE

Relating to

REQUESTING THE BOARDS OF SUPERVISORS OF THE SEVERAL COUNTIES TO AUTHORIZE CONSTRUCTION OF CONCRETE AND/OR HOLLOW TILE SCHOOL BUILDINGS.

MEMO:

ADOPTED: OCTOBER 3, 1950.

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

Tabled

S. Con. Res. No. 2

CONCURRENT RESOLUTION

REQUESTING THE BOARDS OF SUPERVISORS OF THE SEVERAL COUNTIES TO AUTHORIZE CONSTRUCTION OF CONCRETE AND/OR HOLLOW TILE SCHOOL BUILDINGS.

WHEREAS, in the past the several counties in the Territory have authorized construction of school buildings of lumber, and certain school buildings now under construction are being built with lumber; and

WHEREAS, school buildings built with lumber constitute a danger to the welfare of school children in the Territory, and the safety of the school children will be promoted if all school buildings are constructed of concrete or hollow tile material; and

WHEREAS, the exclusive use of concrete or hollow tile in school building construction is an economy measure, notwithstanding the higher initial cost of such construction, in view of the longer life of concrete or hollow tile buildings; and

WHEREAS, the use of concrete or hollow tile materials exclusively in the school building construction projects will develop and promote the use of products of the Territory and lessen the volume of materials necessarily imported into the Territory where lumber is used for school building construction; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, in Special Session assembled, the House of Representatives concurring, that the boards of supervisors of the several counties of the Territory be and they are hereby requested to authorize all future construction of school buildings with the exclusive use of concrete and/or hollow tile; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be forwarded to the Board of Supervisors of each of the several counties of the Territory of Hawaii.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 3, 1950.

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

President of the Senate

Ethel C. Chillingworth
Clerk of the Senate.

1950 SPEC HOUSE

Senate Concurrent Resolution No. 5

THE SENATE

# Concurrent Resolution

## The Legislature
of the
## Territory of Hawaii

Presented OCTOBER 9, 1950, by

Senators THELMA AKANA HARRISON, CHARLES H. SILVA, JOHN G. DUARTE, JOHN B. FERNANDES, W. H. HILL, HERBERT K. H. LEE, WILLIAM J. NOBRIGA, BEN DILLINGHAM, REUBEN GOODNESS, TOSHIO ANSAI, M. R. AGUIAR, JR., WILFRED C. TSUKIYAMA, WM. H. HEEN, E. S. CAPELLAS

Relating to

EXTENDING THE ALOHA OF THE PEOPLE OF HAWAII TO THE PRESIDENT AND DIRECTORS OF UNITED AIR LINES.

MEMO:

ADOPTED: Senate of the Territory of Hawaii, October 9,1950

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

Filed

S. Con. Res. No. 5

CONCURRENT RESOLUTION

EXTENDING THE ALOHA OF THE PEOPLE OF HAWAII TO THE PRESIDENT AND DIRECTORS OF UNITED AIR LINES.

WHEREAS, the United Air Lines with an established office in Honolulu has provided daily flights between Honolulu and San Francisco, California; and

WHEREAS, the inaugural flights of United Air Lines will be made today and Tuesday over its new route between Honolulu and Los Angeles; and

WHEREAS, this new route will be a great convenience to passengers traveling from Hawaii to Los Angeles; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, in Second Special Session assembled, the House of Representatives concurring, that the Aloha of the people of Hawaii, acting by and

through their representatives in their legislature, be extended to Mr. W. A. Patterson, President, and to the Directors of United Air Lines on the occasion of the inauguration of the Honolulu to Los Angeles route; and

BE IT FURTHER RESOLVED that a certified copy of this Concurrent Resolution be transmitted to Mr. W. A. Patterson, President of United Air Lines.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 9, 1950.

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

President of the Senate

Ethel C. Chillingworth

Clerk of theSenate.

1950 SPEC HOUSE

Senate Concurrent Resolution No. 7

THE SENATE

# Concurrent Resolution

## The Legislature of the Territory of Hawaii

Presented OCTOBER 11, 1950, by

Senator CHARLES H. SILVA

Relating to

REQUESTING THE PUBLIC UTILITIES COMMISSION OF THE TERRITORY OF HAWAII TO DEFER UNTIL THE CONVENING OF THE TWENTY-SIXTH LEGISLATURE, CONSIDERATION OF, AND ACTION ON, ANY APPLICATION BY THE HILO ELECTRIC LIGHT COMPANY, LIMITED, TO INCORPORATE ANY PART OF THE SURCHARGE NOW BEING CHARGED AND COLLECTED BY SAID UTILITY INTO ITS PERMANENT RATE STRUCTURE.

MEMO:

ADOPTED: OCTOBER 11, 1950.

ETHEL C. CHILLINGWORTH
*Clerk of the Senate*

Tabled
10/13/50

S. Con. Res. No. 7

CONCURRENT RESOLUTION

BE IT RESOLVED by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii in Second Special Session, the House of Representatives concurring, that the Public Utilities Commission of the Territory of Hawaii be and it is hereby requested to defer until the convening of the Twenty-Sixth Legislature, consideration of, and action on, any application by the Hilo Electric Light Company, Limited, to incorporate any part of the surcharge now being charged and collected by said utility into its permanent rate structure; and

BE IT FURTHER RESOLVED that a certified copy of this Concurrent Resolution be transmitted to the Public Utilities Commission.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., October 11, 1950

We hereby certify that the foregoing Concurrent Resolution was this day adopted by the Senate of the Twenty-Fifth Legislature of the Territory of Hawaii, Second Special Session.

Wilfred Tsukiyama
President of the Senate

Ethel C. Chillingworth
Clerk of the Senate.

# 1951

## REGULAR SESSION

# 1951

## REGULAR SESSION

## SENATE

# 1951

# REGULAR SESSION

# SENATE

# JOURNALS

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FIRST Day

WEDNESDAY, FEBRUARY 21, 1951

ELLEN D. SMYTHE
*Clerk*

# THE TWENTY-SIXTH LEGISLATURE
# OF THE
# TERRITORY OF HAWAII

## IN REGULAR SESSION

## JOURNAL OF THE SENATE

## FIRST DAY

Wednesday, February 21, 1951.

The Senate of the Territory of Hawaii, Regular Session of 1951, was called to order at 10:30 o'clock a.m., by Senator Tom T. Okino, Senator from the First Senatorial District, he having received the highest number of votes in that District.

The Divine Blessing was invoked by the Reverend Samuel A. Keala, Pastor of the Kaumakapili Church, Honolulu, which was followed by the singing of the Queen's Prayer, in Hawaiian, by a group of Hawaiian women, led by Mrs. Bina Mossman.

The President Pro Tempore opened the session with the following remarks:

> "My fellow Senators, Ladies and Gentlemen: I am very very happy to have the honor of welcoming you to this opening ceremony of the Senate. I do hope that your presence here will inspire my fellow Senators to serve you and the people of this Territory to the best of their abilities. Thank you."

At this juncture, Senator Tsukiyama moved that Mrs. Ellen D. Smythe be appointed Temporary Clerk of the Senate, Regular Session of 1951. The motion was seconded by Senator Nobriga,

and carried unanimously.

Senator Capellas moved that the President Pro Tempore appoint a Committee of three Senators as a Committee on Credentials to examine the certificates of election of the members of the Senate. Seconded by Senator Harrison, and carried.

The President Pro Tempore thereupon appointed Senator Nobriga, from the First Senatorial District, Senator Ansai, from the Second Senatorial District, and Senator Lee, from the Third Senatorial District, to serve as such Committee, with Senator Nobriga as Chairman.

At 10:40 o'clock a.m., upon motion by Senator Aguiar, seconded by Senator Nobriga, and carried, the Senate stood in recess, subject to the call of the Chair.

At 10:50 o'clock a.m., the Senate reconvened, and Senator Nobriga, for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1), informing the Senate that the Committee had examined the Certificates of Election of the Members of the Senate, Regular Session of 1951, and had found that they had been legally elected and were duly qualified to sit as members of the Senate, as follows:

(Spec. Com. Rep. No. 1)

Upon motion by Senator Nobriga, seconded by Senator Lee, and carried, the report of the Committee was adopted.

At this time, Senator Hill moved that the President Pro Tempore appoint a Committee to wait upon the Acting Chief Justice to escort him to the Senate Chamber for the purpose of administering the oath of office to the members of the Senate. Seconded by Senator Harrison, and carried.

The President Pro Tempore thereupon appointed Senators Harrison and Robinson to escort the Acting Chief Justice of the Supreme Court of the Territory of Hawaii to the Senate,

and the Committee so appointed thereupon left the Senate Chamber to carry out its mission.

The Committee entered the Chamber at this juncture, and escorted Acting Chief Justice Le Baron to the dais, whereupon he was presented to the Senate and proceeded to administer the oath of office to the Members of the Senate, standing at their respective desks, facing the Acting Chief Justice.

At this time, the Roll was called showing all Senators present.

Hereupon the Acting Chief Justice was escorted from the Chamber by Senators Harrison and Robinson, which Committee was then discharged.

Nominations for officers of the Senate being next in order, Senator Dillingham placed in nomination the name of Senator Tsukiyama as President. In making the nomination, Senator Dillingham said:

> "To each of us from time to time falls an honor and a privilege which is always pleasant to undertake. This morning it is my honor and privilege to place before you the name of one of our colleagues for President of this body. This Senator is an Island boy who has been educated in our schools and was fortunate, through the American system, to have gone on to the Mainland to secure a degree in the legal profession, who has since that time carried out his obligations to his country and his community by serving, in admirable capacity, his City and County as City and County Attorney; his country, in both World Wars; and also the people of this Territory as a whole in what is now his third term as a Senator of this Legislature. Once he served in the capacity of Chairman of the important Judiciary Committee and in his other term, as President. Senator Tsukiyama has earned the respect, the admiration and the affection of the people of this Territory; and it is with the utmost pleasure that I place the name of Senator Wilfred C. Tsukiyama before you this morning for the office of President of the Senate of the Twenty-Sixth Legislature."

In seconding the nomination, Senator Heen stated that it was an honor, and he deemed it a privilege, to second the nomination that had just been made by Senator Dillingham.

Senator Aguiar moved that the nominations for the office of President of the Senate be closed. Seconded by Senator Dillingham, and carried unanimously.

The President Pro Tempore thereupon instructed the Clerk to cast a ballot for Senator Tsukiyama as President of the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

The ballot having been so cast, Senator Tsukiyama was declared unanimously elected President of the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii; and the Chair thereupon appointed Senator Dillingham, from the Third Senatorial District, and Senator Heen, also from the Third Senatorial District, as a Committee of two to escort the President to the dais.

The Temporary President at this time retired, taking his seat on the floor of the Senate, and the President assumed the Chair.

In accepting the Presidency, the President said:

> "My fellow Senators, distinguished guests and ladies and gentlemen: Someone remarked that a presiding officer is fairly comparable to an Orchestra Conductor, for both furnish all the gesticulations while others do the hard work. Conceding that the work of my fellow Senators on the floor is generally arduous, I can say without fear of contradiction that one redeeming feature about their position is that they may be comfortably seated while the presiding officer must remain standing constantly on this dais. It has been my experience, ladies and gentlemen of this Chamber, that the Order of the Day is dispatched with such celerity that the presiding officer finds it impossible to sit. I have often wondered why it is that the presiding officer, in so far as this Chamber is concerned, is referred to as the 'Chair'.
>
> "Be that as it may, my good fellow Senators, once again you have conferred upon me a singular honor. I am almost overwhelmed by the kind words of my two good colleagues from the Third Senatorial District.

"With a deep sense of appreciation and humility I have the honor to accept this gavel which symbolizes this high office. Optimistically, I should like to believe that you will give me no occasion to use it except to open and close our daily sessions.

"Amidst all this traditional gaiety, splendor and colorfulness of this opening session let us turn for the moment to the next page and observe a representation of a grimmer scene where there is no music, less color and less humor. There is a general p ublic awareness and preconception that this Twenty-Sixth Legislature is destined to write a memorable page in the legislative annals of the Territory of Hawaii. Whether that page will be embellished with a record of legislation conducive to the best interests and welfare of the people or, conversely, whether that page will be blemished with a record of hastily-enacted unwholesome laws remains to be seen. I envisage a monumental task ahead -- problems involving the balancing of the Administration's sky-rocketing budget and the concomitant need of an equitable readjustment of our tax structure based upon the principle of ability to pay -- p roblems pertaining to the security of the people of the Territory of Hawaii at a time like this when omnibus clouds are hovering over the international horizon -- problems relating to the crime situation, public improvements, unemployment, industrial and labor relations, public lands -- these are all matters that demand the urgent, careful and consummate attention of this deliberative legislative body. This government of ours is, after all, a huge business corporation. It is my humble opinion that in the past we have had altogether too much government in business and not enough business in government. I have an abiding confidence and faith in the efficiency of this Chamber and in the ability of each and every one of my fellow Senators. In devoting ourselves to the work for which we are convened here let us strive to keep uppermost in our minds the import of the oath of office we have just taken. Let us be united in our effort to enact laws that will do the most good for the largest number, and may Providence guide us in our endeavors. Thank you very much for your kind attention."

At this time, Senator Heen called attention to the fact that no Rules had been adopted for the procedure of the Senate, and he thereupon moved that the Permanent Rules of the Senate of the Regular Session of 1949 be adopted as the Temporary Rules of the Senate of the Regular Session of 1951.

The President informed the Senate that there was a Resolution on the Clerk's desk providing for the adoption of the Temporary Rules of the Senate.

Senator Nobriga thereupon offered a Resolution (S. Res. No. 1) providing for the adoption of the Rules of the Senate, Regular Session of 1949, as the Temporary Rules of the Senate, Regular Session of 1951, with paragraph (1) of Rule 17 thereof amended in certain respects, as follows:

(S. Res. No. 1)

Senator Nobriga moved for the adoption of the Resolution. Seconded by Senator Harrison.

Senator Heen moved that the Senate stand in recess, subject to the call of the Chair, in order that the members of the Senate might have an opportunity to acquaint themselves with its contents. Seconded by Senator Lee.

Some discussion followed, following which Senator Lee withdrew his second to Senator Heen's motion for a recess.

Senator Heen thereupon moved that, by way of an amendment to the motion to adopt the Resolution, the Senate adopt the Permanent Rules of the Senate of the Twenty-fifth Legislature as the Temporary Rules of the Senate of the Twenty-sixth Legislature. The motion was seconded by Senator Lee.

There was considerable discussion on the motion, following which Senator Harrison moved to table the motion made by Senator Heen to adopt the Permanent Rules of the Senate of the Twenty-Fifth Legislature as the Temporary Rules of the Senate of the Twenty-Sixth Legislature. The motion was seconded by Senator Nobriga, and carried.

Senator Harrison thereupon moved that the Senate stand in recess, subject to the call of the Chair. Seconded by Senator Lee, and carried; and at 11:27 o'clock a.m., the Senate stood in recess, subject to the call of the Chair.

At 11:38 o'clock a.m., the Senate reconvened.

Senator Hill moved that the Resolution offered by Senator Nobriga be adopted. Seconded by Senator Nobriga.

Senator Heen moved that the Resolution be amended by deleting the proposed amendment. Seconded by Senator Aguiar.

Senator Hill moved that the motion to adopt the Resolution without the amendment be tabled. Seconded by Senator Nobriga.

A Roll call being demanded, the motion to table the motion to adopt the Resolution without the amendment was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Harrison, Hill, Nobriga, Robinson and Mr. President. Total, 9.

Noes: Senators Aguiar, Duarte, Fernandes, Heen, Lee and Okino. Total, 6.

Senator Hill thereupon renewed his motion to adopt the Resolution as offered. Seconded by Senator Nobriga, and carried.

The President stated that nominations were now in order for the Vice President of the Senate.

Senator Capellas thereupon placed in nomination for Vice President of the Senate, Regular Session of 1951, the name of Senator Thelma Akana Harrison.

Senator Aguiar moved that the nominations be closed. Seconded by Senator Hill, and carried.

The President declared that Senator Harrison was unanimously elected as Vice President of the Senate, Regular Session of 1951.

The President at this time appointed Senators Capellas and Aguiar as a Committee to escort the Vice President to the dais.

Senator Harrison, in accepting the Vice Presidency, stated that it was a great privilege to know that men recognized that women have a place in politics; and fortunately for her the President was in good health and that her duties would not be very arduous; and that it would be a privilege to serve with the President because he had been a wonderful President.

The Vice President hereupon resumed her seat on the floor of the Senate.

Senator Capellas offered a Resolution (S. Res. No. 2), declaring certain persons elected as officers and employees of the Senate, Regular Session of 1951, as follows:

(S. Res. No. 2)

Upon motion by Senator Capellas, seconded by Senator Nobriga, and carried, the Resolution was adopted.

The President at this time administered the oath of office to the officers and employees mentioned in the Resolution.

Senator Harrison moved that the President appoint a Committee of three Senators to wait upon the Governor and the House of Representatives to inform them that the Senate was organized and ready for the transaction of business. Seconded by Senator Aguiar, and carried.

The President thereupon appointed Senators Harrison, Robinson and Fernandes as such Committee; and the Committee left the Chamber to carry out its mission.

At 12:10 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

At 12:20 o'clock p.m., the Senate reconvened.

Senator Harrison, for the Committee appointed to inform the Governor and the House of Representatives that the Senate was organized and ready to transact business, reported orally that the Committee had completed its mission.

The President thereupon discharged the Committee.

At this juncture, the Committee from the House, consisting of Representatives Hayes, DuPonte, Richardson and St. Sure, appointed to wait upon the Governor and the Senate to inform them that the House was organized and ready to transact business, appeared and so reported; and thereupon left the Chamber.

At 12:21 o'clock p. m., upon motion by Senator Duarte, seconded by Senator Aguiar, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

## AFTERNOON SESSION

The Senate reconvened at 2:28 o'clock p.m., with the President in the Chair and all Senators being present.

A communication from the House (H. Com. No. 1), informing the Senate that the House was organized and prepared to transact business, with certain officers, was read as follows:

(H. Com. No. 1)

The communication was received and placed on file.

A communication from the House (H. Com. No. 2), transmitting House Concurrent Resolution No. 1, was read as follows:

(H. Com. No. 2)
(H. Con. Res. No. 1)

The communication was received and placed on file.

Consideration of House Concurrent Resolution No. 1, providing for a Joint Session of the two Houses of the Legislature, in the assembly hall of the House of Representatives, at 2:30 o'clock this afternoon, to receive the Governor's Message:

Upon motion by Senator Aguiar, seconded by Senator Fernandes, the Concurrent Resolution was adopted.

At this time, Senator Robinson moved that a Committee of three Senators be appointed by the President to wait upon the Governor, together with a like Committee from the House of Representatives, and to escort him to the assembly hall of the House of Representatives to deliver his Message to the Legislature. Seconded by Senator Duarte, and carried.

The President thereupon appointed Senators Robinson, Capellas and Lee as such Committee; and the Committee thereupon left the Senate Chamber to carry out its mission.

At 2:30 o'clock p.m., the President declared a recess, subject to the call of the Chair; and the members of the Senate thereupon repaired in a body to the assembly hall of the House of Representatives to sit in joint session with the House to receive the Governor's Message.

At 2:39 o'clock p.m., the Joint Session was called to order by the Honorable Hiram L. Fong, Speaker of the House of Representatives.

At this time, the Governor, Honorable Ingram M. Stainback, escorted by the Committee of three Senators appointed by the President -- Senators Robinson, Capellas and Lee -- and the Committee of four Representatives appointed by the Speaker of the House -- Representatives Hayes, DuPonte, Richardson and St. Sure -- was announced and took his place on the dais, on the right of the Speaker, the President of the Senate being seated on the left of the Speaker.

Lovely flower leis were presented to the Governor in traditional Hawaiian style.

The Speaker thereupon presented the Governor to the Joint Session.

Governor Stainback delivered his Message to the Legislature as follows:

(Gov. Message No. 1)

At the conclusion of his address, Speaker Fong thanked the Governor for his Message and for the many recommendations made therein, and assured him that the Members of the House and the Senate would give his recommendations very serious consideration.

The Speaker then requested the Joint Committees of the House and Senate, who had escorted the Governor to the Assembly Hall of the House of Representatives, to escort him back to his Chambers, which they did.

At 3:20 o'clock p.m., the Speaker declared the Joint Session ended.

The Senate reconvened at 3:42 o'clock p.m., and Governor's Message No. 1 was thereupon placed on file, and ordered printed and distributed to the Members.

A communication from the Holdover Committee of 1949 (Dept. Com. No. 1), transmitting eleven reports of the Holdover Committee and its Subcommittees, was read as follows:

(Dept. Com. No. 1)

The communication and accompanying reports were received and placed on file.

A communication from the Holdover Committee of 1949 (Dept. Com. No. 2), transmitting 82 pieces of legislation for introduction into the Senate, for distribution to the various members of the Senate for introduction as the President might see fit, was read, as follows:

(Dept. Com. No. 2)

The communication was received and placed on file; and the President stated that the accompanying pieces of proposed legislation would lie on the table for proper assignment by him, for later introduction into the Senate.

A communication from the Holdover Committee of 1949 (Dept. Com. No. 3), transmitting a proposed bill for introduction into the Senate, entitled: "An Act to Create a Commission to study and propose Revisions to the Criminal Laws and Criminal Procedure of the Territory in Cooperation with the Legislative Reference Bureau and Appropriating Funds for such Purposes", was read, as follows:

(Dept. Com. No. 3)

The communication was received and placed on file, and the President stated that the accompanying bill would lie on the table, with the other pieces of proposed legislation submitted by the Holdover Committee, for proper assignment and later introduction.

A communication from the Holdover Committee of 1949 (Dept. Com. No. 4), informing the Senate that, due to lack of time after the close of the Second Special Session of the Twenty-Fifth Legislature and the time the Holdover Committee ceased to function, the following pieces of legislation referred to the Committee for study and report by the Special Session of the Twenty-Fifth Legislature had been placed on file: Senate Bills Nos. 14, 16, 17 and 18; Senate Joint Resolution No. 3; and Senate Resdutions Nos 16 and 20, was read, as follows:

(Dept. Com. No. 4)

The communication was received and placed on file.

A communication from the Holdover Committee of 1949 (Dept. Com. No. 5), transmitting copy of a report from the Subcommittee on Substantive Matters to the Holdover Committee, covering the subject matter of House Resolution No. 14 of the First Special Session of the 25th Legislature, relating to the Territorial Boxing Commission, which report had been adopted by the Holdover Committee, was read as follows:

(Dept. Com. No. 5)

The communication and accompanying report were received and placed on file.

A communication from the Holdover Committee of 1949 (Dept. Com. No. 6), transmitting copy of a communication from the Chairman of the Honolulu Redevelopment Agency, City and County of Honolulu, together with a set of proposed amendments to Act 379 of the Session Laws of Hawaii 1949, for whatever action the Senate might care to take thereon, was read as follows:

(Dept. Com. No. 6)

The communication and attachments were received, to lay on the table, to later be referred to the proper Committee.

A communication from the Commissioner of Public Lands (Dept. Com. No. 7), transmitting eighteen copies of "The Report of the Commissioner of Public Lands of the Territory of Hawaii for the Two Years Ending June 30, 1950", was read as follows:

(Dept. Com. No. 7)

The communication was received and placed on file and the Reports distributed to the Members.

A communication from the Secretary of Hawaii (Dept. Com. No. 8), requesting that his office be furnished with a copy of the daily Minutes of the Senate, and also two copies of all legislation printed, was read as follows:

(Dept. Com. No. 8)

The communication was received and placed on file, and the Clerk instructed to comply with the request.

A communication from the Treasurer of the Territory of Hawaii (Dept. Com. No. 9), submitting fifteen copies of the Report of the Treasurer to the Legislature for the fiscal years ended June 30, 1949 and June 30, 1950, and requesting copies of all bills and resolutions introduced into the Senate, was read as follows:

(Dept. Com. No. 9)

The communication and report were received; the communication was placed on file, the reports were distributed to the members, and the Clerk instructed to comply with the request contained in the communication.

A communication from the Surveyor of the Territory of Hawaii (Dept. Com. No. 10), transmitting fifteen copies of the "Report of the Surveyor of the Territory of Hawaii for the Two Years ending June 30, 1950", was read as follows:

(Dept. Com. No. 10)

The communication was received and placed on file and the Reports were distributed to the Members.

A communication from the Manager and Chief Engineer, Board of Harbor Commissioners, submitting, in compliance with Act 263, S. L. 1949, a Survey and Report on the Erosion Control of Waimea, Hanapepe and Niumalu Beaches on the Island of Kauai, was read as follows:

(Dept. Com. No. 11)

The communication was received and to be referred to the Select Committee of Kauai Senators, when such Committee is appointed.

A communication from the Manager and Chief Engineer of the Board of Harbor Commissioners (Dept. Com. No. 12), submitting, in compliance with Senate Resolution No. 15 of the Second Special Session of the 25th Legislature, an estimate on Cost of Constructing a Boat Landing Near Mouth of Wailoa River, Hawaii, was read as follows:

(Dept. Com. No. 12)

The communication was received and, upon motion by Senator Capellas, seconded by Senator Dillingham, and carried, the communication was referred to the Select Committee of Hawaii Senators when that Committee is appointed.

A Petition signed by approximately 202 residents of Kalaupapa Settlement, submitting proposed legislation for introduction into the Senate, relating to the Kalaupapa Settlement, was read as follows:

(S. Pet. No. 1)

The Petition and accompanying proposed legislation were received and referred to the Committee on Public Health when that Committee is appointed.

A communication from the U. S. Coast Guard Commander, 14th Coast Guard District (Misc. Com. No. 1), relating to Senate Resolution No. 11 of the Second Special Session of the 25th Legislature, relating to the establishment of aids to navigation on Hilo Breakwater and at Keaukaha, Hawaii, was read as follows:

(Misc. Com. No. 1)

The communication was received and referred to the Select Committee of Hawaii Senators when said Committee is appointed.

At this time, the President announced his appointments to the Standing and Select Committees of the Senate as follows:

STANDING COMMITTEES

| | |
|---|---|
| WAYS AND MEANS ..... | Hon. William H. Hill, Chairman<br>Hon. Toshio Ansai, Vice Chairman<br>Hon. Benjamin F. Dillingham<br>Hon. Thelma Akana Harrison<br>Hon. Mary K. Robinson<br>Hon. J. B. Fernandes<br>Hon. William J. Nobriga<br>Hon. Eugene S. Capellas<br>Hon. Wendell F. Crockett |
| JUDICIARY ..... | Hon. Wendell F. Crockett, Chairman<br>Hon. Benjamin F. Dillingham, Vice Chairman<br>Hon. William H. Hill<br>Hon. William H. Heen<br>Hon. Herbert K. H. Lee |
| PUBLIC HEALTH ..... | Hon. Thelma Akana Harrison, Chairman<br>Hon. Wendell F. Crockett, Vice Chairman<br>Hon. Eugene S. Capellas<br>Hon. William H. Heen<br>Hon. Tom T. Okino |
| EDUCATION ..... | Hon. Mary K. Robinson, Chairman<br>Hon. Eugene S. Capellas, Vice Chairman<br>Hon. Toshio Ansai<br>Hon. M. R. Aguiar, Jr.<br>Hon. Tom T. Okino |
| PUBLIC LANDS ..... | Hon. William J. Nobriga, Chairman<br>Hon. Benjamin F. Dillingham, Vice Chairman<br>Hon. William H. Hill<br>Hon. John G. Duarte<br>Hon. J. B. Fernandes |
| AGRICULTURE, FORESTRY AND CONSERVATION ..... | Hon. Toshio Ansai, Chairman<br>Hon. William J. Nobriga, Vice Chairman<br>Hon. Mary K. Robinson<br>Hon. Herbert K. H. Lee<br>Hon. M. R. Aguiar, Jr. |
| ACCOUNTS ..... | Hon. Eugene S. Capellas, Chairman<br>Hon. Mary K. Robinson, Vice Chairman<br>Hon. John G. Duarte |
| MILITARY ..... | Hon. Wendell F. Crockett, Chairman<br>Hon. Toshio Ansai, Vice Chairman<br>Hon. Benjamin F. Dillingham |

RULES ..... Hon. William J. Nobriga, Chairman
Hon. Wendell F. Crockett, Vice Chairman
Hon. Tom T. Okino

ENROLLMENT, REVISION & PRINTING .....Hon. Benjamin F. Dillingham, Chairman
Hon. William H. Hill, Vice Chairman
Hon. J. B. Fernandes

SELECT COMMITTEES

HAWAII SELECT ..... Hon. Eugene S. Capellas, Chairman
Hon. William J. Nobriga, Vice Chairman
Hon. William H. Hill
Hon. Tom T. Okino

MAUI SELECT ..... Hon. Toshio Ansai, Chairman
Hon. Wendell F. Crockett, Vice Chairman
Hon. John G. Duarte

OAHU SELECT ..... Hon. Benjamin F. Dillingham, Chairman
Hon. Mary K. Robinson, Vice Chairman
Hon. Thelma Akana Harrison
Hon. Wilfred C. Tsukiyama
Hon. William H. Heen
Hon. Herbert K. H. Lee

KAUAI SELECT ..... Hon. J. B. Fernandes, Chairman
Hon. M. R. Aguiar, Jr., Vice Chairman.

The following bills were introduced:

By Senator Hill (S. B. No. 1), entitled: "An Act to appropriate money for the expenses of the Legislature of the Territory of Hawaii and of any Holdover Committee or Committees thereof for the periods herein specified";

By Senators Aguiar, Fernandes and Ansai (S. B. No. 2), entitled: "An Act to promote rehabilitation and development of the taro and rice-growing industries and making an appropriation therefor":

By Senators Fernandes and Aguiar (S. B. No. 3), entitled: "An Act for the relief of unemployment through the performance of useful public work, and making an appropriation";

By Senators Fernandes and Aguiar (S. B. No. 4), entitled: "An Act relating to the hours of work of per diem employees of the various counties and authorizing and directing the counties to provide per diem employees with work on Saturday when the

total number of hours of work between Monday and Friday do not total forty";

By Senator Nobriga (S. B. No. 5), entitled: "An Act authorizing and directing the Board of Supervisors of the County of Hawaii to install lights for night baseball at Hamakua Park, Hawaii";

By Senator Nobriga (S. B. No. 6), entitled: "An Act authorizing and directing the Hawaii Aeronautics Commission to construct an emergency airport at Hamakua, Hawaii, and making an appropriation therefor";

By Senator Nobriga (S. B. No. 7), entitled: "An Act appropriating $75,000 for the construction of Fair Grounds, including race tracks, at Hamakua, Hawaii";

By Senator Nobriga (S. B. No. 8), entitled: "An Act to amend Section 4981 of the Revised Laws of Hawaii 1945, relating to the Board of Harbor Commissioners";

By Senator Nobriga (S. B. No. 9), entitled: "An Act appropriating $300,000 for survey, land acquisition and construction of golf courses at Kona, Kau, and Kamuela, Hawaii";

By Senator Nobriga (S. B. No. 10), entitled: "An Act appropriating $50,000 for the improvement of the municipal golf course at Hilo, Hawaii";

By Senator Nobriga (S. B. No. 11), entitled: "An Act appropriating $10,000 for the survey of a road from Kawaihae to Mahukona, Hawaii";

By Senator Nobriga (S. B. No. 12), entitled: "An Act appropriating $25,000 for the survey of a road from Kawaihae to Kailua, Kona, Hawaii";

By Senator Nobriga (S. B. No. 13), entitled: "An Act authorizing and directing the Board of Supervisors of the

County of Hawaii to install lights for night baseball at Hoolulu Park, Hilo, Hawaii, out of county funds";

By Senator Nobriga (S. B. No. 14), entitled: "An Act authorizing and directing the Hawaii Aeronautics Commission to construct an emergency airport at Puna, Hawaii, and making an appropriation therefor";

By Senator Nobriga (S. B. No. 15), entitled: "An Act amending Section 4863 of the Revised Laws of Hawaii 1945, requiring recipients of general assistance to register for county employment as a condition of receiving aid";

By Senator Lee (S. B. No. 16), entitled: "An Act to provide for the construction and improvement of a public park by the Park Board of the City and County of Honolulu; designating the park as the Kalihi Playground; describing its location; and making an appropriation therefor".

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the bills passed First Reading by title and were referred to the Printing Committee.

Senator Dillingham offered a Concurrent Resolution (S. Con. Res. No. 1), directing the Legislative Reference Bureau to prepare a digest of all legislative measures, which was read as follows:

(S. Con. Res. No. 1)

Upon motion by Senator Fernandes, seconded by Senator Hill, and carried, the Concurrent Resolution was referred to the Committee on Ways and Means.

Senator Crockett offered a Resolution (S. Res. No. 3), requesting the Secretary of Hawaii to furnish thirty copies of the Revised Laws of Hawaii 1945, the Session Laws of the Regular Sessions of 1945, 1947 and 1949 and the Special Ses-

sion of 1949 for the use of the members of the Senate, which was read as follows:

(S. Res. No. 3)

Upon motion by Senator Aguiar, seconded by Senator Duarte, and carried, the Resolution was adopted.

Senator Dillingham offered a Resolution (S. Res. No. 4), authorizing the Attorneys for the Senate to examine all bills and resolutions introduced in the Senate, and with the consent of the introducer, to correct grammatical, orthographical and other obvious errors before said bills or resolutions are printed, which was read as follows:

(S. Res. No. 4)

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the Resolution was adopted.

A Message from the Governor (Gov. Message No. 2), acknowledging receipt of a communication from the Clerk of the Senate, informing him that the Senate was organized and ready to transact business, was read as follows:

(Gov. Message No. 2)

The Message was received and placed on file.

At 4:15 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Nobriga, and carried, the Senate adjourned until 10:00 o'clock a.m., on Friday, February 23, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

S E C O N D Day

FRIDAY, FEBRUARY 23, 19 51

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SECOND DAY

Friday, February 23, 1951.

The Senate convened at 10:10 o'clock a.m., with President Tsukiyama presiding.

After Prayer by Chaplain Keala, the Roll was called showing all Senators present, with the exception of Senator Okino, excused.

Under suspension of the Rules, the President stated that in past sessions had it been the practice to delegate to the President the function of reading and approving the Journal of the Senate for the previous day, and that this had not been done on the first day of the session.

Senator Aguiar thereupon moved that the President be authorized to approve the Journal of the Senate each day during the Regular Session of 1951. Seconded by Senator Lee, and carried.

The President stated that he had read and approved the Journal of the First Day.

Under suspension of the Rules, the President informed the Senate that the Sergeant-at-Arms, one of the most important figures in the Territorial Senate, had been without the proper insignia to designate his authority under this position; but that the Senate had provided such insignia, in the form of a gold-plated badge, bearing the words "Senate - Sergeant-at-Arms - Territory of Hawaii".

He thereupon called upon Senator Harrison, Vice President of the Senate to pin the badge on Sergeant of Arms Joseph Shikata, which she did.

A Message from the Governor (Gov. Message No. 3), transmitting his Budget for the fiscal biennium July 1, 1951 to June 30, 1953, was read as follows:

(Gov. Message No. 3)

The Message was received and placed on file and the accompanying Budget was referred to the Committee on Ways and Means.

A Message from the Governor (Gov. Message No. 4), submitting statements showing a detailed account of expenditures made from the Governor's Contingent Fund, was read as follows:

(Gov. Message No. 4)

The Message was received and placed on file and the statements were referred to the Committee on Ways and Means.

A Message from the Governor (Gov. Message No. 5), submitting list of Inspectors of Election appointed since the close of the last Special Session of the Twenty-Fifth Legislature, was read as follows:

(Gov. Message No. 5)

The Message was received and placed on file, the list of appointments to be mimeographed and distributed to the Members, and action thereon deferred until a later date.

A communication from the Superintendent of Public Works (Dept. Com. No. 13), transmitting seventeen copies of his Annual Report for the period ended June 30, 1950, was read as follows:

(Dept. Com. No. 13)

The communication was received and placed on file and the reports were distributed to the Members.

A communication from the Chairman of the Territorial Commission on Children and Youth (Dept. Com. No. 14), submitting a progress report of that Commission for the period July 1, 1949 to January 31, 1951, was read as follows:

(Dept. Com. No. 14)

The communication was received and placed on file, and the reports distributed to the Members.

A communication from the Treasurer of the City and County of Honolulu (Dept. Com. No. 15), requesting that a Joint Resolution be adopted by the Legislature at the earliest possible date for the purpose of extending the expiration date, February 28, 1951, of the two-month grace period allowed by law for the procurement of 1951 vehicle license plates until 12:00 o'clock midnight of April 30, 1951, and stating his reasons for making this request, was read as follows:

(Dept. Com. No. 15)

The communication was received and referred to the Committee on Judiciary.

A communication from the County Clerk, County of Hawaii (Dept. Com. No. 16), enclosing certified copy of Resolution No. 67 adopted by the Board of Supervisors of the County of Hawaii, requesting the Legislature to set aside the sum of $352,676.00, the difference between the upset price and the lease price from public auction, for use of the County of Hawaii, was read as follows:

(Dept. Com. No. 16)

The communication and Resolution were received and referred to the Committee on Ways and Means.

A communication from the President of the Territorial Board of Health (Dept. Com. No. 17), submitting a report concerning administration of the Hansen's disease control program since July 1, 1949, was read as follows:

(Dept. Com. No. 17)

The communication was received and the accompanying report was distributed to the members, and thereafter placed on file.

A communication from the Secretary of the Board of Public Parks and Recreation (Dept. Com. No. 18), requesting that the Board be notified and invited to appear before the various committees of the Senate to which any or all bills pertaining to the work of that Board are referred, was read as follows:

(Dept. Com. No. 18)

The communication was received and placed on file, the Board to be notified of all such meetings.

A communication from Senator Okino, informing the President of the appointment of Miss Teruko Hanato as his Secretary, was read by the Clerk as follows:

(Misc. Com. No. 2)

Senator Capellas stated that as Chairman of the Committee on Accounts of the Senate, he had been giving a great deal of thought to the policy of the various Committee Clerks and other employees working on Sunday; and that he was going to look into the matter further, that the idea in mind that it would not be necessary for all of the employees to work every Sunday.

Senator Heen moved that all communications appointing secretaries, clerks and other employees by the various Committee Chairmen and individual Senators be referred to the Committee of the Whole Senate, with the Chairman of the Committee on Accounts as Chairman thereof, and copies thereof to be furnished the Committee on Accounts. Seconded by Senator Aguiar, and carried.

Miscellaneous Communication No. 2 was thereupon referred to the Committee of the Whole, with Senator Capellas, Chairman.

A communication from Senator Tsukiyama, President of the Senate, appointing his Secretary, Clerk-Stenographer and Clerk-Messenger (Misc. Com. No. 3), was read as follows:

(Misc. Com. No. 3)

The communication was received and referred to the Committee of the Whole with Senator Capellas as Chairman, a copy thereof to be furnished the Committee on Accounts.

A communication from Senator Harrison (Misc. Com. No. 4), appointing her Secretary and the Clerk of the Committee on Public Health, was read as follows:

(Misc. Com. No. 4)

The communication was received, referred to the Committee of the Whole, with Senator Capellas as Chairman, and a copy thereof to be furnished the Committee on Accounts.

A communication from Senator Crockett (Misc. Com. No. 5), appointing the Clerk of the Military Committee, was read as follows:

(Misc. Com. No. 5)

The communication was received, referred to the Committee of the Whole, with Senator Capellas as Chairman, and a copy thereof to be furnished the Committee on Accounts.

A communication from Senator Crockett, Chairman of the Committee on Judiciary (Misc. Com. No. 6), appointing his Secretaries and Stenographers, was read as follows:

(Misc. Com. No. 6)

The communication was received, referred to the Committee of the Whole, with Senator Capellas as Chairman, and a copy thereof to be furnished the Committee on Accounts.

A communication from Marguerite K. Ashford, Attorney for the Senate (Misc. Com. No. 7), appointing her stenographer, was read as follows:

(Misc. Com. No. 7)

The communication was received, referred to the Committee of the Whole, with Senator Capellas as Chairman, and a copy thereof to be furnished the Committee on Accounts.

A communication from Senator Duarte (Misc. Com. No. 8), appointing his Secretary, was read as follows:

(Misc. Com. No. 8)

The communication was received, referred to the Committee of the Whole, with Senator Capellas as Chairman, and a copy thereof to be furnished the Committee on Accounts.

A communication from Senator Fernandes, Chairman of the Select Committee of Kauai Senators, (Misc. Com. No. 9), appointing his Secretary and Clerk, was read as follows:

(Misc. Com. No. 9)

The communication was received, referred to the Committee of the Whole, with Senator Capellas as Chairman, and a copy thereof to be furnished the Committee on Accounts.

A communication from Senator Ansai (Misc. Com. No. 10), appointing his Secretary, was read as follows:

(Misc. Com. No. 10)

The communication was received and referred to the Committee of the Whole, with Senator Capellas as Chairman, a copy thereof to be furnished the Committee on Accounts.

A communication from Senator Ansai, Chairman of the Committee on Agriculture, Forestry and Conservation and the Select Committee of Maui Senators (Misc. Com. No. 11), appointing the Clerks of these two Committees, was read as follows:

(Misc. Com. No. 11)

The communication was received and referred to the Committee of the Whole, with Senator Capellas as Chairman, a copy thereof to be furnished the Committee on Accounts.

A communication from Senator Robinson (Misc. Com. No. 12), appointing her Secretary and the clerk of the Committee on Education, was read as follows:

(Misc. Com. No. 12)

The communication was received and referred to the Committee of the Whole, with Senator Capellas as Chairman, a copy thereof to be furnished the Committee on Accounts.

A communication from Senator Heen (Misc. Com. No. 13), appointing his Secretary-clerk, was read as follows:

(Misc. Com. No. 13)

The communication was received and referred to the Committee of the Whole, with Senator Capellas as Chairman, a copy thereof to be furnished the Committee on Accounts.

A communication from Senator Lee (Misc. Com. No. 14), appointing his Secretary, was read as follows:

(Misc. Com. No. 14)

The communication was received and referred to the Committee of the Whole, with Senator Capellas as Chairman, a copy thereof to be furnished the Committee on Accounts.

A communication from Senator Dillingham, Chairman of the Select Committee of Oahu Senators and Chairman of the Committee on Enrollment, Revision and Printing (Misc. Com. No. 15), appointing his Secretary, and Clerks of the Oahu Select Committee and Printing Committee, was read as follows:

(Misc. Com. No. 15)

The communication was received and referred to the Committee of the Whole, with Senator Capellas as Chairman, a copy thereof to be furnished to the Committee on Accounts.

A communication from Senator Aguiar (Misc. Com. No. 16), appointing his Secretary, was read as follows:

(Misc. Com. No. 16)

The communication was received and referred to the Committee of the Whole, with Senator Capellas as Chairman, a copy thereof to be furnished the Committee on Accounts.

At this time, Senator Harrison stated that she felt a policy should be established which would eliminate, as far as possible, the introduction of the same bill into both Houses of the Legislature, in order to save money and effort.

Senator Dillingham thereupon moved that the President of the Senate be authorized to take this matter up with the Speaker of the House of Representatives in order to expedite the introduction of the measures with as little duplication as possible. The motion was seconded by Senator Harrison, and carried.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolutions were introduced; and, upon motion by Senator Duarte, seconded by Senator Aguiar, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senators Ansai and Crockett (S. B. No. 17), entitled: "An Act to make an appropriation for Baldwin High School, County of Maui";

By Senators Ansai and Crockett (S. B. No. 18), entitled: "An Act to amend Act 205 of the Session Laws of Hawaii 1947, relating to appropriations for public improvements, providing for the issuance of public improvement bonds, and providing for public improvements at Maalaea, Maui";

By Senators Ansai and Corckett (S. B. No. 19), entitled: "An Act to amend Section 14 of Act 289 of the Session Laws of Hawaii 1949, relating to the county of Maui and the appropriation of county funds";

By Senators Ansai and Crockett (S. B. No. 20), entitled: "An Act to amend Sections 5252 and 5254 of the Revised Laws of Hawaii 1945, as amended, relating to the county of Maui; including property taxes in the county of Maui and the Maui county budget";

By Senators Aguiar and Fernandes (S. B. No. 21), entitled: "An Act to provide for recognition of political parties on primary and general election ballots";

By Senator Duarte (S. B. No. 22), entitled: "An Act appropriating money for the improvement of, and the construction of buildings on, a public park, Iao Valley, Maui";

By Senator Duarte (S. B. No. 23), entitled: "An Act making an appropriation for the construction and improvement of roads and a water system or systems in the Hawaiian Homes Lands of Kou, Maui";

By Senator Duarte (S. B. No. 24), entitled: "An Act making an appropriation for the acquisition of land, and the widening and paving of a portion of High Street, at Wailuku, Maui, for parking cars";

By Senator Duarte (S. B. No. 25), entitled: "An Act to repeal Act 62, Special Session Laws of Hawaii, 1949, (Series A-15), relating to labor disputes in the stevedoring industry";

By Senator Duarte (S. B. No. 26), entitled: "An Act to amend Section 68 of the Revised Laws of Hawaii 1945, as amended, relating to civil service";

By Senator Duarte (S. B. No. 27), entitled: "An Act restricting government personnel from engaging in private business during office hours";

By Senator Crockett (S. B. No. 28), entitled: "An Act to amend Section 4353 of the Revised Laws of Hawaii 1945, as amended, relating to minimum wages";

By Senator Capellas (S. B. No. 29), entitled: "An Act authorizing and directing the Board of Supervisors of the County of Hawaii to appropriate moneys for the construction of an auditorium-gymnasium for the Hilo Union School";

By Senator Hill (S. B. No. 30), entitled: "An Act making a deficiency appropriation from the general revenues for the department of public welfare for the biennium ending June 30, 1951";

By Senators Hill, Nobriga, Duarte, Capellas, Ansai, Aguiar, Okino, Crockett and Fernandes (S. B. No. 31), entitled: "An Act to amend Chapter 122A of the Revised Laws of Hawaii 1945, as enacted by Act 212 of the Session Laws of Hawaii 1947, as amended by Acts 23, 36, 224 and 233 of the Session Laws of Hawaii 1949";

By Senator Harrison (S. B. No. 32), entitled: "An Act to amend Section 4121 of the Revised Laws of Hawaii 1945, as amended, relating to child labor";

By Senator Duarte (S. B. No. 33), entitled: "An Act relating to fire insurance, and amending Section 8515 of the Revised Laws of Hawaii 1945";

By Senator Duarte (S. B. No. 34), entitled: "An Act appropriating the sum of $1,800,000.00 from the general revenues for the construction of Territorial buildings";

By Senator Dillingham (S. B. No. 35), entitled: "An Act amending Chapter 118, Revised Laws of Hawaii 1945, as amended, relating to revenue bonds";

By Senator Dillingham (S. B. No. 36), entitled: "An Act to provide for the acquisition of rights of way for highways with limited acquisition rights";

By Senator Dillingham (S. B. No. 37), entitled: "An Act relating to the employment of minors in or about licensed premises where liquor is consumed, and amending Section 7266 of the Revised Laws of Hawaii 1945";

By Senators Dillingham and Robinson (S. B. No. 38), entitled: "An Act appropriating $50,000.00 for flood control of Kiki and Paukawila Stream, Waialua, Oahu".

By Senator Dillingham (S. J. Res. No. 1), entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm Act ____ of the Session Laws of Hawaii 1951, amending Chapter 118, Revised Laws of Hawaii 1945, relating to revenue bonds";

By Senators Dillingham, Lee, Heen, Robinson and Harrison (S. J. Res. No. 2), entitled: "Joint Resolution extending to April 30, 1951, the grace period for purchase of license plates, and extending delinquent date to May 1, 1951";

By Senator Capellas (S. J. Res. No. 3), entitled: "Joint Resolution extending the time for the payment of 1951 motor vehicle weight taxes".

Senators Hill and Crockett offered a Resolution (S. Res. No. 5), appointing Miss Marguerite K. Ashford and Oliver P. Soares as Legal Advisors of the Senate and setting their compensation, which was read as follows:

(S. Res. No. 5)

Upon motion by Senator Duarte, seconded by Senator Crockett, and carried, the Resolution was adopted.

Senators Duarte and Crockett offered a Resolution (S. Res. No. 6), requesting the Hawaiian Commercial and Sugar Company to alter the angle of the wall of its diversion dam in Iao stream, which was read as follows:

(S. Res. No. 6)

Upon motion by Senator Hill seconded by Senator Duarte, and carried, the Resolution was referred to the Select Committee of Maui Senators.

Senator Capellas offered a Resolution (S. Res. No. 7), providing that each person appearing before the Senate, or any committee thereof, shall file a statement with the Clerk of the Senate setting forth certain information, which was read as follows:

(S. Res. No. 7)

Upon motion by Senator Crockett, seconded by Senator Capellas, and carried, the Resolution was referred to the Committee on Judiciary.

Senator Duarte offered a Resolution (S. Res. No. 8), requesting the Territorial Highway Engineer to pave and construct the link between the new Maunaloa road and the road system to Kaunakakai, Molokai, which was read as follows:

(S. Res. No. 8)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the Resolution was referred to the Select Committee of Maui Senators.

Senators Crockett, Ansai and Duarte offered a Resolution (S. Res. No. 9), recording the appreciation of the Senate of the life which the Honorable Kaumeheiwa, a former Legislator, lived, and its sense of great loss at his passing, which was read as follows:

(S. Res. No. 9)

Upon motion by Senator Crockett, seconded by Senator Duarte, the Resolution was unanimously adopted by a rising vote.

Senators Ansai and Crockett offered a Resolution (S. Res. No. 10), requesting the Senate Committee on Public Health to make an investigation of the complaint and conditions existing at the Kalaupapa Settlement, recited in Senate Petition No. 1, and of the situation now there existing, and to report thereon, and authorizing the said committee members to proceed to Molokai for the purpose of making such investigation if it be deemed necessary, which was read as follows:

(S. Res. No. 10)

Upon motion by Senator Crockett, seconded by Senator Harrison, the Resolution was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 1), reporting on the mimeographing of matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 1)

The report was received and placed on file.

Second Reading of Senate Bill No. 1, entitled: "An Act to appropriate money for the expenses of the Legislature of the Territory of Hawaii and of any Holdover Committee or Committees thereof for the periods herein specified":

Upon motion by Senator Hill, seconded by Senator Harrison, and carried, the Rules were suspended and the bill was read throughout on Second Reading.

Upon motion by Senator Hill, seconded by Senator Capellas, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Second Reading of Senate Bill No. 2, entitled: "An Act to promote rehabilitation and development of the taro and rice-growing industries and making an appropriation therefor":

The bill was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Bill No. 3, entitled: "An Act for the relief of unemployment through the performance of useful public work, and making an appropriation":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 4, entitled: "An Act relating to the hours of work of per diem employees of the various counties and authorizing and directing the counties to provide per diem employees with work on Saturday when the total number of hours of work between Monday and Friday do not total forty":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 5, entitled: "An Act authorizing and directing the Board of Supervisors of the County of Hawaii to install lights for night baseball at Hamakua Park, Hawaii":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 6, entitled: "An Act authorizing and directing the Hawaii Aeronautics Commission to construct an emergency airport at Hamakua, Hawaii, and making an appropriation therefor":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 7, entitled: "An Act appropriating $75,000 for the construction of Fair Grounds, including race tracks, at Hamakua, Hawaii":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 8, entitled: "An Act to amend Section 4981 of the Revised Laws of Hawaii 1945, relating to the Board of Harbor Commissioners":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 9, entitled: "An Act appropriating $300,000 for survey, land acquisition and construction of golf courses at Kona, Kau, and Kamuela, Hawaii":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 10, entitled: "An Act appropriating $50,000 for the improvement of the municipal golf course at Hilo, Hawaii":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 11, entitled: "An Act appropriating $10,000 for the survey of a road from Kawaihae to

Mahukona, Hawaii":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 12, entitled: "An Act appropriating $25,000 for the survey of a road from Kawaihae to Kailua, Kona, Hawaii":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 13, entitled: "An Act authorizing and directing the Board of Supervisors of the County of Hawaii to install lights for night baseball at Hoolulu Park, Hilo, Hawaii, out of county funds":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 14, entitled: "An Act authorizing and directing the Hawaii Aeronautics Commission to construct an emergency airport at Puna, Hawaii, and making an appropriation therefor":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 15, entitled: "An Act amending Section 4863 of the Revised Laws of Hawaii 1945, requiring recipients of general assistance to register for county employment as a condition of receiving aid":

Senator Crockett moved that the bill be referred to the Committee on Judiciary. Seconded by Senator Harrison.

Senator Nobriga moved that the motion to refer the bill to the Committee on Judiciary be tabled. Seconded by Senator Fernandes.

A Roll Call being demanded, the motion to table the motion to refer the bill to the Committee on Judiciary was put, and failed to carry on the following showing of Ayes and Noes:

Ayes: Senators Dillingham, Duarte, Fernandes, Heen, Hill, Lee and Nobriga. Total, 7.

Noes: Senators Aguiar, Ansai, Capellas, Crockett, Harrison, Robinson and Mr. President. Total, 7.

Excused and not voting: Senator Okino. Total, 1.

The motion to refer the bill to the Committee on Judiciary was thereupon put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Harrison, Hill, Robinson and Mr. President. Total, 9.

Noes: Senators Dillingham, Fernandes, Heen, Lee and Nobriga. Total, 5.

Excused and not voting: Senator Okino. Total, 1.

Second Reading of Senate Bill No. 16, entitled: "An Act to provide for the construction and improvement of a public park by the Park Board of the City and County of Honolulu; designating the park as the Kalihi Playground; describing its location; and making an appropriation therefor":

The bill was referred to the Select Committee of Oahu Senators.

At 11:54 o'clock a.m., upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Senate adjourned until 10:00 o'clock a.m., on Saturday, February 24, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

THIRD Day

SATURDAY, FEBRUARY 24, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

THIRD DAY

Saturday, February 24, 1951.

The Senate convened at 10:16 o'clock a.m., with the President in the Chair.

After Prayer by Chaplain Keala, the Roll was called showing all Senators present, with the exception of Senators Crockett, Harrison, Hill and Okino, excused.

The Journal of the Second Day was read and approved.

A Petition from 597 residents of West Maui (S. Pet. No. 2), requesting consideration of an appropriation by the Legislature for the construction of a library building in Lahaina, was read as follows:

(S. Pet. No. 2)

The Petition was received and referred to the Select Committee of Maui Senators.

A communication from O. P.Soares, Legal Counsel for the Senate, (Misc. Com. No. 17), appointing his Secretary, was read as follows:

(Misc. Com. No. 17)

The communication was received and referred to the Committee of the Whole, with Senator Capellas as Chairman, a copy thereof to be furnished the Committee on Accounts.

A communication from the Chairman of the Committee on Ways and Means (Misc. Com. No. 18), submitting the names of his appointees as employees of the Committee on Ways and Means, was read as follows:

(Misc. Com. No. 18)

The communication was received and referred to the Committee of the Whole, with Senator Capellas as Chairman, a copy thereof to be furnished the Committee on Accounts.

A communication from Senator Capellas (Misc. Com. No. 19), submitting the names of his appointees as employees of the Committee on Accounts and of the Select Committee of Hawaii Senators, was read as follows:

(Misc. Com. No. 19)

The communication was received and referred to the Committee of the Whole, with Senator Capellas as Chairman, a copy thereof to be furnished the Committee on Accounts.

A communication from the Chairman of the Legislative Policy Committee of the Chamber of Commerce of Honolulu (Misc. Com. No. 20), extending the members of the Senate its wholehearted support of measures to provide effective and beneficial legislation for the Territory, was read as follows:

(Misc. Com. No. 20)

The communication was received and placed on file.

INTRODUCTION OF BILLS:

The following bills were introduced and, upon motion by Senator Duarte, seconded by Senator Nobriga, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senators Ansai and Crockett, (S. B. No. 39), entitled: "An Act appropriating $475,000 for a gymnasiaum at Baldwin High School, Wailuku, Maui";

By Senator Ansai (S. B. No. 40), entitled: "An Act appropriating $150,000.00 from the general revenues for acquisition of land for and construction of a library building at Lahaina, Maui, and for the purchase of furniture and fixtures for such library therefor";

By Senator Ansai (S. B. No. 41), entitled: "An Act appropriating $50,000.00 for the improvement of the municipal golf course at Waiehu, Maui";

By Senator Capellas (S. B. No. 42), entitled: "An Act making an appropriation for the functions and expenses of the Territorial Commission on Children and Youth";

By Senator Capellas (S. B. No. 43), entitled: "An Act relating to the Veterans' cemetery on the island of Hawaii and making an appropriation therefor";

By Senator Capellas (S. B. No. 44), entitled: "An Act to amend Section 6352, Revised Laws of Hawaii 1945, as amended, relating to salaries of the officers of the county of Hawaii";

By Senator Duarte (S. B. No. 45), entitled: "An Act making an appropriation for flood control and drainage improvements in Iao Valley, Wailuku, Maui";

By Senator Duarte (S. B. No. 46), entitled: "An Act making an appropriation for the Molokai Community Hospital";

By Senator Duarte (S. B. No. 47), entitled: "An Act making an appropriation for drainage improvements on the island of Molokai";

By Senator Duarte (S. B. No. 48), entitled: "An Act relating to the extension of the highway from Kanaio to Kalama Park, county of Maui, and making a further appropriation therefor";

By Senator Duarte (S. B. No. 49), entitled: "An Act providing for a dairy at Kalaupapa Settlement, and making an appriation therefor";

By Senator Duarte (S. B. No. 50), entitled: "An Act to provide for permanent increases in the base pay rates of compensation of public officers and employees and adding cost of living increases";

By Senator Nobriga (S. B. No. 51), entitled: "An Act to provide for permanent increases in the base pay rates of compensation of public officers and employees, and making an appropriation therefor";

By Senator Nobriga (S. B. No. 52), entitled: "An Act amending Section 4353 of the Revised Laws of Hawaii 1945, as amended, relating to wages and hours of labor";

By Senator Nobriga (S. B. No. 53), entitled: "An Act providing for a bonus for pensioners and for public officers and employees, and making an appropriation therefor";

By Senator Nobriga (S. B. No. 54), entitled: "An Act amending Section 6191 of the Revised Laws of Hawaii 1945, as amended, relating to minimum pensions";

By Senator Dillingham (S. B. No. 55), entitled: "An Act relating to unlawful entry and presence in certain places and amending Section 11771, Revised Laws of Hawaii 1945";

By Senator Dillingham (S. B. No. 56), entitled: "An Act relating to attendance at school, amending Section 1829 of the Revised Laws of Hawaii 1945";

By Senator Dillingham (S. B. No. 57), entitled: "An Act amending Section 12043 of the Revised Laws of Hawaii 1945, relating to exemption from costs of small estates";

By Senator Dillingham (S. B. No. 58), entitled: "An Act amending Section 12504 of the Revised Laws of Hawaii 1945, as amended, relating to small estates";

By Senator Capellas (S. B. No. 59), entitled: "An Act to amend Section 1236 of the Revised Laws of Hawaii 1945, relating to fishing":

By Senator Robinson (S. B. No. 60), entitled: "An Act to amend Section 4112 of the Revised Laws of Hawaii 1945, relating to duties and powers of the Commission of Labor and Industrial Relations".

Senator Heen offered a Concurrent Resolution (S. Con. Res. No. 2), inviting the Honorable Michael W. Straus, Commissioner of Reclamation, Bureau of Reclamation, U. S. Department of the Interior, to address a joint session of the Senate and House of Representatives, at his convenience, which was read as follows:

(S. Con. Res. No. 2 )

Upon motion by Senator Heen, seconded by Senator Duarte, and carried, the Concurrent Resolution was adopted.

Senator Duarte offered a Resolution (S. Res. No. 11), requesting the Chairman and Board of Supervisors of the County of Maui to construct a suspension bridge over the Halawa River, Molokai, which was read as follows:

(S. Res. No. 11)

Upon motion by Senator Duarte, seconded by Senator Capellas, and carried, the Resoltuion was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 2), reporting on matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 2)

The report was received and placed on file.

Second Reading of Senate Bill No. 17, entitled: "An Act to make an appropriation for Baldwin High School, County of Maui":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 18, entitled: "An Act to amend Act 205 of the Session Laws of Hawaii 1947, relating

to appropriations for public improvements, providing for the issuance of public improvement bonds, and providing for public improvements at Maalaea, Maui":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 19, entitled: "An Act to amend Section 14 of Act 289 of the Session Laws of Hawaii 1949, relating to the county of Maui and appropriation of county funds";

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 20, entitled: "An Act to amend Sections 5252 and 5254 of the Revised Laws of Hawaii 1945, as amended, relating to the county of Maui; including property taxes in the county of Maui and the Maui county budget":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 21, entitled: "An Act to provide for recognition of political parties on primary and general election ballots";

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 22, entitled: "An Act appropriating money for the improvement of, and the construction of buildings on, a public park, Iao Valley, Maui":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 23, entitled: "An Act making an appropriation for the construction and improvement of roads and a water system or systems in the Hawaiian Homes Lands of Kou, Maui";

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 24, entitled: "An Act making an appropriation for the acquisition of land, and the widening and paving of a portion of High Street, at Wailuku, Maui, for parking cars":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 25, entitled: "An Act to repeal Act 62, Special Session Laws of Hawaii, 1949, (Series A-15), relating to labor disputes in the stevedoring industry":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 26, entitled: "An Act to amend Section 68 of the Revised Laws of Hawaii 1945, as amended, relating to civil service":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 27, entitled: "An Act restricting government personnel from engaging in private business during office hours":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 28, entitled: "An Act to amend Section 4353 of the Revised Laws of Hawaii 1945, as amended, relating to minimum wages":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 29, entitled: "An Act authorizing and directing the Board of Supervisors of the county of Hawaii to appropriate moneys for the construction of an auditorium-gymnasium for the Hilo Union School":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 30, entitled: "An Act making a deficiency appropriation from the general revenues for the Department of Public Welfare for the biennium ending June 30, 1951":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 31, entitled: "An Act to amend Chapter 122A of the Revised Laws of Hawaii 1945, as enacted by Act 212 of the Session Laws of Hawaii 1947, as amended by Acts 23, 36, 224 and 233 of the Session Laws of Hawaii 1949":

The bill was referred, jointly, to the Select Committees of Hawaii, Maui and Kauai.

The President designated Senator Capellas to act as Chairman of said Joint Committee.

Second Reading of Senate Bill No. 32, entitled: "An Act to amend Section 4121 of the Revised Laws of Hawaii 1945, as amended, relating to child labor":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 33, entitled: "An Act relating to fire insurance, and amending Section 8515 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 34, entitled: "An Act appropriating the sum of $1,800,000.00 from the general revenues for the construction of Territorial buildings":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 35, entitled: "An Act amending Chapter 118, Revised Laws of Hawaii 1945, as amended, relating to revenue bonds":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 36, entitled: "An Act to provide for the acquisition of rights of way for highways with limited acquisition rights":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 37, entitled: "An Act relating to the employment of minors in or about licensed premises where liquor is consumed, and amending Section 7266 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 38, entitled: "An Act appropriating $50,000.00 for flood control of Kiki and Paukawila Stream, Waialua, Oahu":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Joint Resolution No. 1, entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm Act ___ of the Session Laws of Hawaii 1951, amending Chapter 118, Revised Laws of Hawaii 1945, relating to revenue bonds":

The joint resolution was referred to the Committee on Ways and Means.

Second Reading of Senate Joint Resolution No. 2, entitled: "Joint Resolution extending to April 30, 1951, the grace period for purchase of license plates, and extending delinquent date to May 1, 1951":

Upon motion by Senator Dillingham, seconded by Senator Nobriga, and carried, the Joint Resolution was tabled.

Second Reading of Senate Joint Resolution No. 3, entitled: "Joint Resolution extending the time for the payment of 1951 motor vehicle weight taxes":

Under suspension of the Rules, and upon motion by Senator Capellas, seconded by Senator Duarte, and carried, the joint

resolution was read throughout on Second Reading.

Upon motion by Senator Capellas, seconded by Senator Duarte, and carried, the joint resolution passed Second Reading and was placed on the calendar for Third Reading on Monday, February 26th.

Consideration of Governor's Message No. 5, submitting a list of appointments of Inspectors of Election, appointed since the last Special Session of the Twenty-Fifth Legislature:

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on the Message was deferred, to be considered with other similar Messages covering appointments, at a later date.

Third Reading of Senate Bill No. 1, entitled: "An Act to appropriate money for the expenses of the Legislature of the Territory of Hawaii and of any Holdover Committee or ~~Holdover~~ Committees thereof for the periods herein specified":

Upon motion by Senator Ansai, seconded by Senator Robinson, and carried, action on Third Reading was deferred until Monday, February 26th.

At this time, the President announced that he had referred Departmental Communication No. 6, from the Holdover Committee of 1949, and the accompanying communication and proposed amendments to Act 379 of the Session Laws of Hawaii 1949, from the Honolulu Redevelopment Agency, City and County of Honolulu, to the Select Committee of Oahu Senators.

At this juncture, Senator Nobriga moved that the Senate stand in recess, subject to the call of the Chair. Seconded by Senator Capellas, and carried; and at 10:55 o'clock a.m., the Senate so stood in recess, subject to the call of the Chair.

At 11:32 o'clock a.m., the Senate reconvened.

The Senate reconvened at 11:32 o'clock a.m.

A Message from the Governor (Gov. Message No. 6) submitting for confirmation by the Senate in accordance with Section 5 of Act 250, Session Laws of Hawaii 1945, the appointment of Robert P. Sroat as Conciliator, Hawaii Employment Relations Act, for a term of four years, was read, as follows:

(Gov. Message No. 6)

The Message was received, and Senator Heen thereupon moved that the Senate go into Executive Session for the consideration thereof. Seconded by Senator Fernandes and carried, and at 11:35 o'clock a.m., the Senate went into Executive Session for the consideration of Governor's Message No. 6.

The Executive Session being ended at 1:12 o'clock p.m., the Senate reconvened.

Senator Dillingham moved that further consideration of Governor's Message No. 6 be deferred until Monday, February 26, 1951. Seconded by Senator Nobriga. A Roll Call on the motion to defer being demanded, the motion to defer action on the Governor's Message until Monday, February 26, 1951, was put and carried on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Dillingham, Nobriga, Robinson, and Mr. President. Total, 6.

Noes: Senators Aguiar, Duarte, Fernandes and Heen. Total, 4.

Excused and not voting: Senators Crockett, Harrison, Hill Lee and Okino. Total, 5.

At 1:15 o'clock p.m., upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, the Senate adjourned

until 11:00 o'clcok a .m., on Monday, February 26, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred A. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FOURTH Day

MONDAY, FEBRUARY 26, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FOURTH DAY

Monday, February 26, 1951.

The Senate convened at 11:10 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called, showing all Senators present.

The Journal of the Third Day was read and approved.

A Message from the Governor (Gov. Message No. 7), withdrawing the nomination of Mr. Robert Sroat submitted to the Senate on February 24th, for the position of Conciliator under Act 250, Revised Laws of Hawaii 1945, and stating the reason therefor, was read as follows:

(Gov. Message No. 7)

The Message was received and placed on file, copies thereof to be distributed to the Members.

A communication from the Auditor of the Territory of Hawaii (Dept. Com. No. 19), transmitting copies of the Report of the Auditor for the biennium ended June 30, 1949 and for the fiscal year ended June 30, 1950, was read as follows:

(Dept. Com. No. 19)

The communication was received and placed on file and the report distributed to the Members.

A communication from the President of the Maui Chamber of Commerce (Misc. Com. No. 21), enclosing copies of Resolutions adopted by the Directors of the said Chamber and the Executive Committee of the Retail Board, opposing "parimutuel" betting on horse racing, and requesting the Governor and the Legislature to enact legislation permitting and requiring the appointment to the Territorial Board of Harbor Commissioners of one representative from each of the major islands, was read as follows:

(Misc. Com. No. 21)

The communication and resolutions were received and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolutions were introduced and, upon motion by Senator Duarte, seconded by Senator Aguiar, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senators Fernandes and Aguiar (S. B. No. 61), entitled: "An Act amending Sections 6420 and 6423 of the Revised Laws of Hawaii 1945, relating to the county of Kauai; and providing for the appointment, employment, suspension and removal of the deputies, assistants and employees of the Department of Public Works and of the Kauai Waterworks Bureau of the said county";

By Senators Fernandes and Aguiar (S. B. No. 62), entitled: "An Act to amend Section 1009 of the Revised Laws of Hawaii 1945, relating to the fees received from hunting licenses and the use thereof for the restocking of game birds";

By Senators Aguiar and Fernandes (S. B. No. 63), entitled: "An Act relating to the amount to be raised annually from real property taxes in and for the county of Kauai";

By Senators Aguiar and Fernandes (S. B. No. 64), entitled: "An Act to amend Section 5376 of, and to add Section 5460.5 to the Revised Laws of Hawaii 1945, as amended, relating to the compensating, consumption, and general excise taxes, and providing for the exemption of food products for human consumption";

By Senators Fernandes and Aguiar (S. B. No. 65), entitled: "An Act appropriating the sum of $600,000.00 from the general revenues for the construction of a territorial building at Lihue, Kauai";

By Senator Okino (S. B. No. 66), entitled: "An Act to amend Section 6352 of the Revised Laws of Hawaii 1945, as amended, relating to the officers of the county of Hawaii";

By Senator Robinson (S. B. No. 67), entitled: "An Act relating to the enforcement of the compulsory school attendance law";

By Senators Fernandes and Aguiar (S. B. No. 68), entitled: "An Act to amend Act 401 (Ser. E-325), Session Laws of Hawaii 1949, relating to appropriations for public improvements and providing for the issuance of public improvement bonds";

By Senator Crockett (S. B. No. 69), entitled: "An Act to amend the first paragraph of Section 14 of Series B-194: Act 289 of the Session Laws of Hawaii, 1949, relating to Maui county waterworks board";

By Senator Dillingham (S. B. No. 70), entitled: "An Act relating to the organization of certain executive agencies of the Territory of Hawaii; creating a Department of Finance; Creating an Audit Department; defining their powers and duties;

abolishing certain agencies; transferring certain powers and duties; and amending Title 4, Revised Laws of Hawaii 1945";

By Senator Dillingham (S. B. No. 71), entitled: "An Act relating to the organization of certain executive agencies of the Territory of Hawaii; creating a Department of Treasury and Commerce; abolishing certain agencies and certain funds; and transferring certain powers and duties";

By Senator Dillingham (S. B. No. 72), entitled: "An Act relating to the reorganization of certain executive departments of the government; transferring certain tax functions to the tax commissioner; and amending Sections 5104, 8487 and 8488 of the Revised Laws of Hawaii 1945";

By Senator Dillingham (S. B. No. 73), entitled: "An Act relating to the organization of certain executive departments; transferring the Bureau of Conveyances from the Treasury Department to the Department of Public Lands; and amending Sections 12710 and 12712, Revised Laws of Hawaii 1945";

By Senator Dillingham (S. B. No. 74), entitled: "An Act requiring that counties maintain complete inventory records";

By Senator Dillingham (S. B. No. 75), entitled: "An Act to amend Section 302 of the Revised Laws of Hawaii 1945, relating to eminent domain, so as to provide for the acquisition of remnants or other property in excess of that needed for the primary public use or improvement contemplated under certain circumstances";

By Senator Dillingham (S. B. No. 76), entitled: "An Act to amend Section 5404 of the Revised Laws of Hawaii 1945, as amended by Act 196 of the Session Laws of Hawaii 1947 (Series A-83), by adding a new subsection (d) thereto exempting from the fuel tax gasoline sold for use in airplanes operating out of private airports in the Territory of Hawaii where such pri-

vate airports are not supported by or receive public funds";

By Senator Crockett (S. J. Res. No. 4), entitled: "Joint Resolution requesting the Congress of the United States of America to ratify and confirm Act 291 of the Session Laws of Hawaii 1949";

By Senator Duarte (S. J. Res. No. 5), entitled: "Joint Resolution requesting the Congress of the United States to amend the Organic Act to provide for annual sessions of the legislature";

By Senator Duarte (S. J. Res. No. 6), entitled: "Joint Resolution requesting the Congress of the United States to enact legislation returning to Hawaii Federal taxes collected in that territory";

By Senator Dillingham (S. J. Res. No. 7), entitled: "Joint Resolution requesting the Congress of the United States of America to amend Sections 77 and 80 of the Hawaiian Organic Act, relating to the Auditor".

Senator Capellas offered a Resolution (S. Res. No. 12), requesting the Commissioner of Public Lands to acquire from the owners of certain lands sufficient land to widen the roadway leading from the highway between Honokaa and Kukuihaele, which was read as follows:

(S. Res. No. 12)

Upon motion by Senator Hill, seconded by Senator Heen, and carried, the Resolution was referred to the Printing Committee.

Senator Crockett offered a Resolution (S. Res. No. 13), relating to the effective date of Acts passed by the Senate, which was read as follows:

(S. Res. No. 13)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the Resolution was adopted.

Senator Crockett offered a Resolution (S. Res. No. 14), requesting the Sergeant-at-Arms of the Senate to hang a photograph of the President of the United States on the front wall of the Senate Chamber, back, and to the right, of the President of the Senate; and to hang the photograph of former President Frankling Delano Roosevelt, deceased, in another suitable and appropriate place in the Senate Chamber, which was read as follows:

(S. Res. No. 14)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the Resolution was adopted.

The President thereupon appointed Senators Heen, Chairman, Capellas and Duarte to select the location of the photographs covered by Resolution No. 14.

Senator Crockett offered a Resolution (S. Res. No. 15), requesting that all requests for copies of Senate Bills and Resolutions be referred directly to the Committee on Enrollment, Revision and Printing for acknowledgment and action by said Printing Committee, without being made a part of the proceedings of the Senate, which was read as follows:

(S. Res. No. 15)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the Resolution was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 3), reporting on matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 3)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 39, entitled: "An Act appropriating $475,000 for a gymnasium at Baldwin High School, Wailuku, Maui":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 40, entitled: "An Act appropriating $150,000.00 from the general revenues for acquisition of land for and construction of a library building at Lahaina, Maui, and for the purchase of furniture and fixtures for such library therefor":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 41, entitled: "An Act appropriating $50,000.00 for the improvement of the municipal golf course at Waiehu, Maui":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 42, entitled: "An Act making an appropriation for the functions and expenses of the Territorial Commission on Children and Youth":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 43, entitled: "An Act relating to the veterans' cemetery on the island of Hawaii and making an appropriation therefor":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 44, entitled: "An Act to amend Section 6352, Revised Laws of Hawaii 1945, as amended, relating to salaries of the officers of the county of Hawaii":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 45, entitled: "An Act making an appropriation for flood control and drainage improvements in Iao Valley, Wailuku, Maui":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 46, entitled: "An Act making an appropriation for the Molokai Community Hospital":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 47, entitled: "An Act making an appropriation for drainage improvements on the island of Molokai":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 48, entitled: "An Act relating to the extension of the highway from Kanaio to Kalama Park, county of Maui, and making a further appropriation therefor":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 49, entitled: "An Act providing for a dairy at Kalaupapa Settlement, and making an appropriation therefor":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 50, entitled: "An Act to provide for permanent increases in the base pay rates of compensation of public officers and employees and adding cost of living increases":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 51, entitled: "An Act to provide for permanent increases in the base pay rates of compensation of public officers and employees, and making an appropriation therefor":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 52, entitled: "An Act amending Section 4353 of the Revised Laws of Hawaii 1945, as amended, relating to wages and hours of labor":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 53, entitled: "An Act providing for a bonus for pensioners and for public officers and employees, and making an appropriation therefor":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 54, entitled: "An Act amending Section 6191 of the Revised Laws of Hawaii 1945, as amended, relating to minimum pensions":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 55, entitled: "An Act relating to unlawful entry and presence in certain places and amending Section 11771, Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 56, entitled: "An Act relating to attendance at school, amending Section 1829 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Education.

Second Reading of Senate Bill No. 57, entitled: "An Act amending Section 12043 of the Revised Laws of Hawaii 1945, relating to exemption from costs of small estates":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 58, entitled: "An Act amending Section 12504 of the Revised Laws of Hawaii 1945, as amended, relating to small estates":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 59, entitled: "An Act to amend Section 1236 of the Revised Laws of Hawaii 1945, relating to fishing:

The bill was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Bill No. 60, entitled: "An Act to amend Section 4112 of the Revised Laws of Hawaii 1945, relating to duties and powers of the Commission of Labor and Industrial Relations":

The bill was referred to the Committee on Judiciary.

Consideration of Governor's Message No. 6, submitting, for confirmation, the appointment of Robert P. Sroat as Conciliator, Hawaii Employment Relations Act, for a term of four years, action on which was deferred on Saturday, February 24th:

The Governor having withdrawn this appointment in his Message No. 7, Senator Dillingham moved that the Message be placed on file. Seconded by Senator Duarte, and carried.

Third Reading of Senate Bill No. 1, entitled: "An Act to appropriate money for the expenses of the Legislature of the Territory of Hawaii and of any holdover committee or committees thereof for the periods herein specified", action on which was deferred on Saturday, February 24th:

Senator Hill offered the following amendments to the bill:

"Amend Senate Bill No. 1, entitled:

'AN ACT
TO APPROPRIATE MONEY FOR THE XPENSES OF THE LEGISLATURE

OF THE TERRITORY OF HAWAII AND OF ANY HOLDOVER COMMITTEE OR COMMITTEES THEREOF FOR THE PERIODS HEREIN SPECIFIED'

1. By amending Section 2 thereof to read as follows:

'SECTION 2. The appropriation provided for in Section 1 may be used to defray the expenses of any holdover committee of the Senate or of the Twenty-Fifth Legislature created by law to act after the close of the regular session of 1941.'

2. By amending Section 4 thereof to read as follows:

'SECTION 4. The appropriation provided for in Section 3 may be used to defray the expenses of any holdover committee of the House of Representatives or of the Twenty-Sixth Legislature created by law to act after the close of the regular session of 1951.'"

Senator Hill moved for the adoption of the amendments. Seconded by Senator Nobriga.

Senator Duarte offered the following further amendment to the Bill:

"Amend S. B. No. 1 in the following particulars:

(1) Amend the title by inserting a 'period' after the words 'Territory of Hawaii' and by deleting the remainder of the title.

(2) Delete sections 2 and 4 and renumber the remaining sections after Section 1 in their proper numerical order."

Senator Duarte moved for the adoption of the amendment.

There being no second to the motion to adopt this amendment, the President put the motion to adopt Senator Hill's amendments, which was carried.

Senator Heen moved that Senate Bill No. 1, as amended, be referred to the Committee of the Whole Senate. Seconded by Senator Duarte, and carried.

The President thereupon appointed Senator Hill as Chairman of the said Committee of the Whole.

Senator Hill announced that the Committee of the Whole would meet at 10:00 o'clock tomorrow morning for the consideration of Senate Bill No. 1.

Senator Capellas, Chairman of the Committee on Accounts of the Senate, announced that all bills incurred by the Senate during the regular session of 1949 had been paid; also that all of the Senate Accounts had been audited by the Auditor of the Territory of Hawaii and had been found to be in order; and that the Senate had returned to the Treasury of the Territory over fourteen thousand dollars unexpended balance of the appropriation made for the regular session of the Senate, 1949; and he further reported that the Auditors had examined the accounts for the first special session of the 25th Legislature and had found them to be in order; and that the Auditor was now auditing the accounts of the second special session of the 25th Legislature.

Senator Dillingham at this time moved that the Senate adopt a vote of confidence in the able Chairman of the Committee on Accounts of the Senate. Seconded by Senator Duarte, and carried.

Third Reading of Senate Joint Resolution No. 3, entitled: "Joint Resolution extending the time for the payment of 1951 motor vehicle weight taxes":

Upon motion by Senator Nobriga, seconded by Senator Duarte, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the Maui Chamber of Commerce (Misc. Com. No. 22), informing the Senate that the Retail Board of the Maui Chamber of Commerce had gone on record as favoring the abolishment of the Territorial General excise tax law as it applies to wholesale and retail sales; and recommending that in lieu thereof a sales tax be levied, was read by the Clerk as follows:

(Misc. Com. No. 22)

The communication was received and referred to the Committee on Ways and Means.

A communication from the House (H. Com. No. 3) returning Senate Concurrent Resolution No. 2, which had been adopted by the House of Representatives, was read as follows:

(H. Com. No. 3)

The communication was received and placed on file.

At 12:07 o'clock p.m., upon motion by Senator Nobriga, seconded by Senator Lee, and carried, the Senate adjourned until 10:00 o'clock a.m., on Tuesday, February 27, 1941.

Ellen D. Smyth
Clerk of the Senate.

Approved:

Wilfred Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FIFTH Day

TUESDAY, FEBRUARY 27, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FIFTH DAY

Tuesday, February 27, 1951.

The Senate convened at 10:09 o'clock a.m., with the President in the Chair.

After Prayer by Chaplain Keala, the Roll was called showing all Senators present.

The Journal of the Fourth Day was read and approved.

At this time, Senator Dillingham moved that the Senate resolve itself into a Committee of the Whole for the consideration of Senate Bill No. 1, entitled: "An Act to appropriate money for the expenses of the Legislature of the Territory of Hawaii and of any holdover committee or committees thereof for the periods herein specified". Seconded by Senator Hill, and carried; and at 10:10 o'clock a.m., the Senate so resolved itself into a Committee of the Whole for the above purpose, with Senator Hill as Chairman.

At 11:56 o'clock a.m., the Committee rose and the Senate reconvened.

Senator Hill, for the Committee of the Whole, to which was referred Senate Bill No. 1, on Third Reading, reported orally, recommending the passage of Senate Bill No. 1 on Third Reading, as amended, with certain further amendments.

Senator Hill moved for the adoption of the oral report. Seconded by Senator Ansai.

Senator Duarte offered the following further amendments to the bill:

"Amend S. B. No. 1 in the following particulars:

1. Amend the title to read as follows:

'AN ACT
TO APPROPRIATE MONEY FOR THE EXPENSES OF THE TWENTY-SIXTH REGULAR SESSION OF THE LEGISLATURE OF THE TERRITORY OF HAWAII.'

2. Amend Section 1 to read as follows:

'SECTION 1. There is hereby appropriated from the public treasury the sum of two hundred twenty-five thousand dollars ($225,000.00) or so much thereof as may be necessary, for the purpose of defraying the expenses of the Senate of the Twenty-Sixth Regular Session of the Legislature of the Territory of Hawaii.'

3. Delete Sections 2 and 4.

4. Amend Section 3 to read as follows:

'SECTION 2. There is hereby appropriated from the public treasury the sum of two hundred seventy-five thousand dollars ($275,000.00) or so much thereof as may be necessary, for the purpose of defraying the expenses of the House of Representatives of the Twenty-Sixth Regular Session of the Legislature of the Territory of Hawaii.'

5. Renumber the remaining sections in their proper numerical order."

Senator Duarte moved for the adoption of the amendments. Seconded by Senator Fernandes.

Senator Hill moved that the amendments be tabled. Seconded by Senator Harrison.

A Roll Call being demanded, the motion to table the amendments offered by Senator Duarte was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Harrison, Hill, Nobriga, Robinson and Mr. President. Total, 9.

Noes: Senators Aguiar, Duarte, Fernandes, Heen, Lee and Okino. Total, 6.

The Chair thereupon put the previous motion for the adoption of the oral report of the Committee of the Whole, a written report to be filed later, recommending the passage, on Third Reading, of Senate Bill No. 1, as amended, and as further amended by the Committee of the Whole; and Senate Bill No. 1, entitled: "An Act to appropriate money for the expenses of the Legislature of the Territory of Hawaii and of any holdover committee or committees thereof for the periods herein specified", passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Harrison, Hill, Nobriga, Robinson and Mr. President. Total, 9.

Noes: Senators Aguiar, Duarte, Fernandes, Heen, Lee, and Okino. Total, 6.

At 12:02 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Fernandes, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:05 o'clock p.m., with Vice President Harrison in the Chair, in the absence of President Tsukiyama who was excused from this afternoon's session, all other Senators being present, with the exception of Senator Dillingham also excused.

A Message from the Governor (Gov. Message No. 8), submitting list of appointments made since the close of the Second Special Session of the Twenty-Fifth Legislature, was read as follows:

(Gov. Message No. 8)

The Message was received, ordered printed and distributed to the Members, and action thereon deferred until a later date, to be taken up with other Messages relating to appointments.

A Message from the Governor (Gov. Message No. 9), submitting the name of Ronald B. Jamieson as Conciliator, Hawaii Employment Relations Act, for a term of four years, was read as follows:

(Gov. Message No. 9)

The Message was received, ordered printed and action deferred thereon until tomorrow, upon motion by Senator Hill, seconded by Senator Aguiar, and carried.

A communication from the Executive Secretary of the Public Utilities Commission of the Territory of Hawaii (Dept. Com. No. 20), transmitting fifteen copies of that Commission's Annual Report for the year 1950, was read as follows:

(Dept. Com. No. 20)

The communication was received and placed on file and the reports distributed to the Members.

A communication from the Chairman of the Legislative Committee of the Board of Supervisors, City and County of Honolulu (Dept. Com. No. 21), transmitting complete sets of seven bills approved by the Board of Supervisors for consideration by the Senate, was read by the Clerk as follows:

(Dept. Com. No. 21)

The communication and proposed bills were received and and referred to the Select Committee of Oahu Senators.

A communication from the Manager and Chief Engineer of the Board of Water Supply, City and County of Honolulu (Dept. Com. No. 22), transmitting copies of the thirteenth biennial report of the said Board, was read as follows:

(Dept. Com. No. 22)

The communication and reports were received; and the communication was placed on file, the reports being distributed to the Members.

A communication from R. M. Belt, Territorial Highway Engineer (Dept. Com. No. 23), attaching report submitted in reply to Resolution No. 30 adopted by the House of Representatives of the Twenty-Fifth Legislature, Second Special Session, relating to the construction of a highway serving the northwestern area of the Island of Kauai, was read as follows:

(Dept. Com. No. 23)

The communication and report were received and referred to the Select Committee of Kauai Senators.

A communication from the House (H. Com. No. 4), transmitting House Concurrent Resolution No. 10, was read as follows:

(H. Com. No. 4)
(H. Con. Res. No. 10)

The communication was received and placed on file.

Consideration of House Concurrent Resolution No. 10, providing that the two houses of the Legislature meet in joint session in the Assembly Hall of the House of Representatives at 11:00 o'clock a.m., on Wednesday, February 28, 1951, for the purpose of having the Honorable Michael W. Straus, Commissioner of Reclamation, Bureau of Reclamation, U. S. Department of the Interior, address the joint session:

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the Concurrent Resolution was adopted.

The Chair thereupon appointed Senators Heen and Hill as a Committee of two, to join a like committee from the House of Representatives, to escort the Honorable Michael W. Straus from the Governor's Chamber to the joint session.

A communication from the Executive Secretary of the Hawaii Visitors Bureau (Misc. Com. No. 23), reporting on the funds appropriated by the Legislature, under Act 11, Special Session Laws of 1949 for the use of the Bureau, was read as follows:

(Misc. Com. No. 23)

The communication and report were received and placed on file, each Member having received a copy thereof.

A communication from Senator William J. Nobriga (Misc. Com. No. 24), submitting the list of his employees as Chairman of the Committee on Rules and Chairman of the Committee on Public Lands, was read as follows:

(Misc. Com. No. 24)

The communication was received and referred to the Committee of the Whole to which other similar communications had been referred, with Senator Capellas as Chairman, a copy thereof to be furnished to the Committee on Accounts of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolution were introduced and, upon motion by Senator Duarte, seconded by Senator Ansai, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senator Lee (S. B. No. 77), entitled: "An Act to exempt the positions of law clerks to the Justices of the Supreme Court from the provisions of chapters 2 and 3 of the Revised Laws of Hawaii 1945, as amended, relating to civil service and

classification";

By Senator Lee (S. B. No. 78), entitled: "An Act to exempt certain positions in the Department of Public Instruction from the provisions of chapter 3 of the Revised Laws of Hawaii 1945, as amended, relating to classification";

By Senator Harrison (S. B. No. 79), entitled: "An Act to amend Section 4019 of the Revised Laws of Hawaii 1945, as amended, relating to the conveyance of mentally ill persons to the Territorial Hospital";

By Senators Aguiar and Fernandes (S. B. No. 80), entitled: "An Act to amend Act 63 (Ser. A-48) of the special session laws of Hawaii 1949, relating to the Hawaii Civilian Conservation Corps";

By Senators Lee, Ansai, Dillingham and Nobriga (S. B. No. 81), entitled: "An Act to amend Section 550, Revised Laws of Hawaii 1945, relating to vacations of public officers and employees";

By Senators Lee, Ansai, Dillingham and Nobriga (S. B. No. 82), entitled: "An Act amending Chapter 15, Revised Laws of Hawaii 1945, relating to the Employees' Retirement System of the Territory of Hawaii";

By Senators Lee, Ansai, Dillingham and Nobriga (S. B. No. 83), entitled: "An Act to amend Chapter 15 of the Revised Laws of Hawaii 1945, relating to the Employees' Retirement System of the Territory of Hawaii";

By Senators Lee, Ansai, Dillingham and Nobriga (S. B. No. 84), entitled: "An Act relating to public officers and employees, and amending chapters 2, 3 and 11 of the Revised Laws of Hawaii 1945, as amended, concerning civil service, classification, compensation, qualifications and organizations of such personnel";

By Senators Crockett and Ansai (S. B. No. 85), entitled: "An Act providing an optional death benefit upon death of certain members of the Employees' Retirement System; amending paragraph 8 of Section 708 of the Revised Laws of Hawaii 1945, as amended";

By Senator Duarte (S. B. No. 86), entitled: "An Act to repeal Act 393 of the Session Laws of Hawaii 1949, relating to motor vehicle safety responsibility";

By Senator Duarte (S. B. No. 87), entitled: "An Act making an appropriation for Lanai High School, County of Maui";

By Senator Duarte (S. B. No. 88), entitled: "An Act to authorize the Legislative Reference Bureau to make administrative studies and surveys for legislative use of all governmental departments and agencies, Territorial and County, and making an appropriation therefor";

By Senators Dillingham and Ansai (S. B. No. 89), entitled: "An Act to amend Act 232, Session Laws of 1949, relating to the office hours and hours of work of officers and employees of the Territory of Hawaii, the several counties and the boards and commissions thereof";

By Senator Robinson (S. B. No. 90), entitled: "An Act to remove the discrimination against women in the matter of jury service in the Territory of Hawaii";

By Senator Dillingham (S. B. No. 91), entitled: "An Act relating to the operation of automobile parking spaces in the civic center area, City and County of Honolulu";

By Senator Hill (S. B. No. 92), entitled: "An Act relating to the Department of Public Welfare, and amending chapters 84 and 85, as amended, of the Revised Laws of Hawaii 1945";

By Senators Crockett, Ansai and Aguiar (S. B. No. 93), entitled: "An Act to provide for the establishment, improvement, maintenance and upkeep of veterans' cemeteries";

By Senator Robinson (S. J. Res. No. 8), entitled: "Joint Resolution memorializing the Congress of the United States to remove the discrimination against women in the matter of jury service in the Territory of Hawaii";

Senators Aguiar and Fernandes offered a Concurrent Resolution (S. Con. Res. No. 3), requesting the Commissioner of Public Lands to acquire, by exchange, certain lands in Lihue, Kauai, for the Kauai Civic Center and the new Lihue Grammar School site, which was read as follows:

(S. Con. Res. No. 3)

Upon motion by Senator Lee, seconded by Senator Nobriga, and carried, the Concurrent Resolution was referred to the Committee on Public Lands.

Senator Capellas offered a Concurrent Resolution (S. Con. Res. No. 4), inviting Dr. Leon Sherman of the Institute of Geophysics, University of California at Los Angeles, to address the Legislature, in joint session, on Monday, March 12th, at 11:00 o'clock a.m., which was read as follows:

(S. Con. Res. No. 4)

Upon motion by Senator Capellas, seconded by Senator Lee, and carried, the Concurrent Resolution was adopted.

A Petition (S. Pet. No. 3), signed by 36 residents of Waiohinu, Kau, Hawaii, requesting an appropriation for flood control in that Village, was read as follows:

(S. Pet. No. 3)

The Petition was received and referred to the Select Committee of Hawaii Senators, upon motion by Senator Hill, seconded by Senator Nobriga, and carried.

Senator Hill, for Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 4), reporting on matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 4)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 61, entitled: "An Act amending Sections 6420 and 6423 of the Revised Laws of Hawaii 1945, relating to the county of Kauai; and providing for the appointment, employment, suspension and removal of the deputies, assistants and employees of the Department of Public Works and of the Kauai Waterworks Bureau of the said county":

The bill was referred to the Select Committee of Kauai Senators.

Second Reading of Senate Bill No. 62, entitled: "An Act to amend Section 1009 of the Revised Laws of Hawaii 1945, relating to the fees received from hunting licenses and the use thereof for the restocking of game birds":

The bill was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Bill No. 63, entitled: "An Act relating to the amount to be raised annually from real property taxes in and for the county of Kauai":

The bill was referred to the Select Committee of Kauai Senators.

Second Reading of Senate Bill No. 64, entitled: "An Act to amend Section 5376 of, and to add Section 5460.05 to the Revised Laws of Hawaii 1945, as amended, relating to the compensating, consumption, and general excise taxes, and provid-

ing for the exemption of food products for human consumption":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 65, entitled: "An Act appropriating the sum of $600,000.00 from the general revenues for the construction of a territorial building at Lihue, Kauai":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 66, entitled: "An Act to amend Section 6352 of the Revised Laws of Hawaii 1945, as amended, relating to the officers of the county of Hawaii":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 67, entitled: "An Act relating to the enforcement of the compulsory school attendance law":

The bill was referred to the Committee on Education.

Second Reading of Senate Bill No. 68, entitled: "An Act to amend Act 401 (Ser. E-325), Session Laws of Hawaii 1949, relating to appropriations for public improvements and providing for the issuance of public improvement bonds":

The bill was referred to the Select Committee of Kauai Senators.

Second Reading of Senate Bill No. 69, entitled: "An Act to amend the first paragraph of Section 14 of Series B-194: Act 289 of the Session Laws of Hawaii 1949, relating to Maui county waterworks board":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 70, entitled: "An Act relating to the organization of certain executive agencies of the Territory of Hawaii; creating a Department of Finance; Creating an Audit Department; defining their powers and duties;

abolishing certain agencies; transferring certain powers and duties; and amending Title 4, Revised Laws of Hawaii 1945":

The bill was referred to the Committee of the Whole, upon motion by Senator Fernandes, seconded by Senator Nobriga, and carried.

The Chair thereupon appointed Senator Dillingham as Chairman of the said Committee of the Whole.

Second Reading of Senate Bill No. 71, entitled: "An Act relating to the organization of certain executive agencies of the Territory of Hawaii; creating a Department of Treasury and Commerce; abolishing certain agencies and certain funds; and transferring certain powers and duties":

The bill was referred to the Committee of the Whole, with Senator Dillingham as Chairman.

Second Reading of Senate Bill No. 72, entitled: "An Act relating to the reorganization of certain executive departments of the government; transferring certain tax functions to the tax commissioner; and amending Sections 5104, 8487 and 8488 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee of the Whole, with Senator Dillingham as Chairman.

Second Reading of Senate Bill No. 73, entitled: "An Act relating to the organization of certain executive departments; transferring the Bureau of Conveyances from the Treasury Department to the Department of Public Lands; and amending Sections 12710 and 12712, Revised Laws of Hawaii 1945":

The bill was referred to the Committee of the Whole, with Senator Dillingham as Chairman.

Second Reading of Senate Bill No. 74, entitled: "An Act requiring that counties maintain complete inventory records":

The bill was referred to the Committee of the Whole, with Senator Dillingham as Chairman.

Second Reading of Senate Bill No. 75, entitled: "An Act to amend Section 302 of the Revised Laws of Hawaii 1945, relating to eminent domain, so as to provide for the acquisition of remnants or other property in excess of that needed for the primary public use or improvement contemplated under certain circumstances":

The bill was referred to the Committee on Public Lands.

Second Reading of Senate Bill No. 76, entitled: "An Act to amend Section 5404 of the Revised Laws of Hawaii 1945, as amended by Act 196 of the Session Laws of Hawaii 1947 (Series A-83), by adding a new subsection (d) thereto exempting from the fuel tax gasoline sold for use in airplanes operating out of private airports in the Territory of Hawaii where such private airports are not supported by or receive public funds":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Joint Resolution No. 4, entitled: "Joint Resolution requesting the Congress of the United States of America to ratify and confirm Act 291 of the Session Laws of Hawaii 1949":

The joint resolution was referred to the Select Committee of Maui Senators.

Second Reading of Senate Joint Resolution No. 5, entitled: "Joint Resolution requesting the Congress of the United States to amend the Organic Act to provide for annual sessions of the legislature:

The joint resolution was referred to the Committee on Judiciary.

Second Reading of Senate Joint Resolution No. 6, entitled: "Joint Resolution requesting the Congress of the United States to enact legislation returning to Hawaii Federal taxes collected in that territory":

The joint resolution was referred to the Committee on Ways and Means.

Second Reading of Senate Joint Resolution No. 7, entitled: "Joint Resolution requesting the Congress of the United States of America to amend Sections 77 and 80 of the Hawaiian Organic Act, relating to the Auditor":

The joint resolution was referred to the Committee of the Whole of which Senator Dillingham is Chairman.

Consideration of Senate Resolution No. 12, requesting the Commissioner of Public Lands to acquire from the owners of certain lands sufficient land to widen the roadway leading from the highway between Honokaa and Kukuihaele:

The Resolution was referred to the Select Committee of Hawaii Senators.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 5), recommending the passage of Senate Bill No. 30, which was read as follows:

(Stand. Com. Rep. No. 5)

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. Senate Bill No. 30 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

At 2:45 o'clock p.m., upon motion by Senator Lee, seconded by Senator Hill, and carried, the Senate adjourned until 11:00 o'clock a.m., on Wednesday, February 28, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved;

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

SIXTH Day

Wednesday, February 28, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAAL OF THE SENATE

SIXTH DAY

Wednesday, February 28, 1951.

The Senate convened at 11:03 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Chaplain, after which the Roll was called showing all Senators present.

The Journal of the Fifth Day was read and approved.

The President at this time announced that he had been advised by Senator Hill that he wished to withdraw as a member of the Committee of two appointed yesterday to wait upon the Honorable Michael W. Straus, Commissioner of Reclamation, Bureau of Reclamation, of the U. S. Department of the Interior, to escort him to the joint session of the Legislature at eleven o'clock this morning; and that he had accepted this withdrawal, appointing in his place, Senator Capellas.

The Committee so appointed to wait upon Commissioner Straus in the Governor's Chambers, hereupon left the Senate Chamber to carry out its mission; and at 11:05 o'clock a.m., a recess was declared, subject to the call of the Chair, whereupon the Senate repaired in a body to listen to an address by Commissioner Straus in the Assembly Hall of the House of Representatives, before a joint session of the Senate and the House of Representatives.

The joint session, carrying out the provisions of House Concurrent Resolution No. 10, adopted by the Legislature, was called to order at 11:08 o'clock a.m., by Speaker Fong.

At this juncture Commissioner Straus, accompanied by Governor Stainback, and escorted by the joint committee of the House and Senate, composed of Representatives Richardson, Dupont and King and Senators Heen and Capellas, was announced and Governor Stainback and Mr. Straus thereupon took their places on the dais with the Speaker of the House and the President of the Senate.

In presenting Commissioner Straus to the assembly, Speaker Fong said:

> "We are indeed fortunate to have with us the Honorable Michael W. Straus, Commissioner of Reclamation, Bureau of Reclamation, U. S. Department of the Interior. Mr. Straus has been making surveys in the Territory of Hawaii; and at this time I will ask him to address us."

Commissioner Straus, in acknowledging the introduction, said:

> "Mr. Speaker, Mr. President, Governor Stainback: I want to acknowledge the very thoughtful Concurrent Resolution of the Legislature of the Territory of Hawaii giving me this opportunity to appear before you, and I most happily and eagerly accepted it; and I presume the matter of the most interest to you, which I might discuss, are the natural resources development, particularly water development and power - a matter which, over the years, I frequently benefitted by discussing with your far-sighted Governor Stainback on many occasions in Washington; and he told me a good deal of the program and hopes and desires and accomplishments of the Islands of the Hawaiian group. So I thank you for this opportunity that I have to come before you."

For the following hour, Commissioner Straus addressed the assembly on the purposes of the U. S. Bureau of Reclamation and some of its many accomplishments, particularly in the seventeen Western States of the United States, which were his particular official responsibility as United States Commissioner of Reclamation. He stated that he had not come to Hawaii primarily for the purpose of meeting with the Legislature, but because

he was coming back to the United States from a trip around the world, the primary purpose of which was to take the United States delegates to world conferences on water and power which had been held in India, participated in by some 32 nations.

In the course of his talk, he pointed out several times that Hawaii did not come in under the Reclamation Act.

At the conclusion of his address, Mr. Straus signified his willingness to answer any questions which the Legislators might care to ask him; and several questions were asked, which he answered, one of which, asked by Representative King, was: "If the Territorial Legislature requested the Congress of the United States to have an investigation and surveys made of the various reclamation projects here, would you recommend it?"

To this, Commissioner Straus replied: "If it was a survey and investigation, I would recommend it."

At 12:05 o'clock p.m., the Speaker declared the joint session ended, and declared a recess, in order that the Members of the Legislature might be personally presented to Mr. Straus.

The Senate reconvened at 12:10 p.m.

Senator Hill moved that the Rules be suspended, and that the Senate at this time take up the Third Reading of Senate Bill No. 30 on today's calendar. Seconded by Senator Nobriga, and carried.

Third Reading of Senate Bill No. 30, entitled: "An Act making a deficiency appropriation from the general revenues for the Department of Public Welfare for the biennium ending June 30, 1951":

Upon motion by Senator Aguiar, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At 12:13 o'clock p.m., upon motion by Senator Lee, seconded by Senator Nobriga, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:05 o'clock p.m., with the President in the Chair, and all Senators being present.

A communication from the House (H. Com. No. 5), returning Senate Concurrent Resolution No. 4, was read as follows:

(H. Com. No. 5)

The communication was received and placed on file.

A communication from Rev. Theodore E. Schultz (Mis. Com. No. 25), opposing the adoption of any bill which would legalize gambling in any form in the Territory of Hawaii, was read as follows:

(Mis. Com. No. 25)

The communication was received and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS:

The following bills were introduced and, upon motion by Senator Okino, seconded by Senator Nobriga, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senators Okino and Nobriga (S. B. No. 94), entitled: "An Act amending Section 7237 of the Revised Laws of Hawaii 1945, relating to liquor licenses for clubs";

By Senators Fernandes and Aguiar (S. B. No. 95), entitled: "An Act relating to overtime pay for per diem employees";

By Senator Capellas (S. B. No. 96), entitled: "An Act providing for a bureau of industrial hygiene in the Board of Health with powers relating to conditions and exposures affecting health which are associated with conditions of employment, atmospheric pollution, fumigation, ventilation, ionizing radiation, and other similar conditions";

By Senator Harrison ( S. B. No. 97), entitled: "An Act to repeal chapter 289 of the Revised Laws of Hawaii 1945, relating to the weight of bread";

By Senator Harrison (S. B.No. 98), entitled: "An Act to amend Section 2231 of the Revised Laws of Hawaii 1945, relating to the penalty for violating the Hawaii food drug and cosmetic Act";

By Senator Harrison (S. B. No. 99), entitled: "An Act to amend Section 2245 of the Revised Laws of Hawaii 1945, relating to the penalty for violating the provisions of Sections 2242, 2243 and 2244, Relating to the manufacture of poi";

By Senator Harrison (S. B. No. 100), entitled: "An Act amending the 'Territorial Public Health Statistics Act', enacted by Act 327 of the Session Laws of Hawaii 1949";

By Senator Lee (S. B. No. 101), entitled: "An Act to amend Section 4352 of the Revised Laws of Hawaii 1945, as amended, defining terms used in the Hawaii wage and hour law";

By Senator Duarte (S. B. No. 102), entitled: "An Act amending Chapter 102 of the Revised Laws of Hawaii 1945, as amended, relating to income taxes";

By Senators Okino and Nobriga (S. B. No. 103), entitled: "An Act making an appropriation for relocating and remodeling Waiakea-Kai Intermediate School, Hilo, Hawaii";

By Senators Aguiar and Fernandes (S. B. No. 104), entitled: "An Act relating to public lands; establishing boards of land appraisers and conferring powers and imposing duties upon said boards; conferring powers and imposing duties upon the commissioner of Public Lands of the Territory of Hawaii; and amending Chapter 78 of the Revised Laws of Hawaii 1945, as amended";

By Senator Duarte (S. B. No. 105), entitled: "An Act to amend Title 14 of the Revised Laws of Hawaii 1945, relating to taxation, by amending the rates of the general excise tax imposed by Chapter 101, by amending other laws in respect to rates, and by providing for the use by the counties of the additional revenues, thus made available, for school purposes";

By Senator Duarte (S. B. No. 106), entitled: "An Act to amend Sections 1801, 1802 and 1804 of the Revised Laws of Hawaii 1945, relating to school buildings";

By Senator Duarte (S. B. No. 107), entitled: "An Act making an appropriation for a park and playground on Molokai";

By Senators Duarte, Aguiar, Okino, Ansai, Fernandes, Nobriga and Crockett (S. B. No. 108), entitled: "An Act providing benefits and tax exemptions to residents of the Territory of Hawaii engaged in Korean hostilities, and to families and dependents thereof";

By Senators Crockett and Ansai (S. B. No. 109), entitled: "An Act relating to absentee voters; amending Section 227 of the Revised Laws of Hawaii 1945, as amended";

By Senator Dillingham (S. B. No. 110), entitled: "An Act to amend Chapter 235 of the Revised Laws of Hawaii 1945 relating to

inquests, coroners and coroner's physicians, and to amend Section 3123 of Chapter 60 of the Revised Laws of Hawaii 1945 relating to vital statistics, bureau of: births, deaths, marriages";

By Senator Dillingham (S. B. N. 111), entitled: "An Act to amend Chapter 320 of the Revised Laws of Hawaii 1945, as amended, relating to the National Guard and the unorganized militia of the Territory of Hawaii";

By Senator Dillingham (S. B. No. 112), entitled: "An Act relating to public lands, the proceeds therefrom, the development thereof, and the land development revolving fund, amending sections 4520, as amended, 4527, as amended, and 4524.02 of the Revised Laws of Hawaii 1945, and making an appropriation for the land development revolving fund.

By Senators Dillingham, Heen, Harrison, Lee, Robinson and Tsukiyama (S. B. No. 113), entitled: "An Act appropriating the sum of four hundred and ten thousand dollars ($410,000.00) from the general revenues of the Territory of Hawaii for construction of a bridge at the end of the proposed extension of University Avenue over and across the Ala Wai canal in Honolulu";

By Senators Dillingham, Harrison, Robinson and Heen (S. B. No. 114), entitled: "An Act providing for the payment by the Territory of Hawaii of the expense of removal, relocation, replacement and reconstruction of publicly owned utilities in territorial highways";

By Senators Dillingham and Robinson (S. B. No. 115), entitled: "An Act to amend Sections 6528 and 6575 of the Revised Laws of Hawaii 1945, relating to the appointment and removal of the public prosecutor and the city and county attorney of the City and County of Honolulu";

By Senator Dillingham (S. B. No. 116), entitled: "An Act amending Section 351 of Chapter 9 of the Revised Laws of Hawaii 1945, as amended, relating to the expenditure of public money";

By Senators Dillingham and Robinson (S. B. No. 117), entitled: "An Act appropriating the sum of two hundred and eighty thousand

dollars ($280,000.00) from the general revenues of the Territory of Hawaii for the construction of a bridge at McCully Street over and across the Ala Wai Canal in Honolulu";

By Senator Dillingham (S. B. No. 118), entitled: "An Act amending Chapter 127 of the Revised Laws of Hawaii 1945, as amended, relating to the city and county of Honolulu, by inserting therein a new section to be numbered 6590.01, authorizing the board of supervisors to make temporary transfers or loans of moneys in excess of the amounts necessary for immediate requirements to a bond loan fund; which fund is hereby created";

By Senator Dillingham (S. B. No. 119), entitled: "An Act to amend sub-section 43 of section 6521, Revised Laws of Hawaii 1945, relating to the powers of the board of supervisors with respect to flood control and drainage of storm waters".

Senator Duarte offered a Resolution (S. Res. No. 16), requesting heads of all territorial departments having branches or agents in the counties other than on Oahu to maintain such branches or agents at the respective county seats of such counties, which was read as follows:

(S. Res. No. 16)

Upon motion by Senator Duarte, seconded by Senator Fernandes, and carried, the Resolution was adopted.

Senator Tsukiyama, by request, offered a Resolution (S. Res. No. 17), requesting the Committee on Ways and Means to include in the appropriations bills for the biennial period beginning July 1, 1951, and ending June 30, 1953, sums adequate to continue and develop the work of the Bureau of Tuberculosis of the Depart-

ment of Health, which was read as follows:

(S. Res. No. 17)

The Resolution was referred to the Committee on Ways and Means.

Senator Tsukiyama, by request, offered a Resolution (S. Res. No. 18), requesting the Committee on Ways and Means to include in the appropriations bills for the biennial period beginning July 1, 1951, and ending June 30, 1953, the appropriations requested by the Department of Health of the Territory of Hawaii for the Bureau of Epidemiology and for laboratory for the diagnosis of communicable diseases, which was read as follows:

(S. Res. No. 18)

The Resolution was referred to the Committee on Ways and Means.

Senator Tsukiyama, by request, offered a Resolution (S. Res. No. 19), requesting the Committee on Ways and Means to include in the appropriations bills for the biennial period beginning July 1, 1951, and ending June 30, 1953, sums adequate to allow the Bureau of Cancer Control to function and to study the causes of and the effective control of cancer and heart disease, which was read as follows:

(S. Res. No. 19)

The Resolution was referred to the Committee on Ways and Means.

Senator Tsukiyama, by request, offered a Resolution (S. Res. No. 20), requesting the Committee on Ways and Means to

include in the appropriations bills for the biennial period beginning July 1, 1951, and ending June 30, 1953, sums adequate to continue and develop the work of the Territorial Planning Board, which was read as follows:

(S. Res. No. 20)

The Resolution was referred to the Committee on Ways and Means.

Senator Tsukiyama, by request, offered a Resolution (S. Res. No. 21), requesting the Committee on Ways and Means of the Senate to include in the biennial budget sufficient funds for the more effective enforcement of industrial safety regulations for the protection of the working man, which was read as follows:

(S. Res. No. 21)

The Resolution was referred to the Committee on Ways and Means.

Senator Tsukiyama, by request, offered a Resolution (S. Res. No. 22), requesting the Committee on Ways and Means of the Senate, and the Committee on Finance of the House, to include in the appropriation bills for the biennial period beginning July 1, 1951, and ending June 30, 1953, an appropriation sufficient to allow the creation and filling of an additional position in the Department of Public Instruction classified for civil service purposes as C.A.F.-10, which was read as follows:

(S. Res. No. 22)

The Resolution was referred to the Committee on Ways and Means.

Senator Ansai offered a Resolution (S. Res. No. 23), requesting the Board of Agriculture and Forestry to intensify its efforts to develop control measures for purulent mammitis a disease affecting heifer calves rendering them unfit for milk production, which was read as follows:

(S. Res. No. 23)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the Resolution was adopted.

Senator Duarte offered a Resolution (S. Res. No. 24), requesting the Maui county waterworks board to allow the fire department to open and test all fire hydrants, which was read as follows:

(S. Res. No. 24)

Upon motion by Senator Duarte, seconded by Senator Nobriga, and carried, the Resolution was adopted.

Senator Duarte offered a Resolution (S.Res. No. 25), requesting that the Maui county waterworks board maintain its office at Wailuku, which was read as follows:

(S. Res. No. 25)

Upon motion by Senator Ansai, seconded by Senator Crockett, and carried, the Resolution was referred to the Select Committee of Maui Senators.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 6), reporting on matters referred to it, which was read as follows:

(Stand.Com. Rep. No. 6)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 77, entitled: "An Act to ex-

empt the positions of law clerks to the Justices of the Supreme Court from the provisions of chapters 2 and 3 of the Revised Laws of Hawaii 1945, as amended, relating to civil service and classification":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 78, entitled: "An Act to exempt certain positions in the Department of Public Instruction from the provisions of chapter 3 of the Revised Laws of Hawaii 1945, as amended, relating to classification":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 79, entitled: "An Act to amend Section 4019 of the Revised Laws of Hawaii 1945, as amended, relating to the conveyance of mentally ill persons to the Territorial Hospital":

The bill was referred to the Committee on Public Health.

Second Reading of Senate Bill No. 80, entitled: "An Act to amend Act 63 (Ser. A-48) of the special session laws of Hawaii 1949, relating to the Hawaii Civilian Conservation Corps":

The bill was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Bill No. 81, entitled: "An Act to amend Section 550, Revised Laws of Hawaii 1945, relating to vacations of public officers and employees":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 82, entitled: "An Act amending chapter 15, Revised Laws of Hawaii 1945, relating to the Employees' Retirement System of the Territory of Hawaii":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 83, entitled: "An Act to amend Chapter 15 of the Revised Laws of Hawaii 1945, relating to the Employees' Retirement System of the Territory of Hawaii":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 84, entitled: "An Act relating to public officers and employees, and amending chapters 2, 3 and 11 of the Revised Laws of Hawaii 1945, as amended, concerning civil service, classification, compensation, qualifications and organizations of such personnel":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 85, entitled: "An Act providing an optional death benefit upon death of certain members of the Employees' Retirement System; amending paragraph 8 of Section 708 of the Revised Laws of Hawaii 1945, as amended":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 86, entitled: "An Act to repeal Act 393 of the Session Laws of Hawaii 1949, relating to motor vehicle safety responsibility":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 87, entitled: "An Act making an appropriation for Lanai High School, County of Maui":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 88, entitled: "An Act to authorize the Legislative Reference Bureau to make administrative studies and surveys for legislative use of all governmental departments and agencies, Territorial and County, and making an appropriation therefor":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 89, entitled: "An Act to amend Act 232, Session Laws of 1949, relating to the office hours and hours of work of officers and employees of the Territory of Hawaii, the several counties and the boards and commissions thereof":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 90, entitled: "An Act to remove the discrimination against women in the matter of jury service in the Territory of Hawaii":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No.91, entitled: "An Act relating to the operation of automobile parking spaces in the civic center area, City and County of Honolulu":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 92, entitled: "An Act relating to the Department of Public Welfare, and amending chapters 84 and 85, as amended, of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee of the Whole, with Senator Dillingham as Chairman, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Crockett, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino and Robinson. Total, 10.

Noes: Senators Ansai, Capellas, Dillingham, Hill and Mr. President. Total, 5.

A roll call on this assignment was demanded.

Second Reading of Senate Bill No. 93, entitled: "An Act to provide for the establishment, improvement, maintenance and upkeep of veterans' cemeteries":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Joint Resolution No. 8, entitled: "Joint Resolution memorializing the Congress of the United States to remove the discrimination against women in the matter of jury service in the Territory of Hawaii":

The Joint Resolution was referred to the Committee on Judiciary.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 7), recommending the passage of Senate Bill No. 35, which was read as follows:

(Stand. Com. Rep. No. 7)

Upon motion by Senator Hill, seconded by Senator Lee, and carried, the report, together with Senate Bill No. 35, was recommitted to the Committee on Ways and Means for further consideration.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 8), recommending the passage of Senate Joint Resolution No. 1, which was read as follows:

(Stand. Com. Rep. No. 8)

Upon motion by Senator Hill, seconded by Senator Lee, and carried, the report, together with Senate Joint Resolution No. 1, was recommitted to the Committee on Ways and Means for further consideration.

Senator Fernandes, for the Select Committee of Kauai Senators, presented a report (Spec. Com. Rep. No. 2), recommending the passage of Senate Bill No. 61, which was read as follows:

(Spec. Com. Rep. No. 2)

Upon motion by Senator Fernandes, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. Senate Bill No. 61 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Fernandes, for the Select Committee of Kauai Senators, presented a report (Spec. Com. Rep. No. 3), recommending the passage of Senate Bill No. 68, which was read as follows:

(Spec. Com. Rep. No. 3)

Upon motion by Senator Fernandes, seconded by Senator Duarte and carried, the report of the Committee was adopted. Senate Bill No. 68 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Fernandes, for the Select Committee of Kauai Senators, presented a report (Spec. Com. Rep. No. 4), recommending the passage of Senate Bill No. 63, which was read as follows:

(Spec. Com. Rep. No. 4)

Upon motion by Senator Fernandes, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. Senate Bill No. 63 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee of the Whole to which had been referred Senate Bill No. 1 entitled:"An Act to appropriate money for the expenses of the Legislature of the Territory of Hawaii and of any holdover committee or committees thereof for the periods herein specified", presented a report (Com. of the Whole Rep. No. 1), recommending the passage of said bill with certain amendments, which was read as follows:

(Com. of the Whole Rep. No. 1)

The report was received and placed on file, the oral report of the Committee having heretofore been adopted.

A communication from Senator Dillingham (Misc. Com. No. 26) submitting the names of his appointees as employees of the Committee on Enrollment, Revision and Printing, was read as follows:

(Misc. Com. No. 26)

The communication was received and referred to the Committee of the Whole, with Senator Capellas as Chairman, a copy thereof to be furnished the Committee on Accounts.

Consideration of Governor's Message No. 9, deferred from earlier in the day:

Senator Hill moved that action on the appointment of Ronald B. Jamieson, Conciliator, Hawaii Employment Relations Act, be deferred until tomorrow. Seconded by Senator Dillingham.

Senator Harrison moved that the motion to defer until tomorrow be tabled. Seconded by Senator Lee and carried.

Senator Heen thereupon moved that the appointment of Ronald B. Jamieson, Conciliator, Hawaii Employment Relations Act, be confirmed. Seconded by Senator Fernandes and carried, and the Clerk was instructed to so advise the Governor.

At 3:11 o'clock p. m., upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the Senate adjourned until 11 o'clock a. m., on Thursday, March 1, 1951.

Ellen D. Smythe
Clerk of the Senate

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

SEVENTH Day

THURSDAY, MARCH 1, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SEVENTH DAY

Thursday, March 1, 1951.

The Senate convened at 11:13 o'clock a.m., with the President in the Chair.

After Prayer by Chaplain Keala, the Roll was called showing all Senators present.

The Journal of the Sixth Day was read and approved.

A communication from the House (H. Com. No. 6), transmitting House Concurrent Resolution No. 3, was read as follows:

(H. Com. No. 6)
(H. Con. Res. No. 3)

The communication was received and placed on file.

Consideration of House Concurrent Resolution No. 3, requesting the Congress to admit Hawaii as a State:

Considerable discussion was indulged in as to whether or not this Concurrent Resolution should be amended in order that certified copies thereof may be transmitted to others than those mentioned therein.

Senator Hill thereupon stated that inasmuch as an amendment to said Concurrent Resolution was under consideration that he wished to offer the following amendment, and moved its adoption:

"In paragraph 8, line 3 of said Concurrent Resolution, delete the words 'without further delay' and insert a semi-colon after the word 'State'.

The motion was seconded by Senator Aguiar.

Thereupon further discussion was had upon the foregoing amendment, upon the conclusion of which, Senator Aguiar withdrew his second.

Senator Heen then moved that consideration of said Concurrent Resolution be deferred until tomorrow in order that he may submit a proper amendment thereto. Seconded by Senator Lee, and carried, and House Concurrent Resolution No. 3 was deferred until tomorrow for further consideration.

A communication from the House (H. Com. No. 7), returning Senate Joint Resolution No. 3, was read as follows:

(H. Com. No. 7)

The communication was received and placed on file.

A communication from the House (H. Com. No. 8), transmitting House Concurrent Resolution No. 8, was read as follows:

(H. Com. No. 8)
(H. Con. Res. No. 8)

The communication was received and placed on file.

Consideration of House Concurrent Resolution No. 8, requesting Congress to remove all racial restrictions on the privilege of naturalization for citizenship in the United States of America:

Upon motion by Senator Hill, seconded by Senator Lee, and carried, the Concurrent Resolution was adopted.

Senator Heen then moved that the Senate reconsider its action in adopting said Concurrent Resolution. Seconded by Senator Dillingham, and carried.

Senator Heen moved that consideration of House Concurrent Resolution No. 8 be deferred until tomorrow in order that he may submit an amendment thereto. Seconded by Senator Lee, and carried, and House Concurrent Resolution No. 8 was deferred until tomorrow for further consideration.

A communication from A. H. Griffing (Misc. Com. No. 27) opposing the introduction of any bill to introduce pari-mutuel betting on horse racing, was read as follows:

(Misc. Com. No. 27)

The communication was received and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS AND SENATE JOINT RESOLUTION:

The following bills and joint resolution were introduced and, upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senators Aguiar and Fernandes (S. B. No. 120), entitled: "An Act to amend Section 5404 of the Revised Laws of Hawaii 1945, as amended, relating to fuel taxes";

By senators Aguiar and Fernandes (S. B. No. 121), entitled: "An Act relating to the salaries of teachers and faculty members of the University of Hawaii, including supervising personnel, and making an appropriation therefor";

By Senators Lee, Heen and Dillingham (S. B. No. 122), entitled: "An Act repealing Section 8528 and amending Section 8531 of the Revised Laws of Hawaii 1945, so as to vest in the Territorial Fire Marshal exclusive responsibility for fire prevention";

By Senators Lee, Heen and Dillingham, (S. B. No. 123), entitled: "An Act transferring the position of 'Fire Prevention Inspector' and personnel thereof from the counties to the department of the Territorial Fire Marshal";

By Senators Ansai, Harrison and Crockett (S. B. No. 124), entitled: "An Act authorizing a legislative per diem pay rate for

the delegates to the 1950 Hawaii State Constitutional Convention and making an appropriation therefor";

By Senators Duarte, Ansai and Crockett (S. B. No. 125), entitled: "An Act providing for flood control and drainage at Kahului, Maui, and making an appropriation therefor";

By Senators Duarte, Aguiar and Fernandes (S. B. No. 126), entitled: "An Act relating to the Kalaupapa Settlement, appropriating funds for a road therein, and providing for the employment of patients upon projects within said Settlement";

By Senators Duarte, Aguiar and Fernandes (S. B. No. 127), entitled: "An Act relating to the civil service and providing for leaves of absence to run for election to political office";

By Senators Duarte, Aguiar and Fernandes (S. B. No. 128), entitled: "An Act permitting officers and employees in the civil service of the Territory or its political subdivisions to participate in limited political activities";

By Senator Crockett (S. B. No. 129), entitled: "An Act to amend Section 9501 of the Revised Laws of Hawaii 1945, relating to appeals to territorial circuit courts";

By Senators Ansai and Crockett, by request, (S. B. No. 130), entitled: "An Act to amend chapter 101 of the Revised Laws of Hawaii 1945, relating to the rates of general excise tax by amending section 5455";

By Senators Ansai and Crockett (S. J. Res. No. 9), entitled: "Joint Resolution providing for the improvement of the water supply system at Kihei, Maui, and making an appropriation therefor by way of advancement from the general fund of the Territory to be repaid out of the proceeds of sales of public lands";

Senators Aguiar and Fernandes offered a Resolution (S. Res. No. 26), requesting the Commissioner of Public Lands to acquire by exchange, ten acres, more or less, of land situate in Lihue, Kauai, for the Kauai Civic Center site, which was read as follows:

(S. Res. No. 26)

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the Resolution was adopted.

Senators Nobriga, Robinson and Crockett offered a Resolution (S. Res. No. 27), expressing the thanks of the Senate to Mr. Robert Belt, Superintendent of Public Works and to the employees of that department, which was read as follows:

(S. Res. No. 27)

Upon motion by Senator Nobriga, seconded by Senator Robinson, and carried, the Resolution was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 9), reporting on matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 9)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 94, entitled: "An Act amending Section 7237 of the Revised Laws of Hawaii 1945, relating to liquor licenses for clubs":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 95, entitled: "An Act relating to overtime pay for per diem employees":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 96, entitled: "An Act providing for a Bureau of Industrial Hygiene in the Board of Health with powers relating to conditions and exposures affecting health which are associated with conditions of employment, atmospheric pollution, fumigation, ventilation, ionizing radiation, and other similar conditions":

The bill was referred to the Committee on Public Health.

Second Reading of Senate Bill No. 97, entitled: "An Act to repeal Chapter 289 of the Revised Laws of Hawaii 1945, relating to the weight of bread":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 98, entitled: "An Act to amend Section 2231 of the Revised Laws of Hawaii 1945, relating to the penalty for violating the Hawaii food, drug and cosmetic Act":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 99, entitled: "An Act to amend Section 2245 of the Revised Laws of Hawaii 1945, relating to the penalty for violating the provisions of Sections 2242, 2243 and 2244, relating to the manufacture of poi":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 100, entitled: "An Act amending the 'Territorial Public Health Statistics Act', enacted by Act 327 of the Session Laws of Hawaii 1949":

The bill was referred to the Committee on Public Health.

Second Reading of Senate Bill No. 101, entitled: "An Act to amend Section 4352 of the Revised Laws of Hawaii 1945, as amended, defining terms used in the Hawaii Wage and Hour Law":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 102, entitled: "An Act amending Chapter 102 of the Revised Laws of Hawaii 1945, as amended, relating to income taxes":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 103, entitled: "An Act making an appropriation for relocating and remodeling Waiakea-kai Intermediate School, Hilo, Hawaii":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 104, entitled: "An Act relating to public lands; establishing boards of land appraisers and conferring powers and imposing duties upon said boards; conferring powers and imposing duties upon the commissioner of public lands of the Territory of Hawaii; and amending chapter 78 of the Revised Laws of Hawaii 1945, as amended":

The bill was referred to the Committee on Public Lands.

Second Reading of Senate Bill No. 105, entitled: "An Act to amend Title 14 of the Revised Laws of Hawaii 1945, relating to taxation, by amending the rates of the general excise tax imposed by Chapter 101, by amending other laws in respect to rates, and by providing for the use by the counties of the additional revenues, thus made available, for school purposes":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 106, entitled: "An Act to amend Sections 1801, 1802, and 1804 of the Revised Laws of Hawaii 1945, relating to school buildings":

The bill was referred to the Committee on Education.

Second Reading of Senate Bill No. 107, entitled: "An Act making an appropriation for a park and playground on Molokai":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 108, entitled: "An Act providing benefits and tax exemptions to residents of the Territory of Hawaii engaged in Korean hostilities, and to families and dependents thereof":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 109, entitled: "An Act relating to absentee voters; amending Section 227 of the Revised Laws of Hawaii 1945, as amended":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 110, entitled: "An Act to amend Chapter 235 of the Revised Laws of Hawaii 1945 relating to inquests, coroners and coroner's physicians, and to amend Section 3123 of Chapter 60 of the Revised Laws of Hawaii 1945 relating to vital statistics, bureau of: births, deaths, marriages":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 111, entitled: "An Act to amend Chapter 320 of the Revised Laws of Hawaii 1945, as amended, relating to the National Guard and the unorganized militia of the Territory of Hawaii":

The bill was referred to the Committee on Military.

Second Reading of Senate Bill No. 112, entitled: "An Act relating to public lands, the proceeds therefrom, the development thereof, and the land development revolving fund, amending Sections 4520, as amended, 4527, as amended, and 4524.02 of the Revised Laws of Hawaii 1945, and making an appropriation for the land development revolving fund":

The bill was referred to the Committee on Public Lands.

Second Reading of Senate Bill No. 113, entitled: "An Act appropriating the sum of four hundred and ten thousand dollars ($410,000.00) from the general revenues of the Territory of Hawaii for construction of a bridge at the end of the proposed extension of University Avenue over and across the Ala Wai Canal in Honolulu":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 114, entitled: "An Act providing for the payment by the Territory of Hawaii of the expense of removal, relocation, replacement and reconstruction of publicly owned utilities in territorial highways":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 115, entitled: "An Act to amend Sections 6528 and 6575 of the Revised Laws of Hawaii 1945, relating to the appointment and removal of the public prosecutor and the city and county attorney of the city and county of Honolulu":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 116, entitled: "An Act amending Section 351 of Chapter 9 of the Revised Laws of Hawaii 1945, as amended, relating to the expenditure of public money":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 117, entitled: "An Act appropriating the sum of two hundred and eighty thousand dollars ($280,000.00) from the general revenues of the Territory of Hawaii

for the construction of a bridge at McCully Street over and across the Ala Wai Canal in Honolulu":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 118, entitled: "An Act amending Chapter 127 of the Revised Laws of Hawaii 1945, as amended, relating to the City and County of Honolulu, by inserting therein a new section to be numbered 6590.01, authorising the board of supervisors to make temporary transfers or loans of moneys in excess of the amounts necessary for immediate requirements to a bond loan fund; which fund is hereby created":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 119, entitled: "An Act to amend subsection 43 of section 6521, Revised Laws of Hawaii 1945, relating to the powers of the board of supervisors with respect to flood control and drainage of storm waters":

The bill was referred to the Select Committee of Oahu Senators.

THIRD READINGS:

Third Reading of Senate Bill No. 61, entitled: "An Act amending Sections 6420 and 6423 of the Revised Laws of Hawaii 1945, relating to the county of Kauai; and providing for the appointment, employment, suspension and removal of the deputies, assistants and employees of the department of public works and of the Kauai waterworks bureau of the said county":

Upon motion by Senator Fernandes, seconded by Senator Aguiar, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 63, entitled: "An Act relating to the amount to be raised annually from real property taxes in and for the county of Kauai":

Senator Aguiar moved that the bill pass Third Reading. Seconded by Senator Fernandes.

Senator Lee moved that action on said Bill be deferred until tomorrow. Seconded by Senator Okino, and carried, and action on said Bill on Third Reading was deferred until tomorrow.

Third Reading of Senate Bill No. 68, entitled: "An Act to amend Act 401 (Ser. E-325), Session Laws of Hawaii 1949, relating to appropriations for public improvements and providing for the issuance of public improvement bonds":

Upon motion by Senator Fernandes, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At 12:16 o'clock p. m., upon motion by Senator Heen, seconded by Senator Lee, and carried, the Senate adjourned until 10:30 o'clock a. m., on Friday, March 2, 1951.

Ellen D. Smyth
Clerk of the Senate

Approved:

Wilfred K. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

EIGHTH Day

FRIDAY, MARCH 2, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

EIGHTH DAY

Friday, March 2, 1951.

The Senate convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Chaplain, after which the Roll was called showing all Senators present.

The Journal of the Seventh Day was read and approved.

A communication from the Secretary of Hawaii (Dept. Com. No. 24), informing the Senate that the Governor had signed Senate Joint Resolution No. 3, as Joint Resolution 1, was read as follows:

(Dept. Com. No. 24)

The communication was received and placed on file.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 10) reporting on matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 10)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 120, entitled: "An Act to amend Section 5404 of the Revised Laws of Hawaii 1945, as amended, relating to fuel taxes":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 121, entitled: "An Act relating to the salaries of teachers and faculty members of the University of Hawaii, including supervising personnel, and making an appropriation therefor":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 122, entitled: "An Act repealing Section 8528 and amending Section 8531 of the Revised Laws of Hawaii 1945, so as to vest in the Territorial Fire Marshal exclusive responsibility for fire prevention":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 123, entitled: "An Act transferring the position of 'Fire Prevention Inspector' and personnel thereof from the counties to the department of the Territorial Fire Marshal":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 124, entitled: "An Act authorizing a legislative per diem pay rate for the delegates to the 1950 Hawaii State Constitutional Convention and making an appropriation therefor":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 125, entitled: "An Act providing for flood control and drainage at Kahului, Maui, and making an appropriation therefor":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 126, entitled: "An Act relating to the Kalaupapa Settlement, appropriating funds for a road therein, and providing for the employment of patients

upon projects within said Settlement":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 127, entitled: "An Act relating to the civil service and providing for leaves of absence to run for election to political office":

The bill was referred to theCommittee on Judiciary.

Second Reading of Senate Bill No. 128, entitled: "An Act permitting officers and employees in the civil service of the Territory or its political subdivisions to participate in limited political activities":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 129, entitled: "An Act to amend Section 9501 of the Revised Laws of Hawaii 1945, relating to appeals to territorial circuit courts":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 130, entitled: "An Act to amend Chapter 101 of the Revised Laws of Hawaii 1945, relating to the rates of general excise tax by amending Section 5455":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Joint Resolution No. 9, entitled: "Joint Resolution providing for the improvement of the water supply system at Kihei, Maui, and making an appropriation therefor by way of advancement from the general fund of the Territory to be repaid out of the proceeds of sales of public lands":

The bill was referred to the Select Committee of Maui Senators.

Consideration of House Concurrent Resolution No. 3, requesting the Congress to admit Hawaii as a State, deferred from March 1, 1951:

Senator Aguiar moved that further consideration of the Concurrent Resolution be deferred until Tuesday, March 6. Seconded by Senator Dillingham, and carried, and action thereon was deferred until Tuesday, March 6.

Consideration of House Concurrent Resolution No. 8, requesting Congress to remove all racial restrictions on the privilege of naturalization for citizenship in the United States of America, deferred from March 1, 1951:

Senator Aguiar moved that further consideration of the Concurrent Resolution be deferred until Tuesday, March 6. Seconded by Senator Lee, and carried, and action thereon was deferred until Tuesday, March 6.

Third Reading of Senate Bill No. 63, entitled: "An Act relating to the amount to be raised annually from real property taxes in and for the County of Kauai", deferred from March 1.

Senator Hill moved that this bill be re-referred to the Committee on Ways and Means. Seconded by Senator Ansai, and carried.

Senators Ansai, Crockett and Dillingham, by request, introduced a bill (S. B. No. 131), entitled: "An Act to provide for the payment of a bonus to Hawaii veterans of World War II, making an appropriation therefor, authorizing a bond issue, and providing for the repayment thereof from liquor and tobacco taxes and other sources".

Upon motion by Senator Ansai, seconded by Senator Crockett,

and carried, the bill passed First Reading by title and was referred to the Printing Committee.

Senators Heen, Lee, Dillingham, Robinson, Tsukiyama and Harrison introduced a bill (S.B. No. 132), entitled: "An Act relating to the Ala Wai Golf Course at Honolulu; transferring the management, operation and maintenance of and the appropriation for and the personnel employed at the said Ala Wai Golf Course from the Fair Commission of Hawaii to the City and County of Honolulu".

Upon motion by Senator Heen, seconded by Senator Lee, and carried, the bill passed First Reading by title and was referred to the Printing Committee.

Senator Duarte introduced a bill (S.B. No. 133), entitled: "An Act making an appropriation for a park at Makawao, Maui".

Upon motion by Senator Duarte, seconded by Senator Aguiar, and carried, the bill passed First Reading by title and was referred to the Printing Committee.

Senators Ansai, Robinson, Lee, Aguiar and Nobriga, as members of the Committee on Agriculture, Forestry and Conservation, offered a Concurrent Resolution (S. Con. Res. No. 5), memorializing the Secretary of the Interior to recommend legislation to the Congress of the United States for continuing investigations relating to the conservation, development and utilization of the water resources of the Territory of Hawaii, which was read as follows:

(S. Con. Res. No. 5)

Upon motion by Senator Ansai, seconded by Senator Capellas, and carried, the Concurrent Resolution was adopted.

Senators Ansai, Robinson, Lee, Aguiar and Nobriga, as members of the Committee on Agriculture, Forestry and Conservation, offered a Concurrent Resolution (S. Con. Res. No. 6) memorializing the Congress of the United States of America to authorize the department of the Interior to make continuing investigations relating to the conservation, development and utilization of the water resources

of the Territory of Hawaii and to provide funds therefor for the fiscal year ending June 30, 1952, which was read as follows:

(S. Con. Res. No. 6)

Upon motion by Senator Ansai, seconded by Senator Aguiar, and carried, the Concurrent Resolution was adopted.

Senator Dillingham introduced a bill (S.B.No. 134), entitled: "An Act to amend Section 4701 of the Revised Laws of Hawaii 1945, as amended, relating to the jurisdiction of the public utilities commission".

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the bill passed First Reading by title and was referred to the Printing Committee.

Senators Nobriga, Crockett and Robinson introduced a joint resolution (S.J.Res. No. 10), entitled: "Joint Resolution suspending the laws and ordinances relating to the construction and maintenance of certain structures within Iolani Palace grounds".

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the joint resolution passed First Reading by title and was referred to the Printing Committee.

Senator Hill, for the Committee on Ways and Means, to which was re-referred Senate Bill No. 35, together with Standing Committee Report No. 7, presented a supplemental report (Stand. Com. Rep. No. 11), recommending the passage of said bill, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 11)

Upon motion by Senator Hill, seconded by Senator Heen, and carried, the report of the Committee was adopted. Senate Bill No. 35, as amended, passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, and Standing Committee Report No. 7 was placed on file.

Senator Hill, for the Committee on Ways and Means, to which was re-referred Senate Joint Resolution No. 1, together with Standing Committee Report No. 8, presented a supplemental report (Stand. Com. Rep. No. 12), recommending the passage of said joint resolution, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 12)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 1, as amended, passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, and Standing Committee Report No. 8 was placed on file.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 13), recommending that Senate Bill No. 2 be referred to the Committee on Ways and Means inasmuch as said bill requires an appropriation, which was read as follows:

(Stand. Com. Rep. No. 13)

Upon motion by Senator Ansai, seconded by Senator Aguiar, and carried, the report of the Committee was adopted, and said bill and report were referred to the Committee on Ways and Means.

The Chair called attention to an error in printing in Rule 47, appearing on page 2045 of the Journal of the Regular Session of 1949, where the word "once" should be corrected to read "twice", and asked that the Senators make a note of this error. Senator Heen stated that there was some question in his mind as to the correctness of this rule; that in his opinion, the word "once" was correct. Senator Heen also called attention to Rule 74 which was incorporated in the rules with a note providing that said rule shall remain in effect until the end of the Twenty-Fifth Legislature.

Senator Crockett suggested that Rule 75 might be amended to

include another heading entitled "Announcements", to give the Chairmen of Committees an opportunity to make proper announcements of committee meetings.

Following some discussion, Senator Dillingham moved that the Senate Rules be referred to the Committee on Rules for the purpose of revising or making formal amendments thereto. Seconded by Senator Okino, and carried.

Senator Heen, for the Committee appointed to select the location of the photographs covered in Senate Resolution No. 14, inquired as to whether or not there was a picture of President Truman available. The Chair announced that the Governor has already wired to Washington for President Truman's picture and that the same will no doubt arrive in due time.

The President stated that the Speaker of the House had advised him that the members of the House were planning a trip to the outside islands and had extended an invitation to the members of the Senate to join with the House members on said trip.

Thereupon Senator Lee moved that the Senate resolve itself into a Committee of the Whole, in Executive Session, for the consideration of this matter. Seconded by Senator Fernandes, and carried, and at 11:37 o'clock a. m., the Senate resolved itself into a Committee of the Whole, in Executive Session, for the above purpose.

At 12:16 o'clock p. m., the Executive Session being ended, the Senate reconvened.

Senator Hill, for the Committee of the Whole, reported orally on the matter under discussion, - the proposed visit to the outside islands for the purpose of investigating and looking into the various projects needed and conferring with the people as to their wishes, that the members of the Senate have agreed that a trip will be made by the entire Senate

leaving on March 14, upon the adjournment of the session of that day, March 14 and 15, to be spent on the Island of Maui, and March 16 and 17, to be spent on the Island of Hawaii, the details of the trip to be arranged by the President and the Members from the outside islands. Senator Hill moved that the report be adopted. Seconded by Senator Duarte, and carried.

The following bills and joint resolutions were introduced and, upon motion by Senator Nobriga, seconded by Senator Okino, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senators Nobriga, Okino and Duarte (S. B. No. 135), entitled: "An Act providing for county water supply systems, making an appropriation and providing for the issuance of bonds therefor, amending Chapters 122, 124, 125 and 132 of the Revised Laws of Hawaii 1945";

By Senator Nobriga (S. B. No. 136), entitled: "An Act to amend Chapter 121.01 of the Revised Laws of Hawaii 1945, as enacted by Act 379 of the Session Laws of Hawaii 1949 (Series B-175), by amending Sections 6195.03, 6195.04, 6195.05 and 6195.24 thereof relating to urban redevelopment;authorizing boards of supervisors of counties to prepare master plans for the county when the board has not been authorized to establish a planning commission; authorizing redevelopment agencies to acquire undeveloped, vacant areas in connection with the redevelopment of blighted areas, exercise the power of eminent domain, issue bonds and other obligations, and give security therefor, and enter into agreements to secure financial aid or contributions and comply with conditions imposed in connection therewith; and authorizing counties to issue and sell bonds for purpose of donating funds to a redevelopment agency";

By Senator Nobriga (S. B. No. 137) entitled: "An Act creating a 'Houselot Development Aid Program' extending certain territorial assistance to developers of new houselot subdivisions, giving certain duties related thereto to the Commissioner of Public Lands, and authorizing an appropriation for such purposes";

By Senator Nobriga (S. B. No. 138), entitled: "An Act establishing a Hawaii land settlement authority and making an appropriation therefor";

By Senator Nobriga (S. B. No. 139), entitled: "An Act amending Chapter 93 of the Revised Laws of Hawaii 1945 to create a Hawaii resources development council and making an appropriation therefor, amending Titles 17 and 18 of the Revised Laws of Hawaii 1945 to provide for county planning agencies";

By Senator Nobriga (S. B. No. 140), entitled: "An Act providing for reduction of taxes on improved agricultural land, amending Chapter 94 of the Revised Laws of Hawaii 1945 by adding a new section 5148.01";

By Senator Nobriga (S. J. Res. No. 11), entitled: "Joint Resolution requesting Congress of the United States of America to amend the Hawaiian Organic Act to permit sale of lands to farmers qualified for Bankhead-Jones Act loans";

By Senator Nobriga (S. J. Res. No. 12), entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to grant purchase options to certain lessees";

By Senator Nobriga (S. J. Res. No. 13), entitled: "Joint Resolution requesting Congress of the United States of America

to amend Section 73 of the Hawaiian Organic Act to grant purchase options to certain homesteaders";

By Senator Nobriga (S. J. Res. No. 14), entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to permit sale of lands to qualified farmers";

By Senators Nobriga, Okino and Duarte (S. J.Res. No. 15), entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to the Commissioner of Public Lands"; and

By Senators Nobriga, Okino and Duarte (S. J. Res. No. 16), entitled: "Joint Resolution requesting the Congress of the United States of America to amend the Act entitled: 'An Act to provide a government for the Territory of Hawaii', approved April 30, 1900, as amended, known as the Hawaiian Organic Act, by amending Section 73 thereof".

The following Concurrent Resolutions were offered, and upon motion by Senator Nobriga, seconded by Senator Okino, and carried, were referred to the Printing Committee:

By Senators Nobriga, Okino and Duarte (S. Con. Res. No. 7), entitled: "Concurrent Resolution requesting the Governor and the Land Commissioner of the Territory to establish a policy for the sale in fee simple of all territorial lands, except certain areas required for public purposes";

By Senators Nobriga, Okino and Duarte (S. Con. Res. No. 8), entitled: "Concurrent Resolution requesting Commissioner of Public Lands to set aside portions of new public homesite subdivisions for war veterans";

By Senators Nobriga, Okino and Duarte (S. Con. Res. No. 9), entitled: "Concurrent Resolution requesting Commissioner of Public Lands to retain right to use water in agreements permitting transmission of water across public lands";

By Senators Nobriga, Okino and Duarte (S. Con. Res. No. 10), entitled: "Concurrent Resolution requesting Land Commissioner to require posting of surety bond for payment of rent on public leases"; and

By Senators Nobriga, Okino and Duarte (S. Con. Res. No. 11) entitled: "Concurrent Resolution requesting Land Commissioner to develop program whereby lessees of public lands may be forgiven part of rent upon completion of improvements thereto".

A communication from the House (H. Com. No. 9), returning Senate Bill No. 30, was read as follows:

(H. Com. No. 9)

The communication was received and placed on file.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 14), recommending that Senate Concurrent Resolution No. 3 be placed on file, which was read as follows:

(Stand. Com. Rep. No. 14)

Upon motion by Senator Nobriga, seconded by Senator Capellas, and carried, the report of the Committee was adopted, and Senate Concurrent Resolution No. 3 was placed on file.

At 12:22 o'clock p.m., upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Senate adjourned until 11:00 o'clock a. m., on Monday, March 5, 1951.

Ellen D. Smythe
Clerk of the Senate

APPROVED:

Wilfred C. Tsukiyama
President of the Senate

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

NINTH Day

SATURDAY, MARCH 3, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

NINTH DAY

Saturday, March 3, 1951.

N O  S E S S I O N

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred K. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

TENTH Day

MONDAY, MARCH 5, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

TENTH DAY

Monday, March 5, 1951.

The Senate convened at 11:12 o'clock a.m., with President Tsukiyama presiding.

After Prayer by Chaplain Keala, the Roll was called showing all Senators present with the exception of Senator Aguiar, excused.

The President announced that he had read and approved the Journal of the Eighth and Ninth Days.

A Message from the Governor (Gov. Message No. 10), presenting a colored portrait of the President of the United States, Harry S. Truman, for hanging in the Senate Chamber, which portrait he had obtained from the Democratic National Committee, was read as follows:

(Gov. Message No. 10)

The Message was received and placed on file; and the President instructed the Sergeant-at-Arms to formally present this portrait to Senator Heen, Chairman of the Special Committee he had appointed to select the proper space on the Senate Chamber walls to hang this portrait. The presentation was thereupon made to Senator Heen.

A communication from the House (H. Com. No. 10), transmitting House Concurrent Resolution No. 25, was read as follows:

(H. Com. No. 10)
(H. Con. Res. No. 25)

The communication was received and placed on file.

Consideration of House Concurrent Resolution No. 25, "Requesting the Congress of the United States of America to enact Legislation Providing Financial Assistance to the Territory of Hawaii for the Segregation, Care, Maintenance and Treatment of Persons Afflicted or Suspected of Being Afflicted with Hansen's Disease":

The Concurrent Resolution was referred to the Committee on Public Health.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

President Tsukiyama asked if the Members had any objection to reading all the Bills for introduction by title and then having one motion made to pass them all on First Reading and refer them to the Printing Committee?

Upon motion by Senator Lee, seconded by Senator Duarte, and carried, this practice is to be followed throughout the Session.

The following bills and joint resolutions were introduced and, upon motion by Senator Heen, seconded by Senator Duarte, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senators Crockett and Ansai (S. B. No. 141), entitled: "An Act relating to beneficiaries of the Retirement System provided by chapter 15 of the Revised Laws of Hawaii 1945, as amended";

By Senators Crockett and Ansai (S. B. No. 142), entitled: "An Act relating to bonds from guardians; amending Section 12503 of the Revised Laws of Hawaii 1945";

By Senator Duarte (S. B. No. 143), entitled: "An Act making an appropriation for the construction of a bridge and approaches at the base of Iao Valley, at Papohaku, Maui";

By Senators Duarte and Capellas (S. B. No. 144), entitled: "An Act repealing Act 342 of the Session Laws of Hawaii 1945 authorizing the several counties to incur obligations in excess of available county funds and to borrow excess territorial monies to pay such obligations, and cancelling any indebtedness arising from loans made under the provisions of such Act";

By Senators Duarte and Fernandes (S. B. No. 145), entitled: "An Act making an appropriation for the acquisition of areas in and adjacent to the stream or river beds of the Iao stream and the Hanapepe and Waimea rivers, and other streams and rivers of the Territory, required for flood control projects";

By Senator Nobriga (S. B. No. 146), entitled: "An Act to amend Section 1167 of the Revised Laws of Hawaii 1945, relating to ownership of game running wild";

By Senator Nobriga, (S. B. No. 147), entitled: "An Act to make an appropriation to pay the claim of John S. Medeiros";

By Senator Nobriga (S. B. No. 148), entitled: "An Act to amend Section 7233 of the Revised Laws of Hawaii 1945, relating to liquor license fees";

By Senators Nobriga and Okino (S. B. No. 149), entitled: "An Act making an appropriation for the promotion of high school athletics";

By Senators Nobriga and Okino (S. B. No. 150), entitled: "An Act to amend Section 1079 of the Revised Laws of Hawaii 1945, relating to bovine tuberculosis";

By Senators Duarte and Capellas (S. J. Res. No. 17), entitled: "Joint Resolution requiring the heads of territorial departments to provide adequate shelter for territorial motor vehicles when not in use".

Senators Duarte and Okino offered a Concurrent Resolution (S. Con. Res. No. 12), "requesting the continuance of the office of Veterans Administration in Wailuku, Maui", which was read as follows:

(S. Con. Res. No. 12)

Upon motion by Senator Ansai, seconded by Senator Dillingham, and carried, the Concurrent Resolution was ordered printed, and thereafter referred to the Committee on Military.

Senator Duarte offered a Resolution (S. Res. No. 28), requesting the Board of Supervisors of the County of Maui to repair Iao Road at Black Gorge, which was read as follows:

(S. Res. No. 28)

Upon motion by Senator Duarte, seconded by Senator Ansai, and carried, the Resolution was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 15), reporting on the mimeographing of matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 15)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 131, entitled: "An Act to provide for the payment of a bonus to Hawaii veterans of World War II, making an appropriation therefor, authorizing a bond issue, and providing for the repayment thereof from liquor and tobacco taxes and other sources":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 132, entitled: "An Act relating to the Ala Wai Golf Course at Honolulu; transferring the management, operation and maintenance of and the appropriation for and the personnel employed at the said Ala Wai Golf Course from the Fair Commission of Hawaii to the City and County of Honolulu":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 133, entitled: "An Act making appropriation for a park at Makawao, Maui":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 134, entitled: "An Act to amend Section 4701 of the Revised Laws of Hawaii 1945, as amended, relating to the jurisdiction of the public utilities commission":

The bill was refefred to the Committee on Judiciary.

Second Reading of Senate Bill No. 135, entitled: "An Act providing for county water supply systems, making an appropriation and providing for the issuance of bonds therefor, amending Chapters 122, 124, 125 and 132 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 136, entitled: "An Act to amend Chapter 121.01 of the Revised Laws of Hawaii 1945, as enacted by Act 379 of the Session Laws of Hawaii 1949 (Series B-175), by amending Sections 6195.03, 6195.04, 6195.05 and 6195.24 thereof relating to urban redevelopment; authorizing boards of supervisors of counties to prepare master plans for the county when the board has not been authorized to establish

a planning commission; authorizing redevelopment agencies to acquire undeveloped, vacant areas in connection with the redevelopment of blighted areas, exercise the power of eminent domain, issue bonds and other obligations, and give security therefor, and enter into agreements to secure financial aid or contributions and comply with conditions imposed in connection therewith; and authorizing counties to issue and sell bonds for purpose of donating funds to a redevelopment agency":

The bill was referred to the Committee on Public Lands.

Second Reading of Senate Bill No. 137, entitled: "An Act creating a 'Houselot Development Aid Program' extending certain territorial assistance to developers of new houselot subdivisions, giving certain duties related thereto to the Commissioner of Public Lands, and authorizing an appropriation for such purposes":

The bill was referred to the Committee on Public Lands.

Second Reading of Senate Bill No. 138, entitled: "An Act establishing a Hawaii land settlement authority and making an appropriation therefor":

The bill was referred to the Committee on Public Lands.

Second Reading of Senate Bill No. 139, entitled: "An Act amending Chapter 93 of the Revised Laws of Hawaii 1945 to create a Hawaii Resources Development Council and making an appropriation therefor, amending Titles 17 and 18 of the Revised Laws of Hawaii 1945 to provide for county planning agencies":

The bill was referred to the Committee on Public Lands.

Second Reading of Senate Bill No. 140, entitled: "An Act providing for reduction of taxes on improved agricultural land, amending Chapter 94 of the Revised Laws of Hawaii 1945 by adding a new section 5148.01":

The bill was referred to the Committee on Public Lands.

Second Reading of Senate Joint Resolution No. 10, entitled: "Joint Resolution suspending the laws and ordinances relating to the construction and maintenance of certain structures within Iolani Palace grounds":

The joint resolution was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Joint Resolution No. 11, entitled: "Joint Resolution requesting Congress of the United States of America to amend the Hawaiian Organic Act to permit sale of lands to farmers qualified for Bankhead-Jones Act loans":

The joint resolution was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Joint Resolution No. 12, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to grant purchase options to certain lessees":

The joint resolution was referred to the Committee on Public Lands.

Second Reading of Senate Joint Resolution No. 13, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to grant purchase options to certain homesteaders";

The joint resolution was referred to the Committee on Public Lands.

Second Reading of Senate Joint Resolution No. 14, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to permit sale of lands to qualified farmers":

The joint resolution was referred to the Committee on Public Lands.

Second Reading of Senate Joint Resolution No. 15, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to the Commissioner of Public Lands":

The joint resolution was referred to the Committee on Public Lands.

Second Reading of Senate Joint Resolution No. 16, entitled: "Joint Resolution requesting the Congress of the United States of America to amend the Act entitled: 'An Act to provide a government for the Territory of Hawaii', approved April 30, 1900, as amended, known as the Hawaiian Organic Act, by amending Section 73 thereof":

The joint resolution was referred to the Committee on Public Lands.

Consideration of Senate Concurrent Resolution No. 7, "requesting the Governor and the Land Commissioner of the Territory to establish a policy for the sale in fee simple of all territorial lands, except certain areas required for public purposes":

The Concurrent Resolution was referred to the Committee on Public Lands.

Consideration of Senate Concurrent Resolution No. 8, "requesting Commissioner of Public Lands to set aside portions of new public homesite subdivisions for war veterans":

The Concurrent Resolution was referred to the Committee on Public Lands.

Consideration of Senate Concurrent Resolution No. 9, "Requesting Commissioner of Public Lands to retain right to use water in agreements permitting transmission of water across public lands":

The Concurrent Resolution was referred to the Committee on Public Lands.

Consideration of Senate Concurrent Resolution No. 10, "requesting Land Commissioner to require posting of surety bond for payment of rent on public leases":

The Concurrent Resolution was referred to the Committee on Public Lands.

Consideration of Senate Concurrent Resolution No. 11, "requesting Land Commissioner to develop program whereby lessees of public lands may be forgiven part of rent upon completion of improvements thereto":

The Concurrent Resolution was referred to the Committee on Public Lands.

THIRD READINGS:

Third Reading of Senate Bill No. 35, entitled: "An Act amending Chapter 118, Revised Laws of Hawaii 1945, as amended, relating to revenue bonds":

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of Senate Joint Resolution No. 1, entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm Act ___ of the Session Laws of Hawaii 1951, amending Chapter 118, Revised Laws of Hawaii 1945, relating to revenue bonds":

Upon motion by Senator Lee, seconded by Senator Fernandes, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

A communication from the Vice Chairman of the Legislative Committee of the Board of Supervisors, City and County of Honolulu (Dept. Com. No. 25), transmitting complete sets of 13 proposed bills for introduction into the Senate, was read as follows:

(Dept. Com. No. 25)

The communication and bills were received and referred to the Select Committee of Oahu Senators.

The President, at this time, advised the Senate that he had received a call from the Chairman of the Board of Supervisors of the County of Maui, expressing the sentiment which he thought was shared in by the other islands, that the people, particularly, the governmental departments in the County of Maui, felt that separate trips by the members of the House of Representatives and the Senate to the outside islands would create a great deal of confusion and unnecessary gatherings on the outside islands. The House members would leave this coming Wednesday, March 7th, and the Senate expected to go the following week. Mr. Tam had informed the President that they were planning on certain public hearings on the Island of Maui and these would have to be duplicated if the Senate made the trip the following week. He had informed Mr. Tam that he would bring this matter

to the attention of the Senate and ascertain if the members wished to adhere to their original schedule or reconsider its action in this regard; and therefor he wished to submit this subject matter to them for their consideration.

Upon motion by Senator Dillingham, seconded by Senator Okino, and carried, the Senate resolved itself into a Committee of the Whole at 11:25 o'clock a.m., with the President as Chairman, for the consideration of the subject matter presented to the Senate by the President relating to the scheduled trip of the Members to the outside islands.

At 12:00 o'clock noon, the Committee rose and the Senate reconvened.

Senator Dillingham, for the Committee of the Whole, orally reported that the Senate had decided to make its trip to the outside islands independent of the House of Representatives and proceed with the schedule previously set, - leaving Honolulu on Wednesday afternoon, March 14th; spending two days on Maui and two days on Hawaii, and returning to Honolulu on the afternoon of March 18th; and in the meantime the Chairmen of the Maui Select Committee and the Hawaii Select Committee will contact their respective chairmen of the Boards of Supervisors of these two counties relative to the agenda to be followed during the visits to these two counties.

Senator Dillingham moved for the adoption of the oral report of the Committee. Seconded by Senator Heen, and carried.

A communication from the Secretary of Hawaii (Dept. Com. No. 26), informing the Senate that the Governor had signed Senate Bill No. 30, as Act 1, was read as follows:

(Dept. Com. No. 26)

The communication was received and placed on file.

Senators Crockett, Duarte, Ansai, Robinson, Heen, Fernandes, Lee, Dillingham, Nobriga, Okino, Capellas, Hill and Tsukiyama offered a Resolution (S. Res. No. 29), expressing regret at the death of William Charles Moore, and extending sympathy to his daughter, Senator Thelma Akana Harrison, and to other members of the late Mr. Moore's family, which was read as follows:

(S. Res. No. 29)

Upon motion by Senator Heen, seconded by Senator Dillingham, and carried, the Resolution was adopted by a rising vote.

At 12:09 o'clock p.m., upon motion by Senator Heen, seconded by Senator Lee, and carried, the Senate adjourned until 11:00 o'clock a.m., on Tuesday, March 6, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

ELEVENTH Day

TUESDAY, MARCH 6, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

ELEVENTH DAY

Tuesday, March 6, 1951.

The Senate convened at 11:08 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Chaplain, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Tenth Day.

At this juncture, under the suspension of the Rules, President Tsukiyama presented to the Members, a distinguished visitor - Mr. Charles C. Finucane, a former member of the Legislature of the State of Washington, and Chairman of the Tourist Commission of that State, who is also the owner of the Davenport Hotel in Spokane, Washington.

Mr. Finucane, in responding to the introduction, expressed his interest in the tourist industry in the Islands, and commented favorably on the outstanding publicity program being carried on here in Hawaii, which he felt was responsible, perhaps, for the large number of visitors from the Northwest who come to Hawaii, there being about 350 of such here last week.

The President then presented Mrs. Finucane to the assembly.

A communication from the Assistant Executive Officer of the Hawaiian Homes Commission (Dept. Com. No. 27), transmitting eighteen copies of the Report of the said Commission for the two years ending December 31, 1950, was read as follows:

(Dept. Com. No. 27)

The communication was received and placed on file, and the reports were distributed to the members.

A communication from the House (H. Com. No. 11), returning Senate Bill No. 1 in an amended form, was read as follows:

(H. Com. No. 11)

The communication was received and placed on file; and upon motion by Senator Heen, seconded by Senator Duarte, and carried, action on the amended form of the Bill was deferred until later on the calendar.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolutions were introduced and, upon motion by Senator Heen, seconded by Senator Duarte, and carried, passed First Reading by title and were referred to the Printing Committee.

By Senator Dillingham (S. B. No. 151), entitled: "An Act appropriating six thousand dollars ($6,000.00) for the upkeep of Puukamalii Cemetery, Makiki Cemetery and Aiea Cemetery, City and County of Honolulu, for the 1951-1953 biennium";

By Senator Okino (S. B. No. 152), entitled: "An Act to amend Section 1238 of the Revised Laws of Hawaii 1945 relating to the regulation of opelu fishing";

By Senator Dillingham (S. B. No. 153), entitled: "An Act to authorize the Board of Regents of the University of Hawaii to make arrangements for professional or specialized training of Hawaii students at other institutions of learning";

By Senator Dillingham (S. B. No. 154), entitled: "An Act to amend Section 1943 of the Revised Laws of Hawaii 1945, as amended, relating to the University of Hawaii and the powers of the Board of Regents thereof";

By Senator Dillingham (S. B. No. 155), entitled: "An Act relating to number plates for licensed vehicles; providing for permanent number plates; establishing a monthly series system for the payment of the vehicle weight tax; and amending Sections 5706 to 5712 inclusive, and Section 7341 of the Revised Laws of Hawaii 1945";

By Senators Dillingham and Ansai (S. B. No. 156), entitled: "An Act to amend Section 1752 of the Revised Laws of Hawaii 1945 relating to leaves of absence for teachers";

By Senators Dillingham and Ansai (S. B. No. 157), entitled: "An Act to amend Section 370 of the Revised Laws of Hawaii 1945, relating to territorial and county funds, to authorize county treasurers to make temporary transfers or loans of money in excess of the amounts necessary for immediate requirements";

By Senators Dillingham and Ansai (S. B. No. 158), entitled: "An Act amending Chapter 146 of the Revised Laws of Hawaii 1945, as amended, relating to engineers, architects, and surveyors";

By Senators Nobriga, Ansai and Okino (S. B. No. 159), entitled: "An Act providing for the establishment of a branch of the Agricultural Experiment Station at Hilo, Hawaii, and making an appropriation therefor";

By Senator Ansai (S. B. No. 160), entitled: "An Act providing for the establishment of a branch of the Agricultural Experiment Station at Kula, Maui, and making an appropriation therefor";

By Senators Fernandes and Aguiar (S. B. No. 161), entitled: "An Act making an appropriation for the construction of Waimea Heights access road, Waimea, Kauai, and amending Act 205 of the Session Laws of Hawaii 1947";

By Senators Aguiar and Fernandes (S. B. No. 162), entitled: "An Act appropriating twenty-five thousand dollars for expenditure during the years 1951 and 1952 by the Kamehameha Day Celebration Commission";

By Senators Dillingham, Tsukiyama, Lee, Heen, Robinson and Harrison, by request (S. B. No. 163), entitled: "An Act to amend Section 6712, Revised Laws of Hawaii 1945, relating to bids and conditions attending improvement district contracts";

By Senators Dillingham, Tsukiyama, Lee, Heen and Robinson, by request (S. B. No. 164), entitled: "An Act to amend Section 352, Revised Laws of Hawaii 1945, relating to bids and conditions attending public contracts";

By Senators Dillingham, Tsukiyama, Lee, Heen and Robinson, by request (S. B. No. 165), entitled: "An Act to amend Chapter 137 of the Revised Laws of Hawaii 1945, as amended, relating to intoxicating liquor";

By Senators Dillingham, Tsukiyama, Lee, Heen and Robinson, by request (S. B. No. 166), entitled: "An Act appropriating money to reimburse the City and County of Honolulu for the cost of sewer improvements in improvement district No. 63 (Kaimuki-West sewerage, Section 1) and in improvement district No. 73 (Kaimuki-West sewerage, Section 2)";

By Senators Dillingham, Tsukiyama, Lee, Heen and Robinson, by request (S. B. No. 167), entitled: "An Act appropriating the sum of two thousand nine hundred sixteen dollars and eighty-four cents ($2,916.84) to reimburse the City and County of Hono-

lulu for moneys expended for the extension of secondary sewer facilities to the grounds of the University of Hawaii in Honolulu";

By Senators Dillingham, Tsukiyama, Lee, Heen and Robinson, by request (S. B. No. 168), entitled: "An Act appropriating the sum of forty thousand three hundred seventy-nine dollars and thirty-two cents ($40,379.32) to reimburse the City and County of Honolulu for the cost of improvements in frontage improvement No. 75 -- Ala Wai Blvd., Kalakaua Ave. to Ala Moana, in Kalia, Waikiki, Job No. 24-50, in Honolulu";

By Senator Duarte (S. B. No. 169), entitled: "An Act to amend Section 8487 of the Revised Laws of Hawaii 1945, as amended, relating to the taxation of insurance companies and providing for the distribution of a portion thereof among the counties";

By Senator Capellas (S. B. No. 170), entitled: "An Act to amend Chapter 85 of the Revised Laws of Hawaii 1945, by adding a new section relating to nurseries, day care centers, children's boarding homes and children's foster homes";

By Senator Capellas (S. B. No. 171), entitled: "An Act relating to non-diseased children of Hansen's disease patients, transferring the care and custody of such children from the Board of Health to the Department of Public Welfare";

By Senators Dillingham, Tsukiyama, Lee, Heen, Robinson and Harrison, by request (S. B. No. 172), entitled: "An Act to amend Chapter 131 of the Revised Laws of Hawaii 1945, relating to the Police Department of the City and County of Honolulu";

By Senators Dillingham, Tsukiyama, Lee, Heen and Robinson, by request (S. B. No. 173), entitled: "An Act appropriating the

sum of fourteen thousand five hundred ninety-nine dollars and fifty-nine cents ($14,599.59) to reimburse the City and County of Honolulu for the cost of constructing improvements in improvement district No. 71, Leahi Farms in Honolulu";

By Senators Dillingham, Tsukiyama, Lee, Heen and Robinson, by request (S. B. No. 174), entitled: "An Act appropriating the sum of five thousand dollars ($5,000.00) for the City and County of Honolulu so as to reimburse the City and County of Honolulu for the cost of mosquito control chemicals which the City and County of Honolulu purchased and turned over to the Territorial Department of Health after the Territorial Department of Health exhausted its funds for such chemicals";

By Senators Dillingham, Tsukiyama, Lee, Heen and Robinson, by request (S. B. No. 175), entitled: "An Act appropriating funds for reimbursements to the City and County of Honolulu for moneys expended in the relocation of the water systems in Kailua and in Kaneohe in connection with Territorial highway construction in Kailua and in Kaneohe on Oahu";

By Senators Dillingham, Tsukiyama, Lee, Heen and Robinson, by request (S. B. No. 176), entitled: "An Act appropriating the sum of four hundred ninety-six dollars and eighty cents ($496.80) to reimburse the City and County of Honolulu for bonus payments made to the Estate of William Clark in 1949";

By Senators Dillingham, Tsukiyama, Lee, Heen and Robinson, by request (S. B. No. 177), entitled: "An Act amending Section 552, Revised Laws of Hawaii 1945, relating to sick leaves and providing that such administration shall be on a calendar year basis";

By Senators Dillingham, Tsukiyama, Lee, Robinson and Heen, by request (S. B. No. 178), entitled: "An Act appropriating the

sum of twenty-seven thousand two hundred one dollars and sixty-eight cents ($27,201.68) to reimburse the City and County of Honolulu for the cost of sewerage improvements in Improvement District No. 67 (Date-Kapahulu sewerage, Sec. No. 1)";

By Senators Nobriga and Okino (S. B. No. 179), entitled: "An Act adding a new section 4540.01 to Chapter 78 of the Revised Laws of Hawaii 1945, relating to the sale of lots and tracts for residence purposes";

By Senators Nobriga, Ansai and Okino (S. B. No. 180), entitled: "An Act exempting from property taxation all new improvements upon agricultural lands for a period of five years, amending Chapter 94 of the Revised Laws of Hawaii 1945 by adding a new Section 5147.02";

By Senators Nobriga and Okino (S. B. No. 181), entitled: "An Act amending Sections 5203, 5209, and 5217 of the Revised Laws of Hawaii 1945, relating to tax appeals";

By Senators Nobriga and Okino (S. B. No. 182), entitled: "An Act to amend Section 5146 of the Revised Laws of Hawaii 1945, as amended, by Act 79 of the Session Laws of Hawaii 1945, relating to the records of assessed valuations of real property";

By Senator Nobriga (S. B. No. 183), entitled: "An Act to amend Section 5152 of the Revised Laws of Hawaii 1945, relating to Territorial tax exemptions on certain forest lands";

By Senator Nobriga (S. B. No. 184), entitled: "An Act amending Section 5203 of the Revised Laws of Hawaii 1945, relating to appeals on real property assessments";

By Senator Nobriga (S. B. No. 185), entitled: "An Act relating to the real property tax, amending Section 5139 of the Revised Laws of Hawaii 1945";

By Senator Nobriga (S. B. No. 186), entitled: "An Act amending Sections 5252 and 5254 of the Revised Laws of Hawaii 1945, as amended, relating to the real property tax";

By Senators Nobriga and Okino (S. B. No. 187), entitled: "An Act amending Section 3532 of the Revised Laws of Hawaii 1945; Section 10 of Joint Resolution 4 of the Session Laws of Hawaii 1947; and Section 10 of Act 338 of the Session Laws of Hawaii 1949, all relating to tenant selection by the Hawaii Housing Authority";

By Senator Nobriga (S. B. No. 188), entitled: "An Act requiring the Board of Agriculture and Forestry to eradicate from all Territorial forest reserves all weeds, shrubberies, trees, and other plants declared to be noxious; and directing an appropriation request for such purposes by said Board";

By Senators Ansai and Nobriga (S. B. No. 189), entitled: "An Act providing for the establishment of a program to encourage the eradication of noxious plants on private and leased public lands; assigning certain administrative functions to the Board of Agriculture and Forestry and the Territorial Entomologist; and making an appropriation for such purposes";

By Senators Ansai and Nobriga (S. B. No. 190), entitled: "An Act to regulate dealers in farm produce, amending Act 114 of the Regular Session Laws of Hawaii 1949";

By Senators Nobriga and Lee (S. B. No. 191), entitled: "An Act relating to the registration of barbers";

By Senators Duarte, Aguiar, Lee, Fernandes, Heen and Okino (S. J. Res. No. 18), entitled: "Joint Resolution requesting the Congress of the United States of America to eliminate taxes upon passenger transportation between the several islands comprising the Territory of Hawaii".

Senators Okino, Duarte, Aguiar, Capellas and Nobriga offered a Concurrent Resolution (S. Con. Res. No. 13), "requesting the Commissioner of Public Instruction to secure institution of a Reserve Officers Training Corps (Junior Division) program in the counties of Hawaii, Maui and Kauai, which was read as follows:

(S. Con. Res. No. 13)

Upon motion by Senator Lee, seconded by Senator Duarte, and carried, the Concurrent Resolution was referred to the Committee on Education.

Senator Duarte offered a Resolution (S. Res. No. 30), requesting all department heads of the Territory to allow employees making trips on official business between the islands to choose the airline upon which they shall travel, which was read as follows:

(S. Res. No. 30)

Upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the Resolution was referred to the Committee on Judiciary.

Senator Capellas, Chairman of the Committee on Accounts, offered a Resolution (S. Res. No. 31), setting the salaries of the officers, employees and clerks of the Committees of the Senate, Regular Session of 1951, which was read as follows:

(S. Res. No. 31)

The Resolution was referred to the Committee of the Whole, of which Senator Capellas is Chairman.

A Petition (S. Pet. No. 4), signed by the President, Secretary and Principal of the Hilo Union School Parents and Teachers Association and 615 other members of said Association, requesting an Auditorium-Gymnasium for said School, which was read as follows:

(S. Pet. No. 4)

The Petition was received and referred to the Select Committee of Hawaii Senators.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 16), reporting on matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 16)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 141, entitled: "An Act relating to beneficiaries of the Retirement System provided by Chapter 15 of the Revised Laws of Hawaii 1945, as amended":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 142, entitled: "An Act relating to bonds from guardians; amending Section 12503 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 143, entitled: "An Act making an appropriation for the construction of a bridge and approaches at the base of Iao Valley, at Papohaku, Maui":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 144, entitled: "An Act repealing Act 342 of the Session Laws of Hawaii 1945 authorizing the several counties to incur obligations in excess of available county funds and to borrow excess territorial monies to pay such obligations, and cancelling any indebtedness arising from loans made under the provisions of such Act":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 145, entitled: "An Act making an appropriation for the acquisition of areas in and adjacent to the stream or river beds of the Iao stream and the Hanapepe and Waimea rivers, and other streams and rivers of the Territory, required for flood control projects":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 146, entitled: "An Act to amend Section 1167 of the Revised Laws of Hawaii 1945, relating to ownership of game running wild":

The bill was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Bill No. 147, entitled: "An Act to make an appropriation to pay the claim of John S. Medeiros":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 148, entitled: "An Act to amend Section 7233 of the Revised Laws of Hawaii 1945, relating to liquor license fees":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 149, entitled: "An Act making an appropriation for the promotion of high school athletics":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 150, entitled: "An Act to amend Section 1079 of the Revised Laws of Hawaii 1945, relating to bovine tuberculosis":

The bill was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Joint Resolution No. 17, entitled: "Joint Resolution requiring the heads of territorial departments to provide adequate shelter for territorial motor vehicles when not in use":

The joint resolution was referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 5), returning Departmental Communication No. 6, relating to urban redevelopment, with the recommendation that it be referred to the Committee on Public Lands, to which Senate Bill No. 136, on the same subject matter had been referred, which was read as follows:

(Spec. Com. Rep. No. 5)

Upon motion by Senator Lee, seconded by Senator Nobriga, and carried, the report of the Committee was adopted, and Departmental Communication No. 6 was thereupon referred to the Committee on Public Lands.

Consideration of House Concurrent Resolution No. 3, requesting the Congress of the United States to admit Hawaii as a State, action on which was deferred on March 2nd:

Senator Aguiar offered the following amendment to the Concurrent Resolution:

"1. Strike out all but the last 'period' and insert the following:

'WHEREAS, the people of the Territory of Hawaii have for many years petitioned the Congress of the United States for the right and privilege to become a state of the Republic of the United States of America; and

WHEREAS, this often repeated plea by the people of the Territory of Hawaii has fallen upon ears which have not always been willing to listen to Hawaii's just claims to statehood; and

WHEREAS, the now powerful country of the United States of America, while still a group of weak colonies, came to the attention of the rest of the world by reason of the justness of its complaint that it was being taxed without representation; and

WHEREAS, the Territory of Hawaii has over a period of many years paid billions of dollars of federal taxes into the treasury of the United States of America without proper representation in the Congress of the United States of America; and

WHEREAS, the financial grants and economic benefits now enjoyed by the Territory of Hawaii because it is an insular possession of the United States of America are more than balanced by the fact that the Territory of Hawaii is a key strategic outpost in the overall national defense picture of the United States of America; and

WHEREAS, the aforementioned taxation without representation is a situation that the loyal and unflinching American citizens of the Territory of Hawaii find difficult to accept without protest; now, therefore, be it

RESOLVED by the House of Representatives of the Twenty-Sixth Legislature of the Territory of Hawaii, the Senate thereof concurring, that the Congress of the United States of America during its present session is hereby respectfully requested and petitioned to grant the Territory of Hawaii statehood on a basis equal to that of the other forty-eight states of the Union, or, to enact legislation during its present session to provide for the return to the Territory of Hawaii the amount of all federal taxes collected from the Territory of Hawaii; and, be it further

RESOLVED that duly certified copies of this Concurrent Resolution be forwarded to the President of the United States, every member of the present Congress of the United States of America, to the Delegate to Congress from Hawaii, and the Secretary of the Interior.'"

Considerable discussion ensued on the subject matter of the Concurrent Resolution and the proposed amendment, following the motion made by Senator Aguiar, seconded by Senator Duarte, that the amendment be adopted.

A Roll Call being demanded, the motion to adopt the amendment offered by Senator Aguiar was put, and lost, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Dillingham, Duarte and Fernandes. Total, 4.

Noes: Senators Ansai, Capellas, Crockett, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 11.

Senator Heen offered the following amendment to House Concurrent Resolution No. 3:

> "Amend the last paragraph of House Concurrent Resolution No. 3 to read as follows:
>
> > 'RESOLVED that duly certified copies of this concurrent resolution be forwarded to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Chairman of the Committee on Interior and Insular Affairs of the said Senate, the Chairman of the Committee on Public Lands of said House of Representatives, the Delegate to Congress from Hawaii, and the Secretary of the Interior.'"

Senator Heen moved for the adoption of the amendment. Seconded by Senator Capellas, and carried.

Senator Harrison moved that the Concurrent Resolution, as amended, be adopted. Seconded by Senator Okino.

A Roll Call being demanded, the motion to adopt the Concurrent Resolution as amended was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Hill. Total, 1.

Consideration of House Concurrent Resolution No. 8, "requesting Congress to remove all racial restrictions on the privilege of naturalization for citizenship in the United States of America", action on which was deferred on March 2nd:

Senator Heen offered the following amendment to the Concurrent Resolution:

> "Amend the last paragraph of House Concurrent Resolution No. 8 to read as follows:
>
> > 'RESOLVED that duly certified copies of this Concurrent Resolution be forwarded to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and the Delegate to Congress from Hawaii.'"

Senator Heen moved for the adoption of the amendment. Seconded by Senator Lee, and carried.

Upon motion by Senator Lee, seconded by Senator Heen, and carried, the Concurrent Resolution, as amended, was adopted.

At this time, the President advised the Senate that he had received a report from the Commission on Subversive Activities, in connection with which he expected to call an Executive Session this afternoon; and therefore, he hoped that all Members would be present at this afternoon's session.

At 12:17 o'clock p.m., upon motion by Senator Lee, seconded by Senator Hill, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:22 o'clock p.m., with the President in the Chair and all Senators being present.

At this time, Senator Aguiar moved that the Senate go into Executive Session for the consideration of the Report from the Commission on Subversive Activities. Seconded by Senator Fernandes, and carried; and at 2:26 o'clock p.m., the Senate went into Executive Session.

The Executive Session being ended at 4:35 o'clock p.m., the Senate reconvened.

Consideration of Senate Bill No. 1, returned by the House of Representatives in an amended form, deferred from earlier on the calendar:

Senator Hill moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Aguiar.

Considerable discussion was had on the proposed amendments.

Senator Heen moved that the Senate disagree with the amendments proposed by the House. Seconded by Senator Nobriga.

Senator Hill moved that the Senate defer action on the bill as amended until tomorrow. Seconded by Senator Harrison.

At this time, Senator Fernandes moved that the Senate adjourn until 11:00 o'clock tomorrow morning. Seconded by Senator Duarte, and carried; and at 5:20 o'clock p.m., the Senate adjourned until 11:00 o'clock a.m., on Wednesday, March 7, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

TWELFTH Day

WEDNESDAY, MARCH 7, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

TWELFTH DAY

Wednesday, March 7, 1951.

The Senate convened at 11:42 o'clock a.m., with President Tsukiyama in the Chair.

After Prayer by the Chaplain, the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Eleventh Day.

A communication from the Insurance Commissioner, Territory of Hawaii, (Dept. Com. No. 28), transmitting thirty copies of the report of said Commission for each of the calendar years of the biennium, and bound volume of the suggested amendments to the insurance law, was read as follows:

(Dept. Com. No. 28)

The communication and reports were received; the communication was placed on file, and the reports distributed to the Members.

A communication from the City and County Clerk, enclosing certified copy of Resolution No. 93 adopted by the Board of Supervisors of the City and County of Honolulu, relating to a pension for Manuel C. Pacheco, was read as follows:

(Dept. Com. No. 29)

The communication and Resolution were received and, upon motion by Senator Heen, seconded by Senator Lee, and carried, were referred to the Committee of the Whole Senate, with Senator Aguiar as Chairman, to which other measures relating to pensions will be referred.

A communication from the House (H. Com. No. 12), transmitting House Resolution No. 37, requesting the Senate to return to the House Senate Bill No. 1, as amended, for the purpose of making certain corrections therein, was read as follows:

(H. Com. No. 12)
(H. Res. No. 37)

The communication was received and placed on file, and the Clerk instructed to comply with the request contained in the Resolution.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolutions were introduced and, upon motion by Senator Okino, seconded by Senator Nobriga, and carried, passed First Reading by title and were referred to the Printing Committee.

By Senator Okino (S. B. No. 192), entitled: "An Act relating to judgments of District Magistrates; amending Section 9675 of the Revised Laws of Hawaii 1945";

By Senator Harrison (S. B. No. 193), entitled: "An Act to amend Section 2015 of the Revised Laws of Hawaii 1945, relating to the authority of the Board of Health to make regulations for the public health and safety";

By Senators Crockett and Ansai (S. B. No. 194), entitled: "An Act for the relief of disabled veterans";

By Senators Fernandes and Aguiar (S. B. No. 195), entitled: "An Act relating to leaves of absence and vacations for government employees and amending Chapter 12 of the Revised Laws of

Hawaii 1945, to provide the same vacation credits for per diem workers as are now granted to monthly salaried employees";

By Senators Fernandes and Aguiar (S. B. No. 196), entitled: "An Act amending Act 251 of the Session Laws of Hawaii 1941, as amended, relating to the County of Kauai bonds for public improvements";

By Senator Duarte (S. B. No. 197), entitled: "An Act prohibiting the dispensing or sale of liquor on Sundays";

By Senators Capellas, Duarte and Ansai (S.B. No. 198), entitlted: "An Act relating to the salaries of principals and vice principals and amending Section 1760 of the Revised Laws of Hawaii 1945";

By Senators Nobriga and Okino (S. B. No. 199), entitled: "An Act creating the Industrial Loan Guarantee Fund for the stimulation of business and industrial expansion of the Territory through the guarantee of loans for new and for established businesses and industries; creating the Industrial Loan Guarantee Board and prescribing its membership, powers and duties; and making an appropriation";

By Senators Nobriga and Okino (S. B. No. 200), entitled: "An Act making an appropriation by way of advancement for the construction of a homestead road at Kaapahu, Hamakua, County of Hawaii";

By Senators Nobriga and Okino (S. B. No. 201), entitled: "An Act to amend Chapter 77 of the Revised Laws of Hawaii 1945, as amended, relating to workmen's compensation";

By Senator Nobriga (S. B. No. 202), entitled: "An Act to amend Section 7405 of the Revised Laws of Hawaii 1945, as amended, relating to security required under the motor vehicle safety responsibility Act";

By Senator Nobriga (S. B. No. 203), entitled: "An Act to amend Section 7428.04 of the Revised Laws of Hawaii 1945, as amended, relating to the applicability of the motor vehicle safety responsibility Act to publicly owned motor vehicles";

By Senators Nobriga and Okino (S. B. No. 204), entitled: "An Act to amend Section 2209 of the Revised Laws of Hawaii 1945, as amended, relating to adulterated foods, by imposing certain additional requirements concerning milk and ice cream";

By Senators Harrison, Capellas, Duarte, Aguiar, Nobriga, Okino, Tsukiyama, Ansai, Robinson, Heen, Fernandes and Lee (S. J. Res. No. 19), entitled: "Joint Resolution exempting from taxation the gross income of and the privilege of engaging in the business of the transportation of property only by air within the Territory of Hawaii, and exempting such business from airport landing fees and rentals";

By Senator Ansai (S. J. Res. No. 20), entitled: "Joint Resolution requesting the Congress of the United States to amend Sections 208 (1), 213 (b), 213 (c) and 215 of Title II of the Hawaiian Homes Commission Act, 1920, as amended",

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 17), reporting on the mimeographing of measures referred to it, which was read as follows:

(Stand. Com. Rep. No. 17)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 151, entitled: "An Act appropriating six thousand dollars ($6,000.00) for the upkeep of Puukamalii Cemetery, Makiki Cemetery and Aiea Cemetery, City and County of Honolulu, for the 1951-1953 biennium":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 152, entitled: "An Act to amend Section 1238 of the Revised Laws of Hawaii 1945 relating to the regulation of opelu fishing":

The bill was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Bill No. 153, entitled: "An Act to authorize the Board of Regents of the University of Hawaii to make arrangements for professional or specialized training of Hawaii students at other institutions of learning":

The bill was referred to the Committee on Education.

Second Reading of Senate Bill No. 154, entitled: "An Act to amend Section 1943 of the Revised Laws of Hawaii 1945, as amended, relating to the University of Hawaii and the powers of the Board of Regents thereof":

The bill was referred to the Committee on Education.

Second Reading of Senate Bill No. 155, entitled: "An Act relating to number plates for licensed vehicles; providing for permanent number plates; establishing a monthly series system for the payment of the vehicle weight tax; and amending Sections 5706 to 5712 inclusive, and Section 7341 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 156, entitled: "An Act to amend Section 1752 of the Revised Laws of Hawaii 1945 relating to leaves of absence for teachers":

The bill was referred to the Committee on Education.

Second Reading of Senate Bill No. 157, entitled: "An Act to amend Section 370 of the Revised Laws of Hawaii 1945, relating to territorial and county funds, to authorize county treasurers to make temporary transfers or loans of money in excess of the amounts necessary for immediate requirements":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 158, entitled: "An Act amending Chapter 146 of the Revised Laws of Hawaii 1945, as amended, relating to engineers, architects, and surveyors":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 159, entitled: "An Act providing for the establishment of a branch of the Agricultural Experiment Station at Hilo, Hawaii, and making an appropriation therefor":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 160, entitled: "An Act providing for the establishment of a branch of the Agricultural Experiment Station at Kula, Maui, and making an appropriation therefor":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 161, entitled: "An Act making an appropriation for the construction of Waimea Heights access road, Waimea, Kauai, and amending Act 205 of the Session Laws of Hawaii 1947":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 162, entitled: "An Act appropriating twenty-five thousand dollars for expenditure during the years 1951 and 1952 by the Kamehameha Day Celebration Commission":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 163, entitled: "An Act to amend Section 6712, Revised Laws of Hawaii 1945, relating to bids and conditions attending improvement district contracts":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 164, entitled: "An Act to amend Section 352, Revised Laws of Hawaii 1945, relating to bids and conditions attending public contracts":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 165, entitled: "An Act to amend Chapter 137 of the Revised Laws of Hawaii 1945, as amended, relating to intoxicating liquor":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 166, entitled: "An Act appropriating money to reimburse the City and County of Honolulu for the cost of sewer improvements in improvement district No. 63 (Kaimuki-West sewerage, Section 1) and in improvement district No. 73 (Kaimuki-West sewerage, Section 2)":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 167, entitled: "An Act appropriating the sum of two thousand nine hundred sixteen dollars and eighty-four cents ($2,916.84) to reimburse the City and County of Honolulu for moneys expended for the extension of secondary sewer facilities to the grounds of the University of Hawaii in Honolulu":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 168, entitled: "An Act appropriating the sum of forty thousand three hundred seventy-nine dollars and thirty-two cents ($40,379.32) to reimburse the City and County of Honolulu for the cost of improvements in frontage improvement No. 75 -- Ala Wai Blvd., Kalakaua Ave. to Ala Moana, in Kalia, Waikiki, Job No. 24-50, in Honolulu":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 169, entitled: "An Act to amend Section 8487 of the Revised Laws of Hawaii 1945, as amended, relating to the taxation of insurance companies and providing for the distribution of a portion thereof among the counties":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 170, entitled: "An Act to amend Chapter 85 of the Revised Laws of Hawaii 1945, by adding a new section relating to nurseries, day care centers, children's boarding homes and children's foster homes":

The bill was referred to the Committee on Education.

Second Reading of Senate Bill No. 171, entitled: "An Act relating to non-diseased children of Hansen's disease patients, transferring the care and custody of such children from the Board of Health to the Department of Public Welfare":

The bill was referred to the Committee on Public Health.

Second Reading of Senate Bill No. 172, entitled: "An Act to amend Chapter 131 of the Revised Laws of Hawaii 1945, relating to the Police Department of the City and County of Honolulu":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 173, entitled: "An Act appropriating the sum of fourteen thousand five hundred ninety-nine dollars and fifty-nine cents ($14,599.59) to reimburse the City and County of Honolulu for the cost of constructing improvements in improvement district No. 71, Leahi Farms in Honolulu":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 174, entitled: "An Act appropriating the sum of five thousand dollars ($5,000.00) for the City and County of Honolulu so as to reimburse the City and County of Honolulu for the cost of mosquito control chemicals which the City and County of Honolulu purchased and turned over to the Territorial Department of Health after the Territorial Department of Health exhausted its funds for such chemicals":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 175, entitled: "An Act appropriating funds for reimbursements to the City and County of Honolulu for moneys expended in the relocation of the water systems in Kailua and in Kaneohe in connection with Territorial highway construction in Kailua and in Kaneohe on Oahu":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 176, entitled: "An Act appropriating the sum of four hundred ninety-six dollars and eighty cents ($496.80) to reimburse the City and County of Honolulu for bonus payments made to the Estate of William Clark in 1949":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 177, entitled: "An Act amending Section 552, Revised Laws of Hawaii 1945, relating to sick leaves and providing that such administration shall be on a calendar year basis":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 178, entitled: "An Act appropriating the sum of twenty-seven thousand two hundred one dollars and sixty-eight cents ($27,201.68) to reimburse the City and County of Honolulu for the cost of sewerage improvements in Improvement District No. 67 (Date-Kapahulu sewerage, Sec. No. 1)":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 179, entitled: "An Act adding a new section 4540.01 to Chapter 78 of the Revised Laws of Hawaii 1945, relating to the sale of lots and tracts for residence purposes":

The bill was referred to the Committee on Public Lands.

Second Reading of Senate Bill No. 180, entitled: "An Act exempting from property taxation all new improvements upon agricultural lands for a period of five years, amending Chapter 94 of the Revised Laws of Hawaii 1945 by adding a new Section 5147.02":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 181, entitled: "An Act amending Sections 5203, 5209, and 5217 of the Revised Laws of Hawaii 1945, relating to tax appeals":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 182, entitled: "An Act to amend Section 5146 of the Revised Laws of Hawaii 1945, as amended, by Act 79 of the Session Laws of Hawaii 1945, relating to the records of assessed valuations of real property":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 183, entitled: "An Act to amend Section 5152 of the Revised Laws of Hawaii 1945, relating to Territorial tax exemptions on certain forest lands":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 184, entitled: "An Act amending Section 5203 of the Revised Laws of Hawaii 1945, relating to appeals on real property assessments":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 185, entitled: "An Act relating to the real property tax, amending Section 5139 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 186, entitled: "An Act amending Sections 5252 and 5254 of the Revised Laws of Hawaii 1945, as amended, relating to the real property tax":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 187, entitled: "An Act amending Section 3532 of the Revised Laws of Hawaii 1945; Section 10 of Joint Resolution 4 of the Session Laws of Hawaii 1947; and Section 10 of Act 338 of the Session Laws of Hawaii 1949, all relating to tenant selection by the Hawaii Housing Authority":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 188, entitled: "An Act requiring the Board of Agriculture and Forestry to eradicate from all Territorial forest reserves all weeds, shrub-

berries, trees, and other plants declared to be noxious; and directing an appropriation request for such purposes by said Board":

The bill was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Bill No. 189, entitled: "An Act providing for the establishment of a program to encourage the eradication of noxious plants on private and leased public lands; assigning certain administrative functions to the Board of Agriculture and Forestry and the Territorial Entomologist; and making an appropriation for such purposes":

The bill was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Bill No. 190, entitled: "An Act to regulate dealers in farm produce, amending Act 114 of the Regular Session Laws of Hawaii 1949":

The bill was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Bill No. 191, entitled: "An Act relating to the registration of barbers":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Joint Resolution No. 18, entitled: "Joint Resolution requesting the Congress of the United States of America to eliminate taxes upon passenger transportation between the several islands comprising the Territory of Hawaii":

The joint resolution was referred to the Committee on Ways and Means.

At 12:13 o'clock p.m., upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the Senate adjourned until 11:00 o'clock a.m., on Thursday, March 8, 1951.

Ellen D'Smythe
Clerk of the Senate.

Approved:

Wilfred Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

THIRTEENTH Day

THURSDAY, MARCH 8, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

THIRTEENTH DAY

Thursday, March 8, 1951.

The Senate convened at 11:12 o'clock a.m., with President Tsukiyama presiding.

After Prayer by the Chaplain, the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twelfth Day.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolution were introduced and, upon motion by Senator Harrison, seconded by Senator Robinson, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senators Tsukiyama and Harrison (S. B. No. 205), entitled: "An Act providing for an auditorium in the Fifth Representative District and making an appropriation therefor";

By Senators Ansai and Crockett (S. B. No. 206), entitled: "An Act to amend Act 304 of the Session Laws of Hawaii 1949, appropriating funds for the acquisition and construction of an outlet for drainage from government Lot 14-A, Waiohuli-Keokea Beach Homesteads";

By Senator Ansai (S. B. No. 207), entitled: "An Act to amend Act 401 of the Session Laws of Hawaii 1949, relating to public improvements";

By Senators Crockett, Dillingham, Lee, Heen and Hill (S. B. No. 208), entitled: "An Act relating to rules and regulations of governmental agencies; amending Section 472 of the Revised Laws of Hawaii 1945";

By Senators Tsukiyama and Harrison (S. J. Res. No. 21), entitled: "Joint Resolution providing for the remission of certain real property taxes".

Senators Ansai and Crockett offered a Concurrent Resolution (S. Con. Res. No. 14), "requesting the Territorial Highway Engineer to include in his 1951-1953 highway program for the county of Maui the construction of a bridge for the Waiehu Beach Road to cross Iao stream at Paukukalo, District of Wailuku, County of Maui, same being a portion of Federal Aid Secondary Route No. 247", which was read as follows:

(S. Con. Res. No. 14)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the Concurrent Resolution was adopted.

Senators Nobriga and Okino offered a Resolution (S. Res. No. 32), inviting Dr. Roy Brown and Louis Silva to accompany the members of the Senate on their trip to Hawaii, March 14th to 18th, at the expense of the Senate, in order to discuss at a public hearing in Hilo the conflicting tax programs - the sales tax and the present general excise tax, which was read as follows:

(S. Res. No. 32).

Senator Nobriga moved for the adoption of the Resolution. Seconded by Senator Okino.

Senator Hill moved that the Resolution be referred to the Committee on Ways and Means. Seconded by Senator Dillingham.

Considerable discussion ensued on the subject matter of the Resolution.

At this time, a communication from the Executive Director of the Hawaiian Government Employees' Association (Misc. Com. No. 28), offering to pay the expenses of Louis Silva on the trip proposed in Resolution No. 32, was read as follows:

(Misc. Com. No. 28)

The Chair stated that the motion before the Senate was to refer the Resolution to the Committee on Ways and Means.

A Roll Call being demanded, the motion to refer the Resolution to the Committee on Ways and Means was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Nobriga. Total, 1.

The President stated that the communication from the Hawaiian Government Employees' Association would also be referred to the Committee on Ways and Means.

At this juncture, the President stated that, as President of the Senate - and he was sure that he had the concurrence of the members of the Senate - the attitude of the Hawaiian Government Employees' Association in offering to pay Mr. Silva's expenses on the proposed trip to Hawaii, was greatly appreciated, and that it was a very fine gesture on the part of that Association, knowing that the Senate was endeavoring to curtail expenses as much as possible.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 18), reporting on the mimeographing of matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 18)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 192, entitled: "An Act relating to judgments of District Magistrates; amending Section 9675 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 193, entitled: "An Act to amend Section 2015 of the Revised Laws of Hawaii 1945, relating to the authority of the Board of Health to make regulations for the public health and safety":

The bill was referred to the Committee on Public Health.

Second Reading of Senate Bill No. 194, entitled: "An Act for the relief of disabled veterans":

The bill was referred to the Committee on Military.

Second Reading of Senate Bill No. 195, entitled: "An Act relating to leaves of absence and vacations for government employees and amending Chapter 12 of the Revised Laws of Hawaii 1945, to provide the same vacation credits for per diem workers as are now granted to monthly salaried employees":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 196, entitled: "An Act amending Act 251 of the Session Laws of Hawaii 1941, as amended, relating to the County of Kauai bonds for public improvements":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 197, entitled: "An Act prohibiting the dispensing or sale of liquor on Sundays":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 198, entitled: "An Act relating to the salaries of principals and vice principals and amending Section 1760 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Education.

Second Reading of Senate Bill No. 199, entitled: "An Act creating the Industrial Loan Guarantee Fund for the stimulation of business and industrial expansion of the Territory through the guarantee of loans for new and for established businesses and industries; creating the Industrial Loan Guarantee Board and prescribing its membership, powers and duties; and making an appropriation":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 200, entitled: "An Act making an appropriation by way of advancement for the construction of a homestead road at Kaapahu, Hamakua, County of Hawaii":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 201, entitled: "An Act to amend Chapter 77 of the Revised Laws of Hawaii 1945, as amended, relating to workmen's compensation":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 202, entitled: "An Act to amend Section 7405 of the Revised Laws of Hawaii 1945, as amended, relating to security required under the motor vehicle safety responsibility Act":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 203, entitled: "An Act to amend Section 7428.04 of the Revised Laws of Hawaii 1945, as amended, relating to the applicability of the motor vehicle safety responsibility Act to publicly owned motor vehicles":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 204, entitled: "An Act to amend Section 2209 of the Revised Laws of Hawaii 1945, as amended, relating to adulterated foods, by imposing certain additional requirements concerning milk and ice cream":

The bill was referred to the Committee on Public Health.

Second Reading of Senate Joint Resolution No. 19, entitled: "Joint Resolution exempting from taxation the gross income of and the privilege of engaging in the business of the transportation of property only by air within the Territory of Hawaii, and exempting such business from airport landing fees and rentals":

The joint resolution was referred to the Committee on Ways and Means.

Second Reading of Senate Joint Resolution No. 20, entitled: "Joint Resolution requesting the Congress of the United States to amend Sections 208 (1), 213 (b), 213 (c) and 215 of Title II of the Hawaiian Homes Commission Act, 1920, as amended":

The joint Resolution was referred to the Committee on Public Lands.

Senator Crockett offered a Resolution (S. Res. No. 33), requesting all Senators who plan to propose legislation on the subject of civil service to furnish the Committee on Judiciary with drafts of such proposed legislation prior to the time of hearings to be held on legislation before said Committee, in order that the whole subject of civil

service might be fully discussed at such hearings, which was read as follows:

(S. Res. No. 33)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the Resolution was adopted.

Senator Capellas, for the Joint Select Committee of the Hawaii, Maui and Kauai Senators, presented a report (Spec. Com. Rep. No. 6), recommending the passage of Senate Bill No. 31, with certain amendments, which was read as follows:

(Spec. Com. Rep. No. 6)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, action on the report was deferred until Monday, March 12th.

At 12:09 o'clock p.m., upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the Senate adjourned until 11:00 o'clock a.m., on Friday, March 9, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FOURTEENTH Day

FRIDAY, MARCH 9, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FOURTEENTH DAY

Friday, March 9, 1951.

The Senate convened at 11:13 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called showing all Senators present, with the exception of Senator Nobriga, excused.

The President announced that he had read and approved the Journal of the Thirteenth Day.

Under suspension of the Rules, Senator Dillingham at this time brought to the attention of the Members the matter of the pay due the employees of the Legislature, whose salaries could not be paid until after passage of Senate Bill No. 1 providing for the expenses of the Legislature, which bill was pending before the Legislature and could not be acted upon before next Monday. He suggested that the Governor be asked if it would be possible to allot the necessary amount to cover these payments to the Legislative employees out of his Contingent Fund, which Fund could subsequently be reimbursed from funds made available under Senate Bill No. 1.

Senator Heen thereupon moved that the Chair appoint a Committee of three to wait upon the Governor to present this matter to him, with the request that he allot sufficient funds from his Contingent Fund to take care of the salaries of the employees of the Legislature pending passage of

Senate Bill No. 1. The motion was seconded by Senator Duarte, and carried.

The President appointed Senators Hill, Heen and Capellas as such Committee to wait upon the Governor to carry out the purpose of the above motion.

INTRODUCTION OF BILLS:

The following bills were introduced, and, upon motion by Senator Crockett, seconded by Senator Fernandes, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senator Nobriga (S. B. No. 209), entitled: "An Act to amend Section 7417 of the Revised Laws of Hawaii 1945, relating to proof of financial responsibility required when operator's license becomes subject to revocation";

By Senator Hill (S. B. No. 210), entitled: "An Act relating to taxation, imposing a retail sales tax, and adding to Title 14 of the Revised Laws of Hawaii 1945 a new chapter providing therefor and imposing penalties";

By Senators Aguiar and Fernandes (S. B. No. 211), entitled: "An Act providing for public improvements to and through the public lands formerly known as Kapaa Swamps, County of Kauai, and making an appropriation therefor, by way of advancement, from the General Fund of the Territory";

By Senators Aguiar and Fernandes (S. B. No. 212), entitled: "An Act relating to pensions, amending Section 709 of the Revised Laws of Hawaii 1945 and repealing Act 32 of the Special Session Laws of Hawaii 1949 and Act 376 of the Session Laws of Hawaii 1949";

By Senator Capellas, (S. B. No. 213), entitled: "An Act to amend Section 6376, Revised Laws of Hawaii 1945 relating to the Chief Engineer, Hawaii County Department of

Public Works";

By Senator Ansai (S. B. No. 214), entitled: "An Act appropriating funds for flood control improvements in the County of Maui, empowering and authorizing the Board of Supervisors of the County of Maui to issue bonds in the sum of $250,000.00, and providing for the expenditure of the proceeds thereof";

By Senator Dillingham (S. B. No. 215), entitled: "An Act relating to taxation, amending Title 14 of the Revised Laws of Hawaii 1945, as amended, by repealing Chapter 98.01 of the Revised Laws of Hawaii 1945, relating to the compensating tax law, which was enacted by Act 113 (Series A-85) of the Session Laws of Hawaii 1947, by repealing certain other provisions of said Act 113 of the Session Laws of Hawaii 1947, and by amending Chapters 99 and 101 of the Revised Laws of Hawaii 1945, relating to the consumption tax and the general excise tax";

By Senator Crockett (S. B. No. 216), entitled: "An Act relating to rules and regulations of officers, boards, commissions and other governmental agencies; amending Section 466 of the Revised Laws of Hawaii 1945";

By Senator Heen (S. B. No. 217), entitled: "An Act amending Section 12659 of the Revised Laws of Hawaii 1945 relating to the registration of mortgages on property registered in the Land Court, and particularly to the effect of provisions in such mortgages providing for future advances";

By Senator Dillingham (S. B. No. 218), entitled: "An Act to authorize the Department of Public Instruction to aid and assist in a program of aviation education inaugurated by the United States Air Force and the Civil Air Patrol, and mak-

ing an appropriation therefor".

Senator Ansai offered a Resolution (S. Res. No. 34), requesting the Hawaii Aeronautics Commission to investigate and report to the Senate on the feasibility of constructing and operating an airport at Lahaina, Maui; and if feasible to construct and operate such airport, to present plans, including recommendations for a site and an estimate of the cost, which was read as follows:

(S. Res. No. 34)

Upon motion by Senator Aguiar, seconded by Senator Duarte, and carried, the Resolution was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 19), reporting on the mimeographing of matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 19)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 205, entitled: "An Act providing for an auditorium in the Fifth Representative District and making an appropriation therefor":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 206, entitled: "An Act to amend Act 304 of the Session Laws of Hawaii 1949, appropriating funds for the acquisition and construction of an outlet for drainage from government Lot 14-A, Waiohuli-Keokea Beach Homesteads":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 207, entitled: "An Act to amend Act 401 of the Session Laws of Hawaii 1949, relating to public improvements":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 208, entitled: "An Act relating to rules and regulations of governmental agencies; amending Section 472 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Joint Resolution No. 21, entitled: "Joint Resolution providing for the remission of certain real property taxes":

The joint resolution was referred to the Select Committee of Oahu Senators.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 20), recommending the passage of Senate Bill No. 60, which was read as follows:

(Stand. Com. Rep. No. 20)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 60 passed Second Reading and was placed on the calendar for Third Reading on Saturday, March 10th.

Senator Harrison, for the Committee on Education, presented a report (Stand. Com. Rep. No. 21), recommending that Senate Bill No. 198 be referred to the Committee on Ways and Means, and further recommending that an increase in pay be provided therein for principals and vice principals, which was read as follows:

(Stand. Com. Rep. No. 21)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted; and Senate Bill No. 198 was thereupon referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 7), recommending that Senate Bill No. 172 be referred to the Committee on Judiciary, which was read as follows:

(Spec. Com. Rep. No. 7)

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the report of the Committee was adopted; and Senate Bill No. 172 was referred to the Committee on Judiciary.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 8), recommending that Senate Bill No. 151 be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 8)

Upon motion by Senator Robinson, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 151 was thereupon referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 9), recommending that Senate Bill No. 118 be referred to the Committee on Ways and Means, to which Senate Bill No. 157 on a similar subject matter, has been referred, which was read as follows:

(Spec. Com. Rep. No. 9)

Upon motion by Senator Lee, seconded by Senator Robinson, and carried, the report of the Committee was adopted; and Senate Bill No. 118 was thereupon referred to the Committee on Ways and Means.

At 11:35 o'clock a.m., the Senate stood in recess, subject to the call of the Chair, in order that the Special Committee appointed to wait upon the Governor in connection with securing an advance from his Contigent Fund for the purpose of paying the salaries due to the employees of the Legislature, might carry out its purpose.

At 11:47 o'clock a.m., the Senate reconvened.

Senator Hill, for the Special Committee appointed to wait upon the Governor in connection with securing an advance from his Contingent Fund, reported orally that the Committee had called upon the Governor in this regard, and had ascertained that he was out of his office and would not return until 2:00 o'clock this afternoon; and that the Committee stood ready to carry out any further instructions of the Senate in this connection.

Upon motion by Senator Hill, seconded by Senator Aguiar, and carried, the oral report of the Committee was adopted; and the President stated that the Committee would be requested to again call on the Governor this afternoon; and that the Governor be advised that the Senate was meeting this afternoon.

At this time, Senator Heen moved that the Senate resolve itself into a Committee of the Whole when it reconvened this afternoon, for the purpose of considering Senate Resolution No. 31, setting the salaries of the employees of the Senate. Seconded by Senator Aguiar, and carried.

At this juncture, Senator Heen moved that the Senate reconsider its action taken yesterday in deferring action on Special Committee Report No. 6, reporting on Senate Bill No. 31, until Monday, March 12th. Seconded by Senator Duarte, and carried.

Consideration of Special Committee Report No. 6, recommending the passage of Senate Bill No. 31, with certain amendments:

Senator Hill moved that Special Committee Report No. 6 and Senate Bill No. 31 be referred to the Committee on Ways and Means. Seconded by Senator Duarte, and carried.

At 12:00 o'clock noon, upon motion by Senator Lee, seconded by Senator Aguiar, and carried, the Senate stood in recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 1:50 o'clock p.m., with the President in the Chair, and all Senators being present, with the exception of Senators Dillingham and Nobriga, excused.

Senators Aguiar and Fernandes introduced a bill (S. B. No. 219), entitled: "An Act relating to Hinana or Baby Oopu, and making an appropriation therefor".

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the bill passed First Reading by title and was referred to the Printing Committee.

Senators Tsukiyama and Crockett introduced a bill (S. B. No. 220), entitled: "An Act relating to District Magistrates; amending Section 9671 of the Revised Laws of Hawaii 1945".

Upon motion by Senator Crockett, seconded by Senator Ansai, and carried, the bill passed First Reading by title and was referred to the Printing Committee.

At this time, Senator Aguiar moved that the Senate resolve itself into a Committee of the Whole, in Executive Session, for the consideration of Senate Resolution No. 31, setting the pay of the employees of the Senate, Regular Session of 1951, with Senator Capellas as Chairman. Seconded by Senator Fernandes, and carried; and at 1:52 o'clock p.m., the Senate resolved itself into a Committee of the Whole, in Executive Session, for the said purpose, with Senator Capellas as Chairman.

The Executive Session being ended, the Committee rose at 3:07 o'clock p.m., and the Senate reconvened.

Senator Capellas, for the Committee of the Whole, having under consideration Senate Resolution No. 31, setting the pay of the officers and employees of the Senate, Regular Session of 1951, orally reported recommending the adoption of the said Resolution.

Upon motion by Senator Capellas, seconded by Senator Fernandes, the oral report of the Committee was adopted; and Senate Resolution No. 31 was thereby adopted.

Senator Heen, in the absence of the Chairman of the Special Committee appointed to wait upon the Governor to secure an allotment from his Contingent Fund for the purpose of paying the officers and employees of the Senate and of the House of Representatives for services rendered by them to their respective houses since the date of the convening of the Legislature, reported orally that the Committee had called upon the Governor who had willingly allotted from his Contingent Fund $25,000.00 for the use of the Senate and $27,500.00 for the use of the House for

the above mentioned purpose and his office was now preparing the necessary order for the transfer of these respective amounts.

Upon motion by Senator Heen, seconded by Senator Capellas, and carried, the oral report of the Committee was adopted and the Committee thereupon discharged with thanks.

Senator Aguiar offered a Resolution (S. Res. No. 35), requesting the Governor of Hawaii to make available from his Contingent Fund the sum of $25,000.00 for the purpose of paying the officers and employees of the Senate for services rendered to the said Senate from the 21st day of February, 1951 to and including the 10th day of March, 1951; and further requested that the sum of $27,500.00 be made available to the House of Representatives for the purpose of paying the officers and employees of the House of Representatives for the same period; said sums to be repaid to the said Contingent Fund out of moneys appropriated under the provisions of Senate Bill No. 1, providing for the expenses of the Twenty-Sixth Legislature, upon its enactment by the Legislature and its approval by the Governor, which was read as follows:

(S. Res. No. 35)

Upon motion by Senator Aguiar, seconded by Senator Duarte, and carried, the Resolution was adopted.

At 3:15 o'clock p.m., upon motion by Senator Lee, seconded by Senator Heen, and carried, the Senate adjourned until 11:00 o'clock a.m., on Saturday, March 10, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FIFTEENTH Day

SATURDAY, MARCH 10, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FIFTEENTH DAY

Saturday, March 10, 1951.

The Senate convened at 11:16 o'clook a.m., with the President in the Chair.

After Prayer by Chaplain Keala, the Roll was called showing Senators Aguiar, Dillingham, Fernandes, Harrison, Heen, Lee, Robinson and Mr. President, present; and Senators Ansai, Capellas, Crockett, Duarte, Hill, Nobriga and Okino, excused. The President announced that the majority of the Members excused from today's session were making an inspection trip to Molokai, a quorum being present.

The President announced that he had read and approved the Journal of the Fourteenth Day.

A communication from the County Clerk, County of Maui, (Departmental Communication No. 30), informing the Senate that the Board of Supervisors, County of Maui, had gone on record as favoring Senate Bill No. 42 and House Bill No. 145, relating to the appropriation for the functions and expenses of the Territorial Commission on Children and Youth, was read as follows:

(Dept. Com. No. 30)

The communication was received and referred to the Committee on Ways and Means, to which Senate Bill No. 42 had been referred.

A communication from the County Clerk, County of Maui (Dept. Com. No. 31), transmitting a certified copy of Resolution No. 69, adopted by the Board of Supervisors of the County of Maui, requesting the Legislature to amend S. B. No. 125 in certain respects, was read as follows:

(Dept. Com. No. 31)

The communication and resolution were received and referred to the Select Committee of Maui Senators, to which Senate Bill No. 125 has been referred.

A communication from the County Clerk, County of Maui (Dept. Com. No. 32), transmitting a certified copy of Resolution No. 68, adopted by the Board of Supervisors of the County of Maui, requesting the Legislature to appropriate $75,000.00 out of the general revenues of the Territory for the purpose of constructing a new highway between the Hana Highway and Puunene Avenue, was read as follows:

(Dept. Com. No. 32)

The communication and resolution were received and referred to the Select Committee of Maui Senators.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 22), reporting on matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 22)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 209, entitled: "An Act to amend Section 7417 of the Revised Laws of Hawaii 1945, relating to proof of financial responsibility required when operator's

license becomes subject to revocation":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 210, entitled: "An Act relating to taxation, imposing a retail sales tax, and adding to Title 14 of the Revised Laws of Hawaii 1945 a new chapter providing therefor and imposing penalties":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 211, entitled: "An Act providing for public improvements to and through the public lands formerly known as Kapaa Swamps, County of Kauai, and making an appropriation therefor, by way of advancement, from the general fund of the Territory":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 212, entitled: "An Act relating to pensions, amending Section 709 of the Revised Laws of Hawaii 1945 and repealing Act 32 of the Special Session Laws of Hawaii 1949 and Act 376 of the Session Laws of Hawaii 1949":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 213, entitled: "An Act to amend Section 6376, Revised Laws of Hawaii 1945 relating to the Chief Engineer, Hawaii County Department of Public Works":

The bill was referred to the Select Committee of Hawaii Senators.

Second Reading of Senate Bill No. 214, entitled: "An Act appropriating funds for flood control improvements in the County of Maui, empowering and authorizing the Board of Supervisors of the County of Maui to issue bonds in the sum of $250,000.00, and providing for the expenditure of the proceeds thereof":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 215, entitled: "An Act relating to taxation, amending Title 14 of the Revised Laws of Hawaii 1945, as amended, by repealing Chapter 98.01 of the Revised Laws of Hawaii 1945, relating to the compensating tax law, which was enacted by Act 113 (Series A-85) of the Session Laws of Hawaii 1947, by repealing certain other provisions of said Act 113 of the Session Laws of Hawaii 1947, and by amending Chapters 99 and 101 of the Revised Laws of Hawaii 1945, relating to the consumption tax and the general excise tax":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 216, entitled: "An Act relating to rules and regulations of officers, boards, commissions and other governmental agencies; amending Section 466 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 217, entitled: "An Act amending Section 12659 of the Revised Laws of Hawaii 1945 relating to the registration of mortgages on property registered in the Land Court, and particularly to the effect of provisions in such mortgages providing for future advances":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 218, entitled: "An Act to authorize the Department of Public Instruction to aid and assist in a program of aviation education inaugurated by the United States Air Force and the Civil Air Patrol, and making an appropriation therefor":

The bill was referred to the Committee on Education.

Second Reading of Senate Bill No. 219, entitled: "An Act relating to Hinana or Baby Oopu, and making an appropriation therefor":

The bill was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Bill No. 220, entitled: "An Act relating to District Magistrates; amending Section 9671 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Judiciary.

THIRD READINGS:

Third Reading of Senate Bill No. 60, entitled: "An Act to amend Section 4112 of the Revised Laws of Hawaii 1945, relating to duties and powers of the Commission of Labor and Industrial Relations":

Upon motion by Senator Lee, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Dillingham, Fernandes, Harrison, Heen, Lee, Robinson and Mr. President. Total, 8.

Noes: None.

Excused and not voting: Senators Ansai, Capellas, Crockett, Duarte, Hill, Nobriga and Okino. Total, 7.

At 11:25 o'clock a.m., upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Senate adjourned until 11:00 o'clock a.m., on Monday, March 12, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

SIXTEENTH Day

MONDAY, MARCH 12, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SIXTEENTH DAY

Monday, March 12, 1951.

The Senate convened at 11:06 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Fifteenth Day.

At this time, the President announced that this was the hour set for the joint session of the Senate and the House of Representatives, under Senate Concurrent Resolution No. 4, to listen to an address by Dr. Leon Sherman of the Institute of Geophysics of the University of California at Los Angeles.

Senator Duarte moved that the President appoint a Committee of three Senators, to join with a like Committee of the House of Representatives, to escort Dr. Sherman from the Governor's Chambers to the Assembly Hall of the House of Representatives. Seconded by Senator Crockett, and carried.

The President thereupon appointed, as such Committee, Senators Capellas, Robinson and Harrison; and at 11:08 o'clock a.m., the Senate stood in recess, subject to the call of the Chair, the members repairing in a body to the assembly hall of the House of Representatives to sit in joint session with the Members of the House of Representatives to listen to an address by Dr. Sherman.

The joint session was called to order at 11:13 o'clock a.m., by Speaker Fong.

At this time, the Sergeant-at-Arms announced the arrival of Dr. Sherman, accompanied by Governor Stainback, and escorted by the joint Committee of the House (composed of Representatives Hayes, Duponte and Richardson) and Senate (composed of Senators Capellas, Robinson and Harrison). Dr. Sherman was seated on the dais at the right of the Speaker, and the Governor was seated on the right of Dr. Sherman, with President Tsukiyama on the left of the Speaker.

Beautiful carnation leis were placed about the shoulders of the honor guest, the Governor, the Speaker and the President of the Senate.

The Speaker hereupon presented Dr. Sherman to the assembly, stating that he was here to participate in a symposium on scientific research in the Pacific and that he was making a preliminary survey for the establishment of the Mauna Loa Laboratory for geophysical research.

Dr. Sherman delivered a prepared talk on Tropical Meteorology, the closing sentence of which was as follows: "I would like to close with the ventured opinion that such an observatory is an eventual certainty, for it exploits one of Hawaii's natural and unique advantages for scientific work".

The Speaker thanked Dr. Sherman for his interesting talk and stated that he hoped Dr. Sherman would recommend to the authorities of his institution that such an observatory might be established in Hawaii, and that he was sure the members of the Legislature would do everything possible to assist in this project.

The Speaker then presented to the joint session the following gentlemen who have accompanied Dr. Sherman on this survey, each of whom stood when his name was called:

Robert H. Simpson, Official in Charge, Pacific Division, U. S. Weather Bureau;

Arthur W. Youmans, Administrative Officer, U. S. Weather Bureau, Honolulu;

C. K. Stidd, Research Forecaster, U. S. Weather Bureau, Honolulu; and

Wendell A. Mordy, Meterologist, H.S.P.A. Experiment Station, Pineapple Research Institute.

Speaker Fong then declared the joint session ended at 11:25 o'clock a.m., and asked that the joint committee of the Senate and House of Representatives, who had escorted Dr. Sherman to the assembly hall, escort him from the joint session.

The joint session being ended, the Senate reconvened at 11:33 o'clock a.m., and proceeded with the regular order of business, as follows:

A communication from the Chairman of the Legislative Committee of the Board of Supervisors, City and County of Honolulu (Dept. Com. No. 33), transmitting 13 sets of bills and complete sets of two Resolutions for introduction into the Senate, was read as follows:

(Dept. Com. No. 33)

The communication, bills and resolutions were received and referred to the Select Committee of Oahu Senators, since they all related to the City and County of Honolulu.

A communication from the House (H. Com. No. 13), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Concurrent Resolution No. 3, and that as thus amended, the Concurrent Resolution had been adopted by the House, was read as follows:

(H. Com. No. 13)

The communication was received and placed on file.

A communication from the House (H. Com. No. 14), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Concurrent Resolution No. 8, and that said Concurrent Resolution, as thus amended, had been adopted by the House, was read as follows:

(H. Com. No. 14)

The communication was received and placed on file.

A communication from the House (H. Com. No. 15), transmitting House Concurrent Resolution No. 28, was read as follows:

(H. Com. No. 15)
(H. Con. Res. No. 28)

The communication was received and placed on file.

Consideration of House Concurrent Resolution No. 28, "expressing the gratitude of the people of Hawaii to Arthur Godfrey for his championship of their customs and aspirations and his daily expressions of aloha":

Upon motion by Senator Aguiar, seconded by Senator Harrison, and carried, the Concurrent Resolution was adopted.

A communication from Alison MacBride, Chairman of the Nursing Study Committee of the Holdover Committee of 1949 Subcommittee on Hospitals, Medical Care, Health and Welfare (Misc. Com. No. 29), submitting copies of the report of said Nursing Study Committee on its survey of nursing needs and recommendations to improve patient care in the Territory, was read as follows:

(Misc. Com. No. 29)

The communication and report were received, copies of the report distributed to the members, and referred to the Committee on Public Health.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolution were introduced and, upon motion by Senator Aguiar, seconded by Senator Duarte, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senators Aguiar and Fernandes (S. B. No. 221), entitled: "An Act providing for a groin on the Makaweli side of the Waimea River Mouth, Kauai, and making an appropriation therefor";

By Senator Duarte (S. B. No. 222), entitled: "An Act repealing Act 5 of the Special Session Laws of Hawaii 1949 and re-enacting Section 80 of the Revised Laws of Hawaii 1945, in the form in which it existed prior to the enactment of said Act 5";

By Senator Duarte (S. B. No. 223), entitled: "An Act providing for water research, storage, development and distribution of water to certain lands on the island of Molokai under the control of the Hawaiian Homes Commission, and making an appropriation therefor from the Molokai Irrigation System Fund";

By Senator Duarte (S. B. No. 224), entitled: "An Act appropriating monies for certain public improvements on the Island of Molokai";

By Senator Tsukiyama (S. B. No. 225), entitled: "An Act relating to duties of Chiefs of Police and prosecuting officers of the various counties and City and County";

By Senator Tsukiyama (S. B. No. 226), entitled: "An Act relating to divorce; amending Section 12210 and repealing Section 12218 of the Revised Laws of Hawaii 1945";

By Senator Dillingham (S. B. No. 227), entitled: "An Act to amend Sections 1751 and 1752 of the Revised Laws of Hawaii 1945, relating to sabbatical leaves for public school teachers";

By Senator Dillingham, by request (S. B. No. 228), entitled: "An Act to amend Section 6548 of the Revised Laws of Hawaii 1945, as amended by Act 210, Session Laws of Hawaii 1947, relating to salaries of certain City and County officers":

By Senator Heen (S. B. No. 229), entitled: "An Act to amend Section 7031 of the Revised Laws of Hawaii 1945, relating to auctioneer's charges";

By Senators Duarte and Fernandes (S. J. Res. No. 22), entitled: "Joint Resolution requesting the Congress of the United States of America to enact legislation providing financial assistance to the Territory of Hawaii for the segregation, care, maintenance and treatment therein of persons afflicted or suspected of being afflicted with leprosy".

CONCURRENT RESOLUTIONS:

Senator Ansai offered a Concurrent Resolution (S. Con. Res. No. 15), requesting the Ways and Means Committee of the Senate and the Finance Committee of the House of Representatives, in including in the general appropriation bill appropriations for Kalaupapa and Hale Mohalu, not to lump the two appropriations in one, but to make separate appropriations for each institution, which was read as follows:

(S. Con. Res. No. 15)

Senator Ansai moved for the adoption of the Concurrent Resolution.

Senator Hill moved that the Concurrent Resolution be referred to the Committee on Ways and Means. Seconded by Senator Dillingham.

Senator Duarte moved to table the motion to refer the Concurrent Resolution to the Committee on Ways and Means. Seconded by Senator Crockett.

A Roll call being demanded, the motion to table the motion to refer the Concurrent Resolution to the Committee on Ways and

Means was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Okino and Mr. President. Total, 8.

Noes: Senators Dillingham, Harrison, Heen, Hill, Lee, Nobriga and Robinson. Total, 7.

Senator Lee moved that the Concurrent Resolution be referred to the Printing Committee for printing. Seconded by Senator Nobriga, and carried.

Senators Nobriga, Lee, Hill, Duarte, Ansai, Aguiar, Fernandes, Heen, Harrison, Capellas, Okino, Tsukiyama, Robinson, Crockett and Dillingham offered a Concurrent Resolution (S. Con. Res. No. 16), requesting the Congress of the United States to enact legislation granting to all residents of the Territory of Hawaii who have been residents of the Territory for not less than one year immediately prior to their entry into the armed forces exemption from all federal taxes becoming due while such residents are serving in the armed forces, which was read as follows:

(S. Con. Res. No. 16)

Upon motion by Senator Duarte, seconded by Senator Fernandes, and carried, the Concurrent Resolution was adopted.

RESOLUTIONS:

Senator Ansai offered a Resolution (S. Res. No. 36), requesting the Director of the Bureau of the Budget to prepare the figures on the expenditure or allotment of funds for Hale Mohalu and for Kalaupapa Settlement to determine whether and how much funds have been diverted from Kalaupapa to Hale Mohalu, and to submit as soon as possible such figures to the Committee on Public Health, which was read as follows:

(S. Res. No. 36)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the Resolution was adopted.

Senators Capellas, Harrison, Nobriga, Okino, Duarte, Lee, Crockett, Ansai, Aguiar and Dillingham offered a Resolution (S. Res. No. 37), expressing regret at the passing of Harry Allardt Kluegel, former Superintendent of the Territorial Board of Hospitals and Settlement, which was read as follows:

(S. Res. No. 37)

Upon motion by Senator Capellas, seconded by Senator Lee, the Resolution was unanimously adopted by a rising vote.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 23), recommending that Senate Bill No. 15 be referred to the Committee on Ways and Means, to which Senate Bill No. 3 on a similar subject matter has been referred, which was read as follows:

(Stand. Com. Rep. No. 23)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 15 was thereupon referred to the Committee on Ways and Means.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 24), recommending that Senate Bill No. 88 be referred to the Committee of the Whole having under consideration certain reorganization bills, which was read as follows:

(Stand. Com. Rep. No. 24)

Upon motion by Senator Lee, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 88 was thereupon referred to the Committee of the Whole, of which Senator Dillingham is Chairman.

Senator Capellas, for the Committee of the Whole, to which were referred Senate Resolution No. 31, providing for the pay of officers and employees of the Senate, together with Miscellaneous Communications Nos. 2 to 19, inclusive, and Nos. 24 and 26, all relating to the same subject matter, presented a report (Com. Whole Rep. No. 2), recommending the adoption of the said Resolution and the filing of the miscellaneous communications above enumerated, which was read as follows:

(Com. Whole Rep. No. 2)

Upon motion by Senator Capellas, seconded by Senator Ansai, and carried, the report was received and placed on file, the oral report of the Committee having been previously adopted.

At 12:12 o'clock p. m., upon motion by Senator Lee, seconded by Senator Dillingham, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:07 o'clock p. m., with the President in the Chair, all Senators being present with the exception of Senator Hill, excused.

A communication from the House (H. Com. No. 16), returning Senate Bill No. 1, recalled by the House for the purpose of making certain amendments therein, in amended form, was read by the Clerk as follows:

(H. Com. No. 16)

The communication was received and placed on file.

Consideration of amendments proposed by the House to Senate Bill No. 1, on recall:

Senator Aguiar moved that the bill, in the amended

form, lay on the table until later on the calendar. Seconded by Senator Duarte, and carried.

Senator Capellas introduced a bill (S. B. No. 230), entitled: "An Act relating to bonuses for public officers and employees, and amending Act 208 of the Session Laws of Hawaii 1947, as amended".

Upon motion by Senator Capellas, seconded by Senator Crockett, and carried, the bill passed First Reading by title and was referred to the Printing Committee.

At this time, Senator Dillingham moved that the Senate resolve itself into a Committee of the Whole for the consideration of Senate Bills Nos. 70, 71, 72, 73 and 74, relating to the reorganization of certain executive departments of the Territorial government. Seconded by Senator Fernandes, and carried, and at 2:10 o'clock p.m., the Senate resolved itself into a Committee of the Whole for such purpose, with Senator Dillingham as Chairman.

At 4:28 o'clock p.m., the Committee rose and the Senate reconvened.

Senator Dillingham, for the Committee of the Whole, having under consideration Senate Bills Nos. 70, 71, 72, 73 and 74, all relating to the reorganization of certain executive departments of the Territorial government, orally reported progress and asked leave to sit again tomorrow afternoon at 2:00 o'clock.

Upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, the oral report of the Committee was adopted.

Consideration of amendments proposed by the House to Senate Bill No. 1, upon recall:

Upon motion by Senator Fernandes, seconded by Senator Lee, and carried, action on the amendments was deferred until tomorrow.

INTRODUCTION OF BILLS:

The following bills were introduced and, upon motion by Senator Harrison, seconded by Senator Crockett, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senator Harrison (S. B. No. 231), entitled: "An Act making an appropriation for the construction and equipping of a building suitable for a school of nursing at the University of Hawaii";

By Senator Crockett (S. B. No. 232), entitled: "An Act to amend Sections 13001 and 13011, Revised Laws of Hawaii 1945, relating to military courts martial";

By Senator Crockett (S. B. No.233), entitled: "An Act to amend Section 5344 (c), Revised Laws of Hawaii 1945, relating to compensation and dividends tax";

By Senator Crockett (S. B. No. 234), entitled: "An Act to amend Section 4464 of the Revised Laws of Hawaii 1945, as amended by Act 169, Session Laws of 1947, relating to workmen's compensation".

At 4:30 o'clock p.m., upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Senate adjourned until 11:00 o'clock a.m., on Tuesday, March 13, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred K. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

SEVENTEENTH Day

TUESDAY, MARCH 13, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SEVENTEENTH DAY

Tuesday, March 13, 1951.

The Senate convened at 11:09 o'clock a.m., with the President presiding.

After Prayer by the Chaplain, the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Sixteenth Day.

A communication from the House (H. Com. No. 17), transmitting House Concurrent Resolution No. 5, was read as follows:

(H. Com. No. 17)
(H. Con. Res. No. 5)

The communication was received and placed on file.

Consideration of House Concurrent Resolution No. 5, "requesting the Hawaii Housing Authority to survey the needs of Kauai for low-cost housing and for appropriate action in accordance therewith":

Upon motion by Senator Heen, seconded by Senator Lee, and carried, the Concurrent Resolution was referred to the Committee on Ways and Means.

INTRODUCTION OF BILLS AND JOINT RESOLUTION:

The following bills and joint resolution were introduced and, upon motion by Senator Harrison, seconded by Senator Duarte, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senators Duarte and Okino (S. B. No. 235), entitled: "An Act to amend Section 8487 of the Revised Laws of Hawaii 1945, as amended, relating to the taxation of insurance companies and providing for the distribution of a portion thereof among the counties";

By Senators Crockett and Ansai (S. B. No. 236), entitled: "An Act relating to Hansen's disease sufferers hospitals and settlement; amending Chapter 64 of the Revised Laws of Hawaii 1945";

By Senator Dillingham, by request (S. B. No. 237), entitled: "An Act relating to the Board of Registration for professional engineers, architects and surveyors, and the practice of the engineering, architectural and surveying professions":

By Senator Harrison (S. B. No. 238), entitled: "An Act repealing subsection 1 of Section 1 of Act 80 of the Session Laws of Hawaii 1949, relating to meetings of the Board of Health";

By Senator Dillingham (S. B. No. 239), entitled: "An Act to amend Chapter 100 of the Revised Laws of Hawaii 1945, relating to fuel taxes";

By Senator Duarte (S. J. Res. No. 23), entitled: "joint resolution memorializing the Congress of the United States to enact legislation to reimburse certain former hourly-paid employees of the U. S. Engineers in Hawaii for accumulated annual leave denied to them during World War II".

CONCURRENT RESOLUTIONS:

Senators Aguiar and Fernandes offered a Concurrent Resolution (S. Con. Res. No. 17), recommending to the Department of Public Instruction that additional emphasis

and increasing attention be given to particular courses designed to aid pupils in all grades in the recognition of certain designated basic principles of democracy, which was read as follows:

(S. Con. Res. No. 17)

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the Concurrent Resolution was referred to the Printing Committee, and that it be placed on the calendar for consideration tomorrow.

Senator Dillingham offered a Concurrent Resolution (S. Con. Res. No. 18), directing the Territorial Tax Commissioner to forgive and to refrain from collecting certain taxes assessed against C. M. Elie, together with penalties and interest against him, which was read as follows:

(S. Con. Res. No. 18)

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, the Concurrent Resolution was referred to the Committee on Ways and Means.

RESOLUTIONS:

Senator Duarte offered a Resolution (S. Res. No. 38), requesting the Territorial Highway Engineer to include in the projects being undertaken by him on Molokai a bridge over the newly completed Kaunakakai flood control project, which was read as follows:

(S. Res. No. 38)

Upon motion by Senator Duarte, seconded by Senator Fernandes, and carried, the Resolution was adopted.

Senator Duarte offered a Resolution (S. Res. No. 39), requesting the Territorial Board of Health to increase the allowance for blind patients at Kalaupapa from $7.06 per month to $12.00 per month, which was read as follows:

(S. Res. No. 39)

Upon motion by Senator Aguiar, seconded by Senator Duarte, and carried, the Resolution was referred to the Printing, to be placed on the calendar for consideration tomorrow.

Senators Duarte and Fernandes offered a Resolution (S. Res. No. 40, providing that no further committee hearings be held on any important measures until a period of at least six days has elapsed after the bills to be considered shall have been mailed to the islands other than Oahu, which was read as follows:

(S. Res. No. 40)

Senator Lee moved that the Resolution be referred to the Printing Committee and be placed on the calendar for consideration tomorrow. Seconded by Senator Ansai, and carried.

Senators Okino, Nobriga, Lee, Heen, Ansai, Crockett, Duarte and Fernandes offered a Resolution (S. Res. No. 41), providing that the Senate sit as a Committee of the Whole on March 27th, to make a thorough investigation of the circumstances surrounding the recent sales and leases of public lands on the islands of Hawaii and Oahu, and any problems relating thereto; and providing, further, that the President of the Senate designate a presiding officer for said Committee of the Whole who will make all arrangements for said meeting, prepare the agenda, etc., which was read as follows:

(S. Res. No. 41)

Upon motion by Senator Capellas, seconded by Senator Dillingham, and carried, the Resolution was referred to the Printing Committee, and placed on the calendar for consideration tomorrow.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 25), reporting on matters referred to said Committee, which was read as follows:

(Stand. Com. Rep. No. 25)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 221, entitled: "An Act providing for a groin on the Makaweli side of the Waimea River Mouth, Kauai, and making an appropriation therefor":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 222, entitled: "An Act repealing Act 5 of the Special Session Laws of Hawaii 1949 and re-enacting Section 80 of the Revised Laws of Hawaii 1945, in the form in which it existed prior to the enactment of said Act 5":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 223, entitled: "An Act providing for water research, storage, development and distribution of water to certain lands on the island of Molokai under the control of the Hawaiian Homes Commission, and making an appropriation therefor from the Molokai Irrigation System Fund":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 224, entitled: "An Act appropriating monies for certain public improvements on the Island of Molokai":

The bill was referred to the Select Committee of Maui Senators.

Second Reading of Senate Bill No. 225, entitled: "An Act relating to duties of Chiefs of Police and prosecuting officers of the various counties and City and County":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 226, entitled: "An Act relating to divorce; amending Section 12210 and repealing Section 12218 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 227, entitled: "An Act to amend Sections 1751 and 1752 of the Revised Laws of Hawaii 1945, relating to sabbatical leaves for public school teachers":

The bill was referred to the Committee on Education.

Second Reading of Senate Bill No. 228, entitled: "An Act to amend Section 6548 of the Revised Laws of Hawaii 1945, as amended by Act 210, Session Laws of Hawaii 1947, relating to salaries of certain City and County officers":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 229, entitled: "An Act to amend Section 7031 of the Revised Laws of Hawaii 1945, relating to auctioneer's charges":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 230, entitled: "An Act relating to bonuses for public officers and employees, and amending Act 208 of the Session Laws of Hawaii 1947, as amended":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 231, entitled: "An Act making an appropriation for the construction and equipping of a building suitable for a school of nursing at the University of Hawaii":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 232, entitled: "An Act to amend Sections 13001 and 13011, Revised Laws of Hawaii 1945, relating to military courts martial":

The bill was referred to the Committee on Military.

Second Reading of Senate Bill No. 233, entitled: "An Act to amend Section 5344 (c), Revised Laws of Hawaii 1945, relating to compensation and dividends tax":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 234, entitled: "An Act to amend Section 4464 of the Revised Laws of Hawaii 1945, as amended by Act 169, Session Laws of 1947, relating to workmen's compensation":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Joint Resolution No. 22, entitled: "Joint Resolution requesting the Congress of the United States of America to enact legislation providing financial assistance to the Territory of Hawaii for the segregation, care, maintenance and treatment therein of persons afflicted or suspected of being afflicted with leprosy":

The Joint Resolution was referred to the Committee on Public Health.

Consideration of Senate Concurrent Resolution No. 15, requesting the Ways and Means Committee of the Senate and the Finance Committee of the House of Representatives, in making appropriations for Kalaupapa and Hale Mohalu, to make separate appropriations for each institution, deferred from March 12th:

Upon motion by Senator Ansai, seconded by Senator Crockett, and carried, the Concurrent Resolution was adopted.

Consideration of amendments proposed by the House to Senate Bill No. 1, deferred from March 12th:

Senator Hill moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Dillingham; and Senate Bill No. 1, entitled: "An Act to appropriate money for the expenses of the Twenty-Sixth Legislature of the Territory of Hawaii, to compensate certain members-elect thereof for pre-session travel and subsistence, and to reimburse the Governor's Contingent Fund for advances made for such expenses", passed Final Reading, as amended, on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Harrison, Hill, Nobriga, Robinson and Mr. President. Total, 9.

Noes: Senators Aguiar, Duarte, Fernandes, Heen, Lee and Okino. Total, 6.

At 12:10 o'clock p.m., upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:13 o'clock p.m., with the President in the Chair, and all Senators being present with the exception of Senator Lee, excused.

A communication from the Chairman of the Farm Loan Board of Hawaii (Dept. Com. No. 34), transmitting fifteen copies of the Report of said Board for the period from January 1, 1949 to December 31, 1950, was read as follows:

(Dept. Com. No. 34)

The communication and report were received; the Reports were distributed to the Members, and the communication was placed on file.

INTRODUCTION OF BILLS:

The following bills were introduced and, upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senators Dillingham, Harrison and Tsukiyama, by request (S. B. No. 240), entitled: "An Act making an appropriation for lights and fences for athletic field at Waialua High School, Waialua, Oahu, Territory of Hawaii";

By Senators Dillingham, Harrison and Tsukiyama, by request (S. B. No. 241), entitled: "An Act to repeal Act 281 of the Session Laws of Hawaii 1949 (Regular Session), relating to housing projects and housing; conferring rights, powers, privileges and immunities upon the Hawaii Housing Authority in regard thereto; prohibiting certain changes; and requiring aid and assistance from counties for such housing projects and housing";

By Senators Dillingham, Robinson, Harrison and Tsukiyama, by request (S. B. No. 242), entitled: "An Act making an appropriation for lights for athletic field at Waipahu High School, Waipahu, Oahu, Territory of Hawaii";

By Senators Dillingham, Harrison and Tsukiyama, by request (S. B. No. 243), entitled: "An Act making an appropriation for lights and fences for athletic field at Kahuku High School, Kahuku, Oahu, Territory of Hawaii";

By Senators Dillingham, Harrison and Tsukiyama, by request (S. B. No. 244), entitled: "An Act making an appropriation for lights and fences for athletic field at Castle High School, Kaneohe, Oahu, Territory of Hawaii";

By Senators Dillingham, Harrison and Tsukiyama, by request (S. B. No. 245), entitled: "An Act making an appropriation for lights and fences for athletic field at Wahiawa High School, Wahiawa, Oahu, Territory of Hawaii";

By Senators Dillingham, Harrison and Tsukiyama, by request (S. B. No. 246), entitled: "An Act making an appropriation for a gymnasium at Wahiawa High School, Wahiawa, Oahu, Territory of Hawaii";

By Senators Dillingham, Harrison and Tsukiyama, by request (S. B. No. 247), entitled: "An Act making an appropriation for a gymnasium at Waialua High School, Waialua, Oahu, Territory of Hawaii";

By Senators Dillingham, Harrison and Tsukiyama, by request (S. B. No. 248), entitled: "An Act making an appropriation for a gymnasium at Waipahu High School, Waipahu, Oahu, Territory of Hawaii":

By Senators Dillingham, Harrison and Tsukiyama, by request (S. B. No. 249), entitled: "An Act making an appropriation for a gymnasium at Castle High School, Kaneohe, Oahu, Territory of Hawaii";

By Senators Dillingham, Harrison and Tsukiyama, by request (S. B. No. 250), entitled: "An Act to amend Act 268 of the Session Laws of Hawaii 1949 (Regular Session) by repealing Section 2 (Sec. 6022.2) thereof, relating to facilities and services by counties to Hawaii Housing Authority and tenants";

By Senators Dillingham, Harrison and Tsukiyama, by request (S. B. No. 251), entitled: "An Act to amend Section 5676 of the Revised Laws of Hawaii 1945, relating to the disposition of public utilities tax funds";

By Senators Dillingham, Harrison and Tsukiyama, by request (S. B. No. 252), entitled: "An Act to amend Section 6534 of the Revised Laws of Hawaii 1945, relating to prohibition of unauthorized employment and fixing salaries of employees of the City and County of Honolulu".

At this time, Senator Dillingham moved that the Senate resolve itself into a Committee of the Whole for the consideration of Senate Bills Nos. 70, 71, 73, 73, 74 and Senate Joint Resolution No. 7, all relating to re-organization of certain executive departments of the Territorial Government. Seconded by Senator Fernandes, and carried; and at 2:20 o'clock p.m., the Senate resolved itself into a Committee of the Whole for such purpose, with Senator Dillingham as Chairman.

At 5:15 o'clock p.m., the Committee rose and the Senate reconvened.

Senator Dillingham, for the Committee of the Whole, having under consideration Senate Bills Nos. 70, 71, 72, 73, 74 and Senate Joint Resolution No. 7, relating to the reorganization of certain executive departments of the Territorial Government, orally reported progress and asked leave to sit again on Monday afternoon, March 19th, at 2:00 o'clock.

Upon motion by Senator Dillingham, seconded by Senator Capellas, and carried, the oral report of the Committee was adopted.

A Message from the Governor (Gov. Message No. 11), submitting appointments for confirmation by the Senate, was read as follows:

(Gov. Message No. 11)

The Message was received, ordered printed, and action thereon deferred to be taken up with other Messages covering appointments.

At 5:29 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Crockett, and carried, the Senate adjourned until Wednesday, March 14, 1951, at 9:30 o'clock a.m.

Ellen D'Smythe

Clerk of the Senate.

Approved:

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

EIGHTEENTH Day

WEDNESDAY, MARCH 14, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

EIGHTEENTH DAY

Wednesday, March 14, 1951.

The Senate convened at 9:55 o'clock a.m., with the President presiding.

Chaplain Keala invoked the Divine Blessing after which the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Seventeenth Day.

A Message from the Governor (Gov. Message No. 12), submitting the name of Thomas O'Brien as a Member of the Board of Paroles and Pardons for a term to expire June 30, 1953, was read as follows:

(Gov. Message No. 12)

The Message was received and upon motion by Senator Okino, seconded by Senator Dillingham, and carried, the appointment was confirmed.

A communication from the Superintendent of Public Works (Dept. Com. No. 35), transmitting 20 copies of "Data Sheet - Lahaina-Wailuku Road" for use by the Senators making the trip to Maui during which this road will be visited, was read as follows:

(Dept. Com. No. 35)

The communication and Data Sheet were received, the sheet was distributed to the Members, and the communication placed on file.

A communication from the City and County Clerk, City and County of Honolulu (Dept. Com. No. 36), transmitting completed sets of 5 bills for favorable consideration by the Senate, was read by the Clerk as follows:

(Dept. Com. No. 36)

The communication and accompanying bills were received; the bills were referred to the Select Committee of Oahu Senators, and

the communication was placed on file.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolutions were introduced and, upon motion by Senator Dillingham, seconded by Senator Robinson, and carried, passed First Reading by title and were referred to the Printing Committee:

By Senator Hill (S. B. No. 253), entitled: "An Act repealing Chapter 101 of the Revised Laws of Hawaii 1945, as amended, relating to the general excise tax law";

By Senator Dillingham (S. B. No. 254), entitled: "An Act providing for the shifting of the general excise tax, adding a new Section 5481.01 to the Revised Laws of Hawaii 1945";

By Senator Dillingham (S. B. No. 255), entitled: "An Act amending Chapter 3 of the Revised Laws of Hawaii 1945 by adding a new section to be numbered Section 112.01, and amending Section 112 of the Revised Laws of Hawaii 1945, relating to the classification and salary schedules of certain professional employees of the Territory";

By Senators Okino, Ansai and Duarte (S. B. No. 256), entitled: "An Act relating to the tax on aviation fuel, and amending Section 5404 of the Revised Laws of Hawaii 1945, as amended";

By Senators Capellas and Hill (S. B. No. 257), entitled: "An Act relating to public improvements and the financing thereof, making appropriations for expenditure by the Hawaiian Homes Commission for construction of an irrigation and water system, and expenditure by the University of Hawaii for establishment of an agricultural experiment station, all at Waimea, Hawaii; amending Act 227 of the Session Laws of Hawaii 1943, reducing the amount for expenditure by the Molokai Water Board for an irrigation and water utilization system";

By Senators Dillingham, Harrison, Robinson and Tsukiyama, by request (S. B. No. 258), entitled: "An Act authorizing issuance of bonds for flood control projects";

By Senators Dillingham, Harrison, Robinson, Tsukiyama, by request (S. B. No. 259), entitled: "An Act to amend Section 6591 of the Revised Laws of Hawaii 1945, as amended, relating to the disposition of unappropriated surplus and unencumbered balances of any appropriations in any fund of the City and County of Honolulu at the end of any fiscal year, and relating to the general emergency reserve fund";

By Senators Dillingham and Tsukiyama, by request (S. B. No. 260), entitled: "An Act to amend Chapter 282 of the Revised Laws of Hawaii 1945 as amended, relating to sex offenses";

By Senators Dillingham, Harrison, Robinson and Tsukiyama, by request (S. B. No. 261), entitled: "An Act appropriating the sum of two hundred twenty-six thousand one hundred thirty dollars ($226,130.00) to reimburse the general emergency reserve fund of the City and County of Honolulu for advances made therefrom in connection with the establishment, organization and preparation of the Disaster Relief Program for the City and county of Honolulu";

By Senators Dillingham, Harrison, Robinson and Tsukiyama, by request (S. B. No. 262), entitled: "An Act appropriating the sum of eightyone thousand sixty four dollars ($81,064.00) to reimburse the City and County of Honolulu, said sum being advanced by the city and county as its share in the cost of construction of the Fire Station for the fire boat on Pier 15 which is under the control of the Board of Harbor Commissioners of the Territory of Hawaii";

By Senator Ansai (S. B. No. 263), entitled: "An Act to amend Act 209, Series B-107, of the Session Laws of Hawaii 1947, relating to salaries of officers of the counties of Hawaii, Kauai and Maui";

By Senator Ansai (S. B. No. 264), entitled: "An Act to amend Chapter 2 of the Revised Laws of Hawaii 1945, as amended, relating to civil service, by amending paragraph (d) of Section 77 thereof";

By Senator Crockett (S. B. No. 265), entitled: "An Act relating to cash or other security in lieu of bond";

By Senator Crockett (S. B. No. 266), entitled: "An Act relating to appeals from Liquor Commissions; amending Section 7276 of the Revised Laws of Hawaii 1945";

By Senator Crockett (S. B. No. 267), entitled: "An Act relating to review of orders demoting members of the Police Departments of Maui, Hawaii, and Kauai";

By Senator Nobriga (S. B. No. 268), entitled: "An Act amending Chapter 8, Revised Laws of Hawaii 1945, by adding thereto a new section to be numbered 314.01, providing a ceiling on awards for real property condemned for public purpose";

By Senators Heen and Aguiar (S. B. No. 269), entitled: "An Act relating to the furnishing by the government of longshore services, terminal facilities and services in connection therewith, and making appropriation therefor";

By Senators Dillingham, Capellas and Crockett (S. B. No. 270), entitled: "An Act to amend Title 14 of the Revised Laws of Hawaii 1945, as amended, by amending Sections 5475 and 5385 of the Revised Laws of Hawaii 1945,

and by adding thereto three new sections to be designated Sections 5370.15, 5360 and 5542, all relating to the creation of a lien on land for unpaid taxes, penalties and interest";

By Senators Dillingham, Harrison, Robinson, Ansai and Crockett (S. B. No. 271), entitled: "An Act making an appropriation for the purposes of joint resolution 5 of the Special Session Laws of 1949, relating to the Commission on Subversive Activities";

By Senators Dillingham, Capellas, Harrison, Ansai and Crockett (S. B. No. 272), entitled: "An Act relating to the use of hog cholera vaccine";

By Senators Dillingham, Capellas, Ansai and Crockett (S. B. No. 273), entitled: "An Act to amend Chapter 34, University of Hawaii Regents' appointment";

By Senators Dillingham, Capellas, Harrison, Ansai and Crockett (S. B. No. 274), entitled: "An Act to provide for the exercise of the powers of eminent domain provided for in the 'Urban Redevelopment Act', Series B-175, Act 379, Session Laws of Hawaii 1949, Chapter 121.01, Revised Laws of Hawaii 1945";

By Senators Dillingham, Capellas, Harrison, Robinson, Ansai and Crockett (S. B. No. 275), entitled: "An Act relating to officers and employees of the Territory of Hawaii or of any county or political subdivision thereof on active duty with the Armed Forces of the United States";

By Senator Hill (S. J. Res. No. 24), entitled: "Joint Resolution requesting the Congress of the United States to enact legislation requiring all Federal Departments maintaining offices or officers or employees in Hawaii to withhold Territorial taxes upon compensation to the same extent as

private employers";

By Senators Nobriga and Okino (S. J. Res. No. 25), entitled: "Joint Resolution memorializing the Congress of the United States of America to reduce by fifty percentum the federal tax on capital gains realized from the sale of large portions of land holdings to the Territory of Hawaii subject to certain certification by the Governor of the Territory";

By Senators Nobriga and Okino (S. J. Res. No. 26), entitled: "Joint Resolution requesting the Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, setting sale price of homesteaded lands";

By Senators Harrison, Capellas, Hill, Robinson, Ansai, Crockett and Dillingham (S. J. Res. No. 27), entitled: "Joint Resolution memorializing the Congress of the United States to include in the Act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1951, funds for investigations in the Territory of Hawaii";

By Senators Harrison, Capellas, Hill, Robinson, Ansai, Crockett and Dillingham (S. J. Res. No. 28), entitled: "Joint Resolution memorializing the Congress of the United States to extend to the Territory of Hawaii the provisions of the Reclamation Act of June 17, 1902, as amended, 32 Stat. 388; 43 U.S.C.".

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 26), reporting on matters referred to said Committee, which was read as follows:

(Stand. Com. Rep. No. 26)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 235, entitled: "An Act to amend Section 8487 of the Revised Laws of Hawaii 1945, as amended, relating to the taxation of insurance companies and providing for the distribution of a portion thereof among the counties":

Senator Duarte moved that the bill be placed on file, it being identical with Senate Bill No. 169. Seconded by Senator Dillingham, and carried.

Second Reading of Senate Bill No. 236, entitled: "An Act relating to Hansen's disease sufferers hospitals and settlement; amending Chapter 64 of the Revised Laws of Hawaii 1945":

The bill was referred to the Committee on Public Health.

Second Reading of Senate Bill No. 237, entitled: "An Act relating to the Board of Registration for professional engineers, architects and surveyors, and the practice of the engineering, architectural and surveying professions":

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 238, entitled: "An Act repealing subsection 1 of Section 1 of Act 80 of the Session Laws of Hawaii 1949, relating to meetings of the Board of Health":

The bill was referred to the Committee on Public Health.

Second Reading of Senate Bill No. 239, entitled: "An Act to amend Chapter 100 of the Revised Laws of Hawaii 1945, relating to fuel taxes":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 240, entitled: "An Act making an appropriation for lights and fences for athletic field at Waialua High School, Waialua, Oahu, Territory of Hawaii":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 241, entitled: "An Act to repeal Act 281 of the Session Laws of Hawaii 1949 (Regular Session), relating to housing projects and housing; conferring rights, powers, privileges and immunities upon the Hawaii Housing Authority in regard thereto; prohibiting certain changes; and requiring aid and assistance from counties for such housing projects and housing":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 242, entitled: "An Act making an appropriation for lights for athletic field at Waipahu High School, Waipahu, Oahu, Territory of Hawaii":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 243, entitled: "An Act making an appropriation for lights and fences for athletic field at Kahuku High School, Kahuku, Oahu, Territory of Hawaii":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 244, entitled: "An Act making an appropriation for lights and fences for athletic field at Castle High School, Kaneohe, Oahu, Territory of Hawaii":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 245, entitled: "An Act making an appropriation for lights and fences for athletic field

at Wahiawa High School, Wahiawa, Oahu, Territory of Hawaii":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 246, entitled: "An Act making an appropriation for a gymnasium at Wahiawa High School, Wahiawa, Oahu, Territory of Hawaii":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 247, entitled: "An Act making an appropriation for a gymnasium at Waialua High School, Waialua, Oahu, Territory of Hawaii":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 248, entitled: "An Act making an appropriation for a gymnasium at Waipahu High School, Waipahu, Oahu, Territory of Hawaii":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 249, entitled: "An Act making an appropriation for a gymnasium at Castle High School, Kaneohe, Oahu, Territory of Hawaii":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 250, entitled: "An Act to amend Act 268 of the Session Laws of Hawaii 1949 (Regular Session) by repealing Section 2 (Sec. 6022.2) thereof, relating to facilities and services by counties to Hawaii Housing Authority and tenants":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 251, entitled: "An Act

to amend Section 5676 of the Revised Laws of Hawaii 1945, relating to the disposition of public utilities tax funds":

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 252, entitled: "An Act to amend Section 6534 of the Revised Laws of Hawaii 1945, relating to prohibition of unauthorized employment and fixing salaries of employees of the City and County of Honolulu":

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Joint Resolution No. 23, entitled: "Joint Resolution memorializing the Congress of the United States to enact legislation to reimburse certain former hourly-paid employees of the U. S. Engineers in Hawaii for accumulated annual leave denied to them during World War II":

The joint resolution was referred to the Committee on Military.

Consideration of Senate Concurrent Resolution No. 17, recommending to the Department of Public Instruction that additional emphasis and increasing attention be given to particular courses designed to aid pupils in all grades in the recognition of certain designated basic principles of democracy:

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the Concurrent Resolution was referred to the Committee on Education.

Consideration of Senate Resolution No. 39, requesting the Territorial Board of Health to increase the allowance for blind patients at Kalaupapa from $7.06 per month to $12.00 per month:

Upon motion by Senator Harrison, seconded by Senator

Hill, and carried, the Resolution was referred to the Committee on Ways and Means.

Consideration of Senate Resolution No. 40, providing that no further committee hearings be held on any important measuures until a period of at least six days has elapsed after the bills to be considered shall have been mailed to the islands other than Oahu:

Upon motion by Senator Hill, seconded by Senator Aguiar, and carried, the Resolution was referred to the Committee on Ways and Means.

Consideration of Senate Resolution No. 41, providing that the Senate sit as a Committee of the Whole on March 27th, to make a thorough investigation of the circumstances surrounding the recent sales and leases of public lands on the islands of Hawaii and Oahu, and any problems relating thereto; and providing, further, that the President of the Senate designate a presiding officer for said Committee of the Whole:

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the Concurrent Resolution was adopted.

At this time, President Tsukiyama appointed Senator Okino as Chairman of the Committee of the Whole, provided for by Senate Resolution No. 41.

At 10:30 o'clock a.m., upon motion by Senator Dillingham, seconded by Senator Lee, and carried the Senate adjourned until Monday, March 19, 1951, at 11:00 o'clock a.m.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

NINETEENTH Day

THURSDAY, MARCH 15, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

NINETEENTH DAY

Thursday, March 15, 1951.

N O  S E S S I O N

Ellen D'Smythe
Clerk of the Senate.

Approved:

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

TWENTIETH Day

FRIDAY, MARCH 16, 19 51

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

TWENTIETH DAY

Friday, March 16, 1951.

N O  S E S S I O N

Ellen D. Smeltzer
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

TWENTY-FIRST Day

SATURDAY, MARCH 17, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

TWENTY-FIRST DAY

Saturday, March 17, 1951.

N O  S E S S I O N

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred Chukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

TWENTY-SECOND Day

MONDAY, MARCH 19, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

TWENTY-SECOND DAY

Monday, March 19, 1951.

The Senate convened at 11:16 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Eighteenth, Nineteenth, Twentieth and Twenty-First Days.

At this time, Senator Dillingham called attention to President Truman's picture which had been procured and hung on the wall directly behind, and to the right, of the President's chair on the dais, and complimented the Special Committee appointed to hang this portrait.

The President thanked the Committee appointed by him, consisting of Senators Heen, Chairman, Capellas and Duarte, for fulfilling its mission so satisfacorily and thereupon discharged the said Committee.

A Message from the Governor (Gov. Message No. 13), submitting certain appointments for confirmation, was read as follows:

(Gov. Message No. 13)

The Message was received, ordered printed, and action thereon was deferred, to be taken up at the time similar Messages are considered by the Senate.

A communication from the Fire Marshal, Territory of Hawaii (Dept. Com. No. 37), transmitting copies of the Annual Report for 1950 of that office, was read as follows:

(Dept. Com. No. 37)

The communication and reports were received; the reports were distributed to the Members, and the communication was placed on file.

A communication from the Chairman of the Legislative Committee of the Board of Supervisors, City and County of Honolulu (Dept. Com. No. 38), transmitting sets of 13 bills and 1 joint resolution which had been approved by said Committee, for favorable consideration by the Legislature, was read as follows:

(Dept. Com. No. 38)

The communication, bills and joint resolution were received; the bills and joint resolution were referred to the Select Committee of Oahu Senators, and the communication was placed on file.

A communication from the House (H. Com. No. 18), transmitting House Concurrent Resolution No. 11, was read as follows:

(H. Com. No. 18)
(H. Con. Res. No. 11)

The communication was received and placed on file.

Consideration of House Concurrent Resolution No. 11, "memorializing the Congress of the United States of America to amend the Hawaiian Organic Act by reducing the residence qualification in divorce proceedings from two years to one year":

The Concurrent Resolution was referred to the Committee on Judiciary, upon motion by Senator Hill, seconded by Senator Duarte, and carried.

A communication from the House (H. Com. No. 19), transmitting House Bill No. 174, was read as follows:

(H. Com. No. 19)

The communication was received and placed on file.

First Reading of House Bill No. 174, entitled: "An Act to amend Section 12211 of the Revised Laws of Hawaii 1945, relating to divorce":

Upon motion by Senator Nobriga, seconded by Senator Aguiar, and carried, the bill passed First Reading by title and was placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 20), transmitting House Concurrent Resolution No. 7, was read as follows:

(H. Com. No. 20)
(H. Con. Res. No. 7)

The communication was received and placed on file.

Consideration of House Concurrent Resolution No. 7, "inviting the disabled American veterans to Hawaii for their national convention in 1952 and commending the Oahu County Council, Disabled American Veterans":

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, the Concurrent Resolution was adopted.

A communication from the House (H. Com. No. 21), returning Senate Concurrent Resolution No. 5, which had been adopted by the House of Representatives, was read as follows:

(H. Com. No. 21)

The communication was received and placed on file.

A communication from the House (H. Com. No. 22), returning Senate Concurrent Resolution No. 6, which had been adopted by the House of Representatives, was read as follows:

(H. Com. No. 22)

The communication was received and placed on file.

A communication from the House (H. Com. No. 23), transmitting House Bill No. 58, was read as follows:

(H. Com. No. 23)

The communication was received and placed on file.

First Reading of House Bill No. 58, entitled: "An Act to amend Section 12729 of the Revised Laws of Hawaii 1945, relating to the duties of the Registrar of Conveyances":

Upon motion by Senator Nobriga, seconded by Senator Aguiar, and carried, the bill passed First Reading by title and was placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 24), transmitting House Bill No. 228, was read as follows:

(H. Com. No. 24)

The communication was received and placed on file.

First Reading of House Bill No. 228, entitled: "An Act to amend Act 251 of the Regular Session Laws of Hawaii 1941, relating to Kauai County public improvements":

Upon motion by Senator Nobriga, seconded by Senator Aguiar, and carried, the bill passed First Reading by title and was placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 25), transmitting House Concurrent Resolution No. 24, was read as follows:

(H. Com. No. 25)
(H. Con. Res. No. 24)

The communication was received and placed on file.

Consideration of House Concurrent Resolution No. 24, "requesting the Veterans' Administration to maintain its offices at Hilo, Hawaii, and at Wailuku, Maui":

Upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, the Concurrent Resolution was referred to the Committee on Military.

A communication from the House (H. Com. No. 26), transmitting House Bill No. 268, was read as follows:

(H. Com. No. 26)

The communication was received and placed on file.

First Reading of House Bill No. 268, entitled: "An Act amending Chapter 195 of the Revised Laws of Hawaii 1945, and authorizing Jury Commissioners to issue questionnaires to prospective jurors and grand jurors, and defining as contempt any failure or refusal to complete and return questionnaire":

Upon motion by Senator Nobriga, seconded by Senator Aguiar, and carried, the bill passed First Reading by title and was placed on the calendar for Second Reading tomorrow.

A communication from the Vice-President, Hawaii Academy of Science, Chairman of Symposium on Scientific Research in the Pacific (Misc. Com. No. 30), transmitting proposals for resolutions, requesting the establishment of an observatory in volcanology and meteorology on Mauna Loa; and that a geophysical institute be established at the University of Hawaii, and relating to conservation, was read as follows:

(Misc. Com. No. 30)

The communication and proposed resolutions were received, and referred to the Committee on Agriculture, Forestry and Conservation.

A Petition from the Manager-Engineer of the Board of Water Supply of the County of Hawaii (S. Pet. No. 5), relating to sufficient funds to meet the water needs in the South Kohala and Hamakua districts, was read as follows:

(S. Pet. No. 5)

The Petition was referred to the Select Committee of Hawaii Senators.

At this time, Senator Heen was excused from the balance of this morning's session.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolutitions were introduced and, upon motion by Senator Fernandes, seconded by Senator Duarte, and carried, passed First Reading by title and were referred to the Printing Committee:

S. B. No. 276, by Senator Harrison, entitled: "An Act defining the crime of providing minors with habit-forming drugs and setting forth the penalty therefor";

S. B. No. 277, by Senator Harrison, entitled: "An Act to amend Section 3906 of the Revised Laws of Hawaii 1945, as amended, relating to the duties of jailors";

S. B. No. 278, by Senator Harrison, entitled: "An Act to amend Section 7329 of the Revised Laws of Hawaii 1945, relating to unlawful use of an operator's or chauffeur's license or any official device representing the same";

S. B. No. 279, by Senator Ansai, entitled: "An Act relating to the availability for inspection and extract of books and records of offices and departments of the counties of Hawaii, Kauai, and Maui";

S. B. No. 280, by Senator Ansai, entitled: "An Act to amend Act 8 of the Session Laws of Hawaii 1945, relating to reimbursement of the general fund of the Territory on account

of interest and sinking fund charges on cancelled term bonds";

S. B. No. 281, by Senator Ansai, entitled; "An Act to amend Act 84 of the Session Laws of Hawaii 1947 relating to the regulation and registration of mixed feeding stuffs";

S. B. No. 282, by Senator Ansai, entitled: "An Act to amend Act 60 of the Session Laws of Hawaii 1945, relating to the registration of economic poisons":

S. B. No. 283, by Senator Ansai, entitled: "An Act appropriating $53,220.00 for the construction of a swine quarantine station for the Board of Agriculture and Forestry, Honolulu, and providing for the quarantining of hogs";

S. B. No. 284, by Senator Ansai, entitled: "An Act to amend Section 1071 of the Revised Laws of Hawaii 1945 relating to owners of unbranded animals";

S. B. No. 285, by Senator Crockett, entitled: "An Act to repeal Section 1033 of the Revised Laws of Hawaii 1945, as amended, relating to seizure and forfeiture of fishing and hunting gear";

S. B. No. 286, by Senators Hill and Crockett, by request, entitled: "An Act relating to the expenditure of public funds during the existing national emergency";

S. B. No. 287, by Senator Crockett, entitled: "An Act providing that during the existing national emergency the Governor shall have certain emergency powers, including the power to promulgate rules and regulations, for the purpose of: furthering and promoting Federal programs related to said national emergency, relieving hardships, inequities or obstructions in the laws resulting from such Federal programs, fixing territorial holidays in order to provide for greater pro-

ductive effort in said national emergency, and fixing voting hours upon due consideration of working hours during said national emergency";

S. B. No. 288, by Senators Hill and Crockett, by request, entitled: "An Act relating to preparation for and functioning in respect of attacks and other disasters; providing for the public peace, health, safety and welfare and for the common defense; providing the duties and powers of the Governor and the political subdivisions; providing for certain transactions; authorizing charges to be made; authorizing the Governor to exercise certain powers over persons and property, to prescribe rules and regulations, and to delegate powers; prescribing rights and immunities; making exceptions to the laws relating to injunction proceedings and authorizing exceptions from certain laws relating to public expenditures, public employment, public property and the procedure for adoption of rules and regulations; authorizing cooperation and agreements with the Federal government, state governments and other governments and agencies; providing penalties and other means of enforcement; and making and authorizing appropriations and expenditures";

S. B. No. 289, by Senators Aguiar and Fernandes, entitled: "An Act relating to fishing in certain canals, including the Kapaa and Waikaea canals on Kauai, and amending Section 1231 of the Revised Laws of Hawaii 1945, as amended";

S. B. No. 290, by Senator Nobriga, entitled: "An Act relating to the powers of coroners and amending Section 10916 of the Revised Laws of Hawaii 1945";

S. B. No. 291, by Senators Nobriga and Okino, entitled: "An Act to amend Section 10067 of the Revised Laws of Hawaii 1945, relating to actions of ejectment to enforce the right of possession of lands";

S. B. No. 292, by Senator Dillingham, by request, entitled: "An Act relating to fuel taxes and the disposition thereof; amending Section 5404 of the Revised Laws of Hawaii 1945, as amended";

S. B. No. 293, by Senators Dillingham, Robinson and Harrison, by request, entitled: "An Act to amend Section 6807 of the Revised Laws of Hawaii 1945, relating to appointment of police officers by the Honolulu Police Chief";

S. B. No. 294, by Senator Dillingham, by request, entitled: "An Act amending Chapter 129 of the Revised Laws of Hawaii 1945, as amended, by amending Sections 6704, 6705, 6712, 6713 and 6724 relating to highways and improvement by assessment";

S. B. No. 295, by Senator Dillingham, by request, entitled: "An Act relating to fuel taxes and the disposition thereof; amending Section 5260 of the Revised Laws of Hawaii 1945, as amended; and Section 5404 of the Revised Laws of Hawaii 1945, as amended";

S. B. No. 296, by Senator Dillingham, by request, entitled: "An Act to amend Sections 7117 and 7119 of the Revised Laws of Hawaii 1945, relating to county licenses for solicitors";

S. B. No. 297, by Senator Dillingham, by request, entitled: "An Act to amend Section 7102 of the Revised Laws of Hawaii 1945, relating to county licenses for peddlers";

S. B. No. 298, by Senator Dillingham, by request, entitled: "An Act to repeal Section 7104 of the Revised Laws of Hawaii 1945, relating to county licenses for peddling cakes";

S. B. No. 299, by Senator Dillingham, by request, entitled: "An Act to amend Section 7079 of the Revised Laws of Hawaii 1945, relating to licensing fee for restaurant";

S. B. No. 300, by Senator Dillingham, by request, entitled: "An Act to amend Section 7128 of the Revised Laws of Hawaii 1945, relating to county licenses for selling tobacco, cigars and cigarettes";

S. B. No. 301, by Senator Dillingham, by request, entitled: "An Act to amend Sections 7073 and 7074 of the Revised Laws of Hawaii 1945, relating to county licenses for the manufacture or preparation of food products intended for sale and for human consumption";

S. B. No. 302, by Senator Dillingham, by request, entitled: "An Act to amend Section 7085 of the Revised Laws of Hawaii 1945, relating to county licenses for producing, processing or otherwise preparing milk intended for sale and for human consumption":

S. B. No. 303, by Senator Dillingham, by request, entitled: "An Act to repeal Section 7004 of the Revised Laws of Hawaii 1945, relating to certain requirements governing the issuance of county licenses";

S. B. No. 304, by Senator Nobriga, entitled: "An Act establishing a Land Laws Revision Commission and Making an Appropriation Therefor";

S. J. Res. No. 29, by Senators Dillingham, Robinson and Harrison, by request, entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm Act ____ of the Session Laws of Hawaii 1951 authorizing the issuance of bonds for flood control projects";

S. J. Res. No. 30, by Senators Robinson, Harrison, Dillingham, Tsukiyama, Heen and Lee, entitled: "Joint Resolution directing the Superintendent of Public Works to care for and maintain the Kawaiahao Cemetery in Honolulu";

CONCURRENT RESOLUTIONS OFFERED:

Senators Nobriga, Lee, Fernandes, Duarte, Crockett, Dillingham, Robinson, Okino, Capellas, Harrison and Hill offered a Concurrent Resolution (S. Con. Res. No. 19), relating to the release by each of the houses of the Legislature, on the seventh day following the adoption of the Concurrent Resolution, to the Press

and to the public, of the Report of the Commission on Subversive Activities, which was read as follows:

(S. Con. Res. No. 19)

Upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, the Concurrent Resolution was adopted.

RESOLUTIONS:

Senator Capellas offered a Resolution (S. Res. No. 42), relating to the calling for sealed tenders by the Clerk of the Senate for the printing, binding and sewing of the Journal of the Senate, Regular Session of 1951, and for the compilation thereof, which was read as follows:

(S. Res. No. 42)

Upon motion by Senator Capellas, seconded by Senator Fernandes, and carried, the Resolution was adopted.

Senators Capellas, Heen and Fernandes offered a Resolution (S. Res. No. 43), expressing sympathy to the family of the late Mrs. Martha A. Y. Akana, mother of the late Senator David Y. K. Akana, on the death of their mother, which was read as follows:

(S. Res. No. 43)

Upon motion by Senator Lee, seconded by Senator Fernandes, the resolution was unanimously adopted by a rising vote.

Senators Robinson and Harrison offered a Resolution (S. Res. No. 44), requesting the Committee on Ways and Means of the Senate to make provision in the general appropriation bill, or other appropriate bill, sufficient funds, to become immediately available, for the purpose of perpetuating the life of old Hawaii, and in this connection to utilize certain property at Waikiki, Honolulu, as a site on which to construct ten thatched houses typical of the early Polynesian architecture, etc., which was read as follows:

(S. Res. No. 44)

Upon motion by Senator Robinson, seconded by Senator Harrison, and carried, the Resolution was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 27), reporting on matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 27)

The report was received and placed on file.

SECOND READINGS:

Second Reading of Senate Bill No. 253:

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 254:

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 255:

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 256:

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 257:

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 258:

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 259:

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 260:

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 261:

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 262:

The bill was referred to the Select Committee of Oahu Senators.

Second Reading of Senate Bill No. 263:

The bill was referred to the Committee on Ways and Means.

Second Reading of Senate Bill No. 264:

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 265:

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 266:

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 267:

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 268:

The bill was referred to the Committee on Public Lands.

Second Reading of Senate Bill No. 269:

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 270:

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 271:

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 272:

The bill was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Bill No. 273:

The bill was referred to the Committee on Education.

Second Reading of Senate Bill No. 274:

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Bill No. 275:

The bill was referred to the Committee on Judiciary.

Second Reading of Senate Joint Resolution No. 24:

Senator Hill moved that the Rules be suspended and that the joint resolution be read throughout on Second Reading. Seconded by Senator Lee, and carried; and the bill was thereupon read throughout on Second Reading.

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the joint resolution passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Second Reading of Senate Joint Resolution No. 25:

The joint resolution was referred to the Committee on Ways and Means.

Second Reading of Senate Joint Resolution No. 26:

The joint resolution was referred to the Committee on Public Lands.

Second Reading of Senate Joint Resolution No. 27:

The joint resolution was referred to the Committee on Agriculture, Forestry and Conservation.

Second Reading of Senate Joint Resolution No. 28:

The joint resolution was referred to the Committee on Agriculture, Forestry and Conservation.

COMMITTEE REPORTS:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 28), recommending the passage of Senate Bill No. 8, with certain amendments, which was read by the Clerk as follows:

(Stand. Com. Rep. No. 28)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 8, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 10), recommending that Senate Bill No. 214 be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 10)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 214 was referred to the Committee on Ways and Means.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 11), recommending the passage of Senate Bill No. 69, which was read as follows:

(Spec. Com. Rep. No. 11)

Upon motion by Senator Ansai, seconded by Senator Crockett, and carried, the report of the Committee was adopted. Senate Bill No. 69 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 12), recommending the passage of Senate Joint Resolution No. 4, which was read as follows:

(Spec. Com. Rep. No. 12)

Upon motion by Senator Ansai, seconded by Senator Crockett, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 4 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 13), recommending that Senate Joint Resolution No. 9 be referred to the Committee on Ways and Means, with a strong request for favorable action, which was read as follows:

(Spec. Com. Rep. No. 13)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Joint Resolution No. 9 was referred to the Committee on Ways and Means.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 14), recommending that Senate Bill No. 20 be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 14)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 20 was referred to the Committee on Ways and Means.

At 12:25 o'clock p.m., upon motion by Senator Lee, seconded by Senator Capellas, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:20 o'clock p.m., with Vice President Harrison in the Chair, in the temporary absence of President Tsukiyama, all other Senators being present with the exception of Senator Hill, temporarily excused.

At this time, Senator Dillingham moved that the Senate resolve itself into a Committee of the Whole for the further consideration of Senate Bills Nos. 70, 71, 72, 73 and 74 and Senate Joint Resolution No. 7, all relating to the reorganization of certain executive departments of the Territorial government. Seconded by Senator Duarte, and carried; and at 2:21 o'clock p.m., the Senate resolved itself into a Committee of the Whole for the further consideration of the above enumerated measures, with Senator Dillingham as Chairman.

The Committee rose, and the Senate reconvened at 3:43 o'clock p.m., with President Tsukiyama in the Chair.

Senator Hill, who had been temporarily excused, was in attendance at this time.

Senator Dillingham, for the Committee of the Whole, having under consideration Senate Bills Nos. 70, 71, 72, 73 and 74 and Senate Joint Resolution No. 7, all relating to the reorganization of certain executive departments of the Territorial Government, reported orally, recommending the passage of Senate Bill No. 72, and the passage of Senate Bill No. 73, as amended, and reporting progress and asking leave to sit again on Senate Bills Nos. 70, 71 and 74 and Senate Joint Resolution No. 7.

Upon motion by Senator Dillingham, seconded by Senator Capellas, and carried, the oral report of the Committee was adopted, a written report to be filed later. Senate Bill No. 72 passed Second Reading, Senate Bill No. 73, as amended passed Second Reading, and were placed on the calendar for Third Reading tomorrow.

A Petition signed by 86 patients of Hale Mohalu (S. Pet. No. 6), protesting the passage of a bill to put the said Hale Mohalu under the Department of Institutions, and expressing an earnest desire to continue to be administered by the Board of Health, was read as follows:

(S. Pet. No. 6)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the Petition was referred to the Committee on Public Health.

At 3:50 o'clock p.m., upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Senate adjourned until 11:00 o'clock a.m., on Tuesday, March 20, 1951.

Elaine D. Smythe
Clerk of the Senate.

Approved:

Wilfred K. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

TWENTY-THIRD Day

TUESDAY, MARCH 20, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

TWENTY-THIRD DAY

Tuesday, March 20, 1951.

The Senate convened at 11:18 o'clock a.m., with the President in the Chair.

The opening Prayer was offered by Chaplain Keala, after which the Roll was called, showing all Senators present, with the exception of Senator Heen excused on account of illness.

The President announced that he had read and approved the Journal of the Twenty-Second Day.

A communication from the House (H. Com. No. 27), transmitting House Concurrent Resolution No. 27, was read as follows:

(H. Com. No. 27)
(H. Com. Res. No. 27)

The communication was received and placed on file.

Consideration of House Concurrent Resolution No. 27, "requesting all persons in Hawaii to place the motto 'Hawaii- 49th State' on all printed matter":

Upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the Concurrent Resolution was referred to the Committee on Judiciary.

A communication from the Chairman of the Legislative Committee of the Board of Supervisors, City and County of Honolulu (Dept. Com. No. 39), transmitting complete sets of six bills which had been approved by the said Committee for favorable consideration by the Senate, was read as follows:

(Dept. Com. No. 39)

The communication and bills were received; the communication was placed on file and the proposed bills referred to the Select Committee of Oahu Senators.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolution were introduced and, upon motion by Senator Duarte, seconded by Senator Nobriga, and carried, passed First Reading by title and were referred to the Printing Committee:

S. B. No. 305, by Senators Aguiar and Fernandes, entitled: "An Act providing for a groin for the mouth of the Wailua River, Kauai; and making an appropriation therefor";

S. B. No. 306, by Senators Duarte and Okino, entitled: "An Act making an appropriation for the relief of certain taxpayers whose land has been the subject of eminent domain proceedings";

S. B. No. 307, by Senator Crockett, entitled: "An Act providing for the withdrawal of William Viela, Sr., as a member of the Employees' Retirement System of the Territory of Hawaii and for his reinstatement as a member of the Pension Fund for policemen of the County of Maui";

S. B. No. 308, by Senators Okino, Hill, Aguiar, Capellas, Nobriga and Fernandes, entitled: "An Act to amend Chapter 33, Revised Laws of Hawaii 1945, relating to county public libraries";

S. B. No. 309, by Senator Nobriga, entitled: "An Act to amend Chapter 150 of the Revised Laws of Hawaii 1945 relating to real estate brokers and salesmen";

S. J. Res. No. 31, by Senators Okino, Nobriga, Capellas and Hill, entitled: "Joint Resolution requesting the United States Immigration and Naturalization Service to establish a branch office in Hilo".

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 29), reporting on matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 29)

The report was received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS:

S. B. No. 276: The bill was referred to the Committee on Judiciary.

S. B. No. 277: The bill was referred to the Committee on Judiciary.

S. B. No. 278: The bill was referred to the Committee on Judiciary.

S. B. No. 279: The bill was referred to the Committee on Judiciary.

S. B. No. 280: The bill was referred to the Committee on Ways and Means.

S. B. No. 281: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

S. B. No. 282: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

S. B. No. 283: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

S. B. No. 284: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

S. B. No. 285: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

S. B. No. 286: The bill was referred to the Committee on Ways and Means.

S. B. No. 287: The bill was referred to the Committee on Judiciary.

S. B. No. 288: The bill was referred to the Committee on Judiciary.

S. B. No. 289: Upon motion by Senator Aguiar, seconded by Senator Ansai, and carried, the Rules were suspended and the bill was read throughout on Second Reading.

Upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

S. B. No. 290: The bill was referred to the Committee on Judiciary.

S. B. No. 291: The bill was referred to the Committee on Judiciary.

S. B. No. 292: The bill was referred to the Committee on Ways and Means.

S. B. No. 293: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 294: The bill was referred to the Committee on Judiciary.

S. B. No. 295: The bill was referred to the Committee on Ways and Means.

S. B. No. 296: The bill was referred to the Committee on Ways and Means.

S. B. No. 297: The bill was referred to the Committee on Ways and Means.

S. B. No. 298: The bill was referred to the Committee on Ways and Means.

S. B. No. 299: The bill was referred to the Committee on Ways and Means.

S. B. No. 300: The bill was referred to the Committee on Ways and Means.

S. B. No. 301: The bill was referred to the Committee on Ways and Means.

S. B. No. 302: The bill was referred to the Committee on Ways and Means.

S. B. No. 303: The bill was referred to the Committee on Ways and Means.

S. B. No. 304: The bill was referred to the Committee on Public Lands.

S. J. Res. No. 29: The joint resolution was referred to the Select Committee of Oahu Senators.

S. J. Res. No. 30: The joint resolution was referred to the Committee on Ways and Means.

REPORTS OF COMMITTEES:

Senator Dillingham, for the Committee of the Whole, presented a report (Com. Whole Rep. No. 3), recommending the passage of Senate Bill No. 73, with certain amendments, which was read as follows:

(Com. Whole Rep. No. 3)

The report was received and placed on file, the oral report of the Committee having previously been adopted.

Senator Dillingham, for the Committee of the Whole, presented a report (Com. Whole Rep. No. 4), recommending the passage of Senate Bill No. 72, which was read as follows:

(Com. Whole Rep. No. 4)

The report was received and placed on file, the oral report of the Committee having been previously adopted.

SECOND READING OF HOUSE BILLS:

H. B. No. 58: The bill was referred to the Committee on Judiciary.

H. B. No. 174: The bill was referred to the Committee on Judiciary.

H. B. No. 228: The bill was referred to the Select Committee of Kauai Senators.

H. B. No. 268: The bill was referred to the Committee on Judiciary.

THIRD READINGS:

Third Reading of Senate Bill No. 8, entitled: "An Act to amend Section 4981 of the Revised Laws of Hawaii 1945, relating to the Board of Harbor Commissioners":

Senator Dillingham moved that action on the bill be deferred until Tuesday, March 27th. Seconded by Senator Lee, and carried.

Third Reading of Senate Bill No. 69, entitled: "An Act to amend the first paragraph of Section 14 of Series B-194: Act 289 of the Session Laws of Hawaii 1949, relating to Maui County Waterworks Board":

Upon motion by Senator Ansai, seconded by Senator Crockett, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Heen. Total, 1.

Third Reading of Senate Bill No. 72, entitled: "An Act relating to the reorganization of certain executive departments of the government; transferring certain tax functions to the Tax Commissioners; and amending Sections 5104, 8487 and 8488 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Dillingham, seconded by Senator Harrison, the bill passed Third Reading on the following show-

ing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Heen. Total, 1.

Third Reading of Senate Bill No. 73, entitled: "An Act relating to the organization of certain executive departments; transferring the Bureau of Conveyances from the Treasury Department to the Department of the Surveyor of the Territory; and amending Sections 12710 and 12712, Revised Laws of Hawaii 1945":

Upon motion by Senator Aguiar, seconded by Senator Lee, and carried, action on the bill was deferred until tomorrow.

Third Reading of Senate Joint Resolution No. 4, entitled: "Joint Resolution requesting the Congress of the United States of America to ratify and confirm Act 291 of the Session Laws of Hawaii 1949":

Upon motion by Senator Hill, seconded by Senator Ansai, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Heen. Total, 1.

Third Reading of Senate Joint Resolution No. 24, entitled: "Joint Resolution requesting the Congress of the United States to enact legislation requiring all Federal departments maintaining offices or officers or employees in Hawaii to withhold Territorial taxes upon compensation

to the same extent as private employers":

Senator Hill offered the following amendments:

"Amend the title to read as follows:

'JOINT RESOLUTION
REQUESTING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION REQUIRING ALL FEDERAL DEPARTMENTS MAINTAINING OFFICES OR OFFICERS OR EMPLOYEES IN HAWAII TO WITHHOLD TERRITORIAL TAXES UPON COMPENSATION OF CIVILIAN OFFICERS AND EMPLOYEES TO THE SAME EXTENT AS PRIVATE EMPLOYERS.'

"Substitute for the words 'officers or employees' in the fifth line, Section 1, the following:

'of said officers or employees as may be civilians'."

Upon motion by Senator Hill, seconded by Senator Lee, and carried, the amendments were adopted.

Upon motion by Senator Hill, seconded by Senator Duarte, the joint resolution, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Heen. Total, 1.

At 11:50 o'clock a.m., upon motion by Senator Lee, seconded by Senator Hill, and carried, the Senate adjourned until 11:00 o'clock a.m., on Wednesday, March 21, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

TWENTY-FOURTH Day

WEDNESDAY, MARCH 21, 19 51

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

TWENTY-FOURTH DAY

Wednesday, March 21, 1951.

The Senate convened at 11:14 o'clock a.m., with the President presiding.

The Divine Blessing was invoked by the Chaplain, after which the Roll was called showing all Senators present, with the exception of Senator Heen excused on account of illness.

The President announced that he had read and approved the Journal of the Twenty-Third Day.

Senator Capellas moved that the Clerk of the Senate be instructed to send a bouquet of flowers from the members of the Senate to Senator Heen, with best wishes for his speedy recovery. The motion was seconded by Senator Lee, and the Clerk was instructed to carry out the intent of the motion.

A communication from the House (H. Com. No. 28), transmitting House Concurrent Resolution No. 6, was read as follows:

(H. Com. No. 28)
(H. Con. Res. No. 6)

The communication was received and placed on file.

Consideration of House Concurrent Resolution No. 6, "requesting the Governor to turn over Keanae Prison Camp to the County of Maui for public purposes":

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the Concurrent Resolution was referred to the Select Committee of Maui Senators.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolutions were introduced and, upon motion by Senator Lee, seconded by Senator Duarte, and carried, passed First Reading by title and were referred to the Printing Committee:

S. B. No. 310, by Senators Tsukiyama, Okino and Lee, entitled: "An Act amending Section 12271 of the Revised Laws of Hawaii 1945, as amended, relating to adoption";

S. B. No. 311, by Senators Tsukiyama, Okino and Lee, entitled: "An Act amending Chapter 300 of the Revised Laws of Hawaii 1945 relating to juvenile courts by adding thereto a new section relating to termination of parental rights";

S. B. No. 312, by Senator Ansai, entitled: "An Act relating to the Liquor Commission of the County of Maui and amending Section 7223 of the Revised Laws of Hawaii 1945";

S. B. No. 313, by Senators Okino, Robinson, Duarte, Fernandes, Lee and Crockett, entitled: "An Act amending Section 233 of the Revised Laws of Hawaii 1945 to permit registered voters while on military service to exercise the right of suffrage";

S. B. No. 314, by Senators Ansai, Aguiar, Lee, Nobriga, Harrison, Crockett, Capellas, Robinson, Okino, Tsukiyama, Duarte, Fernandes, Hill and Dillingham, entitled: "An Act repealing Sections 1758, 1758.01, 1759, 1760, as amended, 1760.01, 1765 and 1766 of the Revised Laws of Hawaii 1945, amending Sections 1761, 1762, 1763 and 1764 of the Revised

Laws of Hawaii 1945, and relating to the salaries of teachers, principals and other employees in the Department of Public Instruction";

S. B. No. 315, by Senator Dillingham, by request, entitled: "An Act to amend Chapter 127, as amended, of the Revised Laws of Hawaii 1945, relating to the City and County of Honolulu by amending Section 6528 thereof, relating to elective and appointive officers, and by amending Section 6529 relating to tenure in office";

S. B. No. 316, by Senator Dillingham, by request, entitled: "An Act to amend Section 5252 of the Revised Laws of Hawaii 1945, as amended, relative to real property tax, raising limit as to the City and County of Honolulu";

S. B. No. 317, by Senator Dillingham, by request, entitled: "An Act to amend Section 5252 of the Revised Laws of Hawaii 1945, as amended, relative to real property tax, removing limit as to the City and County of Honolulu";

S. B. No. 318, by Senator Dillingham, by request, entitled: "An Act relating to fuel taxes and the amount thereof; amending Section 5404 of the Revised Laws of Hawaii 1945, as amended";

S. B. No. 319, by Senator Dillingham, by request, entitled: "An Act repealing Act 370, Session Laws of Hawaii 1949 and restoring the rights of government employees entering service of the Armed Forces and other services of the United States";

S. B. No. 320, by Senator Dillingham, entitled: "An Act to provide for the creation of a Charter Commission for the City and County of Honolulu, the formulation of a new charter for the City and County by such Commission, the submission of such new charter to the electorate of the City and County for approval, the forwarding of same to the Territorial Legislature

for enactment, and to provide for the payment of the expenses of such Charter Commission";

S. B. No. 321, by Senator Harrison, entitled: "An Act to amend Section 2015 of the Revised Laws of Hawaii 1945, relating to the authority of the Board of Health to make regulations for the public health and safety";

S. J. Res. No. 32, by Senator Ansai, entitled: "Joint Resolution authorizing the Maui County Waterworks Board to reimburse Tony G. Duarte in the amount of not more than $925.00 for the wreckage of his automobile while on duty";

S. J. Res. No. 33, by Senator Dillingham, entitled: "Joint Resolution to authorize litigation for the determination of the merits of the claim of E. A. K. Williams for land used for Kamehameha Highway, Kaaawa, Oahu, and making an appropriation for the payment of any final judgment that may be entered therefor".

CONCURRENT RESOLUTIONS:

Senator Tsukiyama offered a Concurrent Resolution (S. Con. Res. No. 20),"expressing the gratitude of the people of Hawaii to the Honolulu Junior Chamber of Commerce for its promotion of island-wide trade and industry through its sponsorship of the annual 49th State Fair and resolving further to expedite the acquisition by the Honolulu Jaycees of a permanent Fair site", which was read as follows:

(S. Con. Res. No. 20)

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, the Concurrent Resolution was adopted.

RESOLUTIONS:

Senators Lee, Robinson, Harrison and Dillingham offered a Resolution (S. Res. No. 45), authorizing and requesting the President of the Senate to arrange for a tour of inspection of all public works on the island of Oahu, including, but not limited to, flood control projects, by the members of the Senate accompanied by certain Territorial and City and County officials, at a time to be determined by the said President, which was read as follows:

(S. Res. No. 45)

Upon motion by Senator Lee, seconded by Senator Duarte, and carried, the Resolution was adopted.

At this time, at the request of Senator Ansai, Vice President Harrison assumed the Chair.

Senators Ansai, Crockett, Duarte, Okino, Nobriga, Capellas, Harrison, Hill, Aguiar, Robinson, Fernandes, Lee and Dillingham offered a Resolution (S. Res. No. 46), expressing the deep sympathy of the members of the Senate to the President of the Senate in the loss of his father-in-law, Kameki Yamamoto, whose demise occurred on March 19th, which was read as follows:

(S. Res. No. 46)

Upon motion by Senator Ansai, seconded by Senator Crockett, and carried, the Resolution was adopted by a rising vote.

The President hereupon resumed the Chair and the Vice President retired.

A Petition signed by 500 island merchants, from the Chairman of the Legislative Committee of the Hawaiian Association of Sales Representatives (S. Pet. No. 7), favoring the passage of Senate Bill No. 215, repealing the compensating tax, was read as follows:

(S. Pet. No. 7)

Upon motion by Senator Hill, seconded by Senator Harrison, and carried, the Petition was referred to the Committee on Ways and Means.

A Petition signed by 33 residents and citizens of Waiakea Homesteads, Hilo, County and Territory of Hawaii (S. Pet. No. 8), requesting the Governor, the Legislature, the Territorial Land Commissioner and the members of the Board of Supervisors of the County of Hawaii to exercise their good offices to improve the existing roads and to construct roads already delineated on the maps in the Waiakea Homesteads area, Hilo, County of Hawaii, was read as follows:

(S. Pet. No. 8)

The Petition was received and referred to the Select Committee of Hawaii Senators.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 30), reporting on matters referred to it, which was read as follows:

(Stand. Com. Rep. No. 30)

The report was received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS:

S. B. No. 305: The bill was referred to the Committee on Ways and Means.

S. B. No. 306: The bill was referred to the Committee on Ways and Means.

S. B. No. 307: The bill was referred to the Committee on Judiciary.

S. B. No. 308: The bill was referred to the Committee on Education.

S. B. No. 309: The bill was referred to the Committee on Judiciary.

S. J. Res. No. 31: Upon motion by Senator Okino, seconded by Senator Hill, and carried, the Rules were suspended and the joint resolution was read throughout on Second Reading.

Upon motion by Senator Hill, seconded by Senator Okino, and carried, the joint resolution passed Second Reading and was placed on the calendar for Third Reading tomorrow.

COMMITTEE REPORTS:

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 31), recommending that Senate Bill No. 80 be referred to the Committee on Ways and Means, with a request for favorable action, which was read as follows:

(Stand. Com. Rep. No. 31)

Upon motion by Senator Ansai, seconded by Senator Aguiar, and carried, the report of the Committee was adopted; and Senate Bill No. 80 was thereupon referred to the Committee on Ways and Means.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 15), recommending that Senate Bill No. 207 be referred to the Committee on Ways and Means with a request for favorable action, which was read as follows:

(Spec. Com. Rep. No. 15)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 207 was thereupon referred to the Committee on Ways and Means.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 16), recommending that Senate Bill No. 206 be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 16)

Upon motion by Senator Ansai, seconded by Senator Crockett, and carried, the report of the Committee was adopted; and Senate Bill No. 206 was thereupon referred to the Committee on Ways and Means.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 17), recommending that Senate Bill No. 160 be referred to the Committee on Ways and Means for consideration, which was read as follows:

(Spec. Com. Rep. No. 17)

Upon motion by Senator Ansai, seconded by Senator Crockett, and carried, the report of the Committee was adopted; and Senate Bill No. 160 was thereupon referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 18), recommending the amendment of Senate Bill No. 174 in certain particulars, and further recommending that the bill, as amended, be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 18)

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, the report of the Committee was adopted; and the bill, as amended, was thereupon referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 19), recommending the passage of Senate Bill No. 91 in an amended form, which was read as follows:

(Spec. Com. Rep. No. 19)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 91, in the amended form, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 20), recommending the filing of Senate Bill No. 119, which was read as follows:

(Spec. Com. Rep. No. 20)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bill No. 119 was thereupon placed on file.

Senator Dillingham, at this time, moved that the Senate reconsider its action taken yesterday in referring Senate Bill No. 292 to the Committee on Ways and Means, and in referring Senate Bills Nos. 294 and 295 to the Committee on Judiciary and the Committee on Ways and Means, respectively. Seconded by Senator Lee, and carried.

Senator Dillingham thereupon moved that Senate Bills Nos. 292, 294 and 295 be referred to the Select Committee of Oahu Senators. Seconded by Senator Lee, and carried.

THIRD READING OF SENATE BILLS:

Third Reading of Senate Bill No. 73, entitled: "An Act relating to the organization of certain executive departments; transferring the Bureau of Conveyances from the Treasury Depart-

ment to the Department of the Surveyor of the Territory; and amending Sections 12710 and 12712, Revised Laws of Hawaii 1945"; deferred from March 20th:

Upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the bill was recommitted to the Committee of the Whole, with Senator Dillingham as Chairman.

Third Reading of Senate Bill No. 289, entitled: "An Act relating to fishing in certain canals, including the Kapaa and Waikaea Canals on Kauai, and amending Section 1231 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Aguiar, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Heen. Total, 1.

At 12:04 o'clock p.m., upon motion by Senator Lee, seconded by Senator Nobriga, and carried, the Senate adjourned until 11:00 o'clock a.m., on Thursday, March 22, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Richard A. Kageyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

TWENTY-FIFTH Day

THURSDAY, MARCH 22, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

TWENTY-FIFTH DAY

Thursday, March 22, 1951.

The Senate convened at 11:13 o'clock a.m., with President Tsukiyama presiding.

After Prayer by Chaplain Keala, the Roll was called showing all Senators present with the exception of Senator Heen, excused on account of illness.

The President announced that he had read and approved the Journal of the Twenty-Fourth Day.

DEPARTMENTAL COMMUNICATIONS:

A communication from the Secretary of Hawaii (Dept. Com. No. 40), informing the Senate that the Governor had signed Senate Bill No. 1 as Act 2, was read as follows:

(Dept. Com. No. 40)

The communication was received and placed on file.

A communication from the Deputy County Clerk, County of Maui (Dept. Com. No. 41), transmitting certified copy of Resolution No. 82, adopted by the Board of Supervisors of said County, requesting the Legislature to enact into law H. B. No. 325, providing for the establishment of Junior Colleges at Kauai and Maui, was read as follows:

(Dept. Com. No. 41)

The communication and Resolution were received and referred to the Committee on Education.

A communication from the Director of the Hawaii Aeronautical Commission (Dept. Com. No. 42), forwarding 15 copies of his report to the Commission, relating to projects completed during the current biennium, and the projects proposed for the 1951-1953 biennium, was read as follows:

(Dept. Com. No. 42)

The communication and reports were received; the reports were distributed to the Members, and the communication placed on file.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 29, transmitting House Bill No. 48;

H. Com. No. 30, transmitting House Bill No. 304;

H. Com. No. 31, transmitting House Bill No. 408;

H. Com. No. 32, transmitting House Joint Resolution No. 44.

FIRST READING OF HOUSE BILLS:

H. B. No. 48, entitled: "An Act making appropriations out of the general revenues for the biennial period ending June 30, 1953";

H. B. No. 304, entitled: "An Act to amend Section 1752 of the Revised Laws of Hawaii 1945 relating to leaves of absence for teachers";

H. B. No. 408, entitled: "An Act to provide for the payment of a bonus to public officers and employees for the remainder of the biennium ending June 30, 1951";

H. J. Res. No. 44, entitled: "Joint Resolution giving to the hospital building at Waimano Home the official name of Charles Bernard Lambert Hospital".

Upon motion by Senator Harrison, seconded by Senator Lee, and carried, the bills and joint resolution passed First Reading by title and were placed on the calendar for Second Reading on Tuesday, March 27th.

A communication from the House (H. Com. No. 33), returning Senate Bill No. 35 in an amended form, was read as follows:

(H. Com. No. 33)

The communication was received and placed on file.

Upon motion by Senator Lee, seconded by Senator Aguiar, and carried, action on the amendments proposed by the House to Senate Bill No. 35 was deferred until Tuesday, March 27th.

A communication from the House (H. Com. No. 34), returning Senate Concurrent Resolution No. 19, in an amended form, was read as follows:

(H. Com. No. 34)

The communication was received and placed on file.

Senator Lee moved that the Concurrent Resolution, as amended by the House, lie on the table until later on the calendar. Seconded by Senator Nobriga, and carried.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolution were introduced and, upon motion by Senator Capellas, seconded by Senator Duarte, and carried, passed First Reading by title and were referred to the Printing Committee:

S. B. No. 322, by Senator Capellas, entitled: "An Act providing for a school cafeteria for Pahala High and Elementary School, Pahala, Hawaii, and making an appropriation therefor";

S. B. No. 323, by Senator Capellas, entitled: "An Act providing for a public library at or near Pahala School, Pahala, Hawaii, and making an appropriation therefor";

S. B. No. 324, by Senator Duarte and Okino, entitled: "An Act providing for the construction of new cottages for patients and of a medical director's home at Kalaupapa Settlement, Molokai, and making an appropriation therefor";

S. B. No. 325, by Senator Duarte, entitled: "An Act making an appropriation for the construction of a new Fire Station at Wailuku, Maui";

S. B. No. 326, by Senator Dillingham, entitled: "An Act amending Section 2621 of the Revised Laws of Hawaii 1945 relating to penalties for violations of the narcotic drugs Act";

S. B. No. 327, by Senator Capellas, entitled: "An Act providing for the membership, ex-officio, of the Chairman of the Board of Supervisors of the counties of Hawaii, Maui and Kauai on certain public boards and commissions";

S. B. No. 328, by Senator Hill, entitled: "An Act relating to funds for preparation for and functioning in respect of attacks and other hostile action, providing for raising of such funds by real property taxes and for the appropriation and expenditure thereof";

S. B. No. 329, by Senator Hill, entitled: "An Act authorizing and directing the Board of Supervisors of the County of Hawaii to pay Manuel Gonsalves for services as District Magistrate of North and South Kona";

S. B. No. 330, by Senators Dillingham, Robinson, Okino and Capellas, entitled: "An Act relating to the curriculum in the public schools";

S. B. No. 331, by Senator Ansai, entitled: "An Act to amend Section 466 of the Revised Laws of Hawaii 1945, as amended by Act 260, Series A-15, of the Session Laws of Hawaii 1949, relating to rules and regulations of boards, commissions and other governmental agencies having the force and effect of law";

S. B. No. 332, by Senator Crockett, entitled: "An Act relating to divorce; amending Section 12210 of the Revised Laws of Hawaii 1945";

S. B. No. 333, by Senator Nobriga, entitled: "An Act relating to flood control at Naalehu, Hawaii, and making an appropriation therefor";

S. B. No. 334, by Senators Nobriga, Ansai, Crockett, Duarte and Okino, entitled: "An Act making an appropriation to reimburse the Maui and Hawaii County hospitals for expenses incurred in providing services for indigent patients";

S. B. No. 335, by Senator Ansai, entitled: "An Act amending Act 400 (Series E-324) of the Session Laws of Hawaii 1949, authorizing the Board of Supervisors of the County of Maui to issue bonds for school purposes";

S. J. Res. No. 34, by Senator Duarte, entitled: "Joint Resolution for the relief of Lynch Kekahuna".

Senators Dillingham, Robinson and Okino offered a Concurrent Resolution (S. Con. Res. No. 21), requesting the Governor of Hawaii to appoint on each island a committee of citizens who are not engaged in education to conduct an inquiry into

the methods of teaching history, civics, government and related subjects in the public schools, including the University of Hawaii, in the interests of adequate basic education for citizenship, which was read as follows:

(S. Con. Res. No. 21)

Upon motion by Senator Aguiar, seconded by Senator Duarte, and carried, the Concurrent Resolution was referred to the Committee of the Whole.

The President thereupon appointed Senator Robinson as Chairman of said Committee of the Whole.

RESOLUTIONS:

Senators Okino, Duarte, Crockett, Nobriga, Lee and Aguiar offered a Resolution (S. Res. No. 47), requesting the Public Utilities Commission to submit to the Senate certain specified information relating to the salaries of public utility companies; and providing that the government-owned and operated utilities mentioned therein, furnish the Public Utilities Commission, at its request, with the necessary information required by the Resolution, which was read as follows:

(S. Res. No. 47)

Upon motion by Senator Okino, seconded by Senator Nobriga, the Resolution was adopted.

Senators Lee, Okino, Crockett, Nobriga, Duarte, Fernandes, Aguiar, Ansai, Capellas and Robinson offered a Resolution (S. Res. No. 48), providing that the Senate sit as a Committee of the Whole to investigate fire insurance rates in the Territory, and certain other enumerated related matters, which was read as follows:

(S. Res. No. 48)

Senator Lee moved that the Resolution be adopted, and that the Senate sit as a Committee of the Whole to carry out the purposes of the Resolution at 2:00 o'clock p.m., on Wednesday, March 28th. Seconded by Senator Okino, and carried.

The President thereupon appointed Senator Okino as Chairman of said Committee of the Whole.

Senator Okino at this time moved that the hearing before the Committee of the Whole on Senate Resolution No.41, set for Tuesday March 27th, be postponed until Tuesday, April 3, 1951, at 2:00 o'clock p.m. Seconded by Senator Lee, and carried.

Senators Harrison, Dillingham, Capellas, Hill, Aguiar, Robinson, Fernandes, Duarte, Ansai, Crockett, Lee, Nobriga and Tsukiyama offered a Resolution (S. Res. No. 49), extending the profound sympathy of the Members of the Senate to the family of the late Mrs. Ethel Muriel Campbell Amalu, which was read as follows:

(S. Res. No. 49)

Upon motion by Senator Harrison, seconded by Senator Dillingham, the Resolution was unanimously adopted by a rise vote.

The President informed the Senate that he had directed that a floral tribute be sent to the funeral services of Mrs. Amalu yesterday, from the Senate, stating that Mrs. Amalu was the former Mrs. Robert W. Shingle, widow of the late Senator Shingle, a long-time member of the Senate, who had served as its President during several sessions.

The action on the part of the President was unanimously approved by the Members.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 32), reporting on all matters referred to it, which was read.

The report was received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS:

S. B. No. 310: The bill was referred to the Committee on Judiciary;

S. B. No. 311: The bill was referred to the Committee on Judiciary.

S. B. No. 312: The bill was referred to the Select Committee of Maui Senators.

S. B. No. 313: The bill was referred to the Committee on Judiciary.

S. B. No. 314: The bill was referred to the Committee on Ways and Means.

S. B. No. 315: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 316: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 317: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 318: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 319: The bill was referred to the Committee on Judiciary.

S. B. No. 320: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 321: The bill was referred to the Committee on Public Health:

S. J. Res. No. 32: Senator Ansai moved that the Rules be suspended and that the joint resolution be read throughout on Second Reading. Seconded by Senator Fernandes, and carried.

The joint resolution was thereupon read throughout on Second Reading; and, upon motion by Senator Ansai, seconded by Senator Fernandes, and carried, the joint resolution passed Second Reading and was placed on the calendar for Third Reading on Tuesday,

March 27th. At his request, Senator Duarte was excused from voting on this joint Resolution.

S. J. Res. No. 33: The joint resolution was referred to the Committee on Judiciary.

THIRD READINGS:

Third Reading of Senate Bill No. 91, entitled: "An Act relating to the control and assignment of automobile parking space in Honolulu Civic Center area, providing for parking charges, and creating a misdemeanor":

Upon motion by Senator Dillingham, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Heen. Total, 1.

Third Reading of Senate Joint Resolution No. 31, entitled: "Joint Resolution requesting the United States Immigration and Naturalization service to establish a branch office in Hilo":

Upon motion by Senator Okino, seconded by Senator Nobriga, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Heen. Total, 1.

Consideration of amendments proposed by the House to Senate Concurrent Resolution No. 19, deferred from earlier on the calendar:

Senator Nobriga moved that the Senate stand in recess, subject to the call of the Chair, in order that the members might consider the amendments proposed by the House. Seconded by Senator Lee, and carried; and at 12:04 o'clock p.m., the Senate so stood in recess, subject to the call of the Chair.

At 12:07 o'clock p.m., the Senate reconvened and Senator Lee thereupon moved that the Senate resolve itself into a Committee of the Whole, in Executive Session, for the consideration of the amendments proposed by the House to Senate Concurrent Resolution No. 19. Seconded by Senator Duarte, and carried; and at 12:07 o'clock p.m., the Senate resolved itself into a Committee of the Whole, in Executive Session, for such purpose, with President Tsukiyama as Chairman.

The Executive Session being ended, the Committee rose and the Senate reconvened at 12:45 o'clock p.m.

Senator Lee, for the Committee of the Whole reported orally, recommending that the Senate do not concur in the amendments proposed by the House to Senate Concurrent Resolution No. 19, and that the President appoint a Conference Committee of three Senators for the consideration of the said amendments.

Upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the oral report of the Committee was adopted.

The President thereupon appointed Senators Lee, Crockett and Nobriga, as Managers on the part of the Senate at such conference.

At 12:47 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Aguiar, and carried, the Senate adjourned until 11:00 o'clock a.m., on Tuesday, March 27, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

TWENTY-SIXTH Day

SATURDAY, MARCH 24, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

TWENTY-SIXTH DAY

Saturday, March 24, 1951.

N O  S E S S I O N

Ellen D. Smythe

Clerk of the Senate.

Approved:

Wilfred C. Tuckerman

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

TWENTY-SEVENTH Day

TUESDAY, MARCH 27, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

TWENTY-SEVENTH DAY

Tuesday, March 27, 1951.

The Senate convened at 11:12 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Fifth and Twenty-Sixth Days.

A communication from the Chairman, Committee on Legislation, Territorial Commission on Children and Youth (Dept. Com. No. 43), recommending the enactment of Senate Bill No. 67, relating to the enforcement of the compulsory school attendance law, was read as follows:

(Dept. Com. No. 43)

The communication was received and referred to the Committee on Education.

A communication from the Director of the Hawaii Aeronautics Commission (Dept. Com. No. 44), relating to Senate Resolution No. 34 requesting a report on the feasibility of constructing and operating an airport at Lahaina, and asking for certain information as to its primary use, was read as follows:

(Dept. Com. No. 44)

The communication was received and referred to the Select Committee of Maui Senators.

A communication from the Chairman of the Legislative Committee of the Board of Supervisors of the City and County of Honolulu (Dept. Com. No. 45), transmitting sets of two bills approved by the said Committee for consideration by the Senate, was read as follows:

(Dept. Com. No. 45)

The communication and proposed bills were received and referred to the Select Committee of Oahu Senators.

A communication from the Administrator of the Hawaii Statehood Commission (Dept. Com. No. 46), transmitting twenty copies of the Report of said Commission for the period January 1, 1949 to December 31, 1950, was read as follows:

(Dept. Com. No. 46)

The communication and report were received; the report distributed to the Members, and the communication was placed on file.

INTRODUCTION OF BILLS:

The following bills were introduced, and upon motion by Senator Duarte, seconded by Senator Nobriga and carried, passed First Reading by title and were referred to the Printing Committee:

S. B. No. 336, by Senator Heen, entitled: "An Act to amend Chapter 74 of the Revised Laws of Hawaii 1945, as amended, relating to employment sedurity";

S. B. No. 337, by Senator Heen, entitled: "An Act to amend Chapter 74 of the Revised Laws of Hawaii 1945, as amended, relating to employment security";

S. B. No. 338, by Senator Heen, entitled: "An Act amending Section 4 of Act 202 of the Session Laws of Hawaii 1947, relating to limitation on the number of wards under the Uniform Veterans' Guardianship Act";

S. B. No. 339, by Senators Ansai, Duarte and Crockett, entitled: "An Act empowering and authorizing the Board of Supervisors of the County of Maui to issue bonds in the sum of two million dollars for the construction of public schools";

S. B. No. 340, by Senators Duarte, Ansai and Crockett, entitled: "An Act repealing Act 8 of the Special Session Laws of Hawaii 1941, authorizing the County of Maui to issue bonds to finance the cost of construction of a hospital at Wailuku, Maui";

S. B. No. 341, by Senator Duarte, entitled: "An Act adding Section 111.01 to Chapter 3 of the Revised Laws of Hawaii 1945, as amended, relating to vacations, holidays and payment of salary to cafeteria workers in public schools";

S. B. No. 342, by Senator Heen, entitled: "An Act amending Section 12037 of the Revised Laws of Hawaii 1945, as amended, relating to the administration of small estates";

S. B. No. 343, by Senator Heen, entitled: "An Act amending Section 9722 of the Revised Laws of Hawaii 1945, as amended, relating to the appointment and compensation of temporary clerks of court";

S. B. No. 344, by Senator Ansai, entitled: "An Act relating to fuel taxes and the disposition thereof, and amending Section 5260, as amended, of the Revised Laws of Hawaii 1945";

S. B. No. 345, by Senator Crockett, entitled: "An Act relating to notary fees; amending Section 7676 of the Revised Laws of Hawaii 1945";

S. B. No. 346, by Senator Nobriga, entitled: "An Act to amend Section 9779 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of District Magistrates in the county of Hawaii and directing the county of Hawaii to make an appropriation for part-time secretaries and additional mileage allowance for District Magistrates";

S. B. No. 347, by Senator Nobriga, entitled: "An Act to make an appropriation to pay the claim of Harold Yamayoshi";

S. B. No. 348, by Senator Nobriga, entitled: "An Act directing the Commissioner of Public Lands to reconstruct and maintain old homestead roads in the several counties";

S. B. No. 349, by Senators Nobriga and Okino, entitled: "An Act to authorize the Board of Supervisors of the County of Hawaii to construct a walkway between Kohala School and Hawi Village, Kohala, Hawaii";

S. B. No. 350, by Senator Nobriga, entitled: "An Act providing for the withdrawal of James Harbottle Brown, as a member of the Employees' Retirement System of the Territory of Hawaii and for his reinstatement as a member of the pension fund for policemen, firemen and bandsmen of the County of Hawaii";

S. B. No. 351, by Senator Dillingham, entitled: "An Act to amend Chapter 145 of the Revised Laws of Hawaii 1945, as amended, relating to boxing and wrestling contests";

S. B. No. 352, by Senator Harrison, by request, entitled: "An Act authorizing and empowering the City and County Pension Board created by Section 6184 of the Revised Laws of Hawaii 1945, to award a pension to John Costa Pimental".

CONCURRENT RESOLUTIONS:

Senators Tsukiyama and Capellas offered a Concurrent Resolution (S. Con. Res. No. 22), "extending an invitation to Herbert C. Petry, Jr., President of the Lions International, to address the Senate and House of Representatives of the Twenty-Sixth Legislature of the Territory of Hawaii, in joint session", which was read as follows:

(S. Con. Res. No. 22)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the Concurrent Resolution was adopted.

RESOLUTIONS:

Senators Dillingham and Capellas offered a Resolution (S. Res. No. 50), providing for the employment of Mrs. Yvonne Leslie Caplener as Filing Clerk of the Printing Committee, and setting her compensation, which was read as follows:

(S. Res. No. 50)

Upon motion by Senator Dillingham, seconded by Senator Capellas, and carried, the Resolution was adopted.

Senator Nobriga offered a Resolution (S. Res. No. 51), requesting the members of the Board of Commissioners of Agriculture and Forestry to appear before the Senate Committee on Agriculture to discuss a program to curb the bovine tubercular problem throughout the Territory and other related matters, which was read by the Clerk as follows:

(S. Res. No. 51)

The Resolution was referred to the Committee on Agriculture, Forestry and Conservation, upon motion by Senator Ansai, seconded by Senator Aguiar, and carried.

PETITIONS:

A Petition from 49 members of the Nurses Association, District of Oahu (S. Pet. No. 9), favoring the passage of House Bill No. 151, was read as follows:

(S. Pet. No. 9)

The Petition was received and referred to the Committee on Judiciary.

A Petition signed by 46 citizens and taxpayers of the District of Kaapahu in Hamakua, Hawaii (S. Pet. No. 10), supporting Senate Bill No. 200, was read as follows:

(S. Pet. No. 10)

The Petition was referred to the Committee on Ways and Means, to which Senate Bill No. 200 was referred.

A Petition signed by 1262 petitioners (S. Pet. No. 11), requesting favorable consideration of legislation to remove the present Territorial gross income tax as it applies to food, and further requesting the enactment of legislation which exempts food for home consumption from taxation, was read as follows:

(S. Pet. No. 11)

The Petition was received and referred to the Committee on Ways and Means.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 33), reporting on all matters referred to it, which was read, received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS:

S. B. No. 322: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 323: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 324: The bill was referred to the Committee on Ways and Means.

S. B. No. 325: The bill was referred to the Select Committee of Maui Senators.

S. B. No. 326: The bill was referred to the Committee on Judiciary.

S. B. No. 327: The bill was referred to the Committee on Judiciary.

S. B. No. 328: The bill was referred to the Committee on Ways and Means.

S. B. No. 329: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 330: The bill was referred to the Committee on Education.

S. B. No. 331: The bill was referred to the Committee on Judiciary.

S. B. No. 332: The bill was referred to the Committee on Judiciary.

S. B. No. 333: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 334: The bill was referred to the Committee on Ways and Means.

S. B. No. 335: The bill was referred to the Select Committee of Maui Senators.

S. J. Res. No. 34: The joint resolution was referred to the Committee on Ways and Means.

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS:

H. B. No. 48: The bill was referred to the Committee on Ways and Means.

H. B. No. 304: The bill was referred to the Committee on Education.

H. B. No. 408: The bill was referred to the Committee on Ways and Means.

H. J. Res. No. 44: The joint resolution was referred to the Committee on Public Health.

COMMITTEE REPORTS:

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 34), submitting an amended form of Senate Bill No. 210, relating to taxation, recommending that the amended form as submitted be adopted, and further recommending that the bill, in the amended form, be re-referred to the Committee on

Ways and Means, without passing Second Reading, which was read as follows:

(Stand. Com. Rep. No. 34)

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 210, in the amended form, was re-referred to the Committee on Ways and Means, and the bill ordered reprinted.

At this time, Senator Hill, Chairman of the Committee on Ways and Means, announced that a public hearing on Senate Bill No. 210 would be held in the Senate Chamber at 7:30 o'clock p.m., on Wednesday, April 4th; and that a public hearing on the bill would be held in Hilo, on Friday, April 6th, at 7:30 in the evening. He also asked that the Maui and Kauai Senators inform the Committee when they would like to have public hearings held on the Bill on their respective Islands.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 21), approving the purpose of Senate Bill No. 200, but recommending that it be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 21)

Upon motion by Senator Capellas, seconded by Senator Hill, and carried, the report of the Committee was adopted; and Senate Bill No. 200was referred to the Committee on Ways and Means.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 22), recommending that Senate Bill No. 43 be referred to the Committee on Ways and Means, with the request that favorable action be taken thereon, which was read as follows:

(Spec. Com. Rep. No. 22)

Upon motion by Senator Nobriga, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and Senate Bill No. 43 was thereupon referred to the Committee on Ways and Means.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 23), recommending the passage of Senate Bill No. 66, which was read as follows:

(Spec. Com. Rep. No. 23)

Upon motion by Senator Capellas, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. Senate Bill No. 66 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 24), recommending that Senate Bill No. 10 be referred to the Committee on Ways and Means, with the request that favorable action be taken thereon, which was read as follows:

(Spec. Com. Rep. No. 24)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted; and Senate Bill No. 10 was referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 25), recommending the passage of Senate Joint Resolution No. 21, which was read as follows:

(Spec. Com. Rep. No. 25)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 21 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Consideration, on special order, of the amendments proposed by the House to Senate Bill No. 35, deferred from March 22nd:

Senator Aguiar moved that the Senate do not concur in the amendments proposed by the House, and that a Conference Committee be appointed for the consideration of said amendments. Seconded by Senator Fernandes, and carried.

The President thereupon appointed, as Conferees on the part of the Senate at such conference, Senators Dillingham, Ansai and Aguiar.

THIRD READINGS:

Third Reading of Senate Bill No. 8, entitled: "An Act to amend Section 4981 of the Revised Laws of Hawaii 1945, relating to the Board of Harbor Commissioners", deferred from March 20th:

Upon motion by Senator Lee, seconded by Senator Nobriga, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Joint Resolution No. 32, entitled: "Joint Resolution authorizing the Maui County Waterworks Board to reimburse Tony G. Duarte in the amount of not more than $925.00 for the wreckage of his automobile while on duty":

Senator Duarte asked to be excused from voting on this bill, and he was so excused.

Upon motion by Senator Ansai, seconded by Senator Crockett, the joint resolution passed Third Reading on the following showing

of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Duarte. Total, 1.

A communication from the House (H. Com. No. 35), informing the Senate that the Speaker had appointed Representatives Lydgate, Hind and Seong as Managers on the part of the House, for the consideration of the amendments proposed by the House to Senate Concurrent Resolution No. 19, to which the Senate had disagreed, was read as follows:

(H. Com. No. 35)

The communication was received and placed on file.

At this juncture, Senators Lee, Crockett and Nobriga were excused in order that they might meet with the Managers on the part of the House, for the consideration of the amendments proposed by the House to Senate Concurrent Resolution No. 19; and they thereupon left the Senate Chamber to carry out their mission.

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

At 11:59 o'clock a.m., the Senate reconvened.

Senator Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Concurrent Resolution No. 19, presented a report (Conf. Com. Rep. No. 1), recommending the Final adoption of the said Concurrent Resolution in an amended form, which was read as follows:

(Conf. Com. Rep. No. 1)

Upon motion by Senator Lee, seconded by Senator Nobriga, and carried, the report of the Committee was adopted; and Senate Concurrent Resolution No. 19 was Finally adopted in accordance there-

with.

The President, at this time, submitted a communication, dated March 5, 1951, signed by all the members of the Commission on Subversive Activities, transmitting a copy of the report of said Commission (Dept. Com. No. 47), which was read as follows:

(Dept. Com. No. 47)

The communication was received and placed on file.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 36), informing the Senate that the Speaker of the House had appointed Representatives Miyake, Hind and Lydgate as Managers on the part of the House for the consideration of the amendments proposed by the House to Senate Bill No. 35, to which the Senate had disagreed, was read as follows:

(H. Com. No. 36)

The communication was received and placed on file.

A communication from the House (H. Com. No. 37), informing the Senate that the House had adopted the Conference Committee report on Senate Concurrent Resolution No. 19, and that said Concurrent Resolution had been Finally adopted by the House in accordance therewith, was read as follows:

(H. Com. No. 37)

The communication was received and placed on file.

At this time, Senator Dillingham moved that the Senate make its inspection tour of Oahu on Saturday and Sunday, March 31st and April 1st, covering the Fifth District on Saturday and the Fourth District on Sunday, and that sometime Saturday morning an inspection of the Honolulu Airport be made. Seconded by Senator Lee, and carried.

At 12:20 o'clock p.m., upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Senate adjourned until 11:00 o'clock a.m., on Wednesday, March 28, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wayne Morse
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

TWENTY-EIGHTH Day

WEDNESDAY, MARCH 28, 19 51

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

TWENTY-EIGHTH DAY

Wednesday, March 28, 1951.

The Senate convened at 11:20 o'clock a.m., with President Tsukiyama presiding.

After Prayer by the Chaplain, the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Seventh Day.

COMMUNICATIONS:

A communication from the Chairman of the Committee on Legislation, Territorial Commission on Children and Youth (Dept. Com. No. 48), transmitting an amendment to Section 12179 of the Revised Laws of Hawaii 1945, relating to revocation of wills, in the form of a bill, was read as follows:

(Dept. Com. No. 48)

The communication and proposed bill were received and referred to the Committee on Judiciary.

A communication from City and County Clerk (Dept. Com. No. 49), transmitting certified copies of Resolutions Nos. 117, 135, 136, 138, 139, 142, 144, 145, 146 and 147, adopted by the Board of Supervisors of the City and County of Honolulu, was read, received and placed on file; and the accompanying Resolutions were referred to Committees as follows:

Resolution No. 117, opposing Senate Resolution No. 20 and House Resolution No. 6: Referred to the Committee on Ways and Means.

Resolution No. 135, opposing Senate Bill No. 106: Referred to the Committee on Education.

Resolution No. 136, recommending that the monthly pension to John C. Lane be set at $200.00: Referred to the Committee of the Whole with Senator Aguiar as Chairman.

Resolution No. 138, requesting that an appropriation of $50,000 be made for the biennium to the Jaycee Oldtimers of Hawaii for the promotion and enlargement of the Aloha Week activities: Referred to the Committee on Ways and Means.

Resolution No. 139, requesting the members of the Legislature to accept the recommendation of the Holdover Committee relating to civil service reinstatement of discharged employees: Referred to the Committee on Judiciary.

Resolution No. 142 relating to increase of pensions from $30.00 limit to $50.00: Referred to the Committee of the Whole, of which Senator Aguiar is Chairman.

Resolution No. 144, relating to a visit to all flood areas on Oahu: Placed on file in view of tour which has been arranged for an inspection tour of Oahu on Saturday and Sunday of this week.

Resolution No. 145, requesting an amendment to Senate Bill No. 258 and House Bill No. 158, increasing the proposed flood control bond issue: Referred to the Select Committee of Oahu Senators.

Resolution No. 146, requesting an immediate direct appropriation of $900,000.00 to be used forthwith in engineering work and for construction of the proposed canal to relieve the present suffering from the deplorable flood condition in the Kawainui Swamp area: Referred to the Select Committee of Oahu Senators.

Resolution No. 147, opposing Senate Bills Nos. 122 and 123: Referred to the Committee on Judiciary.

A communication from the House (H. Com. No. 38) returning Senate Concurrent Resolution No. 16 adopted by the House of Representatives, was read, received and placed on file.

A communication from the House (H. Com. No. 39), returning Senate Concurrent Resolution No. 22, adopted by the House of Representatives, was read, received and placed on file.

A communication from the House (H. Com. No. 40), transmitting House Concurrent Resolution No. 43, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 43, providing for a joint session of the two houses of the Legislature at 10:30 o'clock a.m., on Thursday, March 29th, in the Assembly Hall of the House of Representatives, for the purpose of having the Honorable Daniel L. Marsh, Chancellor of Boston University, address the Legislature:

Upon motion by Senator Dillingham, seconded by Senator Okino, and carried, the Concurrent Resolution was adopted.

A communication from the House (H. Com. No. 41), transmitting House Bill No. 550, was read, received and placed on file.

First Reading of House Bill No. 550, entitled: "An Act relating to the discharge of weapons near public highways and amending Section 11491 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Heen, seconded by Senator Capellas, and carried, the bill passed First Reading by title and was placed on the calendar for Second Reading tomorrow.

INTRODUCTION OF BILLS:

The following bills were introduced and, upon motion by Senator Dillingham, seconded by Senator Okino, and carried, passed First Reading by title and were referred to the Printing Committee:

S. B. No. 353, by Senators Dillingham and Harrison, by request, entitled: "An Act making an appropriation to pay costs for school buildings at Washington Intermediate School, Honolulu, Oahu, Territory of Hawaii";

S. B. No. 354, by Senator Dillingham, by request, entitled: "An Act appropriating funds for reimbursements to the Board of Water Supply of the City and County of Honolulu for moneys expended in the relocation of water mains in the City of Honolulu in connection with Territorial highway construction in the City of Honolulu";

S. B. No. 355, by Senator Dillingham, by request, entitled: "An Act to amend Section 7481 of the Revised Laws of Hawaii 1945 relating to the fees for testing and certification of weights and measures by amending the fees to be charged for testing and certification";

S. B. No. 356, by Senator Duarte, entitled: "An Act relating to compensation for persons suffering disability incident to Hansen's disease, and making an appropriation therefor";

S. B. No. 357, by Senator Duarte, entitled: "An Act appropriating $50,000.00 for the drainage of the village of Lahaina, Maui";

S. B. No. 358, by Senator Duarte, entitled: "An Act appropriating $50,000.00 to repair the outfall of Kahului sewer, Kahului, Maui";

S. B. No. 359, by Senator Duarte, entitled: "An Act for the relief of Mrs. Lillian Bal, Sr.";

S. B. No. 360, by Senator Dillingham, entitled: "An Act making an appropriation for the construction and equipment of shop buildings at Honolulu Vocational School, Oahu";

S. B. No. 361, by Senator Dillingham, entitled: "An Act relating to assistants to board; rules; journal; behavior; amending Section 6507 of the Revised Laws of Hawaii 1945";

S. B. No. 362, by Senator Dillingham, entitled: "Appropriating $900,000.00 for a flood control project at Kawainui Swamp, Kailua, Oahu";

S. B. No. 363, by Senator Capellas, entitled: "An Act relating to preference in civil service for veterans and the wives of deceased veterans, and amending Section 81 of the Revised Laws of Hawaii 1945, as enacted by Act 119 of the Session Laws of Hawaii 1947";

S. B. No. 364, by Senators Aguiar and Fernandes, entitled: "An Act providing for a concrete seawall along the Federal aid road North of Wailua Bridge, Kauai, and making an appropriation therefor";

S. B. No. 365, by Senators Nobriga, Lee, Fernandes, Ansai, Crockett, Duarte, Capellas, Harrison, Hill (by request) and Robinson, entitled: "An Act relating to the classification, compensation, recruitment, appointment, employment, efficiency ratings and appeals of public employees, amending Chapter 3 of the Revised Laws of Hawaii 1945, as amended, providing for surveys relating to the classification and compensation of public employees, and making appropriations therefor";

S. B. No. 366, by Senators Dillingham, Fernandes, Okino, Duarte, Crockett, Ansai, Lee, Hill, Capellas and Robinson, entitled: "An Act relating to public boards and commissions engaged in supplying water to consumers and making such boards and commissions subject to the jurisdiction of the Public Utilities Commission under Chapter 82 of the Revised Laws of Hawaii 1945";

S. B. No. 367, by Senators Nobriga and Okino, entitled: "An Act making an appropriation by way of advancement for the construction of a homestead road at Waipunalei, North Hilo, County of Hawaii";

S. B. No. 368, by Senators Dillingham, Lee, Ansai and Nobriga by request, entitled: "An Act to amend Chapter 3, Revised Laws of Hawaii 1945, as amended; providing for the creation of a Salary Standardization Board, defining its powers and duties, enacting a compensation plan and making an appropriation for such Board";

S. J. Res. No. 35, by Senator Duarte, entitled: "Joint Resolution mandating the Board of Supervisors of the County of Maui to continue free of charge the present garbage collection service".

CONCURRENT RESOLUTIONS:

Senator Duarte offered a Resolution (S. Concurrent Res. No. 23), requesting the Board of Harbor Commissioners to inspect the coast line drainage of the island of Maui to determine what industrial and other agricultural wastes are being drained into the ocean in an amount or of a variety sufficient to kill fish, and to report its recommendations for control thereof to the next session of the Legislature, which was read as follows:

(S. Con. Res. No. 23)

Upon motion by Senator Duarte, seconded by Senator Fernandes, and carried, the Concurrent Resolution was adopted.

Senator Capellas offered a Concurrent Resolution (S. Con. Res. No. 24), requesting the administrative agencies of the public schools and the University of Hawaii, and the directors of athletics therein, to make provision for medical attendance and hospitalization of players who may be injured in athletic contests from which the schools and University receive an income, which was read as follows:

(S. Con. Res. No. 24)

Upon motion by Senator Aguiar, seconded by Senator Fernan-

des, and carried, the Concurrent Resolution was referred to the Committee on Education.

RESOLUTIONS:

Senator Hill offered a Resolution (S. Res. No. 52), providing that the expenses of the members and the statistician of the Committee on Ways and Means, together with those of such other Senators as may elect to accompany said committee on its trips to Hawaii, Maui and Kauai, for the purpose of holding hearings on Senate Bill No. 210, S.D.1, be authorized, which was read as follows:

(S. Res. No. 52)

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the Resolution was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 35), reporting on all matters referred to it, which was read, received and placed on file.

SECOND READING OF SENATE BILLS:

S. B. No. 336: The bill was referred to the Committee on Judiciary.

S. B. No. 337: The bill was referred to the Committee on Judiciary.

S. B. No. 338: The bill was referred to the Committee on Judiciary.

S. B. No. 339: The bill was referred to the Committee on Ways and Means.

S. B. No. 340: The bill was referred to the Committee on Ways and Means.

S. B. No. 341: The bill was referred to the Committee on Ways and Means.

S. B. No. 342: The bill was referred to the Committee on Judiciary.

S. B. No. 343: The bill was referred to the Committee on Judiciary.

S. B. No. 344: The bill was referred to the Committee on Ways and Means.

S. B. No. 345: The bill was referred to the Committee on Judiciary.

S. B. No. 346: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 347: The bill was referred to the Committee on Ways and Means.

S. B. No. 348: The bill was referred to the Committee on Ways and Means.

S. B. No. 349: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 350: The bill was referred to the Committee on Ways and Means.

S. B. No. 351: The bill was referred to the Committee on Judiciary.

S. B. No. 352: The bill was referred to the Select Committee of Oahu Senators.

COMMITTEE REPORTS:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 36), recommending the passage of Senate Bill No. 208, which was read as follows:

(Stand. Com. Rep. No. 36)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 208 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 37), recommending that Senate Bill No. 218 be referred to the Committee on Ways and Means, with the statement that the Committee on Education is unanimously of the opinion that it should become law, which was read as follows:

(Stand. Com. Rep. No. 37)

Upon motion by Senator Robinson, seconded by Senator Aguiar, and carried, the report of the Committee was adopted; and Senate Bill No. 218 was referred to the Committee on Ways and Means.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 38), recommending the passage of Senate Bill No. 171, which was read by the Clerk as follows:

(Stand. Com. Rep. No. 38)

Upon motion by Senator Harrison, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 171 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 39), recommending that Senate Joint Resolution No. 22 be placed on file, inasmuch as it has been recommended by the Committee that House Concurrent Resolution No. 25, on the same subject matter, be adopted, which was read as follows:

(Stand. Com. Rep. No. 39)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, Senate Joint Resolution No. 22 was placed on file.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 40), recommending the adoption of House Concurrent Resolution No. 25, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 40)

Upon motion by Senator Harrison, seconded by Senator Hill, and carried, the report of the Committee was adopted; and House Concurrent Resolution No. 25, as amended, was thereupon adopted.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 41), recommending the tabling of Senate Bill No. 56, which was read as follows:

(Stand. Com. Rep. No. 41)

Upon motion by Senator Robinson, seconded by Senator Ansai, and carried, the report of the Committee was adopted; and Senate Bill No. 56 was thereupon placed on file.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 42), recommending the passage of Senate Bill No. 238, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 42)

Upon motion by Senator Harrison, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. Senate Bill No. 238, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 43), recommending the filing of Senate Petition No. 6, inasmuch as Senate Bill No. 236 to which the Petition refers has been placed on file, which was read as follows:

(Stand. Com. Rep. No. 43)

Upon motion by Senator Harrison, seconded by Senator Okino, and carried, Senate Petition No. 6 was placed on file.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 44), recommending that Senate Bill No. 236 be placed on file, which was read as follows:

(Stand. Com. Rep. No. 44)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and Senate Bill No. 236 was thereupon placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report, recommending that Senate Bill No. 293 be placed on file, which was read as follows:

(Spec. Com. Rep. No. 26)

Upon motion by Senator Dillingham, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and Senate Bill No. 293 was placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 27), recommending that Senate Bill No. 117 be placed on file and that Senate Bill No. 113 be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 27)

Upon motion by Senator Dillingham, seconded by Senator Robinson, and carried, the report of the Committee was adopted. Senate Bill No. 117 was placed on file and Senate Bill No. 113 was referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 28), recommending the passage of Senate Bill No. 252 in an amended form, which was read as follows:

(Spec. Com. Rep. No. 28)

Upon motion by Senator Dillingham, seconded by Senator Robinson, and carried, the report of the Committee was adopted. Senate Bill No. 252, in the amended form, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 29), recommending that Senate Bill No. 261 be placed on file, which was read as follows:

(Spec. Com. Rep. No. 29)

Upon motion by Senator Dillingham, seconded by Senator Robinson, and carried, the report of the Committee was adopted, and Senate Bill No. 261 was thereupon placed on file.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 30), recommending the adoption of Senate Resolution No. 12 in an amended form, which was read as follows:

(Spec. Com. Rep. No. 30)

Upon motion by Senator Capellas, seconded by Senator Nobriga, and carried, the report of the Committee was adopted, and Senate Resolution No. 12, in the amended form, was adopted.

THIRD READINGS:

Third Reading of Senate Bill No. 66, entitled: "An Act to amend Section 6352 of the Revised Laws of Hawaii 1945, as amended, relating to the officers of the County of Hawaii":

Upon motion by Senator Hill, seconded by Senator Lee, and carried, action on the bill was deferred until tomorrow.

Third Reading of Senate Joint Resolution No. 21, entitled: "Joint Resolution providing for the remission of certain real property taxes":

Upon motion by Senator Dillingham, seconded by Senator Hill, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At 12:10 o'clock p.m., upon motion by Senator Lee, seconded by Senator Nobriga, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:08 o'clock p.m., with the President in the Chair and all Senators being present, with the exception of Senators Crockett, Heen and Hill, excused.

Senator Harrison, for the Committee on Public Health, offered a Concurrent Resolution (S. Con. Res. No. 25), "concerning the administration and policies having to do with the Hansen's Disease program in the Territory", which was read as follows:

(S. Con. Res. No. 25)

Upon motion by Senator Harrison, seconded by Senator Okino, and carried, the Concurrent Resolution was adopted.

At this time, Senator Dillingham, for the Select Committee of Oahu Senators, moved that the Senate reconsider its action taken earlier on the calendar in adopting Special Committee Report No. 26, recommending the filing of Senate Bill No. 293. Seconded by Senator Harrison, and carried.

Consideration of Special Committee Report No. 26, recommending the filing of Senate Bill No. 293:

Senator Dillingham moved that the report of the Committee be placed on file, and that Senate Bill No. 293 be re-referred to the Select Committee of Oahu Senators. Seconded by Senator Harrison, and carried; and Senate Bill No. 293 was thereupon re-referred to the Select Committee of Oahu Senators.

Senator Dillingham, for the Select Committee of Oahu Senators, moved that the Senate reconsider its action in referring Senate Bill No. 114 to the Committee on Ways and Means; that it be returned to the Clerk's desk and thereupon be referred to the Select Committee of Oahu Senators. Seconded by Senator Fernandes, and carried.

Senate Bill No. 114 was thereupon returned to the Clerk's desk and referred to the Select Committee of Oahu Senators.

Senator Dillingham, for the Select Committee of Oahu Senators, moved that the Senate reconsider its action in referring Senate Bill No. 163 to the Committee on Judiciary; that it be returned to the Clerk's desk and thereupon be referred to the Select Committee of Oahu Senators. Seconded by Senator Fernandes, and carried.

Senate Bill No. 163 was thereupon returned to the Clerk's desk and referred to the Select Committee of Oahu Senators.

At this time, Senator Lee moved that the Senate resolve itself into a Committee of the Whole for the consideration of the subject matter of Senate Resolution No. 48, relating to fire insurance rates, etc., in the Territory of Hawaii. Seconded by Senator Dillingham, and carried, and at 2:15 o'clock p.m., the Senate resolved itself into a Committee of the Whole for such purpose, with Senator Okino as Chairman.

The Committee rose at 5:08o'clock p.m., and the Senate reconvened.

Senator Crockett came into the session at this time.

Senator Okino, for the Committee of the Whole, having under consideration the subject matter of Senate Resolution No. 48,

relating to insurance rates in the Territory, etc., orally reported progress and asked leave to sit again on Monday afternoon, April 2nd, at 2:00 o'clock p.m.

Upon motion by Senator Okino, seconded by Senator Dillingham, and carried, the oral report of the Committee was adopted.

At 5:10 o'clock p.m., upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the Senate adjourned until 10:30 o'clock a.m., on Thursday, March 29, 1951.

Ellen D. Smeltzer
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

TWENTY-NINTH Day

THURSDAY, MARCH 29, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

TWENTY-NINTH DAY

Thursday, March 29, 1951.

The Senate convened at 10:38 o'clock a.m., with the President presiding.

The Divine Blessing was invoked by the Chaplain, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Eighth Day.

At 10:40 o'clock a.m., the Senate stood in recess, subject to the call of the Chair; and the Senate repaired in a body to the Assembly Hall of the House of Representatives there to sit in joint session with the members of the House, pursuant to House Concurrent Resolution No. 43, to listen to an address by the Honorable Daniel L. Marsh, Chancellor of Boston University.

The joint session was called to order by the Speaker of the House of Representatives at 10:48 o'clock a.m., who presented President Gregg M. Sinclair, of the University of Hawaii, who presented Chancellor Marsh to the joint session, stating that Chancellor Marsh ranked in the first group of American Educators, being Chancellor of Boston University, which has 34,000 students - one of the largest, if not the largest of the City Universities; but that he was no "ivory-tower educator"-- he was a Director of the John Hancock Life

Insurance Company, and a member of the Board of National Automobile Association, as well as being connected with innumerable other organizations and interests, which time precluded his enumerating, but which were listed in "Who's Who".

Dr. Sinclair stated that it was a pleasure to introduce Chancellor Marsh, and also a pleasure for the Chancellor to meet the Legislators, because he had told him that one of the greatest arguments Hawaii had for statehood was that its laws for fifty years had equalled those of any State in the Union, and he wanted the Chancellor to meet the people who make those laws.

Chancellor Marsh, addressing the assembly, expressed his appreciation for the privilege and honor accorded him by the Legislature in inviting him to address it, and stated that Hawaii fulfilled the ideas and ideals that one has of what the Garden of Eden might have been, except that there were no snakes in Hawaii, and that this was a wonderful territory and that its people were the kindest people he had ever seen.

Continuing, he said: "Hawaii should be, and undoubtedly soon will be, admitted to statehood in the Union of States. When that is accomplished, I am sure that Hawaii and the Union will both benefit. Hawaii's liberty and prosperity will be guaranteed and the nation will be enriched and made stronger."

Chancellor Marsh expressed this hope: "I hope that when Hawaii comes into statehood it will bring with it some virtues which, if I am correctly informed, have been given good expression in the government of the Territory. I mention them -- virtues that were built into the very foundations of the Republic -- I mention three of them -- justice and honesty in government; a recognition of the responsibilities of freedom, and a rising to the comprehension of the implications

of representative democracy -- those three." .....

In closing, Chancellor Marsh said: "It has been a great privilege and a great pleasure to be with you today; and in the old-fashioned way, I say 'God Bless you' and in the new-fashioned way, for me, I say 'aloha'".

Speaker Fong thanked Chancellor Marsh for his talk, and thereupon presented Mrs. Marsh to the assembly; and at 11:05 o'clock a.m., adjourned the joint session and asked that the members of the House and Senate come up to the dais to meet Chancellor and Mrs. Marsh.

The Senate reconvened at 11:10 o'clock a.m.

COMMUNICATIONS:

A communication from the House (H. Com. No. 42), transmitting House Bill No. 405, was read, received and placed on file.

First Reading of House Bill No. 405, entitled: "An Act making an appropriation out of the general revenues for the Hawaii Employment Relations Board for the biennial period ending June 30, 1951":

Upon motion by Senator Robinson, seconded by Senator Ansai, and carried, the bill passed First Reading by title and was placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 43), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Concurrent Resolution No. 25, and that said Concurrent Resolution, as thus amended, had been finally adopted by the House, was read, received and placed on file.

INTRODUCTION OF BILLS:

The following bills were introduced and, upon motion by Senator Aguiar, seconded by Senator Duarte, and carried, passed First Reading by title and were referred to the Printing Committee:

S. B. No. 369, by Senators Aguiar, Fernandes and Ansai, entitled: "An Act providing for research and demonstration in pasture improvement and range management, and making an appropriation to the University of Hawaii therefor";

S. B. No. 370, by Senator Hill, entitled: "An Act making a deficiency appropriation from the general revenues for the Department of Public Welfare for the biennium ending June 30, 1951";

S. B. No. 371, by Senator Heen, entitled: "An Act relating to eminent domain";

S. B. No. 372, by Senators Tsukiyama, Crockett and Okino, entitled: "An Act clarifying the provisions of Act 40, Session Laws of Hawaii 1945, and requiring the sealing of the records in all adoption proceedings prior to the effective date of said Act 40";

S. B. No. 373, by Senators Tsukiyama, Crockett and Okino, entitled: "An Act amending Sections 12274 and 12275 of the Revised Laws of Hawaii 1945, relating to service of notice in adoption proceedings";

S. B. No. 374, by Senator Dillingham, entitled: "An Act relating to the Surveyor of the Territory of Hawaii, defining his powers and duties, transferring certain powers and duties thereto, and creating a special fund therefor".

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 46), reporting that all matters referred to said Committee had been mimeographed and were ready for distribution, which

was read, received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS:

S. B. No. 353: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 354: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 355: The bill was referred to the Committee on Ways and Means.

S. B. No. 356: The bill was referred to the Committee on Public Health.

S. B. No. 357: The bill was referred to the Select Committee of Maui Senators.

S. B. No. 358: The bill was referred to the Select Committee of Maui Senators.

S. B. No. 359: The bill was referred to the Committee of the Whole, with Senator Aguiar as Chairman.

S. B. No. 360: The bill was referred to the Committee on Education.

S. B. No. 361: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 362: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 363: The bill was referred to the Committee on Military.

S. B. No. 364: The bill was referred to the Committee on Ways and Means.

S. B. No. 365: The bill was referred to the Committee on Ways and Means.

S. B. No. 366: The bill was referred to the Committee on Judiciary.

S. B. No. 367: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 368: The bill was referred to the Committee on Ways and Means.

S. J. Res. No. 35: The joint resolution was referred to the Select Committee of Maui Senators.

COMMITTEE REPORTS:

Senator Crockett, for the Committee on Military, presented a report (Stand. Com. Rep. No. 47), recommending the passage of Senate Bill No. 232, with an amendment, which was read as follows:

(Stand Com. Rep. No. 47)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 232, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Military, presented a report (Stand. Com. Rep. No. 48), recommending the passage of Senate Bill No. 194, which was read as follows:

(Stand. Com. Rep. No. 48)

Upon motion by Senator Hill, seconded by Senator Aguiar, and carried, the report and the bill were referred to the Committee on Ways and Means.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 49), recommending that Senate Bill No. 139 be amended in the form attached to the report; and that as so amended, that it be referred to the Committee of the Whole, of which Senator Dillingham is Chairman, having under consideration certain measures dealing with the reorganization of certain executive departments of the Territorial Government, which was read as follows:

(Stand. Com. Rep. No. 49)

Upon motion by Senator Nobriga, seconded by Senator Dillingham, and carried, the report of the Commitee was adopted; and Senate Bill No. 139 in the amended form, was referred to the Committee of the Whole, with Senator Dillingham as Chairman, and ordered reprinted.

SECOND READING OF HOUSE BILLS:

House Bill No. 550: The bill was referred to the Committee on Judiciary.

THIRD READINGS:

Third Reading of Senate Bill No. 66, entitled: "An Act to amend Section 6352 of the Revised Laws of Hawaii 1945, as amended, relating to the officers of the county of Hawaii", deferred from yesterday:

Upon motion by Senator Okino, seconded by Senator Lee, and carried, action on the bill was further deferred until tomorrow.

Third Reading of Senate Bill No. 171, entitled: "An Act relating to non-diseased children of Hansen's disease patients, transferring the care and custody of such children from the Board of Health to the Department of Public Welfare":

Upon motion by Senator Heen, seconded by Senator Harrison, and carried, action on the bill was deferred until tomorrow.

Third Reading of Senate Bill No. 208, entitled: "An Act relating to rules and regulations of governmental agencies; amending Section 472 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Aguiar, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 238, entitled: "An Act to amend Act 80 of the Session Laws of Hawaii 1949, relating to meetings of the Board of Health":

Upon motion by Senator Hill, seconded by Senator Lee, and carried, action on the bill was deferred until tomorrow.

Third Reading of Senate Bill No. 252, entitled: "An Act to amend Section 6534 of the Revised Laws of Hawaii 1945, relating to prohibition of unauthorized employment and fixing salaries of employees of the City and County of Honolulu":

Upon motion by Senator Dillingham, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: Senators Aguiar and Duarte. Total, 2.

At 12:02 o'clock p.m., upon motion by Senator Ansai, seconded by Senator Dillingham, and carried, the Senate adjourned until 11:00 o'clock a.m., on Friday, March 30, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred D. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

THIRTIETH Day

FRIDAY, MARCH 30, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

THIRTIETH DAY

Friday, March 30, 1951.

The Senate convened at 11:10 o'clock a.m., with the President presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Ninth Day.

COMMUNICATIONS FROM HOUSE OF REPRESENTATIVES:

The following communications from the House of Representatives were read, received and placed on file:

House Communication No. 44, transmitting House Bill No. 76;

House Communication No. 45, transmitting House Bill No. 95;

House Communication No. 46, transmitting House Bill No. 99;

House Communication No. 47, transmitting House Bill No. 100;

House Communication No. 48, transmitting House Bill No. 156;

House Communication No. 49, transmitting House Bill No. 159;

House Communication No. 50, transmitting House Bill No. 160;

House Communication No. 51, transmitting House Bill No. 207;

House Communication No. 52, transmitting House Bill No. 216;

House Communication No. 53, transmitting House Bill No. 221;

House Communication No. 54, transmitting House Bill No. 224;

House Communication No. 55, transmitting House Bill No. 229;

House Communication No. 56, transmitting House Bill No. 271;

House Communication No. 57, transmitting House Bill No. 351;

House Communication No. 58, transmitting House Bill No. 451;

House Communication No. 59, transmitting House Bill No. 481;

House Communication No. 60, transmitting House Bill No. 549;

House Communication No. 61, transmitting House Bill No. 704;

House Communication No. 62, transmitting House Joint Resolution No. 40.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTION:

H. B. No. 76, entitled: "An Act to amend Chapter 90 of the Revised Laws of Hawaii 1945, as amended, relating to the Board of Harbor Commissioners";

H. B. No. 95, entitled: "An Act making an appropriation for the upkeep of Puukamalii Cemetery, Makiki Cemetery and Aiea Cemetery, City and County of Honolulu, for the 1951-1953 biennium";

H. B. No. 99, entitled: "An Act making available an appropriation from the general revenues of the Territory for the claim of Emil Carreira and Dolinda Carreira, parents of Robert Carreira, deceased, or his personal representative, for the death of said Robert Carreira";

H. B. No. 100, entitled: "An Act making available an appropriation from the general revenues of the Territory for the claim of Lawrence W. Campos for the loss of certain hogs";

H. B. No. 156, entitled: "An Act to amend the Hawaii Employment Relations Act with respect to the appointment of conciliators";

H. B. No. 159, entitled: "An Act for the relief of James Kimo Kauhini";

H. B. No. 160, entitled: "An Act requiring that counties maintain complete inventory records";

H. B. No. 207, entitled: "An Act providing a pension of one hundred fifty dollars per month for Fred Noa";

H. B. No. 216, entitled: "An Act appropriating $6,000 for the purpose of codifying the fish and game laws of the Territory";

H. B. No. 221, entitled: "An Act to amend Section 1238 of the Revised Laws of Hawaii 1945, relating to opelu fishing";

H. B. No. 224, entitled: "An Act to amend Act 401 of the Session Laws of Hawaii 1949, relating to appropriations for public improvements and the issuance of public improvement bonds;"

H. B. No. 229, entitled: "An Act relating to the operation of fish traps, pounds and weirs, providing for licenses and penalties, amending Chapter 19 and repealing Sections 7071 and 7072 of the Revised Laws of Hawaii 1945";

H. B. No. 271, entitled: "An Act relating to Iolani Palace";

H. B. No. 351, entitled: "An Act authorizing the Board of Supervisors of the County of Maui to pay to Sam Alo, Senior, a life pension";

H. B. No. 451, entitled: "An Act relating to the powers of the Board of Commissioners of Public Archives and authorizing the charging of fees in certain cases";

H. B. No. 481, entitled: "An Act relating to child labor, and to amend Section 4121 of the Revised Laws of Hawaii 1945";

H. B. No. 549, entitled: "An Act relating to the powers of Coroners and amending Section 10916 of the Revised Laws of Hawaii 1945";

H. B. No. 704, entitled: "An Act amending Section 1 of Act 31 of the Session Laws of Hawaii 1947, relating to the name of Honolulu Airport";

H. J. Res. No. 40, entitled: "Joint Resolution incorporating Section 1 of Act 84 (Series A-29) of the Session Laws of Hawaii 1949 as a part of Chapter 18 of the Revised Laws of Hawaii 1945, as amended".

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the bills and joint resolution passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 63), transmitting House Concurrent Resolution No. 2, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 2, requesting the Territorial Highway Engineer to place the Hana Belt Road of the Territorial highway system in the category of a secondary road":

The Concurrent Resolution was referred to the Select Committee of Maui Senators.

A communication from the House (H. Com. No. 64), transmitting House Concurrent Resolution No. 30, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 30, "requesting the Congress of the United States of America to enact legislation appropriating funds for flood control at Hanapepe, Kauai, authorized by Public Law 534, 78th Congress, Second Session, Section 10":

The Concurrent Resolution was referred to the Select Committee of Kauai Senators.

A communication from the House (H. Com. No. 65), transmitting House Concurrent Resolution No. 36, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 36, "requesting the Congress of the United States to repeal the Federal taxes on the transportation of persons and property as each affects inter-island transportation in Hawaii and transportation between Hawaii and the Mainland United States":

Upon motion by Senator Dillingham, seconded by Senator Ansai, and carried, the Concurrent Resolution was adopted.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolutions were introduced and, upon motion by Senator Hill, seconded by Senator Lee, and carried, passed First Reading by title and were referred to the Printing Committee:

S. B. No. 375, by Senator Hill, by request, entitled: "An Act to amend Section 8661 of the Revised Laws of Hawaii 1945, as amended, relating to investments of trust companies";

S. B. No. 376, by Senator Hill, entitled: "An Act relating to the Employees' Retirement System of the Territory, and amending Section 712 of the Revised Laws of Hawaii 1945";

S. B. No. 377, by Senator Hill, entitled: "An Act relating to the investment of funds of the Territorial Employees' Retirement System and amending Section 710, as amended, of the Revised Laws of Hawaii 1945";

S. B. No. 378, by Senators Lee, Dillingham, Robinson, Heen, Harrison and Tsukiyama, entitled: "An Act making an appropriation for improving and constructing a beach at Waikiki between Ala Wai Boat Harbor and the Elks Club, Honolulu, Oahu";

S. B. No. 379, by Senator Nobriga, entitled: "An Act to amend Sections 7249 and 7253 of the Revised Laws of Hawaii 1945, relating to the procurement of liquor licenses";

S. B. No. 380, by Senators Nobriga and Okino, entitled: "An Act to amend Section 7228 of the Revised Laws of Hawaii 1945, relating to County Liquor Commissions";

S. B. No. 381, by Senator Duarte, entitled: "An Act to create a Division of Drainage and Flood Control in the Department of Public Works, providing for its powers and duties, and making an appropriation therefor";

S. J. Res. No. 36, by Senator Ansai, entitled: "Joint Resolution discharging Molokai Community Hospital from all obligations under the terms of Joint Resolution 2 of the Special Session Laws of Hawaii 1949 or under any agreement entered into with the Territory to hold certain accounts receivable for the benefit of the Territory and to pay over to the Territorial Treasurer as and when received all collections on account of said accounts";

S. J. Res. No. 37, by Senator Lee, entitled: "Joint Resolution for the relief of Frank R. Sommerfeld";

S. J. Res. No. 38, by Senator Nobriga, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to permit sales of government lands where in the public interest".

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 50), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

SECOND READING OF SENATE BILLS:

S. B. No. 369: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

S. B. No. 370: The bill was referred to the Committee on Ways and Means.

S. B. No. 371: The bill was referred to the Committee on Judiciary.

S. B. No. 372: The bill was referred to the Committee on Judiciary.

S. B. No. 373: The bill was referred to the Committee on Judiciary.

S. B. No. 374: The bill was referred to the Committee of the Whole, with Senator Dillingham as Chairman, having under consideration certain measures relating to reorganization of certain executive departments of the Territorial government.

COMMITTEE REPORTS:

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 51), reporting on the subject matter of Senate Resolution No. 10, relating to matters pertaining to the Kalaupapa Settlement and Hale Mohalu, which was read as follows:

(Stand. Com. Rep. No. 51).

Upon motion by Senator Harrison, seconded by Senator Lee, and carried, the report of the Committee was adopted.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 52), recommending the filing of Senate Bill No. 204, which was read as follows:

(Stand. Com. Rep. No. 52)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted, and Senate Bill No. 204 was thereupon placed on file.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 53), recommending the passage of House Joint Resolution No. 44, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 53)

Upon motion by Senator Harrison, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. House Joint Resolution No. 44, as amended, passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2nd.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 54), recommending the passage of Senate Bill No. 100, which was read as follows:

(Stand. Com. Rep. No. 54)

Upon motion by Senator Harrison, seconded by Senator Fernandes, and carried, the report of the Committee was adopted. Senate Bill No. 100 passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2nd.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 55), recommending the passage of Senate Bill No. 192, in an amended form,

which was read as follows:

(Stand. Com. Rep. No. 55)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 192 passed Second Reading in the amended form and was placed on the calendar for Third Reading on Monday, April 2nd.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 31), recommending that Senate Bills Nos. 176 and 352, relating to pensions, be referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman, which was read as follows:

(Spec. Com. Rep. No. 31)

Upon motion by Senator Dillingham, seconded by Senator Robinson, and carried, the report of the Committee was adopted. Senate Bills Nos 176 and 352 were thereupon returned to the Clerk's desk and were so referred.

SECOND READING OF HOUSE BILLS:

H. B. No. 405: The bill was referred to the Committee on Ways and Means.

THIRD READINGS:

Third Reading of Senate Bill No. 66, entitled: "An Act to amend Section 6352 of the Revised Laws of Hawaii 1945, as amended, relating to the officers of the county of Hawaii", deferred from March 29th:

Senator Okino offered the following amendment:

"Amend Section 1 to read as follows:

'SECTION 1. Section 6352 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended in the following particular:

By inserting immediately after the item reading

'First deputy county attorney (who shall not engage in the private practice of law) ..... 6,780.00',

the following:

'Second deputy county attorney (who shall not engage in the private practice of law ..... 5,400.00'".

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the amendment was adopted.

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the bill passed Third Reading, as amended, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 171, entitled: "An Act relating to non-diseased children of Hansen's disease patients, transferring the care and custody of such children from the Board of Health to the Department of Public Welfare", deferred yesterday:

Senator Harrison offered the following amendments to the bill:

"1. Amend the title by inserting a 'comma' followed by the word 'control' after the word 'care' in the second line thereof.

"2. Insert the word 'Hawaii' between the word 'of' and the figure '1949' in line 3 of Section 1 'line 2 of the printed bill).

"3. Change the section number in the first line of the quoted portion of Section 2 to read '4829.01'".

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the amendments were adopted.

Upon motion by Senator Harrison, seconded by Senator Dillingham, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 232, entitled: "An Act to amend Sections 13002 and 13011, Revised Laws of Hawaii 1945, relating to military courts martial":

Upon motion by Senator Aguiar, seconded by Senator Lee, and carried, action on the bill was deferred until Monday, April 2nd.

Third Reading of Senate Bill No. 238, entitled: "An Act to amend Act 80 of the Session Laws of Hawaii 1949, relating to meetings of the Board of Health", deferred from March 29th:

Senator Dillingham moved that the bill be recommitted to the Committee on Public Health, with the recommendation that the question of per diem pay for the members of the Board of Health when attending meetings on the islands other than Oahu, be considered. Seconded by Senator Aguiar, and carried; and the bill was thereupon so recommitted to the Committee on Public Health.

Senators Nobriga, Okino, Capellas, Hill, Harrison, Duarte, Crockett, Ansai, Aguiar, Robinson, Dillingham, Lee, Fernandes, Heen and Tsukiyama offered a Resolution (S. Res. No. 53), congratulating the Young Men's Institute on the celebration of the Golden Jubilee of its organization, which was read as follows:

(S. Res. No. 53)

Upon motion by Senator Nobriga, seconded by Senator Capellas, and carried unanimously, the Resolution was adopted.

At 12:09 o'clock p.m., upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:12 o'clock p.m., with the President in the Chair and all Members being present.

Senator Okino offered a Resolution (S. Res. No. 54), setting the time for the consideration of the subject matter of Senate Resolution No. 41 providing for an investigation of the circumstances surrounding the recent sales of public lands and leases thereof on the islands of Oahu and Hawaii, by the Committee of the Whole of which Senator Okino is Chairman, for Wednesday and Thursday, April 4th and 5th, and requesting certain persons to appear before the said Committee on those dates, as witnesses, which was read as follows:

(S. Res. No. 54)

Upon motion by Senator Ansai, seconded by Senator Capellas, and carried, action on the Resolution was deferred until later on the calendar.

At this time, Senator Dillingham moved that the Senate resolve itself into a Committee of the Whole for the consideration of Senate Bills Nos. 70, 71, and 73, relating to the reorganization of certain executive departments of the Territorial government, and Senate Bill No. 139 as amended, relating to the creation of a Hawaii Resources Development Council. Seconded by Senator Capellas, and carried; and at 2:16 o'clock p.m., the Senate resolved itself into a Committee of the Whole for such purpose, with Senator Dillingham as Chairman.

At 5:30 o'clock p.m., the Committee rose and the Senate reconvened.

Senator Dillingham, for the Committee of the Whole, having under consideration Senate Bills Nos. 70, 71, 73 and 139 as amended, reported orally, asking leave to sit again, at a time to be set later by the Chairman of the Committee of the Whole, on Senate Bills Nos. 70, 71 and 73; and recommending that Senate Bill No. 139 as amended be referred to the Committee on Ways and Means.

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the oral report of the Committee was adopted. Senate Bill No. 139 as amended was thereupon referred to the Committee on Ways and Means, and Senator Dillingham stated that he would announce later the date of the next meeting of the Committee of the Whole on Senate Bills Nos. 70, 71 and 73.

Consideration of Senate Resolution No. 54, requesting certain persons to appear before the Senate, sitting as a Committee of the Whole, on April 4th and 5th, to carry out the purposes of Senate Resolution No. 41, relating to public lands and leases thereof on the islands of Hawaii and Oahu, action on which was deferred earlier on the calendar.

Senator Okino moved for the adoption of the Resolution. Seconded by Senator Lee.

At 6:07 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

At 6:20 o'clock p.m., the Senate reconvened.

Senator Aguiar offered the following amendments to Senate Resolution No. 54:

"Amend the third paragraph of the Resolution in the following respects:

(1) After the word 'Resolution' in line 4 of said Resolution, add a 'semi-colon' and the following:

'that the following named persons be requested to appear in the Senate Chamber of Iolani Palace at 2:00 o'clock p.m. on Wednesday, April 4, 1951:

Frank G. Serrao, Commissioner of Public Lands, Territory of Hawaii,
Torkel Westly, Tax Commissioner, Territory of Hawaii,
Chairman and Members of the Board of Public Lands of the Territory of Hawaii,
Eugene Apoliona, Auctioneer, Public Lands Department, Territory of Hawaii,
Special Appraisal Committee appointed by the Commissioner of Public Lands,
Members of the Land Use Committee;

(2) After the words '2:00 o'clock p.m.' in line 6 of the said third paragraph, insert the words 'on Thursday, April 5, 1951'.

(3) Delete the names of 'Mr. Frank Serrao, Commissioner of Public Lands, Territorial Office Building, Honolulu, T.H.,' and 'Mr. Eugene Apoliona, Auctioneer, Public Lands Department, Territorial Office Bldg., Honolulu, T. H.' appearing in lines 10, 11, 12 and 13 of page 2 of the Resolution."

Upon motion by Senator Nobriga, seconded by Senator Aguiar, and carried, the amendments were adopted.

Senator Okino moved that the Resolution, as amended, be adopted. Seconded by Senator Nobriga, and carried.

INTRODUCTION OF BILLS:

The following bills were introduced and, upon motion by Senator Duarte, seconded by Senator Hill, and carried, passed First Reading by title and were referred to the Printing Committee:

S. B. No. 382, by Senator Hill, entitled: "An Act requiring special funds to bear the costs of the Territory's con-

tribution to the Employees' Retirement System of the Territory and any bonus in respect of certain Employees";

S. B. No. 383, by Senator Duarte, entitled: "An Act to amend Chapter 74 of the Revised Laws of Hawaii 1945, as amended, relating to employment security";

S. B. No. 384, by Senator Dillingham, entitled: "An Act making an appropriation for an oil portrait of Governor Ingram M. Stainback".

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 56), recommending the passage of Senate Bill No. 129, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 56)

Upon motion by Senator Crockett, seconded by Senator Hill, and carried, the report of the Committee was adopted. Senate Bill No. 129, as amended, passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2nd.

At 6:30 o'clock p.m., upon motion by Senator Hill, seconded by Senator Duarte, and carried, the Senate adjourned until 8:15 o'clock a.m., on Saturday, March 31, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

President of the Senate.

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

THIRTY-FIRST Day

SATURDAY, MARCH 31, , 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

THIRTY-FIRST DAY

Saturday, March 31, 1951.

The Senate convened at 8:38 o'clock a.m., with President Tsukiyama presiding.

The opening Prayer was offered by Chaplain Keala, after which the Roll was called, showing all Senators present with the exception of Senators Harrison and Hill, excused.

The President announced that he had read and approved the Journal of the Thirtieth Day.

COMMUNICATIONS:

A communication from the City and County Clerk, City and County of Honolulu (Dept. Com. No. 49A), transmitting 17 copies of the Annual Report of his office covering the period January 1 to December 31, 1950, was read, received and placed on file, and the Reports were distributed to the Members.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 57), reporting that all matters referred to said Committee had been printed and were ready for distribution, which was read, received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS:

S. B. No. 375: The bill was referred to the Committee on Ways and Means.

S. B. No. 376: The bill was referred to the Committee on Judiciary.

S. B. No. 377: The bill was referred to the Committee on Ways and Means.

S. B. No. 378: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 379: The bill was referred to the Committee on Judiciary.

S. B. No. 380: The bill was referred to the Committee on Judiciary.

S. B. No. 381: The bill was referred to the Committee of the Whole, with Senator Dillingham as Chairman.

S. B. No. 382: The bill was referred to the Committee on Ways and Means.

S. B. No. 383: The bill was referred to the Committee on Judiciary.

S. B. No. 384: The bill was referred to the Committee on Ways and Means.

S. J. Res. No. 36: The joint resolution was referred to the Committee on Ways and Means.

S. J. Res. No. 37: The joint resolution was referred to the Committee on Judiciary.

S. J. Res. No. 38: The joint resolution was referred to the Committee on Public Lands.

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS:

H. B. No. 76: The bill was referred to the Committee on Judiciary.

H. B. No. 95: The bill was referred to the Committee on Ways and Means.

H. B. No. 99: The bill was referred to the Committee on Judiciary.

H. B. No. 100: The bill was referred to the Committee on Judiciary.

H. B. No. 156: The bill was referred to the Committee on Judiciary.

H. B. No. 159: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 160: The bill was referred to the Committee on Judiciary.

H. B. No. 207: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 216: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

H. B. No. 221: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

H. B. No. 224: The bill was referred to the Select Committee of Kauai Senators.

H. B. No. 229: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

H. B. No. 271: The bill was referred to the Select Committee of Oahu Senators.

H. B. No. 351: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 451: The bill was referred to the Committee on Ways and Means.

H. B. No. 481: The bill was referred to the Committee on Judiciary.

H. B. No. 549: The bill was referred to the Committee

on Judiciary.

H. B. No. 704: The bill was referred to the Select Committee of Oahu Senators.

H. J. Res. No. 40: The joint resolution was referred to the Committee on Judiciary.

At 8:48 o'clock a.m., upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the Senate adjourned until 11:00 o'clock a.m., on Monday, April 2, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

THIRTY-SECOND Day

MONDAY, APRIL 2, 19 51

ELLEN D. SMYTHE
*Clerk*

memo 2 page 3/4
gc 2/4/51

JOURNAL OF THE SENATE

THIRTY-SECOND DAY

Monday, April 2, 1951.

The Senate convened at 11:18 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-First Day.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 66, transmitting House Bill No. 149;

H. Com. No. 67, transmitting House Bill No. 150;

H. Com. No. 68, transmitting House Bill No. 219.

FIRST READING OF HOUSE BILLS:

H. B. NO. 149, entitled: "An Act authorizing and directing the Board of Supervisors of the County of Hawaii to acquire a site for a public cemetery at Kamuela, South Kohala, Hawaii;

H. B. No. 150, entitled: "An Act to amend An Act entitled 'An Act relating to the County of Hawaii extra tax on liquid fuel, and the expenditure of the proceeds thereof', being Act 54 of the Session Laws of 1949, by amending Item 7 of Section 3 thereof, and reappropriating the sum for such item";

H. B. No. 219, entitled: "An Act authorizing the Board of Supervisors of the County of Hawaii to pay five thousand nine hundred twenty-nine dollars to John S. Medeiros".

Upon motion by Senator Capellas, seconded by Senator Lee, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 69), returning Senate Joint Resolution No. 24 in an amended form, was read, received and placed on file.

Senator Lee moved that action on the amendments proposed by the House be deferred until later on the calendar. Seconded by Senator Fernandes, and carried.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolution were introduced and, upon motion by Senator Okino, seconded by Senator Aguiar, and carried, passed First Reading by title and were referred to the Printing Committee:

S. B. No. 385, by Senator Capellas, entitled: "An Act for the relief of David W. Branco";

S. B. No. 386, by Senators Aguiar and Fernandes, entitled: "An Act creating a Purchasing Agency within the Bureau of the Budget, and making appropriation therefor";

S. B. No. 387, by Senators Ansai and Okino, entitled: "An Act exempting the motor vehicles furnished veteran amputees by the United States from the vehicle weight tax, and amending Section 5707 of the Revised Laws of Hawaii 1945";

S. B. No. 388, by Senators Harrison, Lee and Dillingham, entitled: "An Act relating to the Employees' Retirement System of the Territory of Hawaii and amending Section 707 of the Revised Laws of Hawaii 1945, as amended";

S. B. No. 389, by Senators Harrison, Lee and Dillingham, entitled: "An Act for the relief of Robert C. Bayless";

S. B. No. 390, by Senator Nobriga, entitled: "An Act making an appropriation for the relief of Pahoa Community Association, Pahoa, Hawaii";

S. B. No. 391, by Senator Nobriga, entitled: "An Act making an appropriation for the survey, subdivision and development of certain government lands on certain islands, Territory of Hawaii";

S. B. No. 392, by Senators Lee, Dillingham and Harrison, entitled: "An Act making an appropriation for the construction of a small boat harbor and anchorage at Haleiwa, City and County of Honolulu";

S. B. No. 393, by Senator Lee, entitled: "An Act relating to disability retirement under the Employees' Retirement System of the Territory and amending Section 708, as amended, of the Revised Laws of Hawaii 1945";

S. B. No. 394, by Senators Lee and Dillingham, entitled: "An Act making an appropriation for the construction of small boat harbor and anchorage at Pokai Bay, Waianae, Oahu";

S. B. No. 395, by Senators Lee and Dillingham, entitled: "An Act making an appropriation for a gymnasium at Nanakuli High School, Nanakuli, Oahu, Territory of Hawaii";

S. B. No. 396, by Senators Lee and Dillingham, entitled: "An Act making an appropriation for the construction of a breakwater and other necessary harbor improvements at Pokai Bay, Waianae, Oahu";

S. B. No. 397, by Senator Duarte, entitled: "An Act to add a new section numbered 2430.01 to Chapter 43 of the Revised Laws of Hawaii 1945, as amended, relating to the ownership of firearms by patients at Kalaupapa Settlement";

S. B. No. 398, by Senator Duarte, entitled: "An Act making an appropriation for classrooms for Molokai High School, County of Maui";

S. B. No. 399, by Senator Duarte, entitled: "An Act to amend Section 8349 of the Revised Laws of Hawaii 1945, as amended, relating to corporations";

S. B. No. 400, by Senator Duarte, entitled: "An Act to amend Section 7604 of the Revised Laws of Hawaii 1945, relating to public works and supervision thereof";

S. B. No. 401, by Senator Hill, entitled: "An Act relating to the bank excise tax and amending Section 5312, as amended, of the Revised Laws of Hawaii 1945";

S. B. No. 402, by Senator Hill, entitled: "An Act relating to the income tax rates and amending Sections 5502, as amended, and 5503, as amended, of the Revised Laws of Hawaii 1945";

S. B. No. 403, by Senators Duarte, Crockett, Ansai, Capellas, Lee, Heen, Dillingham and Robinson, entitled: "An Act making an appropriation for Lahainaluna School";

S. B. No. 404, by Senator Hill, by request, entitled: "An Act to amend Chapter 109 of the Revised Laws of Hawaii 1945, relating to and imposing a tax on cigarettes";

S. J. Res. No. 39, by Senator Nobriga, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to prohibit granting of public lands to alien corporations".

COMMITTEE REPORTS:

Senator Capellas, for the Committee on Accounts and Public Expenditure, presented a report (Stand. Com. Rep. No. 58), report-

ing on the accounts of the Senate as of this date, which read as follows:

(Stand. Com. Rep. No. 58)

The report was received and placed on file.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 59), recommending the passage of Senate Bill No. 134, which was read as follows:

(Stand. Com. Rep. No. 59)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 134 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 60), recommending the passage of Senate Bill No. 282, which was read as follows:

(Stand. Com. Rep. No. 60)

Upon motion by Senator Ansai, seconded by Senator Okino, and carried, the report of the Committee was adopted. Senate Bill No. 282 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 61), recommending the passage of Senate Joint Resolution No. 27, which was read as follows:

(Stand. Com. Rep. No. 61)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 27 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 62), recommending the passage of Senate Joint Resolution No. 28, which was read as follows:

(Stand. Com. Rep. No. 62)

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 28 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 63), recommending the passage of Senate Bill No. 281, which was read as follows:

(Stand. Com. Rep. No. 63)

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 281 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 32), recommending the passage of Senate Bill No. 320 in an amended form, which was read as follows:

(Spec. Com. Rep. No. 32)

Upon motion by Senator Dillingham, seconded by Senator Robinson, and carried, the report of the Committee was adopted. Senate Bill No. 320 passed Second Reading in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 33), recommending the passage of Senate Bill No. 315, in an amended form, which was read as follows:

(Spec. Com. Rep. No. 33)

Upon motion by Senator Dillingham, seconded by Senator Capellas, and carried, the report of the Committee was adopted. Senate Bill No. 315 passed Second Reading in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 34), recommending the passage of Senate Bill No. 132, which was read as follows:

(Spec. Com. Rep. No. 34)

Upon motion by Senator Dillingham, seconded by Senator Capellas, and carried, the report of the Committee was adopted. Senate Bill No. 132 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 35), recommending that Senate Bill No. 41 be referred to the Committee on Ways and Means for favorable action, which was read as follows:

(Spec. Com. Rep. No. 35)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 41 was thereupon referred to the Committee on Ways and Means.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 36, recommending the amendment of Senate Bill No. 39 in certain respects, and as thus amended, recommending that it be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 36)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 39, as amended, was referred to the Committee on Ways and Means.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 37), recommending the passage of Senate Bill No. 18, which was read as follows:

(Spec. Com. Rep. No. 37)

Upon motion by Senator Duarte, seconded by Senator Cockett, and carried, the report of the Committee was adopted. Senate Bill No. 18 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

THIRD READINGS:

Third Reading of Senate Bill No. 100, entitled: "An Act amending the 'Territorial Public Health Statistics Act', enacted by Act 327 of the Session Laws of Hawaii 1949":

Upon motion by Senator Harrison, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 129, entitled: "An Act to amend Section 9501 of the Revised Laws of Hawaii 1945, relating to appeals to Territorial Circuit Courts":

Upon motion by Senator Lee, seconded by Senator Crockett, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 192, entitled: "An Act relating to judgments of District Magistrates; amending Section 9675 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Lee, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 232, entitled: "An Act to amend Sections 13002 and 13001, Revised Laws of Hawaii 1945, relating to military courts martial", deferred from March 30th:

Upon motion by Senator Aguiar, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Joint Resolution No. 44, entitled: "Joint Resolution giving to the hospital building at Waimano Home the official name of Charles Bernard Lambert Hospital":

Upon motion by Senator Harrison, seconded by Senator Dillingham, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At 11:55 o'clock a.m., upon motion by Senator Lee, seconded by Senator Dillingham, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:24 o'clock p.m., with the President in the Chair and all Senators being present, with the exception of Senator Heen, excused.

A communication from the President of the United States Senate, (Misc. Com. No. 31), acknowledging receipt of certified copy of Senate Concurrent Resolution No. 6, relating to the water resources of the Territory, and stating that the same would be brought to the attention of the Senate, was read, received and placed on file.

The following bills and joint resolution were introduced, and upon motion by Senator Okino, seconded by Senator Aguiar and carried, passed First Reading by title and were referred to the Printing Committee:

S. B. No. 405, by Senators Dillingham, Harrison, Tsukiyama and Robinson, entitled: "An Act extending the application of the Employees' Retirement System of the Territory of Hawaii to certain employees and former employees for periods when employed by the Legislature";

S. B. No. 406, by Senator Dillingham, entitled: "An Act providing tax relief for persons suffering loss or damage of property by flood on March 24, 25 and 26, 1951 at Kailua and Waimanalo, Oahu";

S. B. No. 407, by Senator Dillingham, by request, entitled: "An Act amending Section 6637 of the Revised Laws of Hawaii 1945, relating to the master plan of the City and County of Honolulu";

S. B. No. 408, by Senators Okino, Duarte, Lee and Robinson, entitled: "An Act to amend Section 7247 of the Revised Laws of Hawaii 1945, relating to the issuance of new liquor licenses";

S. J. Res. No. 40, by Senator Dillingham, by request, entitled: "Joint Resolution adopting, approving and confirming a portion of the Master Plan of the City and County of Honolulu; and providing that the Governor of the Territory of Hawaii shall have no power to set aside a part of the Master Plan of the City and County of Honolulu herein mentioned".

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 38), submitting Senate Bill No. 292 in an amended form and recommending that as so amended it be referred to the Committee on Ways and Means for favorable consideration; and further recommending that Senate Bills Nos. 295 and 318 relating to the fuel tax revenues of the City and County of Honolulu, be placed on file, which was read as follows:

(Spec. Com. Rep. No. 38)

Upon motion by Senator Dillingham, seconded by Senator Robinson, and carried, the report of the Committee was adopted. Senate Bill No. 292 was thereupon referred to the Committee on Ways and Means, and Senate Bills Nos. 295 and 318 were thereupon placed on file.

At this time, Senator Crockett, for the Committee on Judiciary, moved that the Senate reconsider its action taken on March 31st in referring Senate Bill No. 376 to the Committee on Judiciary. Seconded by Senator Lee, and carried.

Consideration, on Second Reading, of Senate Bill No. 376:

Senator Crockett moved that the bill be referred to the Committee on Ways and Means. Seconded by Senator Hill, and carried.

Senate Bill No. 376 was thereupon returned to the Clerk's desk and so referred.

At 2:30 o'clock p.m., Senator Lee moved that the Senate resolve itself into a Committee of the Whole, for the further consideration of the subject matter of Senate Resolution No. 48, relating to the insurance rates in the Territory of Hawaii. Seconded by Senator Dillingham, and carried; and the Senate thereupon resolved itself into a Committee of the Whole for such purpose, with Senator Okino as Chairman.

At 5:15 o'clock p.m., the Committee rose and the Senate reconvened.

Senator Okino, for the Committee of the Whole, having under consideration the subject matter of Senate Resolution No. 48, relating to the insurance rates in the Territory, orally reported progress and asked leave to sit again tomorrow afternoon at 2:00 o'clock.

Upon motion by Senator Okino, seconded by Senator Dillingham, and carried, the oral report of the Committee was adopted.

Consideration of amendments proposed by the House to Senate Joint Resolution No. 24, action on which was deferred earlier on the calendar:

Upon motion by Senator Duarte, seconded by Senator Nobriga, and carried, action on the amendments was deferred until tomorrow.

Senators Aguiar and Fernandes offered a Concurrent Resolution (S. Con. Res. No. 26), officially commending Brigadier General Fred Makinney, Adjutant General of Hawaii; the people of Kauai, their officers and enlisted men in Hq. & Hq. Company, 3rd Battalion, 298th Infantry, Lihue, Kauai, for meritorious performance and superior National Guard achievements during 1950, for which the Chief National Guard Bureau, Washington, D. C. has officially conferred upon said Company, the award of the General Eisenhower National Achievement Trophy for 1950, which was read as follows:

(S. Con. Res. No. 26)

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the Concurrent Resolution was adopted.

Senator Fernandes, for the Select Committee of Kauai Senators, presented a report (Spec. Com. Rep. No. 39), recommending the adoption of House Concurrent Resolution No. 30, with an amendment, which was read as follows:

(Spec. Com. Rep. No. 39)

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the report of the Committee was adopted; and House Concurrent Resolution, as amended, was adopted.

At 5:22 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Dillingham, and carried, the Senate adjourned until 10:30 o'clock a.m., on Tuesday, April 3, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

THIRTY-THIRD Day

TUESDAY, APRIL 3, 19 51

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

THIRTY-THIRD DAY

Tuesday, April 3, 1951.

The Senate convened at 10:40 o'clock a.m., with the President in the Chair.

After Prayer by the Chaplain, the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Second Day.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 70, transmitting House Bill No. 18;

H. Com. No. 71, transmitting House Bill No. 166;

H. Com. No. 72, transmitting House Bill No. 661.

FIRST READING OF HOUSE BILLS:

House Bill No. 18, entitled: "An Act to amend Section 6459 of the Revised Laws of Hawaii 1945, as amended, relating to the Maui Hospital Managing Committee";

House Bill No. 166, entitled: "An Act to amend Section 2503 of the Revised Laws of Hawaii 1945 relating to the Board of Medical Examiners and the qualifications for examination for license to practice medicine";

House Bill No. 661, entitled: "An Act relating to the Board of Health and amending Section 2001 of the Revised Laws of Hawaii 1945, as amended".

Upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

MISCELLANEOUS COMMUNICATION:

A communication from Senator Wilfred C. Tsukiyama, President of the Senate (Misc. Com. No. 32), informing the Senate that Sumie B. Ohta had resigned as Clerk-Stenographer to the President, effective April 2, 1951, and that he had appointed Margaret Makino as her successor, effective as of April 2nd, was read, received and placed on file, a copy thereof to be furnished to the Committee on Accounts.

INTRODUCTION OF BILLS:

The following bill was introduced:

S. B. No. 409, by Senators Aguiar and Fernandes, entitled: "An Act relating to licensed pharmacists and amending Section 2903, as amended, of the Revised Laws of Hawaii 1945".

Upon motion by Senator Fernandes, seconded by Senator Aguiar, and carried, the bill passed First Reading by title and was referred to the Printing Committee.

RESOLUTION:

Senators Dillingham and Capellas offered a Resolution (S. Res. No. 55), making certain changes in the employees of the Printing Committee, including changes of compensation, which was read as follows:

(S. Res. No. 55)

Upon motion by Senator Dillingham, seconded by Senator Capellas, and carried, the Resolution was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 64), reporting that all matters referred to it had been mimeographed and were ready for distribution, was read, received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS:

S. B. No. 385: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 386: The bill was referred to the Committee of the Whole with Senator Dillingham as Chairman.

S. B. No. 387: The bill was referred to the Committee on Ways and Means.

S. B. No. 388: The bill was referred to the Committee on Judiciary.

S. B. No. 389: The bill was referred to the Committee of the Whole on Pensions, Senator Aguiar as Chairman.

S. B. No. 390: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 391: The bill was referred to the Committee on Public Lands.

S. B. No. 392: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 393: The bill was referred to the Committee on Judiciary.

S. B. No. 394: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 395: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 396: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 397: The bill was referred to the Committee on Judiciary.

S. B. No. 398: The bill was referred to the Select Committee of Maui Senators.

S. B. No. 399: The bill was referred to the Committee on Judiciary.

S. B. No. 400: The bill was referred to the Committee on Judiciary.

S. B. No. 401: The bill was referred to the Committee on Ways and Means.

S. B. No. 402: The bill was referred to the Committee on Ways and Means.

S. B. No. 403: The bill was referred to the Committee on Ways and Means.

S. B. No. 404: The bill was referred to the Committee on Ways and Means.

S. B. No. 405: The bill was referred to the Committee on Judiciary.

S. B. No. 406: The bill was referred to the Committee on Ways and Means.

S. B. No. 407: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 408: The bill was referred to the Committee on Judiciary.

S. J. Res. No. 39: The joint resolution was referred to the Committee on Public Lands.

S. J. Res. No. 40: The joint resolution was referred to the Select Committee of Oahu Senators.

REPORTS OF COMMITTEES:

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 65), recommending that Senate Bill No. 150 be referred to the Committee on Ways and Means with a request to increase the budget of the Board of Agriculture and Forestry by $2,000.00 to cover the cost entailed by the provisions of the bill, which was read as follows:

(Stand. Com. Rep. No. 65)

Upon motion by Senator Ansai, seconded by Senator Nobriga, and carried, the report of the Committee was adopted; and Senate Bill No. 150 was thereupon referred to the Committee on Ways and Means.

Consideration of the amendments proposed by the House to Senate Joint Resolution No. 24, action on which was deferred yesterday:

Senator Hill moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Lee; and Senate Joint Resolution, as amended, entitled: "Joint Resolution requesting the Congress of the United States to enact legislation requiring Federal departments to withhold Territorial taxes upon compensation on the same basis as Territorial departments and political subdivisions of the Territory", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

SECOND READING OF HOUSE BILLS:

H. B. No. 149: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 150: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 219: The bill was referred to the Select Committee of Hawaii Senators.

THIRD READINGS:

Third Reading of Senate Bill No. 18, entitled: "An Act to amend Act 205 of the Session Laws of Hawaii 1947, relating to appropriations for public improvements, providing for the issuance of public improvement bonds, and providing for public improvements at Maalaea, Maui":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 132, entitled: "AN Act relating to the Ala Wai Golf Course at Honolulu; transferring the management, operation and maintenance of and the appropriations for and the personnel employed at the said Ala Wai Golf Course from the Fair Commission of Hawaii to the City and County of Honolulu:

Upon motion by Senator Dillingham, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Harrison. Total, 1.

Third Reading of Senate Bill No. 134, entitled: "An Act to amend Section 4701 of the Revised Laws of Hawaii 1945, as amended, relating to the jurisdiction of the Public Utilities Commission":

Senator Crockett offered the following amendment:

"Amend Senate Bill No. 134 as follows:

1. Singularize the word "respects' in line 3 of Section 1;

2. Substitute for the words 'therefrom the proviso' in line 1 of subparagraph '(a)', the following:

'from the proviso the following'".

Senator Aguiar moved that the bill and the pending amendment be recommitted to the Committee on Ways and Means. Seconded by Senator Harrison, and carried.

Third Reading of Senate Bill No. 281, entitled: "An Act to amend Act 84 of the Session Laws of Hawaii 1947 relating to the regulation and registration of mixed feeding stuffs":

Upon motion by Senator Dillingham, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 282, entitled: "An Act to amend Act 60 of the Session Laws of Hawaii 1945, relating to the registration of economic poisons":

Upon motion by Senator Ansai, seconded by Senator Nobriga, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 315, entitled: "An Act relating to officers of the City and County of Honolulu; amending Sections 6528 and 6529 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Lee, seconded by Senator Fernandes, and carried, action on the bill was deferred until Friday, April 6th.

Third Reading of Senate Bill No. 320, entitled: "An Act to provide for the creation of a Charter Commission for the City and County of Honolulu, the formulation of a new charter for the City and County by such Commission, the submission of such new charter to the electrorate of the City and County for approval, the forwarding of same to the Territorial Legislature for enactment, and to provide for the payment of the expenses of such Charter Commission":

Upon motion by Senator Dillingham, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Dillingham, Fernandes, Harrison, Heen, Hill, Lee, Robinson and Mr. President. Total, 11.

Noes: Senators Crockett, Duarte, Nobriga and Okino. Total, 4.

Third Reading of Senate Joint Resolution No. 27, entitled: "Joint Resolution memorializing the Congress of the United States to include in the Act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1951, funds for investigations in the Territory of Hawaii":

Senator Ansai offered the following amendment:

"Amend Senate Joint Resolution No. 27, as follows:

Insert the word 'respectfully' following the word 'hereby' in line 1 of Section 1 of the Joint Resolution."

Senator Ansai moved for the adoption of the amendment. Seconded by Senator Harrison, and carried.

Upon motion by Senator Ansai, seconded by Senator Harrison, the joint resolution, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Joint Resolution No. 28, entitled: "Joint Resolution memorializing the Congress of the United States to extend to the Territory of Hawaii the provisions of the Reclamation Act of June 17, 1902, as amended, 32 Stat. 388; 43 U.S.C.:"

Senator Harrison offered the following amendment:

"Amend Senate Joint Resolution No. 28 as follows:

Insert the word 'respectfully' following the word 'hereby' in line 1 of Section 1 of said Joint Resolution."

Upon motion by Senator Harrison, seconded by Senator Hill, the amendment was adopted.

Upon motion by Senator Harrison, seconded by Senator Ansai, the joint resolution, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At 11:45 o'clock a.m., upon motion by Senator Lee, seconded by Senator Ansai, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:55 o'clock p.m., with the President in the Chair and all Senators being present, with the exception of Senators Ansai, Heen, Hill and Nobriga, excused.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 73), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Joint Resolution No. 44, and that said joint resolution, as thus amended, had passed Final Reading in the House of Representatives, was read, received and placed on file.

A communication from the House (H. Com. No. 74), informing the Senate that the House had disagreed to the amendment proposed by the Senate to House Concurrent Resolution No. 30, had requested a conference on the subject matter thereof, and had appointed Representatives Otsuka, Miyake and Leong as Managers on the part of the House for the consideration of said amendment, was

read as follows:

(H. Com. No. 74)

The communication was received and placed on file.

The President thereupon appointed Senators Aguiar, Fernandes and Dillingham as Conferees on the part of the Senate at such conference.

At this time, Senator Lee moved that the Senate resolve itself into a Committee of the Whole for the further consideration of the subject matter of Senate Resolution No. 48, relating to the insurance rates in the Territory of Hawaii. Seconded by Senator Okino, and carried; and at 3:00 o'clock p.m., the Senate resolved itself into a Committee of the Whole for such purpose, with Senator Okino as Chairman.

At 3:02 o'clock p.m., the Committee rose and the Senate reconvened.

Senator Okino, for the Committee of the Whole, orally reported as follows: That the Committee of the Whole recommends that a Resolution herewith presented be adopted, directing the Insurance Commissioner of the Territory of Hawaii to apply the profit formula as a guide in the determination of fire insurance rates for the Territory of Hawaii; and further recommending that the subject matter of item 3 of Senate Resolution No. 48 relating to the measures that are necessary to be taken for the adequate administration and enforcement of the insurance laws of the Territory of Hawaii, be referred to the Committee on Ways and Means for its consideration.

Senator Okino moved for the adoption of the oral report. Seconded by Senator Lee, and carried, a written report to be filed later.

RESOLUTIONS:

Senator Okino, for the Committee of the Whole, offered a Resolution (S. Res. No. 56), directing the Insurance Commissioner of the Territory of Hawaii to apply the profit formula as a guide in the determination of fire insurance rates for the Territory of Hawaii, which was read as follows:

(S. Res. No. 56)

Upon motion by Senator Lee, seconded by Senator Okino, the Resolution was unanimously adopted.

INTRODUCTION OF BILLS:

The following bill was introduced:

S. B. No. 410, by Senator Dillingham, by request, entitled: "An Act to amend Chapter 145 of the Revised Laws of Hawaii 1945, as amended, regulating boxing contests in the Territory of Hawaii":

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the bill passed First Reading by title and was referred to the Printing Committee.

At 3:10 o'clock p.m., upon motion by Senator Lee, seconded by Senator Duarte, and carried, the Senate adjourned until 11:00 o'clock a.m., on Wednesday, April 4, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

THIRTY-FOURTH Day

WEDNESDAY, APRIL 4, 19 51

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

THIRTY-FOURTH DAY

Wednesday, April 4, 1951.

The Senate convened at 11:18 o'clock a.m., with the President in the Chair.

After Prayer by the Chaplain, the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Third Day.

COMMUNICATIONS FROM THE HOUSE OF REPRESENTATIVES:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 75, transmitting House Bill No. 102;

H. Com. No. 76, transmitting House Bill No. 130;

H. Com. No. 77, transmitting House Bill No. 184;

H. Com. No. 78, transmitting House Bill No. 316;

H. Com. No. 79, transmitting House Bill No. 487;

H. Com. No. 80, transmitting House Bill No. 596;

H. Com. No. 81, transmitting House Bill No. 638;

H. Com. No. 82, transmitting House Bill No. 718;

H. Com. No. 83, transmitting House Bill No. 719.

FIRST READING OF HOUSE BILLS:

H. B. No. 102, entitled: "An Act for the relief of Sam K. Paulo, Sr.";

H. B. No. 130, entitled: "An Act for the relief of James S. Achong";

H. B. No. 184, entitled: "An Act for the relief of John P. Aguiar";

H. B. No. 316, entitled: "An Act for the relief of Naluahine Kaopua";

H. B. No. 487, entitled: "An Act providing a life pension for Caroline K. Correa";

H. B. No. 596, entitled: "An Act for the relief of Mrs. Thomas Pedro, Jr.";

H. B. No. 638, entitled: "An Act providing a pension of seventy-five dollars per month for Homer Hayes, M.D.";

H. B. No. 718, entitled: "An Act for the relief of Mrs. Andrew M. Yamashiro";

H. B. No. 719, entitled: "An Act for the relief of Mrs. Tasaku Oka".

Upon motion by Senator Ansai, seconded by Senator Dillingham, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

MISCELLANEOUS COMMUNICATION:

A communication from the Chief Clerk of the Assembly, California Legislature (Misc. Com. No. 33), transmitting copy of Resolution No. 29 adopted by the California Legislature, protesting against the law requiring the stamping of California eggs imported into the Territory, was read as follows:

(Misc. Com. No. 33)
( Con. Res. No. 29-Calif.)

The communication was received and placed on file and the Concurrent Resolution was referred to the Committee on Agriculture, Forestry and Conservation.

INTRODUCTION OF BILLS:

The following bills were introduced:

S. B. No. 411, by Senators Dillingham and Harrison, entitled: "An Act excepting certain employees of and employment in Territorial and County hospitals from the provisions of Chapters 2 and 3 of the Revised Laws of Hawaii 1945, relating to civil service and classification";

S. B. No. 412, by Senator Dillingham, entitled: "An Act requiring the Board of Water Supply of the City and County of Honolulu to pay full costs of water installations to certain consumers or prospective consumers, and amending Chapter 132, as amended, of the Revised Laws of Hawaii 1945";

S. B. No. 413, by Senator Hill, by request, entitled: "An Act relating to housing as defined by this Act; providing for civil defense and for relief in case of disaster as defined by this Act; authorizing the Hawaii Housing Authority to provide housing for civil defense and in case of disaster; conferring certain rights, powers, privileges and immunities; making appropriations; and limiting the application and providing for the suspension of certain statutes, ordinances, resolutions and regulations";

S. B. No. 414, by Senator Hill, by request, entitled: "An Act to amend Chapter 61 of the Revised Laws of Hawaii 1945, as amended, relating to the Hawaii Housing Authority, by amending Sections 3503, 3507, 3515, 3530, 3532, 3536 and 3537 thereof and by repealing Sections 3533, 3534 and 3535 thereof";

S. B. No. 415, by Senator Hill, by request, entitled: "An Act to amend Section 3651 of the Revised Laws of Hawaii 1945, relating to government aid for housing projects";

S. B. No. 416, by Senator Hill, by request, entitled: "An Act relating to the Hawaii Housing Authority, amending Section 3521 of the Revised Laws of Hawaii 1945, and pro-

viding for the exemption from taxation and assessment of certain property and the remission of certain taxes";

S. B. No. 417, by Senator Hill, by request, entitled: "An Act to authorize the Hawaii Housing Authority to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities and to make such projects available to servicemen and returning veterans consistent with national defense; to limit the initiation of the development of such projects to national defense periods; to authorize the Hawaii Housing Authority to cooperate with or act as agents of the Federal government in the development or administration of such projects of the Federal government; to acquire or lease such projects; to authorize public bodies to assist such projects of the Hawaii Housing Authority and of the Federal government; to make obligations issued for such projects of the Hawaii Housing Authority legal investments; and to declare valid all bonds, notes and obligations of the Hawaii Housing Authority issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities";

S. B. No. 418, by Senator Crockett, entitled: "An Act relating to rights and remedies granted to an employee by the Workmen's Compensation Law; amending Chapter 77 of the Revised Laws of Hawaii 1945".

Upon motion by Senator Robinson, seconded by Senator Dillingham, and carried, the bills passed First Reading by title and were referred to the Printing Committee.

CONCURRENT RESOLUTION:

Senators Hill, Capellas, Okino and Nobriga offered a Concurrent Resolution (S. Con. Res. No. 27), requesting the Land Commissioner to acquire, by exchange, purchase or condemnation, certain land in the vicinity of the intersection of Kekuanaoa and Mililani Avenues in Hilo, Hawaii, for a public park, which was read as follows:

(S. Con. Res. No. 27)

Upon motion by Senator Lee, seconded by Senator Okino, and carried, action on the Concurrent Resolution was deferred until tomorrow, ordered printed, and to be placed on the calendar for consideration tomorrow.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 66), reporting that all matters referred to it had been mimeographed and were ready for distribution, was read, received and placed on file.

SECOND READING OF SENATE BILLS:

S. B. No. 409: The bill was referred to the Committee on Public Health.

S. B. No. 410: The bill was referred to the Committee on Judiciary.

REPORTS OF COMMITTEES:

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 67), recommending the passage of House Bill No. 304 and the filing of Senate Bill No. 156, identically entitled, which was read as follows:

(Stand. Com. Rep. No. 67)

Upon motion by Senator Robinson, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 304 passed Second Reading and was placed on the calendar for Third Reading tomorrow, and Senate Bill No. 156 was placed on file.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 68), recommending the adoption of Senate Concurrent Resolution No. 17, which was read as follows:

(Stand. Com. Rep. No. 68)

Upon motion by Senator Robinson, seconded by Senator Fernandes, and carried, the report of the Committee was adopted; and Senate Concurrent Resolution No. 17 was thereupon adopted.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 69), recommending the adoption of the type of program set forth in Senate Concurrent Resolution No. 13, and recommending that it be referred to the Committee on Ways and Means, which was read as follows:

(Stand. Com. Rep. No. 69)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted; and Senate Concurrent Resolution was thereupon referred to the Committee on Ways and Means.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 70), recommending the amendment of Senate Bill No. 219; and as so amended, recommending that it be referred to the Committee on Ways and Means with a request for favorable action, which was read as follows:

(Stand. Com. Rep. No. 70)

Upon motion by Senator Ansai, seconded by Senator Aguiar, and carried, the report of the Committee was adopted; and Senate Bill No. 219, as amended, was referred to the Committee on Ways and Means.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 71), recommending the passage of Senate Bill No. 227, which was read as follows:

(Stand. Com. Rep. No. 71)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted. Senate Bill No. 227 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 42), recommending that Senate Bill No. 362 be referred to the Committee on Ways and Means for recommendation as to whether the Kawainui Swamp Project should be financed by a direct appropriation from the general revenues of the Territory or by the proceeds from sale of Territorial obligation bonds, which was read as follows:

(Spec. Com. Rep. No. 42)

Senator Dillingham moved for the adoption of the report. Seconded by Senator Duarte, and carried; and Senate Bill No. 362 was thereupon referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 43), recommending the passage of House Bill No. 271, which was read as follows:

(Spec. Com. Rep. No. 43)

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the report of the Committee was adopted; House Bill No. 271 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 44), recommending that Senate Bill No. 293 be placed on file, which was read as follows:

(Spec. Com. Rep. No. 44)

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 293 was placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 45), recommending the passage of House Bill No. 704, which was read as follows:

(Spec. Com. Rep. No. 45)

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 704 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 46), recommending the filing of Senate Bill No. 38; recommending the amendment of Senate Bill No. 258, and as so amended recommending that it be referred to the Committee on Ways and Means; and further recommending that Senate Joint Resolution No. 29 be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 46)

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 38 was placed on file; Senate Bill No. 258, as amended, and Senate Joint Resolution No. 29 were referred to the Committee on Ways and Means.

SECOND READING OF HOUSE BILLS:

H. B. No. 18: The bill was referred to the Select Committee of Maui Senators.

H. B. No. 166: The bill was referred to the Committee on Public Health.

H. B. No. 661: The bill was referred to the Committee on Public Health.

At 11:50 o'clock a.m., upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:08 o'clock p.m., with the President in the Chair and all Senators being present.

A Petition from 52 members of the Nurses Association, County of Hawaii (S. Pet. No. 12), protesting the passage of House Bill No. 151, relating to civil service and classification, was read as follows:

(S. Pet. No. 12)

The Petition was received and referred to the Committee on Judiciary.

A Petition from members representing the Honolulu Realty Board, Hawaii Real Estate Association, Honolulu Chapter 15 of the American Institute of Real Estate Appraisers, Board of Appriasers, Oahu Land District; and Honolulu Chapter 67, Society of Residential Appraisers, protesting the passage of Senate Bill No. 104 and Senate Joint Resolution No. 15, was read as follows:

(S. Pet. No. 13)

The Petition was received and referred to the Committee on Public Lands.

At this time, Senator Okino moved that the Senate resolve itself into a Committee of the Whole for the consideration of the subject matter of Senate Resolution No. 41, relating to sales and leases of public lands on the Islands of Hawaii and Oahu. Seconded by Senator Duarte, and carried; and at

2:10 o'clock p.m., the Senate resolved itself into a Committee of the Whole, for such purpose, with Senator Okino as Chairman.

The Committee rose at 5:10 o'clock p.m., and the Senate reconvened.

Senator Okino, for the Committee of the Whole, having under consideration Senate Resolution No. 41, relating to the sales and leases of public lands on the Islands of Hawaii and Oahu, orally reported progress and asked leave to sit again tomorrow afternoon at 2:00 for the further consideration of the subject matter of said Resolution.

Upon motion by Senator Okino, seconded by Senator Ansai, and carried, the oral report of the Committee was adopted.

DEPARTMENTAL COMMUNICATIONS:

A communication from the Chairman of the Legislative Committee of the Board of Supervisors, City and County of Honolulu (Dept. Com. No. 50), transmitting a complete set of a Joint Resolution, relating to the construction of the Koolau Tunnel Project through the Kalihi Tunnel, was read, received and placed on file; and the accompanying Joint Resolution was referred to the Select Committee of Oahu Senators.

A communication from the City and County Clerk (Dept. Com. No. 51), transmitting certified copy of Resolution No. 110, adopted by the Board of Supervisors of the City and County of Honolulu, relating to the Commission on Children and Youth, was read, received and placed on file; and the Resolution was referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 84, transmitting House Concurrent Resolution No. 9;

House Com. No. 85, transmitting House Concurrent Resolution No. 34;

House Com. No. 86, transmitting House Concurrent Resolution No. 44;

House Com. No. 87, transmitting House Con. Res. No. 45.

Consideration of House Concurrent Resolution No. 9, requesting the Secretary of Defense to station Marine Corps units on the Island of Maui:

The Concurrent Resolution was referred to the Committee on Military.

Consideration of House Concurrent Resolution No. 34, "Expressing pleasure at the expansion of Schofield Barracks as an Infantry training center and requesting that Schofield Barracks be used to its fullest capacity for this purpose":

The Concurrent Resolution was referred to the Committee on Military.

Consideration of House Concurrent Resolution No. 44, "Expressing the gratitude of the people of Hawaii for the favorable vote on Statehood for Hawaii by the Senate Committee on Interior and Insular Affairs":

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the Concurrent Resolution was adopted.

Consideration of House Concurrent Resolution No. 45, "Commending the Headquarters and Headquarters Company, 3rd Battalion, 298th Infantry, Hawaii National Guard, on the award of the General Eisenhower National Achievement Trophy for 1950":

Upon motion by Senator Aguiar, seconded by Senator Dillingham, and carried, action on the Concurrent Resolution was deferred until tomorrow.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bill and joint resolution were introduced:

S. B. No. 419, by Senator Dillingham, entitled: "An Act relating to Territorial Holidays and amending Section 21, as amended, of the Revised Laws of Hawaii 1945".

S. J. Res. No. 41, by Senator Dillingham, by request, entitled: "Joint Resolution memorializing the Congress of the United States of America to enact the necessary legislation granting Federal Aid to the City and County of Honolulu for the construction of the Koolau Tunnel Project through the Kalihi Valley".

Upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, the bill and joint resolution passed First Reading by title and were referred to the Printing Committee.

At 5:18 o'clock p.m., upon motion by Senator Harrison, seconded by Senator Lee, and carried, the Senate adjourned until 11:00 o'clock a.m., on Thursday, April 5, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred D. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

THIRTY-FIFTH Day

THURSDAY, APRIL 5, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

THIRTY-FIFTH DAY

Thursday, April 5, 1951.

The Senate convened at 11:05 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Fourth Day.

At 11:06 o'clock a.m., the Senate stood in recess, subject to the call of the Chair, and the Members repaired in a body to the Hall of the House of Representatives there to sit in joint session with the members of the House, pursuant to Senate Concurrent Resolution No. 22, to listen to an address by Mr. Herbert C. Petry, Jr., President of Lions International.

The joint session was called to order by the Speaker of the House of Representatives, the Honorable Hiram L. Fong, at 11:15 o'clock a.m.

Seated on the dais with the Speaker were Mr. Petry, President of Lions International, Mr. Roy Keaton, Director General of Lions International, the President of the Senate and Mr. Henry Nye, retiring Director of Lions International.

In opening the joint session, Speaker Fong stated:

> "We are gathered here this morning to honor the Board of Directors of Lions International who are meeting here in a quarterly meeting, and also here as a tribute to our good Lion, Henry

Nye, who will be retiring from the Board; and at this time I would like to present our own Henry Nye who will present the President of Lions International".

In presenting Mr. Petry to the assembly, Mr. Nye characterized him as "the youngest President who has ever served in that office of Lions International - the largest service organization in the world, now serving in thirty countries with a membership of over 400,000." He stated that Mr. Petry was a businessman and an attorney - a graduate of the University of Texas, where he had received his law degree; and in addition, he was an oil man, a farmer, and "a great citizen of the great State of Texas".

In addressing the joint session, Mr. Petry expressed his appreciation for the invitation extended to him through Senate Concurrent Resolution No. 22. He lauded Mr. Nye for the work he had done as a Director of the Lions International, stating that Mr. Nye had served ably and with distinction and had brought much pride and honor to Hawaii.

Mr. Petry dwelt at some length on the purposes and accomplishments of Lions International. He referred to the position of the Lions International on Statehood for Hawaii, stating that the organization had gone on record as strongly supporting the admission of Hawaii as a State on three separate occasions at their conventions, and he offered and pledged continued support and continued cooperation.

In closing, Mr. Petry said that there was a saying in Texas: "If you don't strike oil in 15 minutes, quit boring", and that he was going to follow that admonition this morning as he knew the Legislators had many important problems before them and were anxious to get back to their work.

Speaker Fong thanked Mr. Petry for his very fine and inspiring talk on the subject of "Lionism", and wished him and the members of the Lions International who had come here to attend the meeting, about fifty of whom were present in the

Assembly Hall today, succees; and expressed the hope that they would return again soon, and often, and that when they left Hawaii they would fight for statehood for Hawaii; and further expressed the hope that the organization would continue in its great work in showing to the world the brotherhood of men, and that the organization would continue to be the largest and the greatest service organization in the world.

At this time, Mr. Nye presented to the assembly the Director General of Lions International - Mr. Roy Keaton; Mr. Melvin Jones; and the First, Second and third Vice Presidents of Lions International, and the Treasurer.

The Speaker thereupon declared the joint session adjourned at 11:45 o'clock a.m., and the members of the Senate and House of Representatives were presented individually to the members of the Lions International.

The joint session being ended, the Senate reconvened at 11:53 o'clock a.m.

A communication from the Deputy County Clerk of the County of Maui (Dept. Com. No. 52), transmitting a certified copy of Resolution No. 105 adopted by the Board of Supervisors of the County of Maui, protesting against the enactment of mandates directed to several county governments, was read, received and referred to the Select Committee of Maui Senators.

A communication from the General Manager of the Tuna Boat Owners' Association (Misc. Com. No. 34), relating to the pollution of shore waters, and supporting the subject matter of Senate Bill No. 405 of the 1949 Regular Session of the Legislature, was read as follows:

(Misc. Com. No. 34)

The communication was received and referred to the Committee on Agriculture, Forestry and Conservation.

INTRODUCTION OF BILLS:

The following bills were introduced:

S. B. No. 420, by Senator Lee, by request, entitled: "An Act to amend Chapter 74 of the Revised Laws of Hawaii 1945, as amended, relating to employment security";

S. B. No. 421, by Senator Lee, entitled: "An Act making appropriations for improvement of Ala Wai Boat Harbor, Honolulu, and providing for issuance of public improvement bonds";

S. B. No. 422, by Senator Duarte, entitled: "An Act fixing the compensation of members of the Boards of Supervisors of the several counties and superseding the inconsistent provisions of Sections 6352, as amended, 6411, as amended, 6451, as amended, and 6548, as amended, of the Revised Laws of Hawaii 1945 and Act 208 of the Session Laws of Hawaii 1947".

Upon motion by Senator Lee, seconded by Senator Duarte, and carried, the bills passed First Reading by title and were referred to the Printing Committee.

RESOLUTION OFFERED:

Senator Duarte offered a Resolution (S. Res. No. 57), requesting the Maui County Waterworks Board to take the necessary steps to provide sufficient potable water for the district of Halawa, Molokai, which was read as follows:

(S. Res. No. 57)

Upon motion by Senator Duarte, seconded by Senator Dillingham, and carried, the resolution was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 72), reporting that all matters referred to it had been mimeographed and were ready for distribution, was read, received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS:

S. B. No. 411: The bill was referred to the Committee on Judiciary.

S. B. No. 412: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 413: The bill was referred to the Committee on Ways and Means.

S. B. No. 414: The bill was referred to the Committee on Ways and Means.

S. B. No. 415: The bill was referred to the Committee on Ways and Means.

S. B. No. 416: The bill was referred to the Committee on Ways and Means.

S. B. No. 417: The bill was referred to the Committee on Ways and Means.

S. B. No. 418: The bill was referred to the Committee on Judiciary.

S. B. No. 419: The bill was referred to the Committee on Judiciary.

S. J. Res. No. 41: The joint resolution was referred to the Select Committee of Oahu Senators.

COMMUNICATIONS FROM THE HOUSE:

The following communications were received from the House of Representatives, read and placed on file:

H. Com. No. 88, transmitting House Bill No. 62;

H. Com. No. 89, transmitting House Bill No. 63;

H. Com. No. 90, transmitting House Bill No. 154;

H. Com. No. 91, transmitting House Bill No. 209;

H. Com. No. 92, transmitting House Bill No. 214

H. Com. No. 93, transmitting House Bill No. 339;

H. Com. No. 94, transmitting House Bill No. 422;

H. Com. No. 95, transmitting House Bill No. 461;

H. Com. No. 96, transmitting House Bill No. 566.

FIRST READING OF HOUSE BILLS:

H. B. No. 62, entitled: "An Act making an appropriation for the improvement and maintenance of the Saddle Road on the Island of Hawaii";

H. B. No. 63, entitled: "An Act making an appropriation for the construction of certain improvements at Lahainaluna Technical High School, Lahaina, Maui";

H. B. No. 154, entitled: "An Act authorizing the payment of pay increments for certain periods for employees of the County of Hawaii to be paid out of certain appropriations";

H. B. No. 209, entitled: "An Act making an appropriation for further restoration of Iolani Palace";

H. B. No. 214, entitled: "An Act making an appropriation for the rehabilitation of the Nene (Hawaiian Goose)";

H. B. No. 339, entitled: "An Act to amend Section 1830 of the Revised Laws of Hawaii 1945, relating to compulsory attendance at School";

H. B. No. 422, entitled: "An Act for the relief of Mrs. Robert L. Wilhelm";

H. B. No. 461, entitled: "An Act for the relief of Mary Akoi A. Kelii";

H. B. No. 566, entitled: "An Act to amend Section 13050 of the Revised Laws of Hawaii 1945, as amended by Act 123 (Ser. E-189) of the Session Laws of Hawaii 1947, relating to the Armory Board".

Upon motion by Senator Robinson, seconded by Senator Capellas, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

Consideration of Senate Concurrent Resolution No. 27, requesting the Land Commissioner to acquire certain land in the vicinity of Kekuanaoa and Mililani Streets, Hilo, Hawaii, for a public park, action on which was deferred yesterday:

Upon motion by Senator Hill, seconded by Senator Lee, and carried, action on the Concurrent Resolution was further deferred until Tuesday, April 10th.

Consideration of House Concurrent Resolution No. 45, commending Hq. & Hq. Company, 3rd Battalion, 298th Infantry, NGH. in connection with the award of the General Eisenhower National Achievement Trophy for 1950", action on which was deferred yesterday:

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the Concurrent Resolution was placed on file, inamsuch as Senate Concurrent Resolution No. 22 covering the same subject matter had been adopted on April 2nd, and transmitted to the House.

SECOND READING OF HOUSE BILLS:

H. B. No. 102: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 130: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 184: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 316: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 487: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 596: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 638: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar, as Chairman.

H. B. No. 718: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 719: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

Senator Robinson, for the Committee on Education, moved that the Senate reconsider its action in referring Senate Bill No. 360 to the Committee on Education. Seconded by Senator Lee, and carried.

Consideration, on Second Reading, of Senate Bill No. 360:

Senator Robinson moved that the bill be referred to the Committee on Ways and Means. Seconded by Senator Fernandes, and carried.

THIRD READINGS:

Third Reading of Senate Bill No. 227, entitled: "An Act to amend Sections 1751 and 1752 of the Revised Laws of Hawaii 1945, relating to sabbatical leaves for public school teachers":

Upon motion by Senator Hill, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 271, entitled: "An Act relating to Iolani Palace":

Upon motion by Senator Heen, seconded by Senator Harrison, and carried, action on the bill was deferred until Tuesday, April 10th.

Third Reading of House Bill No. 304, entitled: "An Act to amend Section 1752 of the Revised Laws of Hawaii 1945 relating to leaves of absence for teachers":

Upon motion by Senator Dillingham, seconded by Senator Robinson, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 704, entitled: "An Act amending Section 1 of Act 31 of the Session Laws of Hawaii 1947, relating to the name of Honolulu Airport":

Upon motion by Senator Dillingham, seconded by Senator Harrison, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At 12:14 o'clock p.m., upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:16 o'clock p.m., with the President in the Chair, and all Senators being present.

A communication from the Manager-Engineer of the Board of Water Supply of the County of Hawaii (Dept. Com. No. 53), transmitting certified copies of Resolutions Nos. 12 and 13 adopted by said Board, opposing, respectively, House Bill No. 366 and

favoring Senate Bill No. 116, and favoring Senate Bill No. 114, was read, received and placed on file; and the accompanying Resolutions were referred to the Committee on Judiciary.

COMMUNICATION FROM THE HOUSE:

A communication from the House (H. Com. No. 97), returning Senate Concurrent Resolution No. 20 adopted by the House of Representatives, was read, received and placed on file.

At 2:18 o'clock p.m., upon motion by Senator Okino, seconded by Senator Fernandes, and carried, the Senate resolved itself into a Committee of the Whole for the further consideration of the subject matter of Senate Resolution No. 41, relating to the sale and leases of public lands on Hawaii and Oahu, with Senator Okino as Chairman.

The Committee rose and the Senate reconvened at 5:15 o'clock p.m.

Senators Crockett and Robinson were excused from the balance of today's session.

Senator Okino, for the Committee of the Whole having under consideration the subject matter of Senate Resolution No. 41, relating to the sale and lease of certain government lands on Hawaii and Oahu, orally reported progress and asked leave to sit again at a later date, subject to the call of the Chair.

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the oral report of the Committee was adopted.

MESSAGE FROM THE GOVERNOR:

A Message from the Governor (Gov. Message No. 14), submitting certain appointments for confirmation, was read as follows:

(Gov. Message No. 14)

Senator Aguiar moved that the appointment of Edward Robinson as a Member of the Public Utilities Commission for a period to expire December 31, 1951, be confirmed. Seconded by Senator Dillingham, and carried.

The Clerk was instructed to communicate with the Governor to that effect.

The Message was ordered printed, and action on the balance of the Message was deferred to be taken up with other similar Messages relating to appointments.

RESOLUTION OFFERED:

Senators Capellas and Ansai offered a Resolution (S. Res. No. 58), requesting the Land Commissioner to survey and mark on the ground, in cooperation with the Territorial Survey Department, and adequately to map, 1,000 acres of land at Lalamilo, Waimea, Hawaii, in lots of not more than 20 acres each, making provisions for adequate roads to service the same, which was read as follows:

(S. Res. No. 58)

Senator Capellas moved for the adoption of the Resolution. Seconded by Senator Ansai.

Senator Heen moved to refer the Resolution to the Committee of the Whole, with Senator Okino as Chairman, having under consideration Senate Resolution No. 41, relating to the sale and lease of certain public lands. Seconded by Senator Nobriga.

Senator Hill moved that action on the Resolution be deferred until Tuesday, April 10th. Seconded by Senator Aguiar.

A Roll Call being demanded, the motion to defer action on the Resolution until next Tuesday was put, and lost, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Harrison, Hill and Mr. President. Total, 6.

Noes: Senators Dillingham, Duarte, Fernandes, Heen, Lee, Nobriga and Okino. Total, 7.

Excused and not voting: Senators Crockett and Robinson. Total, 2.

Senator Heen thereupon renewed his motion to refer the Resolution to the Committee of the Whole of which Senator Okino is Chairman, having under consideration the subject matter of Senate Resolution No. 41. Seconded by Senator Dillingham.

Senator Capellas moved that the motion to refer the Resolution to the Committee of the Whole with Senator Okino as Chairman, be tabled. Seconded by Senator Hill.

A Roll Call being demanded, the motion to table the motion to refer the Resolution to the Committee of the Whole was put, and lost, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Harrison, Hill and Mr. President. Total, 6.

Noes: Senators Dillingham, Duarte, Fernandes, Heen, Lee, Nobriga and Okino. Total, 7.

Excused and not voting: Senators Crockett and Robinson. Total, 2.

The President announced that the Resolution would be referred to the Committee of the Whole, with Senator Okino as Chairman, having under consideration the subject matter of Resolution No. 41, pursuant to Senator Heen's motion, seconded by Senator Dillingham.

Senator Harrison offered a Concurrent Resolution (S. Con. Res. No. 28), conferring the honor and title of Poet Laureate of Hawaii (Ka Haku-Mele O Hawaii) on Lloyd Stone, which was read as follows:

(S. Con. Res. No. 28)

Senator Heen moved that action on the Concurrent Resolution be deferred until tomorrow. Seconded by Senator Nobriga, and carried.

INTRODUCTION OF BILLS:

The following bills were introduced:

S. B. No. 423, by Senator Dillingham, entitled: "An Act to amend Chapter 133 of the Revised Laws of Hawaii 1945, by amending Sections 7019 and 7024 relating to unlawful public auctions and by adding a new section relating to suits to enjoin violation of the law and to actions for damages";

S. B. No. 424, by Senator Dillingham, entitled: "An Act relating to Primary and General Elections; providing for a closed Primary, including a test of Party membership; amending Sections 205, 262, 263, 265, 269 to 274, inclusive, 276, 285, and 6562 of, by adding sections 209.01, 209.02, and 209.03 to, and repealing Section 267 of the Revised Laws of Hawaii 1945, as amended";

S. B. No. 425, by Senator Dillingham, entitled: "An Act to amend Sections 273, 275, and 276 of the Revised Laws of Hawaii 1945, as amended, providing for an open Primary Election".

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the bills passed First Reading by title and were referred to the Printing Committee.

At 5:35 o'clock p.m., upon motion by Senator Harrison, seconded by Senator Nobriga, and carried, the Senate adjourned until 11:00 o'clock a.m., on Friday, April 6, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

THIRTY-SIXTH Day

FRIDAY, APRIL 6, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

THIRTY-SIXTH DAY

Friday, April 6, 1951.

The Senate convened at 11:11 o'clock a.m., with the President in the Chair.

After Prayer by the Chaplain, the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Fifth Day.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 98), transmitting House Concurrent Resolution No. 17, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 17, "Memorializing the Congress of the United States of America to amend the Hawaiian Organic Act to permit the setting aside of a portion of the subdivision of government land for houselots for veterans", as follows:

(H. Con. Res. No. 17)

Upon motion by Senator Lee, seconded by Senator Nobriga, and carried, the Concurrent Resolution was referred to the Committee on Public Lands, with instructions to prepare the proper amendment of the Concurrent Resolution to include proposed legislation to be introduced into the Congress of the United States.

INTRODUCTION OF BILLS:

The following bills were introduced:

S. B. No. 426, by Senators Capellas and Ansai, entitled: "An Act making an appropriation for the purchase and installation of a six inch water main from Kamuela, Waimea, to Kawaihae, in the County of Hawaii";

S. B. No. 427, by Senators Tsukiyama and Crockett, entitled: "An Act amending Sections 12321, 12324.01 and 12325 of the Revised Laws of Hawaii 1945, relating to the jurisdiction of juvenile courts";

S. B. No. 428, by Senators Duarte, Okino, Aguiar, Capellas, Heen, Tsukiyama, Hill, Fernandes, Lee, Ansai, Robinson, Crockett, Harrison, Nobriga and Dillingham, entitled: "An Act to amend Chapter 74 of the Revised Laws of Hawaii 1945, as amended, relating to employment security";

S. B. No. 429, by Senators Nobriga and Okino, entitled: "An Act appropriating money by way of advancement from the general fund of the Territory to be repaid out of the proceeds of the sale of public lands in the County of Hawaii for the Construction of a road in Hamakua, County of Hawaii";

S. B. No. 430, by Senator Nobriga, entitled: "An Act relating to the government of the County of Hawaii; providing for the number, election, powers, duties, functions, and proceedings of the members of the Board of Supervisors of said county and of the powers, duties, functions and proceedings of the said board of supervisors and of the election, powers, duties and functions of the Chairman and Executive Officers of the said Board; and amending Chapters 122 and 124 of the Revised Laws of Hawaii 1945, as amended, and other laws";

S. B. No. 431, by Senator Nobriga, entitled: "An Act to amend Sections 6129 and 6130 of the Revised Laws of Hawaii 1945, as amended, relating to the costs of constructing sidewalks";

S. B. No. 432, by Senator Nobriga, entitled: "An Act providing for temporary, instead of per diem, county and city and county employees";

S. B. No. 433, by Senator Nobriga, entitled: "An Act to require all employers in the Territory of Hawaii to adopt private pension programs, and providing for the funding and administration thereof";

S. B. No. 434, by Senator Heen, entitled: "An Act amending Chapter 152 of the Revised Laws of Hawaii 1945, by adding thereto a new subtitle to be known as the "Bank Merger Act".

Upon motion by Senator Capellas, seconded by Senator Fernandes, and carried, the bills passed First Reading by title and were referred to the Printing Committee.

CONCURRENT RESOLUTION:

Senator Ansai offered a Concurrent Resolution (S. Con. Res. No. 29), stating that it is the consensus of the Legislature that physicians and doctors in the employ of the Territory and its political subdivisions be permitted to engage in the private practice of medicine after official hours, which was read as follows:

(S. Con. Res. No. 29)

Upon motion by Senator Okino, seconded by Senator Ansai, and carried, the Concurrent Resolution was adopted.

RESOLUTION OFFERED:

Senators Aguiar and Fernandes offered a Resolution (S. Res. No. 59), requesting the Committee on Ways and Means to incorporate in the general appropriation bill a provision for $12,000 for the next biennium for the employment of a specialist in musical education for the public schools, which was read as follows:

(S. Res. No. 59)

The Resolution was referred to the Committee on Education.

PETITIONS:

A Petition from 57 citizens of the City and County of Honolulu (S. Pet. No. 14), protesting against the passage of Senate Bill No. 210, relating to taxation, was read as follows:

(S. Pet. No. 14)

The Petition was referred to the Committeen on Ways and Means.

A Petition from 28 residents of Paia-Kuau, Island and County of Maui (S. Pet. No. 15), requesting the Senate to take the necessary action to prevent the pollution of the shore waters at the beaches between Paia and Kuau, Maui, was read as follows:

(S. Pet. No. 15)

The Petition was received and referred to the Select Committee of Maui Senators.

A Petition from 378 petitioners, supporting Senate Bill No. 87 and its companion bill (House Bill No. 202), appropriating money for the Lanai School; and supporting House Bill No. 101, appropriating money for Maui County Schools, was read as follows:

(S. Pet. No. 16)

The Petition was referred to the Select Committee of Maui Senators.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 73), reporting that all matters referred to it were mimeographed and ready for distribution, which was read, received and placed on file.

SECOND READING OF SENATE BILLS:

S. B. No. 420: The bill was referred to the Committee on Judiciary.

S. B. No. 421: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 422: The bill was referred to the Committee on Ways and Means.

S. B. No. 423: The bill was referred to the Committee on Judiciary.

S. B. No. 424: The bill was referred to the Committee on Judiciary.

S. B. No. 425: The bill was referred to the Committee on Judiciary.

Consideration of Senate Concurrent Resolution No. 28, bestowing the honor and the title of Poet Laureate ( Ka Haku-Mele o Hawaii) upon Lloyd Stone, action on which was deferred yesterday:

Upon motion by Senator Harrison, seconded by Senator Lee, and carried, the Concurrent Resolution was adopted.

SECOND READING OF HOUSE BILLS:

H. B. No. 62: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 63: The bill was referred to the Select Committee of Maui Senators.

H. B. No. 154: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 209: The bill was referred to the Committee on Ways and Means.

H. B. No. 214: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

H. B. No. 339: The bill was referred to the Committee on Education.

H. B. No. 422: The bill was referred to the Committee of the Whole, with Senator Aguiar as Chairman.

H. B. No. 461: The bill was referred to the Committee of the Whole, with Senator Aguiar as Chairman.

H. B. No. 566: The bill was referred to the Committee on Military.

THIRD READINGS:

Third Reading of Senate Bill No. 315, entitled: "An Act relating to officers of the City and County of Honolulu; amending Sections 6528 and 6529 of the Revised Laws of Hawaii 1945", deferred from April 3rd:

Upon motion by Senator Lee, seconded by Senator Robinson, and carried, the bill was recommitted to the Select Committee of Oahu Senators.

At this time, under suspension of the Rules, the President asked Senator Dillingham to escort former United States Congressman from Massachusetts Richard Russell and Mrs. Russell, who were seated in the Senate Chamber, to the dais, whereupon he presented Senator Russell to the Senate.

In acknowledging the presentation, former Congressman Russell stated that if he had been successful in being re-elected to the United States Congress the last time he ran for that office, he not only would have voted for statehood for Hawaii, but he would have voted to move the national Capital to Honolulu.

The President then presented Mrs. Russell to the Members.

At 11:40 o'clock a.m., upon motion by Senator Harrison, seconded by Senator Nobriga, and carried, the Senate adjourned until 11:00 o'clock a.m., on Monday, April 9, 1951.

Ellen D. Smyth
Clerk of the Senate.

Approved:

Millard Tydings
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

THIRTY-SEVENTH Day

SATURDAY, APRIL 7, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

THIRTY-SEVENTH DAY

Saturday, April 7, 1951.

N O  S E S S I O N

Ellen D. Smyth

Clerk of the Senate.

Approved:

Wilfred Tsukiyama

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

THIRTY-EIGHTH Day

MONDAY, APRIL 9, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

THIRTY-EIGHTH DAY

Monday, April 9, 1951.

The Senate convened at 11:15 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Sixth and Thirty-Seventh Days.

DEPARTMENTAL COMMUNICATIONS:

A communication from the Secretary of Hawaii (Dept. Com. No. 54), informing the Senate that the Governor had signed Senate Joint Resolution No. 24, as Joint Resolution 2, and House Joint Resolution No. 44, as Joint Resolution 3, was read as follows:

(Dept. Com. No. 54)

The communication was received and placed on file.

A communication from the Director of the Territorial Disaster Relief Agency (Dept. Com. No. 55), relating to appropriations for the said Agency, contained in the general appropriation bill, and other measures pending before the Legislature, was read as follows:

(Dept. Com. No. 55)

The communication was received and referred to the Committee on Ways and Means.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 99, transmitting House Bill No. 181;

H. Com. No. 100, transmitting House Bill No. 344;

H. Com. No. 101, transmitting House Bill No. 346;

H. Com. No. 102, transmitting House Bill No. 349;

H. Com. No. 103, transmitting House Bill No. 443;

H. Com. No. 104, transmitting House Bill No. 490;

H. Com. No. 105, transmitting House Bill No. 571;

H. Com. No. 106, transmitting House Joint Resolution No. 32.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS:

H. B. No. 181, entitled: "An Act to make an appropriation to pay the claim of Harold Yamayoshi";

H. B. No. 344, entitled: "An Act relating to larceny and defining the degrees thereof";

H. B. No. 346, entitled: "An Act making an appropriation for the purchase of equipment and fixtures for Kapahulu Library, City and County of Honolulu";

H. B. No. 349, entitled: "An Act authorizing the City and County of Honolulu to install a sewer system to serve Maunalani Heights, City and County of Honolulu";

H. B. No. 443, entitled: "An Act to amend Section 6429 of the Revised Laws of Hawaii 1945, relating to the Wailua Irrigation System";

H. B. No. 490, entitled: "An Act relating to the nomination of candidates for more than one office";

H. B. No. 571, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to provide a life pension for Manuel C. Pacheco";

H. J. Res. No. 32, entitled: "Joint Resolution re-

questing the Congress of the United States of America to withdraw and to restore to its previous status under the control of the Territory certain Hawaiian Home Lands required for use by the Board of Water Supply of the City and County of Honolulu for a water shaft, pump station and tunnel, and to amend Section 203 of the Hawaiian Homes Commission Act, 1920, so as to place certain lands of Auwaiolimu, Kewalo-Uka and Kalawahine on the Island of Oahu, Territory of Hawaii under the operation of said Act and to confer thereon the status of Hawaiian Home Lands".

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the bills and joint resolution passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 107), transmitting House Concurrent Resolution No. 42, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 42, "requesting the Department of Defense to use facilities in Hawaii to the fullest extent for the training of naval and marine personnel":

Upon motion by Senator Crockett, seconded by Senator Ansai, and carried, the Concurrent Resolution was referred to the Committee on Military.

A communication from the House (H. Com. No. 108), transmitting House Concurrent Resolution No. 16, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 16, "requesting the Governor and the Land Commissioner of the Territory to establish a program for the sale in fee simple of Territorial lands":

Upon motion by Senator Nobriga, seconded by Senator

Duarte, and carried, the Concurrent Resolution was referred to the Committee on Public Lands.

A communication from the House (H. Com. No. 109), returning Senate Concurrent Resolution No. 26, was read, received and placed on file.

A communication from Hon. Joseph R. Farrington, Delegate to Congress from Hawaii (Misc. Com. No. 35), acknowledging receipt of Senate Concurrent Resolution No. 16, relating to exemption from federal taxes becoming due while residents of the Territory are serving in the armed forces, was read, received and placed on file.

INTRODUCTION OF BILLS:

The following bills were introduced:

S. B. No. 435, by Senator Crockett, entitled: "An Act relating to the name of Kula Sanatorium";

S. B. No. 436, by Senator Crockett, entitled: "An Act relating to the Employees' Retirement System of the Territory of Hawaii and amending Section 708 of the Revised Laws of Hawaii 1945, as amended";

S. B. No. 437, by Senator Hill, entitled: "An Act relating to the powers and duties of the several Boards of Supervisors with respect to indigents and medically indigent";

S. B. No. 438, by Senators Nobriga and Okino, entitled: "An Act appropriating $25,000 to the University of Hawaii for research in reclamation of lava lands for agricultural use";

S. B. No. 439, by Senators Nobriga and Okino, entitled: "An Act to authorize the Board of Supervisors of the County of Hawaii to construct a walkway on Kinoole Street, Hilo, Hawaii";

S. B. No. 440, by Senators Nobriga and Okino, entitled: "An Act to amend Section 6207 of the Revised Laws of Hawaii 1945, relating to the tenure of certain county officers";

S. B. No. 441, by Senator Nobriga, entitled: "An Act authorizing the Department of Public Instruction to employ public school librarians during the summer";

S. B. No. 442, by Senator Heen, entitled: "An Act exempting from taxation all property, and all use or consumption of property, actually and solely used in the manufacture of cement in the Territory, and all gross proceeds of sales of cement manufactured in the Territory";

S. B. No. 443, by Senator Heen, entitled: "An Act to amend Section 8661 of the Revised Laws of Hawaii 1945, as amended, relating to investments of trust companies";

S. B. No. 444, by Senator Dillingham, entitled: "An Act to amend Section 6550 of the Revised Laws of Hawaii 1945 as amended, relating to salaries of officers and members of the Honolulu Police Department";

S. B. No. 445, by Senator Okino, entitled: "An Act relating to exemptions from vehicle weight tax; amending Section 5707 of the Revised Laws of Hawaii 1945".

Upon motion Senator Crockett, seconded by Senator Robinson, and carried, the bills passed First Reading by title and were referred to the Printing Committee.

Senators Lee, Dillingham, Fernandes, Crockett, Aguiar, Capellas, Okino, Heen, Duarte, Nobriga and Harrison offered a Concurrent Resolution (S. Con. Res. No. 30) requesting Congress to include in the current River and Harbor Development Appropriation Bill an item for providing a second entrance to Honolulu Harbor, which was read as follows:

(S. Con. Res. No. 30)

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, the Concurrent Resolution was adopted.

Senator Harrison, by request, offered a Concurrent Resolution (S. Con. Res. No. 31), requesting the Managing Committee of the Hilo Memorial Hospital to increase the rates charged for private, semi-private and ward beds, which was read as follows:

(S. Con. Res. No. 31)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the Concurrent Resolution was adopted.

Senator Dillingham, for the Committee on Enrollment. Revision and Printing, presented a report (Stand. Com. Rep. No. 74), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

SECOND READING OF SENATE BILLS:

S. B. No. 426: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 427: The bill was referred to the Committee on Judiciary.

S. B. No. 428: The bill was referred to the Committee on Judiciary.

S. B. No. 429: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 430: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 431: The bill was referred to the Committee on Ways and Means.

S. B. No. 432: The bill was referred to the Committee on Ways and Means.

S. B. No. 433: The bill was referred to the Committee on Ways and Means.

S. B. No. 434: The bill was referred to the Committee on Judiciary.

REPORTS OF COMMITTEES:

Senator Capellas, for the Committee on Accounts and Public Expenditures, presented a report (Stand. Com. Rep. No. 75), reporting on the Accounts of the Senate as of this date, which was read as follows:

(Stand. Com. Rep. No. 75)

Upon motion by Senator Capellas, seconded by Senator Robinson, and carried, the report of the Committee was adopted.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 76), recommending that House Bill No. 76 be placed on file, which was read as follows:

(Stand. Com. Rep. No. 76)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted, and House Bill No. 76 was thereupon placed on file.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 77), recommending the passage of Senate Bill No. 79, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 77)

Upon motion by Senator Harrison, seconded by Senator Hill, and carried, the report of the Committee was adopted. Senate Bill No. 79, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 78), recommending the passage of Senate Bill No. 382 with certain amendments, which

was read as follows:

(Stand. Com. Rep. No. 78)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 382, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 79), recommending the passage of Senate Bill No. 376 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 79)

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the report of the Committee was adopted. Senate Bill No. 376, in the amended form, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 80), recommending the passage of Senate Bill No. 280 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 80)

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the report of the Committee was adopted. Senate Bill No. 280, in the amended form, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 81), recommending the passage of Senate Bill No. 377, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 81)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 377, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 82), recommending that Senate Bill No. 238, recommitted to the Committee on Third Reading, be amended, and that as so amended, it pass Third Reading, which was read as follows:

(Stand. Com. Rep. No. 82)

Upon motion by Senator Duarte, seconded by Senator Crockett, and carried, action on the report was deferred until tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 83), recommending the filing of Senate Bill No. 106, which was read as follows:

(Stand. Com. Rep. No. 83)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted, and Senate Bill No. 106 was thereupon placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 47), reporting on Senate Bills Nos. 166, 167, 168, 173 and 178, all relating to the City and County of Honolulu, recommending that said bills be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 47)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bills Nos. 166, 167, 168 and 173 and 178 were thereupon referred to the Committee on Ways and Means.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 48), recommending that Senate Bill No. 48 be referred to the Committee on Ways and Means for favorable consideration,

which was read as follows:

(Spec. Com. Rep. No. 48)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 48 was referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 49), recommending that Senate Bills Nos. 316 and 317 be referred to the Committee on Ways and Means for further study, which was read as follows:

(Spec. Com. Rep. No. 49)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted, and Senate Bills Nos. 316 and 317 were thereupon referred to the Committee on Ways and Means.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 50), recommending the passage of Senate Bill No. 312, which was read as follows:

(Spec. Com. Rep. No. 50)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 312 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 51), recommending that Senate Bill No. 22 be amended in certain respects, and that as so amended, it be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 51)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 22, as amended, was referred to the Committee on Ways

and Means.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 52), recommending that Senate Bill No. 40 be amended, and as so amended, that it be referred to the Committee on Ways and Means for favorable consideration, and further recommending that Senate Petition No. 2 on the subject matter of the bill be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 52)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 40, as amended, and Senate Petition No. 2 were thereupon referred to the Committee on Ways and Means.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 53), recommending the passage of Senate Bill No. 125, in an amended form, and further recommending that as so amended, the bill be referred to the Committee on Ways and Means for favorable consideration; and recommending that Senate Bills Nos. 45, 47 and 357 be placed on file, which was read as follows:

(Spec. Com. Rep. No. 53)

Upon motion by Senator Ansai, seconded by Senator Crockett, and carried, the report of the Committee was adopted. Senate Bill No. 125, in the amended form, was referred to the Committee on Ways and Means, and Senate Bills Nos. 45, 47 and 357 were thereupon placed on file.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 54), recommending the passage of Senate Bill No. 335, which was read as follows:

(Spec. Com. Rep. No. 54)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 335 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 110, transmitting House Bill No. 11;

H. Com. No. 111, transmitting House Bill No. 12;

H. Com. No. 112, transmitting House Bill No. 96;

H. Com. No. 113, transmitting House Bill No. 409;

H. Com. No. 114, transmitting House Bill No. 485;

H. Com. No. 115, transmitting House Bill No. 778;

H. Com. No. 116, transmitting House Bill No. 780;

H. Com. No. 117, transmitting House Bill No. 805;

H. Com. No. 118, transmitting House Joint Resolution No. 9.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTION:

H. B. No. 11, entitled: "An Act to amend Chapter 77 of the Revised Laws of Hawaii 1945, as amended, relating to workmen's compensation";

H. B. No. 12, entitled: "An Act to amend Chapter 77 of the Revised Laws of Hawaii 1945, as amended, relating to workmen's compensation";

H. B. No. 96, entitled: "An Act making appropriations out of the general revenues to cover certain deficiencies for governmental purposes for the biennial period ending June 30, 1951";

H. B. No. 409, entitled: "An Act creating a Commission on Historical sites and defining its powers and duties";

H. B. No. 485, entitled: "An Act establishing a 'Scholarship Fund for Graduate Nurses', making an appropriation therefor, and prescribing powers and duties of the Board for the licensing of nurses";

H. B. No. 778, entitled: "An Act clarifying the provisions of Act 40, Session Laws of Hawaii 1945, and requiring the sealing of the records in all adoption proceedings prior to the effective date of said Act 40";

H. B. No. 780, entitled: "An Act to amend Section 4019 of the Revised Laws of Hawaii 1945, as amended, relating to the conveyance of mentally ill persons to the Territorial Hospital";

H. B. No. 805, entitled: "An Act relating to Junior Police Officers";

H. J. Res. No. 9, entitled: "Joint Resolution creating a Commission on Nursing Education and Nursing Services, and making an appropriation therefor".

Upon motion by Senator Duarte, seconded by Senator Crockett, and carried, the bills and joint resolution passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

At this juncture, under suspension of the Rules, Mr. and Mrs. Robert Francis, magazine correspondents from Vancouver, B.C., who were on their way to Australia on an assignment, and who had been war correspondents in Europe during World War II, and who would be returning to Hawaii in July to write some articles on Hawaii, were presented to the Senate, being escorted to the dais by Senator Lee, at the request of the President.

Mr. Francis stated that he felt a kinship with Hawaii because his great uncle was second in command of the ship that brought Captain Cook to Hawaii, and after his death, this uncle had taken the ship back to England, and that when they returned he hoped they would be able to find out a great deal more about

Hawaii and be able to write about it for their various Canadian publications.

At this time, Senator Robinson, for the Committee on Education, moved that the Senate reconsider its action in referring Senate Concurrent Resolution No. 21 to the Committee of the Whole with herself as Chairman. Seconded by Senator Lee, and carried:

Consideration of Senate Concurrent Resolution No. 21, requesting the Governor to appoint on each island a committee of citizens to conduct an inquiry into the methods of teaching of history, civics, government and related subjects in the public schools, including the University of Hawaii, etc.:

Upon motion by Senator Robinson, seconded by Senator Dillingham, and carried, the Concurrent Resolution was referred to the Committee on Education.

At this time, the President stated that there was a matter of business he would like to take up with the Senate, in Executive Session; and at 12:12 o'clock p.m., upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the Senate went into Executive Session.

At 12:50 o'clock p.m., the Executive Session being ended, the Senate reconvened and thereupon stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:38 o'clock p.m., with the President in the Chair and all Senators being present.

Under suspension of the Rules, the President at this time presented to the Senate Private Humberto Rodriquez Gonzales and Private Andres Galan Maldonado, two members of the United States Army Forces who are on their way to Korea as members of the 65th Regiment, most of whose members are from Porto Rico.

At 2:40 o'clock p.m., upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, the Senate resolved itself into a Committee of the Whole, with Senator Dillingham as Chairman, for the further consideration of Senate Bills Nos. 70, 71, 73, 74, 88, 92, 374, 381, 386 and Senate Joint Resolution No. 7, all relating to the reorganization of certain Executive Departments of the Territorial government, and related subject matters.

The Committee rose and the Senate reconvened at 4:15 o'clock p.m.

Senator Dillingham, for the Committee of the Whole having under consideration the above enumerated bills and joint resolution, orally reported recommending as follows:

That Senate Bill No. 70, Committee Draft No. 2, as further amended, pass Second Reading;

That Senate Bill No. 71, Committee Draft No. 2, as further amended, pass Second Reading;

That Senate Bill No. 73, recommitted to the Committe on Third Reading, be amended in certain respects; and that consideration of the bill on Third Reading, as thus amended, be deferred until tomorrow;

That Senate Bill No. 74 be placed on file;

That Senate Joint Resolution No. 7 pass Second Reading; and

That the Committee report progress and ask leave to sit again at a later date for the further consideration of Senate Bills Nos. 88, 92, 374, 381 and 386.

Upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the oral report of the Committee was adopted, a written report to be filed later. Senate Bill No. 70, Committee draft No. 2, as amended, passed Second Reading; Senate Bill No. 71, Committee draft No. 2, as amended, passed Second Reading, and Senate Joint Resolution No. 7 passed Second Reading, and all were placed on the calendar

for Third Reading tomorrow; and action on Senate Bill No. 73, as amended, was deferred until tomorrow; and Senate Bill No. 74 was placed on file.

DEPARTMENTAL COMMUNICATION:

A communication from the City and County Clerk, City and County of Honolulu (Dept. Com. No. 567), transmitting certified copies of Resolutions Nos 174, 175 and 179, adopted by the Board of Supervisors of said City and County and approved by the Mayor, was read, received and placed on file; and the attached Resolutions, relating, respectively, to requesting the Territorial Legislature to enact House Bill No. 403; protesting the proposed Federal Taxation of Municipal Bonds; and asking the Legislature to request the Federal government to provide sufficient funds to recompense property owners who have materially suffered as a result of the recent flood in Kailua and Waimanalo, were referred to the Select Committee of Oahu Senators.

INTRODUCTION OF BILLS AND JOINT RESOLUTION:

The following bills and joint resolution were introduced:

S. B. No. 446, by Senator Dillingham, entitled: "An Act to amend Sections 4915.02 and 4915.07 of the Revised Laws of Hawaii 1945, relating to the Hawaii Aeronautics Commission";

S. B. No. 447, by Senator Crockett, entitled: "An Act to amend Chapter 15 of the Revised Laws of Hawaii 1945 so as to provide pensions for retired judges of the Supreme and Circuit Courts";

S. B. No. 448, by Senator Crockett, entitled: "An Act relating to the taking of depositions in this Territory to be used in any foreign jurisdiction";

S. B. No. 449, by Senator Dillingham, by request, entitled: "An Act to amend Section 9757 of the Revised Laws of Hawaii 1945, as amended, relating to fees and expenses of execu-

tors, administrators, trustees and guardians";

S. J. Res. No. 42, by Senator Nobriga, entitled: "Joint Resolution requesting the Congress of the United States to amend the Hawaiian Homes Commission Act, 1920".

Upon motion by Senator Duarte, seconded by Senator Dillingham, and carried, the bills and joint resolution passed First Reading by title and were referred to the Printing Committee.

At 4:24 o'clock p.m., at the request of the President, the Senate stood in recess, subject to the call of the Chair.

At 4:41 o'clock p.m., the Senate reconvened and thereupon went into Executive Session for the purpose of investigating reports of gambling by employees of the Senate.

The Executive Session being ended, the Senate reconvened at 4:52 o'clock p.m., and the President stated that he had been instructed by the members of the Senate to announce that the three employees of the Printing Committee of the Senate who had participated in a gambling game on the grounds of Iolani Palace on Saturday, April 7, 1951, would be dismissed as at the end of this day, on the ground that they had committed the offense notwithstanding a previous warning by Senator Dillingham, Chairman of the Printing Committee; and that the six other employees of the Senate who were involved in the gambling games on either March 30th or April 7th, 1951, would be suspended for a period of six days, commencing Tuesday, April 10, 1951, and ending Sunday, April 15, 1951.

At 5:05 o'clock p.m., upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the Senate adjourned until 9:30 o'clock a.m., on Tuesday, April 10, 1951.

Ellen D. Swyter
Clerk of the Senate.

Approved:

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

THIRTY-NINTH Day

TUESDAY, APRIL 10, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

THIRTY-NINTH DAY

Tuesday, April 10, 1951.

The Senate convened at 9:45 o'clock a.m., with the President in the Chair.

After Prayer by the Chaplain, the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Eighth Day.

Senator Hill moved that the Senate go into Executive Session for the discussion of Senate Bill No. 210, relating to the sales tax. Seconded by Senator Duarte.

After considerable discussion as to whether this bill, which was referred to the Committee on Ways and Means, and which has not been reported out by said Committee, should be discussed by the Senate at this time, Senator Hill withdrew his motion to go into Executive Session; and Senator Duarte withdrew his second.

Senator Hill then moved that the Senate stand in recess, subject to the call of the Chair. Seconded by Senator Harrison, and carried; and at 10:09 o'clock a.m., the Senate stood in recess, subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m., and thereupon stood in recess until 2:00 o'clock this afternoon, upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried.

AFTERNOON SESSION

The Senate reconvened at 2:10 o'clock p.m., with the President in the Chair and all Senators being present.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 119, transmitting House Bill No. 217;

H. Com. No. 120, transmitting House Bill No. 244;

H. Com. No. 121, transmitting House Bill No. 315;

H. Com. No. 122, transmitting House Bill No. 402;

H. Com. No. 123, transmitting House Bill No. 535;

H. Com. No. 124, transmitting House Bill No. 543;

H. Com. No. 125, transmitting House Bill No. 551;

H. Com. No. 126, transmitting House Bill No. 589;

H. Com. No. 127, transmitting House Bill No. 590;

H. Com. No. 128, transmitting House Bill No. 591;

H. Com. No. 129, transmitting House Bill No. 593;

H. Com. No. 130, transmitting House Bill No. 594;

H. Com. No. 131, transmitting House Bill No. 610.

FIRST READING OF HOUSE BILLS:

H. B. No. 217, entitled: "An Act to repeal Section 7004 of the Revised Laws of Hawaii 1945, relating to the issuance of county licenses";

H. B. No. 244, entitled: "An Act to amend Chapter 125 of the Revised Laws of Hawaii 1945, as amended, by adding thereto a new section to be numbered 6414.01 to provide for an administrative assistant to the chairman and executive officer of the Board of Supervisors of the County of Kauai";

H. B. No. 315, entitled: "An Act amending Chapter 32 of the Revised Laws of Hawaii 1945 by adding a new section 1892.02 relating to vocational agriculture and farm shop training at Lahainaluna High School";

H. B. No. 402, entitled: "An Act authorizing and empowering the Board of Supervisors of the County of Hawaii to provide a pension for Clem Akina";

H. B. No. 535, entitled: "An Act relating to fees for license to drive certain licensed vehicles and amending Section 7131 of the Revised Laws of Hawaii 1945";

H. B. No. 543, entitled: "An Act relating to terminology used in reference to the chief executive officer of the counties of Hawaii, Kauai and Maui, respectively";

H. B. No. 551, entitled: "An Act authorizing and directing the County of Hawaii to resurface and maintain Puuanahulu School road, County of Hawaii";

H. B. No. 589, entitled: "An Act authorizing and directing the Board of Supervisors of the County of Hawaii to provide a park and playground area for the people of Kona, Hawaii";

H. B. No. 590, entitled: "An Act to amend Section 7102 of the Revised Laws of Hawaii 1945, relating to county licenses for peddlers";

H. B. No. 591, entitled: "An Act to repeal Section 7104 of the Revised Laws of Hawaii 1945, relating to county licenses for peddling cakes";

H. B. No. 593, entitled: "An Act to amend Section 7128 of the Revised Laws of Hawaii 1945, relating to county licenses for selling tobacco, cigars and cigarettes";

H. B. No. 594, entitled: "An Act to amend Sections 7073 and 7074 of the Revised Laws of Hawaii 1945, relating to county licenses for the manufacture or preparation of food products intended for sale and for human consumption";

H. B. No. 610, entitled: "An Act to amend Sections 7117 and 7119 of the Revised Laws of Hawaii 1945, relating to county licenses for solicitors".

Upon motion by Senator Duarte, seconded by Senator Crockett, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 132), transmitting House Concurrent Resolution No. 48, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 48, directing that the two Houses of the Legislature meet in joint session at 11:00 o'clock a.m., on Thursday, April 12, 1951, for the purpose of hearing an address by the Honorable Joseph R. Farrington, Delegate to Congress from Hawaii:

Upon motion by Senator Dillingham, seconded by Delegate Harrison, the Concurrent Resolution was adopted.

A communication from the House (H. Com. No. 133), returning Senate Joint Resolution No. 4, was read, received and placed on file.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills were introduced:

S. B. No. 450, by Senator Heen, entitled: "An Act relating to the practice of osteopathy in the Territory and the powers and duties of the Board of Osteopathic Examiners, and amending Chapter 54 of the Revised Laws of Hawaii 1945, as amended, relating to osteopathy";

S. B. No. 451, by Senator Robinson, by request, entitled: "An Act authorizing and empowering the City and County Pension Board created by Section 6184 of the Revised Laws of Hawaii 1945 to award a pension to Thomas D. Costa";

S. B. No. 452, by Senator Robinson, by request, entitled: "An Act to amend Sections 5150-A, 5455-A, and 5509 of the Revised Laws of Hawaii 1945, as amended, relating to exemption of blind persons from the payment of certain taxes";

S. B. No. 453, by Senator Robinson, by request, entitled: "An Act for the relief of the owners of certain lands included in Swanzy Park, Kaaawa, Koolauloa, Oahu";

S. B. No. 454, by Senator Dillingham, by request, entitled: "An Act to amend Section 466 of the Revised Laws of Hawaii 1945, as amended, relating to rules and regulations of boards, commissions and other governmental agencies";

S. B. No. 455, by Senator Dillingham, by request, entitled: "An Act amending Chapter 127 of the Revised Laws of Hawaii 1945 relating to subdivisions within the City and County of Honolulu";

S. B. No. 456, by Senator Crockett, entitled: "An Act to amend Section 465 of the Revised Laws of Hawaii 1945, relating to permits for use of public buildings by the blind";

S. B. No. 457, by Senator Hill, entitled: "An Act to repeal Section 3 of Act 362 (Ser. F-343) of the Session Laws of Hawaii 1949, relating to the Hawaii Housing Authority";

S. B. No. 458, by Senator Heen, entitled: "An Act amending Section 12721 of the Revised Laws of Hawaii 1945 relating to the description of the land shown on file plans filed in the Bureau of Conveyances";

S. B. No. 459, by Senator Okino, entitled: "An Act amending Section 7237 of the Revised Laws of Hawaii 1945, relating to liquor licenses for clubs";

S. B. No. 460, by Senator Okino, entitled: "An Act to amend Section 7233 of the Revised Laws of Hawaii 1945, relating to the fees for club liquor licenses";

S. B. No. 461, by Senator Ansai, entitled: "An Act establishing a salary schedule based upon experience for nurses employed by the Territory";

S. B. No. 462, by Senator Heen, entitled: "An Act amending Section 8871 of the Revised Laws of Hawaii 1945, with respect to mortgage liens";

S. B. No. 463, by Senator Heen, entitled: "An Act amending Section 8772 of the Revised Laws of Hawaii 1945, and Section 7 of Act 241 of the Session Laws of 1949 pertaining to liens of mechanics and materialmen";

S. B. NO. 464, by Senator Dillingham, entitled: "An Act making an appropriation for the acquisition of land and construction of buildings for public schools in the City and County of Honolulu, and providing for the issuance of bonds for the same";

S. J. Res. No. 43, by Senator Dillingham, entitled: "Joint Resolution directing the transfer of certain unencumbered and unexpended balances of appropriations for public improvements in the City and County of Honolulu to the general fund of the City and County of Honolulu";

S. J. Res. No. 44, by Senator Dillingham, entitled: "Joint Resolution requesting the Congress of the United States of America to enact legislation appropriating funds for flood control at Kawainui Swamp, Kailua, Oahu, authorized by Public Law 516, 81st Congress, Second Session, Section 204";

S. J. Res. No. 45, by Senator Dillingham, entitled: "Joint Resolution Memorializing Congress to authorize the issuance of public improvement bonds of the Territory during the years 1951 to 1957, inclusive, without regard to the limitations imposed by the Hawaiian Organic Act".

Upon motion by Senator Dillingham, seconded by Senator Robinson, and carried, the bills and joint resolutions passed First Reading by title and were referred to the Printing Committee.

CONCURRENT RESOLUTION OFFERED:

Senator Heen offered a Concurrent Resolution (S. Con. Res. No. 32), "requesting the Superintendent of Public Works of the Territory of Hawaii and the Departments of Public Works of the Counties to provide for vending stands to be operated by blind persons, in the plans, specifications and construction of new public buildings", which was read as follows:

(S. Con. Res. No. 32)

Upon motion by Senator Heen, seconded by Senator Robinson, and carried, the Concurrent Resolution was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 84), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTION:

S. B. No. 435: The bill was referred to the Committee on Public Health.

S. B. No. 436: The bill was referred to the Committee on Judiciary.

S. B. No. 437: The bill was referred to the Committee on Ways and Means.

S. B. No. 438: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

S. B. No. 439: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 440: Senator Heen moved that the bill be referred to the Committee of the Whole Senate. Seconded by Senator Dillingham, and carried.

The President thereupon appointed Senator Nobriga as Chairman of the Committee of the Whole for the consideration of said bill.

At this time, Senator Dillingham moved that the Senate reconsider its action in referring Senate Bill No. 315 to the Se-

let Committee of Oahu Senators. Seconded by Senator Fernandes, and carried.

Consideration, on Second Reading, of Senate Bill No. 315:

Upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, the bill was referred to the Committee of the Whole, with Senator Nobriga as Chairman, having under consideration Senate Bill No. 440 relating to the same subject matter.

S. B. No. 441: The bill was referred to the Committee on Education.

S. B. No. 442: The bill was referred to the Committee on Ways and Means.

S. B. No. 443: The bill was referred to the Committee on Judiciary.

S. B. No. 444: The bill was referred to the Committee on Ways and Means.

S. B. No. 445: The bill was referred to the Committee on Ways and Means.

S. B. No. 446: The bill was referred to the Committee on Ways and Means.

S. B. No. 447: The bill was referred to the Committee on Ways and Means.

S. B. No. 448: The bill was referred to the Committee on Judiciary.

S. B. No. 449: The bill was referred to the Committee on Judiciary.

S. J. Res. No. 42: The joint resolution was referred to the Committee on Public Lands.

Senator Dillingham, for the Committee of the Whole, having under consideration Senate Bill No. 70, relating to the organization of certain exeuctive agencies of the Territory of Hawaii, presented a report (Com. Whole Rep. No. 5), recommending the passage, on Third Reading, of the bill, with certain amendments,

as set forth in the amended form of the bill attached, which was read as follows:

(Com. Whole Rep. No. 5)

The report was received and placed on file, the oral report of the Committee having been adopted yesterday.

Senator Dillingham, for the Committee of the Whole, having under consideration Senate Bill No. 71, presented a report (Com. Whole Rep. No. 6), recommending the passage of said bill on Second Reading in an amended form, which was read as follows:

(Com. Whole Rep. No. 6)

The report was received and placed on file, the oral report of the Committee having been adopted yesterday.

Senator Dillingham, for the Committee of the Whole, presented a report (Com. Whole Rep. No. 7), recommending the passage, on Third Reading, of Senate Bill No. 73 as amended, which was read as follows:

(Com. Whole Rep. No. 7)

The report was received and placed on file, the oral report of the Committee having been adopted yesterday.

Senator Dillingham, for the Committee of the Whole, presented a report (Com. Whole Rep. No. 8), recommending the filing of Senate Bill No. 74, which was read as follows:

(Com. Whole Rep. No. 8)

The report was received and placed on file, the oral report of the Committee having been adopted yesterday.

Senator Dillingham, for the Committee of the Whole, presented a report, recommending the passage of Senate Joint Resolution No. 7, which was read as follows:

(Com. Whole Rep. No. 9)

The report was received and placed on file, the oral report of the Committee having been adopted yesterday.

Consideration of Senate Concurrent Resolution No. 27, requesting the Land Commissioner to acquire certain lands in Hilo, Hawaii, for a public park, action on which was deferred on April 5th:

Senator Okino offered the following amendment:

"Amend Senate Concurrent Resolution No. 27 to read as follows:

'CONCURRENT RESOLUTION

WHEREAS, there is no public park in the vicinity of the intersection of Kekuanaoa and Mililani Avenues in Hilo, Hawaii, and

WHEREAS, the Trustees of the Estate of Bernice P. Bishop, deceased, own an area of land containing approximately 207,536 square feet, bounded on three sides by Kekuanaoa, Mililani and Iolani Avenues, which area of land was, by exchange deed, conveyed by the Territory to the said Estate of Bernice P. Bishop, deceased, in exchange for certain parcels of land for roadway purposes, and

WHEREAS, it is desirable to re-acquire said parcel of land for park and playground purposes, now, therefore,

BE IT RESOLVED by the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii, the House of Representatives concurring, that the Land Commissioner be and he is hereby requested to re-acquire said parcel of land, containing approximately 207,536 square feet, by the cancellation of said exchange deed or otherwise, and to set aside the same for a public park and to effect an exchange of other lands belonging to the Territory of Hawaii for the parcels of land acquired by the Territory from the Estate of Bernice P. Bishop, deceased, for said roadway purposes, and

NE IT FURTHER RESOLVED that a certified copy of this Concurrent Resolution be sent to the Commissioner of Public Lands.'"

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the amendment was adopted.

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the Concurrent Resolution, as amended, was adopted.

Consideration of Standing Committee Report No. 82, recommending the passage, on Third Reading, of Senate Bill No. 238 with certain amendments, action on which was deferred yesterday:

Senator Heen moved that the Report and the bill be recommitted to the Committee on Public Health. Seconded by Senator Lee, and carried.

SECOND READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTION:

H. B. No. 11: The bill was referred to the Committee on Ways and Means.

H. B. No. 12: The bill was referred to the Committee on Ways and Means.

H. B. No. 96: The bill was referred to the Committee on Ways and Means.

H. B. No. 181: The bill was referred to the Committee on Ways and Means.

H. B. No. 344: The bill was referred to the Committee on Judiciary.

H. B. No. 346: The bill was referred to the Select Committee of Oahu Senators.

H. B. No. 349: The bill was referred to the Select Committee of Oahu Senators.

H. B. No. 409: The bill was referred to the Committee on Public Lands.

H. B. No. 443: The bill was referred to the Select Committee of Kauai Senators.

H. B. No. 485: The bill was referred to the Committee on Public Health.

H. B. No. 490: The bill was referred to the Committee on Judiciary.

H. B. No. 571: The bill was referred to the Committee of

the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 778: The bill was referred to the Committee on Judiciary.

H. B. No. 780: The bill was referred to the Committee on Public Health.

H. B. No. 805: The bill was referred to the Committee on Judiciary.

H. J. Res. No. 9: The joint resolution was referred to the Committee on Public Health.

H. J. Res. No. 32: The joint resolution was referred to the Select Committee of Oahu Senators.

THIRD READINGS:

Third Reading of Senate Bill No. 70, as amended, entitled: "An Act relating to the organization of certain executive agencies of the Territory of Hawaii; creating a Department of Finance; Creating an Audit Department; defining their powers and duties; abolishing certain agencies; transferring certain powers and duties, and amending Title 4, Revised Laws of Hawaii 1945":

Upon motion by Senator Dillingham, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Harrison, Heen, Hill, Nobriga, Okino, Robinson and Mr. President. Total, 11.

Noes: Senators Aguiar, Duarte, Fernandes and Lee. Total, 4.

Third Reading of Senate Bill No. 71, as amended, entitled: "An Act relating to the organization of certain executive agencies of the Territory of Hawaii, creating a Department of Treasury and Commerce, and transferring certain powers and duties":

Upon motion by Senator Dillingham, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 73, as amended, entitled: "An Act relating to the organization of certain executive departments; transferring the Bureau of Conveyances from the Treasury Department to the Department of Public lands; and amending Sections 12710 and 12712, Revised Laws of Hawaii 1945, deferred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 79, entitled: "An Act to amend Section 4019 of the Revised Laws of Hawaii 1945, as amended, relating to the conveyance of mentally ill persons to the Territorial Hospital":

Upon motion by Senator Harrison, seconded by Senator Lee, and carried, action on the bill was deferred until tomorrow.

Third Reading of Senate Bill No. 280, as amended, entitled: "An Act to amend Act 8 of the Session Laws of Hawaii 1945, relating to reimbursement of the general fund of the Territory on account of interest and sinking fund charges on cancelled term bonds":

Upnn motion by Senator Ansai, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 312, entitled: "An Act relating to the Liquor Commission of the County of Maui and amending Section 7223 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, action on the bill was deferred until Thursday, April 12th.

Third Reading of Senate Bill No. 335, entitled: "An Act amending Act 400 (Series E-324) of the Session Laws of Hawaii 1949, authorizing the Board of Supervisors of the County of Maui to issue bonds for school purposes":

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the bill was recommitted to the Select Committee of Maui Senators.

Third Reading of Senate Bill No. 376, as amended, entitled: "An Act relating to the Employees' Retirement System of the Territory, and amending Section 712 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Hill, seconded by Senator Fernandes, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Aguiar. Total, 1.

Third Reading of Senate Bill No. 377, as amended, entitled: "An Act relating to the investment of funds of the Territorial Employees' Retirement System and amending Section 710, as amended, of the Revised Laws of Hawaii 1945":

Senator Okino moved to defer action on the bill until Thursday, April 12th. Seconded by Senator Nobriga.

Senator Hill moved to table the motion to defer action on the bill until Thursday, April 12th. Seconded by Senator Robinson.

A Roll Call being demanded, the motion to table the motion to defer action on the bill until Thursday, April 12th, was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Fernandes, Harrison, Hill, Robinson and Mr. President. Total, 9.

Noes: Senators Aguiar, Duarte, Heen, Lee, Nobriga and Okino. Total, 6.

Upon motion by Senator Hill, seconded by Senator Ansai, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Robinson and Mr. President. Total, 11.

Noes: Senators Aguiar, Lee, Nobriga and Okino. Total, 4.

Third Reading of Senate Bill No. 382, as amended, entitled: "An Act requiring special and revolving funds to bear the costs of the Territory's contribution to the Employees' Retirement System of the Territory and any bonus in respect of certain employees":

Upon motion by Senator Hill, seconded by Senator Capellas,

and carried, action on the bill was deferred until Thursday, April 12th.

Third Reading of Senate Joint Resolution No. 7, entitled: "Joint Resolution requesting the Congress of the United States of America to amend Sections 77 and 80 of the Hawaiian Organic Act, relating to the Auditor":

Upon motion by Senator Dillingham, seconded by Senator Lee, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Aguiar. Total, 1.

Third Reading of House Bill No. 271, entitled: "An Act relating to Iolani Palace, deferred from April 5th:

Upon motion by Senator Harrison, seconded by Senator Lee, and carried, action on the Bill was further deferred until Thursday, April 12th:

At 3:38 o'clock p.m., upon motion by Senator Hill, seconded by Senator Nobriga, and carried, the Senate adjourned until 11:00 o'clock a.m., on Wednesday, April 11, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FORTIETH Day

WEDNESDAY, APRIL 11, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FORTIETH DAY

Wednesday, April 11, 1951.

The Senate convened at 11:16 o'clock a.m., with the President presiding.

After the opening Prayer by the Chaplain, the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-Ninth Day.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolutions were introduced:

S. B. No. 465, by Senator Aguiar, entitled: "An Act authorizing the purchase of privately owned harbor facilities in Honolulu Harbor and improvements thereof";

S. B. No. 466, by Senator Duarte, entitled: "An Act providing a tax upon amusements";

S. B. No. 467, by Senator Lee, entitled: "An Act amending Section 8526 of the Revised Laws of Hawaii 1945, relating to rules and regulations of the Fire Marshal, and authorizing the issuance of licenses or permits";

S. B. No. 468, by Senator Lee, entitled: "An Act amending Section 8529 of the Revised Laws of Hawaii 1945, relating to the investigation of fires";

S. B. No. 469, by Senators Hill and Harrison, entitled:

"An Act relating to Territorial public improvements and the financing thereof by the issuance of revenue bonds";

S. B. No. 470, by Senators Okino, Capellas and Nobriga, entitled: "An Act making an appropriation for the employment of an expert on sugar production";

S. B. No. 471, by Senator Dillingham, entitled: "An Act relating to powers of insurance commissioner, providing for research and report with reference to protection of residents in use of government property, reduction of governmental exposure to property loss and measures to be adopted to accomplish same, and making appropriations for such purpose";

S. B. No. 472 by Senator Robinson, by request, entitled: "An Act making an appropriation for a cafeteria and pavilion at Kuhio School, Honolulu, Oahu, Territory of Hawaii";

S. B. No. 473, by Senator Dillingham, entitled: "An Act providing for priority of loans by the Territorial Farm Loan Board to farmers suffering losses resulting from certain storms and floods whether the farms are held in fee simple or under lease";

S. B. No. 474, by Senator Robinson, by request, entitled: "An Act for the relief of Hattie Kaihenui";

S. B. No. 475, by Senator Crockett, entitled: "An Act relating to deductions and exemptions for income tax purposes; amending Sections 5508 and 5509 of the Revised Laws of Hawaii 1945";

S. B. No. 476, by Senators Duarte, Ansai, Aguiar, Heen, Crockett, Fernandes, Robinson, Harrison and Dillingham, entitled: "An Act relating to the Molokai Water Project, and amending Chapter 317 of the Revised Laws of Hawaii 1945";

S. B. No. 477, by Senator Heen, entitled: "An Act to amend Act 265 of the Session Laws of Hawaii 1945, Act 62 of the Session Laws of Hawaii 1947, and Act 109 of the Session Laws of Hawaii 1947, relating to blind persons";

S. B. No. 478, by Senator Heen, entitled: "An Act to amend Section 4874 of the Revised Laws of Hawaii 1945, relating to workshops for the blind, by providing for workmen's compensation for blind workmen";

S. B. No. 479, by Senators Nobriga, Crockett, Duarte and Ansai, entitled: "An Act to amend Sections 6207 and 6529 of the Revised Laws of Hawaii 1945, relating to the tenure of the mayor of the City and County of Honolulu and the presiding officers of county Boards of Supervisors";

S. B. No. 480, by Senators Okino, Nobriga and Hill, entitled: "An Act relating to government physicians, drugs and medical supplies for Kona, Hawaii, and making an appropriation";

S. B. No. 481, by Senator Crockett, by request, entitled: "An Act to amend Chapter 74 of the Revised Laws of Hawaii 1945, as amended, relating to employment security";

S. B. No. 482, by Senator Capellas, entitled: "An Act relating to exemptions from the vehicle weight tax and amending Section 5707 of the Revised Laws of Hawaii 1945";

S. J. Res. No. 46, by Senator Dillingham, entitled: "Joint Resolution directing the transfer of the Honolulu Harbor Fire Boat to the City and County of Honolulu, providing for its operation and making appropriations therefor";

S. J. Res. No. 47, by Senator Dillingham, entitled: "Joint Resolution making an appropriation for the Hawaii Wing of the Civil Air Patrol from the Airport Revenue Fund in the Territorial Treasury and providing for its expenditure";

S. J. Res. No. 48, by Senator Harrison, entitled: "Joint Resolution relating to training and care of exceptional children by the Department of Public Instruction";

S. J. Res. No. 49, by Senator Harrison, entitled: "Joint Resolution authorizing the Department of Health to cooperate with the Department of Public Instruction in providing physiotherapy and occupational therapy for exceptional children".

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the bills and joint resolutions passed First Reading by title and were referred to the Printing Committee.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 85), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS:

S. B. No. 450: The bill was referred to the Committee on Public Health.

S. B. No. 451: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

S. B. No. 452: The bill was referred to the Committee on Ways and Means.

S. B. No. 453: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 454: Senator Dillingham moved that the bill be tabled, it being on the same subject matter as Senate Bill No. 216 which is before the Committee on Judiciary. Seconded by Senator Duarte, and carried.

S. B. No. 455: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 456: The bill was referred to the Committee on Judiciary.

S. B. No. 457: The bill was referred to the Committee on Ways and Means.

S. B. No. 458: The bill was referred to the Committee on Judiciary.

S. B. No. 459: The bill was referred to the Committee on Judiciary.

S. B. No. 460: The bill was referred to the Committee on Judiciary.

S. B. No. 461: The bill was referred to the Committee on Ways and Means.

S. B. No. 462: The bill was referred to the Committee on Judiciary.

S. B. No. 463: The bill was referred to the Committee on Judiciary.

S. B. No. 464: The bill was referred to the Select Committee of Oahu Senators.

S. J. Res. No. 43: Senator Dillingham moved that the Rules be suspended and that the joint resolution be read throughout on Second Reading. Seconded by Senator Hill, and carried.

Senator Lee offered the following amendment:

"Amend Senate Joint Resolution No. 43, as follows:

"Amend Section 2 to read as follows:

'SECTION 2. This Joint Resolution shall take effect upon its approval.'"

Upon motion by Senator Lee, seconded by Senator Aguiar, and carried, the amendment was adopted.

The joint resolution, as amended, was thereupon read throughout on Second Reading.

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, the joint resolution, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Second Reading of Senate Joint Resolution No. 44: Senator Dillingham moved that the Rules be suspended and that the joint resolution be read throughout on Second Reading. Seconded by Senator Harrison, and carried; and the joint resolution was thereupon read throughout on Second Reading.

Upon motion by Senator Dillingham, seconded by Senator Harrison, and carried, the joint resolution passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Lee gave notice that he would offer an amendment to the joint resolution on Third Reading.

S. J. Res. No. 45: The joint resolution was referred to the Committee on Ways and Means.

At this time, Senator Robinson, for the Committee on Education, reported orally, returning Departmental Communication No. 49, relating to Senate Bill No. 106, to the Clerk's desk with the recommendation that it be placed on file, inasmuch as said Senate Bill No. 106 has been placed on file.

Upon motion by Senator Robinson, seconded by Senator Ansai, and carried, the oral report of the Committee was adopted.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 86), recommending that Senate Bill No. 75 be placed on file, which was read as follows:

(Stand. Com. Rep. No. 86)

Upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, the report of the Committee was adopted; and Senate Bill No. 75 was thereupon placed on file.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 87), recommending the passage of Senate Bill No. 234, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 87)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 234, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 88), recommending the passage of Senate Bill No. 109 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 88)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 109 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 89), reporting on Senate Bill No. 238, as amended, which was recommitted to the Committee on Third Reading, together with Standing Committee Report No. 82, recommending the amendment of the bill and recommending that the bill, as thus amended, pass Third Reading; and returning Standing Committee Report No. 82 with the recommendation that it be placed on file, which was read as follows:

(Stand. Com. Rep. No. 89)

Upon motion by Senator Harrison, seconded by Senator Okino, the report of the Committee was adopted; and Senate Bill No. 238, as amended, entitled: "An Act to amend Act 80 of the Session Laws of Hawaii 1949, relating to meetings of the Board of Health", passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Dillingham, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 11.

Noes: Senators Ansai, Crockett, Durate and Nobriga. Total, 4.

SECOND READING OF HOUSE BILLS:

House Bill No. 217: The bill was referred to the Committee on Ways and Means.

House Bill No. 244: The bill was referred to the Select Committee of Kauai Senators.

House Bill No. 315: The bill was referred to the Committee on Education.

House Bill No. 402: The bill was referred to the Committee of the Whole on Pensions, Senator Aguiar Chairman.

House Bill No. 535: The bill was referred to the Committee on Ways and Means.

House Bill No. 543: The bill was referred to a joint committee of the Select Committees of Hawaii, Maui and Kauai Senators.

The President appointed Senator Ansai as Chairman of such joint committee.

House Bill No. 551: The bill was referred to the Select Committee of Hawaii Senators.

House Bill No. 589: The bill was referred to the Select Committee of Hawaii Senators.

House Bill No. 590: The bill was referred to the Committee on Ways and Means.

House Bill No. 591: The bill was referred to the Committee on Ways and Means.

House Bill No. 593: The bill was referred to the Committee on Ways and Means.

House Bill No. 594: The bill was referred to the Committee on Ways and Means.

House Bill No. 610: The bill was referred to the Committee on Ways and Means.

THIRD READING OF SENATE BILLS:

Third Reading of Senate Bill No. 79, as amended, entitled: "An Act to amend Section 4019 of the Revised Laws of Hawaii 1945, as amended, relating to the conveyance of mentally ill persons to the Territorial Hospital", action on which was deferred yesterday:

Upon motion by Senator Harrison, seconded by Senator Lee, and carried, action on the bill was further deferred until Friday, April 13th.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 134, transmitting House Bill No. 51;

H. Com. No. 135, transmitting House Bill No. 287;

H. Com. No. 136, transmitting House Bill No. 494;

H. Com. No. 137, trahsmitting House Bill No. 545;

H. Com. No. 138, transmitting House Bill No. 829.

FIRST READING OF HOUSE BILLS:

H. B. No. 51, entitled: "An Act to provide for the exercise of the powers of eminent domain provided for in the 'Urban Redevelopment Act', Series B-175, Act 379, Session Laws 1949, Chapter 121.01, Revised Laws of Hawaii 1945";

H. B. No. 287, entitled: "An Act to amend Section 5146 of the Revised Laws of Hawaii 1945, as amended, by Act 79 of the Session Laws of Hawaii 1945, relating to the records of assessed valuations of real property";

H. B. No. 494, entitled: "An Act relating to certificates of Hawaiian birth and amending Section 12910 of the Revised Laws of Hawaii 1945";

H. B. No. 545, entitled: "An Act amending Act 327 of the Session Laws of Hawaii 1949, requiring the furnishing of statistics in connection with divorces and annulments of marriage and the filing thereof in the Bureau of Vital Statistics";

H. B. No. 829, entitled: "An Act relating to the clearing, development and improvement of Kaumana Park, South Hilo, County of Hawaii, and amending Act 102 (Ser. F-227) of the Session Laws of Hawaii 1947".

Upon motion by Senator Duarte, seconded by Senator Lee, and carried, the bills passed First Reading by title and was placed on the calendar for Second Reading tomorrow.

At the suggestion of the President that a date be set for the consideration of Governor's Messages relating to appointments, Senator Hill moved that the Senate consider all Governor's Messages pending before the Senate relating to appointments, on which action had previously been deferred, at 2:00 o'clock p.m., on Friday, April 20th. Seconded by Senator Heen, and carried.

At 12:18 o'clock p.m., upon motion by Senator Lee, seconded by Senator Heen, and carried, the Senate adjourned until

11:00 o'clock a.m., on Thursday, April 12, 1951.

Ellen D Smythe
Clerk of the Senate.

Approved:

Wilfred D Fukuyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FORTY-FIRST Day

THURSDAY, APRIL 12, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FORTY-FIRST DAY

Thursday, April 12, 1951.

The Senate convened at 11:15 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called showing all Senators present, with the exception of Senator Crockett, excused, temporarily.

The President announced that he had read and approved the Journal of the Fortieth Day.

At this time, Senator Robinson moved that the Senate stand in recess, subject to the call of the Chair, in order to meet in joint session with the members of the House of Representatives to hear an address by Honorable Joseph R. Farrington, Delegate to Congress from Hawaii, pursuant to House Concurrent Resolution No. 48. Seconded by Senator Lee, and carried; and at 11:18 o'clock a.m., the Senate so stood in recess and the members repaired in a body to the Assembly Hall of the House of Representatives for such purpose.

The joint Session was called to order by the Speaker of the House of Representatives at 11:25 o'clock a.m.

In opening the joint session, Speaker Fong stated that the members were gathered together to listen to an address by Delegate Farrington, and in addition, through the courtesy of Radio Station KGMB, the members would listen to a transcription of a broadcast made over that Station last Friday night, when Arthur Godfrey accepted House Concurrent Resolution No.

28, expressing the gratitude of the people of Hawaii for his championship of the customs and aspirations and his daily expressions of Aloha to Hawaii.

The transcription was played, Mr. Godfrey expressing his appreciation for the sentiments expressed in the Resolution and reiterating his love for the Islands, and particulary for the people of Hawaii and concluded with this: "Keep Hawaii Hawaiian".

There followed a song by the young Hawaiian entertainer who is currently appearing on his broadcasts - Haleloke - and the program closed with a duet by Mr. Godfrey and Haleloke.

The Speaker then presented Delegate Farrington to the assembly who read a prepared address covering a report on legislation now pending in Congress affecting Hawaii - Federal aid in connection with the Kawainui Swamp Flood control project, the cost of living survey to be conducted by the Bureau of Labor Statistics; the survey of mainland civilians in Hawaii --- the "blue collar" workers; the removal of the racial restrictions from the immigration and naturalization laws; Federal aid for Hansen's disease; a bill covering the making of the City of Refuge at Honaunau, Hawaii, a National Park; the extension of reclamation surveys to Hawaii; and last, but not least, the status of Statehood for Hawaii in Congress. He expressed great hope that during this Session of Congress Hawaii's hopes would be realized in this respect. He concluded by saying: "The real test of what we are going to want from the Federal government is whether or not it will help us to make our country strong and how you can apply that proposition all the way down the line -- if you have a good cause -- if it is on public improvements or policy -- on those grounds you have a real chance of winning. I want to say, in conclu-

sion, I greatly appreciate the opportunity of being with you and wish to extend to you my very best wishes for success in the remaining days of the present session. Thank you".

Speaker Fong thanked Mr. Farrington, on behalf of the joint session, for his report on the legislation pending in Congress, in which the Legislature had a common interest. He thereupon declared the joint session adjourned at 12:02 o'clock p.m.

The joint session being ended, the Senate reconvened at 12:05 o'clock p.m.

At this time, Senator Dillingham, for the Select Committee of Oahu Senators, moved that the Senate reconsider its action in referring Senate Bill No. 464 to the Select Committee of Oahu Senators. Seconded by Senator Fernandes, and carried:

Consideration, on Second Reading, of Senate Bill No. 464:

Upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, the bill was referred to the Committee on Ways and Means.

RESOLUTIONS OFFERED:

Senator Duarte offered a Resolution (S. Res. No. 60), providing for the appointment by the President of the Senate of a committee of three Senators to investigate the accounts and finances of the Hawaiian Homes Commission, which was read as follows:

(S. Res. No. 60)

Upon motion by Senator Duarte, seconded by Senator Heen, and carried, the Resolution was adopted.

The President thereupon appointed Senators Heen, Ansai and Robinson as a committee of three to carry out the purposes of Senate Resolution No. 60.

Senators Heen, Robinson, Harrison, Tsukiyama, Capellas, Okino, Nobriga and Duarte offered a Resolution (S. Res. No. 61), paying tribute to the record of accomplishments of Dr. Y. C. Yang, and to congratulate him upon his appointment as Ambassador to the United States from the Republic of Korea, which was read as follows:

(S. Res. No. 61)

Upon motion by Senator Heen, seconded by Senator Robinson, and carried, the Resolution was adopted.

At 12:12 o'clock p.m., the Senate stood in recess until 2:00 o'clock this afternoon, upon motion by Senator Lee, seconded by Senator Heen, and carried.

AFTERNOON SESSION

The Senate reconvened at 2:15 o'clock p.m., with the President in the Chair, and all Senators being present with the exception of Senator Crockett, temporarily excused.

A communication from the Secretary of Hawaii (Dept. Com. No. 57), informing the Senate that the Governor had signed House Bill No. 704, as Act 3, was read by the Clerk as follows:

(Dept. Com. No. 57)

The communication was received and placed on file.

A communication from the Secretary of Hawaii (Dept. Com. No. 58), informing the Senate that the Governor had signed House Bill No. 304, as Act 4, was read as follows:

(Dept. Com. No. 58)

The communication was received and placed on file.

A communication from the Chairman of the Legislative Committee of the Board of Supervisors, City and County of Honolulu (Dept. Com. No. 59), transmitting complete sets of three bills for consideration by the Senate, was read, received and placed on file; and the accompanying proposed bills were referred to the Select Committee of Oahu Senators.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 139, transmitting House Bill No. 53;

H. Com. No. 140, transmitting House Bill No. 509;

H. Com. No. 141, transmitting House Bill No. 592;

H. Com. No. 142, transmitting House Bill No. 597.

FIRST READING OF HOUSE BILLS:

H. B. No. 53, entitled: "An Act to amend Title 14 of the Revised Laws of Hawaii 1945, as amended, by amending Sections 5475 and 5385 of the Revised Laws of Hawaii 1945, and by adding thereto three new sections to be designated Sections 5370.15, 5360 and 5542, all relating to the creation of a lien on land for unpaid taxes, penalties and interest";

H. B. No. 509, entitled: "An Act relating to District Magistrates; amending Section 9671 of the Revised Laws of Hawaii 1945";

H. B. No. 592, entitled: "An Act to amend Section 7079 of the Revised Laws of Hawaii 1945, relating to licensing fee for restaurant";

H. B. No. 597, entitled: "An Act to amend Section 7085 of the Revised Laws of Hawaii 1945, relating to county licenses for producing, processing or otherwise preparing milk intended for sale and for human consumption".

Upon motion by Senator Capellas, seconded by Senator Harrison, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 143), returning Senate Bill No. 227, was read, received and placed on file.

A communication from the House (H. Com. No. 144), transmitting House Concurrent Resolution No. 40, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 40, "requesting the Congress of the United States of America to include Camp Andrews, at Nanakuli, Oahu, within the operation of the Hawaiian Homes Commission Act of 1920":

The Concurrent Resolution was referred to the Committee on Public Lands.

A communication from the House (H. Com. No. 145), transmitting House Concurrent Resolution No. 47, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 47, "endorsing the conversion of Kaneohe Naval Air Station into a Marine air and ground training base and pledging the assistance of the Legislature of Hawaii in furthering the project":

The Concurrent Resolution was referred to the Committee on Military.

INTRODUCTION OF BILLS AND JOINT RESOLUTION:

The following bills were introduced:

S. B. No. 483, by Senator Robinson, by request, entitled: "An Act for the relief of Joseph L. Lyons";

S. B. No. 484, by Senator Robinson, by request, entitled: "An Act for the relief of Cecilia Bella Gomes";

S. B. No. 485, by Senator Okino, entitled: "An Act amending Chapter 296 of the Revised Laws of Hawaii 1945 relating to annulment, divorce and separation";

S. B. No. 486, by Senator Dillingham, entitled: "An Act relating to voting machines, amending Section 251.05 of the Revised Laws of Hawaii 1945 as enacted by Act 318 of the Session Laws of Hawaii 1949, and making an appropriation";

S. B. No. 487, by Senators Dillingham and Robinson, entitled: "An Act making appropriations for public school improvements and providing for the issuance of public improvement bonds";

S. B. No. 488, by Senator Dillingham, by request, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to issue bonds in the sum of one million dollars ($1,000,000.00) for the completion of, the improvements to and development of certain existing public parks and playgrounds and for the acquisition of new public parks and playgrounds in the City and County of Honolulu";

S. B. No. 489, by Senator Dillingham, by request, entitled: "An Act appropriating one million six hundred thousand dollars ($1,600,000.00) for anti-disaster expenditures by the City and County of Honolulu";

S. B. No. 490, by Senator Tsukiyama, entitled: "An Act to amend Section 4830 of the Revised Laws of Hawaii 1945, as amended, relating to organizations and institutions caring for dependent children";

S. B. No. 491, by Senators Aguiar and Fernandes, entitled: "An Act relating to the salaries of employees of the Fire Departments of the counties of Hawaii, Maui, and Kauai and amending Section 121 of Chapter 3 of the Revised Laws of Hawaii 1945";

S. B. No. 492, by Senator Hill, entitled: "An Act making an appropriation for the Department of Public Works of the Territory of Hawaii";

S. B. No. 493, by Senators Fernandes, Duarte, Nobriga, Okino and Capellas, entitled: "An Act adding Chapter 137A

to the Revised Laws of Hawaii 1945, relating to pari-mutuel horse racing by county referendum, to the creation of county racing commissions for the regulation and licensing of pari-mutuel horse racing, to the encouragement of horse breeding, and to the creation of special funds; and making an appropriation";

S. B. No. 494, by Senators Ansai, Crockett and Duarte, entitled: "An Act amending Act 358 of the Session Laws of Hawaii 1949, relating to the construction of a road and feeder roads between Honokahau and Wailena Gulch, Maui";

S. B. No. 495, by Senator Harrison, entitled: "An Act amending Chapter 43 of the Revised Laws of Hawaii 1945, as amended, relating to Hansen's Disease and the powers and duties of the Board of Health";

S. B. No. 496, by Senator Duarte, Ansai and Crockett, entitled: "An Act to amend Section 4727 of the Revised Laws of Hawaii 1945, relating to motor vehicle common carriers, and amending other laws to conform to this Act";

S. J. Res. No. 50, by Senators Ansai, Duarte and Crockett, entitled: "Joint Resolution memorializing Congress to authorize the issuance of public improvement bonds by the County of Maui without regard to the limitations imposed by the Hawaiian Organic Act".

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the bills and joint resolution passed First Reading by title and were referred to the Printing Committee.

Senators Lee, Dillingham, Harrison, Robinson, Tsukiyama and Heen offered a Concurrent Resolution (S. Con. Res. No. 33), "requesting the Congress of the United States of America to enact

legislation appropriating funds for flood control at Kawainui Swamp, Kailua, Oahu, authorized by Public Law 516, 81st Congress, Second Session, Section 204", which was read as follows:

(S. Con. Res. No. 33)

Senator Dillingham offered the following amendment to the Concurrent Resolution:

"Insert the word 'respectfully' following the word 'hereby' in the last line on page 1 of the typewritten Concurrent Resolution, relating to the Delegate to Congress from Hawaii."

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the amendment was adopted.

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Concurrent Resolution, as amended, was adopted.

RESOLUTIONS OFFERED:

Senator Capellas offered a Resolution (S. Res. No. 62), requesting the Board of Harbor Commissioners, when funds are available for such purpose, to provide a small boat landing at Waiakea, Hilo, Hawaii, which was read as follows:

(S. Res. No. 62)

Upon motion by Senator Capellas, seconded by Senator Nobriga, and carried, the Resolution was adopted.

Senator Capellas offered a Resolution (S. Res. No. 63), requesting the Board of Harbor Commissioners to construct a shed at Waiakea, Hilo, Hawaii, on the government land below Waiakea bridge on the Hilo side of Waialoa River, for drying fishermen's nets, which was read as follows:

(S. Res. No. 63)

Upon motion by Senator Aguiar, seconded by Senator Lee, and carried, the Resolution was referred to the Committee on Agriculture, Forestry and Conservation.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 90), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS:

S. B. No. 465: The bill was referred to the Committee on Ways and Means.

S. B. No. 466: The bill was referred to the Committee on Ways and Means.

S. B. No. 467: The bill was referred to the Committee on Judiciary.

S. B. No. 468: The bill was referred to the Committee on Judiciary.

S. B. No. 469: The bill was referred to the Committee on Ways and Means.

S. B. No. 470: The bill was referred to the Committee on Ways and Means.

S. B. No. 471: The bill was referred to the Committee on Ways and Means.

S. B. No. 472: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 473: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

S. B. No. 474: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

S. B. No. 475: The bill was referred to the Committee on Ways and Means.

S. B. No. 476: The bill was referred to the Committee on Public Lands.

S. B. No. 477: The bill was referred to the Committee on Judiciary.

S. B. No. 478: The bill was referred to the Committee on Ways and Means.

S. B. No. 479: The bill was referred to the Committee of the Whole, with Senator Nobriga as Chairman.

S. B. No. 480: The bill was referred to the Committee on Public Health.

S. B. No. 481: The bill was referred to the Committee on Judiciary.

S. B. No. 482: The bill was referred to the Committee on Ways and Means.

S. J. Res. No. 46: The joint resolution was referred to the Select Committee of Oahu Senators.

S. J. Res. No. 47: The joint resolution was referred to the Committee on Ways and Means.

S. J. Res. No. 48: The joint resolution was referred to the Committee on Education.

S. J. Res. No. 49: The joint resolution was referred to the Committee on Public Health.

COMMITTEE REPORTS:

Senator Dillingham, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 91), recommending the passage of Senate Bill No. 202, which was read as follows:

(Stand. Com. Rep. No. 91)

Upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the report of the Committee was adopted. Senate Bill No. 202 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 92), recommending the passage of Senate Bill No. 203, which was read as follows:

(Stand. Com. Rep. No. 92)

Upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the report of the Committee was adopted. Senate Bill No. 203 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 93), recommending the passage of Senate Bill No. 209 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 93)

Upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the report of the Committee was adopted. Senate Bill No. 209, in the amended form, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 94), recommending the passage of Senate Bill No. 31 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 94)

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. Senate Bill No. 31, in the amended form, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for theCommittee on Ways and Means, presented a report (Stand. Com. Rep. No. 95), recommending the passage of Senate Bill No. 444 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 95)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 444 passed Second Reading in the amended form and was placed on the calendar for Third Reading on Monday, April 16.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 55), recommending that Senate Bill No. 390 be referred to the Committee on Ways and Means with the urgent request that funds be provided to carry out its purposes, which was read as follows:

(Spec. Com. Rep. No. 55)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted, and Senate Bill No. 390 was thereupon referred to the Committee on Ways and Means.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 56), recommending that Senate Bill No. 159 be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 56)

Upon motion by Senator Capellas, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 159 was thereupon referred to the Committee on Ways and Means.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 57), recommending that Senate Bill No. 426 be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 57)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted; and Senate

Bill No. 426 was thereupon referred to the Committee on Ways and Means.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 58), recommending that Senate Bill No. 44 be referred to the Committee on Ways and Means, with the recommendation that it pass, which was read as follows:

(Spec. Com. Rep. No. 58)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted; and Senate Bill No. 44 was thereupon referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 59), recommending that House Bill No. 349 be placed on file, and that a copy of the report be transmitted to the Committee on Ways and Means for its information when Senate Bills Nos. 316 and 317 are before it for consideration, which was read as follows:

(Spec. Com. Rep. No. 59)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and House Bill No. 349 was placed on file; and a copy of this report to be transmitted to the Committee on Ways and Means for its information.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 60), recommending the passage of House Bill No. 150, which was read as follows:

(Spec. Com. Rep. No. 60)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 150 passed Second Reading and was placed on the calendar

for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 61), recommending the passage of Senate Bill No. 213, which was read as follows:

(Spec. Com. Rep. No. 61)

Upon motion by Senator Hill, seconded by Senator Okino, and carried, action on the report was deferred until tomorrow:

SECOND READING OF HOUSE BILLS:

H. B. No. 51: The bill was referred to the Committee on Public Lands.

H. B. No. 287: The bill was referred to the Committee on Ways and Means.

H. B. No. 494: The bill was referred to the Committee on Judiciary.

H. B. No. 545: The bill was referred to the Committee on Judiciary.

H. B. No. 829: The bill was referred to the Select Committee of Hawaii Senators.

THIRD READINGS:

Third Reading of Senate Bill No. 109, as amended, entitled: "An Act relating to absentee voters; amending Section 227 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Lee, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Crockett. Total, 1.

Third Reading of Senate Bill No. 234, as amended, entitled: "An Act to amend Section 4464 of the Revised Laws of Hawaii 1945, as amended by Act 169, Session Laws of Hawaii 1947, relating to workmen's compensation":

Upon motion by Senator Dillingham, seconded by Senator Harrison, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Crockett. Total, 1.

Third Reading of Senate Bill No. 312, entitled: "An Act relating to the Liquor Commission of the County of Maui and amending Section 7223 of the Revised Laws of Hawaii 1945", deferred from April 10th:

Senator Okino offered the following amendment to the bill:

"Amend Senate Bill No. 312, relating to the Liquor Commission of the County of Maui and amending Section 7223 of the Revised Laws of Hawaii 1945, to read as follows:

'AN ACT
RELATING TO THE LIQUOR COMMISSIONS OF THE COUNTIES OF MAUI AND HAWAII AND AMENDING SECTION 7223 OF THE REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 1. Section 7223 of the Revised Laws of Hawaii 1945 is hereby amended by inserting therein, just prior to the last sentence of the first paragraph thereof, the following:

'The commission for the county of Maui shall consist of five members, one of whom shall be a resident of the island of Lanai and one a resident of the island of Molokai, appointed, one for a term to expire on December 31, 1951, one for a term to expire on December 31, 1952, one for a term to expire on December 31, 1953, one for a term to expire on December 31, 1954, and one for a term to expire on December 31, 1955; thereafter every appointment shall be made for a term of three years, commencing from the date of the expiration of the last proceding term. The

commission for the county of Hawaii shall consist of five members, four of whom shall be from the first representative district and one, from the second representative district, two for a term to expire on December 31, 1951, two for a term to expire on December 31, 1952, one for a term to expire on December 31, 1953; thereafter every appointment shall be made for a term of three years, commencing from the date of the expiration of the last preceding term.'

SECTION 2. The provisions of said section 7223 as amended by this Act to the contrary notwithstanding, the present members of the liquor commissions for the counties of Maui and Hawaii whose appointments have been confirmed by the Senate shall continue in office until the expiration of their respective terms unless vacancies in their respective offices sooner occur by reason of resignation, death or other cause. The two additional appointments to said commission for the county of Maui shall be persons who are otherwise qualified and are residents of Lanai and Molokai respectively.

SECTION 3. This Act shall take effect ten days after promulgation as required by section 2 of the Revised Laws of Hawaii 1945.'"

Upon motion by Senator Hill, seconded by Senator Okino, and carried, action on the amendment and the bill was deferred until tomorrow.

Third Reading of Senate Bill No. 382, as amended, entitled: "An Act requiring special and revolving funds to bear the costs of the Territory's contribution to the Employees' Retirement System of the Territory and any bonus in respect of certain employees", deferred from April 10th:

Senator Hill offered the following further amendments to the bill:

"1. Amend the title to read as follows:

'AN ACT
REQUIRING SPECIAL AND REVOLVING FUNDS AND CERTAIN BOARDS, COMMISSIONS AND BUREAUS TO BEAR THE COSTS OF THE TERRITORY'S OR COUNTY'S CONTRIBUTION TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE TERRITORY AND ANY BONUS IN RESPECT OF CERTAIN EMPLOYEES.'

2. By inserting a new section to be numbered 2 which shall read as follows:

'SECTION 2. Every board or commission of the Territory or of any county, whether or not it be an independent board, commission or bureau, which is in receipt of revenues for its purposes and which pays from such revenues the compensation of employees who are members of the employees' retirement system of the Territory, for the period of such employment shall bear the cost of the contribution of the Territory or of the county, as the case may be, in respect of the employees' membership in the employees' retirement system and of any bonus required to be paid such employees under general law.'

3. Re-number Section 2, 'SECTION 3' and amend

(a) By substituting for the word 'any' in the third line of said section, the word 'such' and by inserting in said line after the words 'revolving fund', the words 'or of the revenues of such board, commission or bureau'.

(b) By amending the last sentence of said section to read:

'The auditor of the Territory or of the county, as the case may be, shall thereupon issue a warrant for such amount to the employees' retirement system of the Territory, charging the same to the appropriate special or revolving fund or to the revenues of theappropriate board, commission or bureau.'

4. By inserting a new section which shall be numbered 'SECTION 4' and shall read as follows:

'SECTION 4. The provisions of subsection 7 of section 712 of the Revised Laws of Hawaii 1945 shall not apply to the payments required by this Act.'

5. Re-number Section 3,'SECTION 5'."

Senator Hill moved for the adoption of the amendments. Seconded by Senator Dillingham, and carried.

Upon motion by Senator Hill, seconded by Senator Capellas, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Crockett. Total, 1.

Third Reading of Senate Joint Resolution No. 43, as amended, entitled: "Joint Resolution directing the transfer of certain unencumbered and unexpended balances of appropriations for public improvements in the City and County of Honolulu to the General Fund of the City and County of Honolulu":

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Crockett. Total, 1.

Third Reading of Senate Joint Resolution No. 44, as amended, entitled: "Joint Resolution requesting the Congress of the United States of America to enact legislation appropriating funds for flood control at Kawainui Swamp, Kailua, Oahu, authorized by public Law 516, 81st Congress, Second Session, Section 204":

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the joint resolution was placed on file, inasmuch as Senate Concurrent Resolution No. 33 on the same subject matter, has been adopted.

Third Reading of House Bill No. 271, entitled: "An Act relating to Iolani Palace", deferred from April 10th:

Senator Harrison offered the following amendments:

"Amend House Bill No. 271, entitled: 'AN ACT RELATING TO IOLANI PALACE', as follows:

1. Add a new section to be known as 'SECTION 3' to read as follows:

'SECTION 3. If the regents of the University of Hawaii shall so request in writing, when any or all of the temporary structures referred to in Section 2 are removed, they shall be removed to the campus of said university to be there used for the purpose of housing a school of nursing.'

2. Renumber Section 3 as 'SECTION 4'."

Senator Harrison moved for the adoption of the amendments. Seconded by Senator Dillingham.

Senator Heen moved that action on the amendments and the bill be deferred until tomorrow. Seconded by Senator Lee, and carried.

Senator Duarte was excused from the balance of today's session at this time.

Senator Crockett, who had been temporarily excused, at this juncture, came into the session.

At 3:20 o'clock p.m., upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Senate adjourned until 11:00 o'clock a.m., on Friday, April 13, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FORTY-SECOND Day

FRIDAY, APRIL 13, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FORTY-SECOND DAY

Friday, April 13, 1951.

The Senate convened at 11:18 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Rev. Abraham Poepoe, of the Hawaiian Board of Missions and the Women's Board of Missions, in the absence of Chaplain Keala.

The Roll was called, showing all Senators present, with the exception of Senator Aguiar, excused.

The President announced that he had read and approved the Journal of the Forty-First Day.

CONCURRENT RESOLUTION OFFERED:

Under suspension of the Rules, Senator Lee offered a Concurrent Resolution (S. Con. Res. No. 34), requesting the Governor of Hawaii to use his utmost efforts to secure backing and cooperation in Washington for the passage of legislation by the Congress of the United States appropriating $848,094.00 for the first step of flood control at Kawainui Swamp, Kailua, Oahu, which was read as follows:

(S. Con. Res. No. 34)

Upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the Resolution was adopted.

At this time, Senator Heen suggested that a certified copy of Senate Resolution No. 61, adopted by the Senate yesterday, congratulating Dr. Y. C. Yang, of Honolulu, on his appointment as Ambassador to the United States from the Republic of Korea, be transmitted to his Excellency, Sygman Rhee, President of the Republic of Korea, at Seoul, Korea, with an appropriate letter of transmittal.

The President stated that this suggestion would be carried out forthwith.

DEPARTMENTAL COMMUNICATION:

A communication from the Chairman of the Public Utilities Commission of the Territory of Hawaii (Dept. Com. No. 60), transmitting certain data requested in Senate Resolution No. 47, relating to salaries paid officers and employees of the various public utilities companies in the Territory, was read as follows:

(Dept. Com. No. 60)

The communication and accompanying data were received and placed on file, copies thereof being distributed to the members.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 146), transmitting House Concurrent Resolution No. 15, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 15, "requesting the Congress of the United States of America to enact legislation providing for a new post office building at Kapaa, County of Kauai":

Upon motion by Senator Hill, seconded by Senator Lee, and carried, action on the Concurrent Resolution was deferred until Monday, April 16th.

The following communications from the House of Representatives, were read, received and placed on file:

H. Com. No. 147, transmitting House Bill No. 22;

H. Com. No. 148, transmitting House Bill No. 125;

H. Com. No. 149, transmitting House Bill No. 180;

H. Com. No. 150, transmitting House Bill No. 185;

H. Com. No. 151, transmitting House Bill No. 212;

H. Com. No. 152, transmitting House Bill No. 437;

H. Com. No. 153, transmitting House Bill No. 476;

H. Com. No. 154, transmitting House Bill No. 555;

H. Com. No. 155, transmitting House Bill No. 884;

H. Com. No. 156, transmitting House Bill No. 895.

FIRST READING OF HOUSE BILLS:

H. B. No. 22, entitled: "An Act relating to Hansen's Disease, providing for the appointment and qualification of the Board of Hospitals and Settlement, defining its powers and functions, amending Chapter 43 of the Revised Laws of Hawaii 1945, repealing Act 109 of the Session Laws of Hawaii 1945";

H. B. No. 125, entitled: "An Act to create a Bureau of Nutrition of the Board of Health and to provide for its duties";

H. B. No. 180, entitled: "An Act to authorize the Board of Regents of the University of Hawaii to make arrangements for professional or specialized training of Hawaii students at other institutions of learning";

H. B. No. 185, entitled: "An Act to provide for the establishment and improvement of veterans' cemeteries";

H. B. No. 212, entitled: "An Act to amend Section 9728 of the Revised Laws of Hawaii 1945, as amended, relating to court officers and employees";

H. B. No. 437, entitled: "An Act relating to public health; establishing the Division of Preventive Medicine, and defining the powers thereof";

H. B. No. 476, entitled: "An Act relating to public health, providing for a Bureau of Industrial Hygiene, defining its powers and duties, amending Section 2015 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 555, entitled: "An Act relating to guardianship of small estates and amending Section 12504 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 884, entitled: "An Act relating to civil service and amending Section 68 of the Revised Laws of Hawaii 1945, as amended, to provide for maternity leaves and rights of employees in connection therewith";

H. B. No. 895, entitled: "An Act relating to the powers and duties of the several Boards of Supervisors with respect to indigents and medically indigents".

Upon motion by Senator Hill, seconded by Senator Lee, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading on Monday, April 16th.

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 157, returning Senate Joint Resolution No. 21;

H. Com. No. 158, returning Senate Joint Resolution No. 31;

H. Com. No. 159, returning Senate Concurrent Resolution No. 33.

MISCELLANEOUS COMMUNICATION:

A communication from Mrs. Shirley Russell, of Honolulu (Misc. Com. No. 36), offering to sell a portrait of Governor Ingram M. Stainback, painted by her in 1947, to the Territory

for the sum of $1500.00, which purchase is provided for under House Bill No. 777, was read as follows:

(Misc. Com. No. 36)

The communication was received and referred to the Committee on Ways and Means.

INTRODUCTION OF BILLS:

S. B. No. 497, by Senator Harrison, by request, entitled: "An Act amending Act 194 of the Session Laws of Hawaii 1949, relating to the Board of Barbers, to regulate and control the barber industry, and for that purpose to further enlarge the present powers of the Board of Barber Examiners; defining its additional jurisdiction, powers and duties; to approve agreements from each island of the Territory of Hawaii; and providing penalties for violations of this Act";

S. B. No. 498, by Senator Tsukiyama, entitled: "An Act to allow credit in the Employees' Retirement System of the Territory to Albert H. Shiraki while working for the W.P.A.";

S. B. No. 499, by Senator Dillingham, entitled: "An Act providing a pension of seventy-five dollars per month for Grace E. Brown, widow of Raymond C. Brown, deceased";

S. B. No. 500, by Senator Dillingham, entitled: "An Act abolishing certain special funds and revolving funds";

S. B. No. 501, by Senator Okino, entitled: "An Act appropriating $2,495 for the establishment and operation of the office of the High Sheriff in Honolulu, Oahu";

S. B. No. 502, by Senator Dillingham, entitled: "An Act relating to off-street parking areas and amending Section 6527.01 of the Revised Laws of Hawaii 1945 and Act 153 of the Session Laws of Hawaii 1949";

S. B. No. 503, entitled: "An Act exempting certain property held jointly from inheritance and estate taxes;

amending Section 5553 of the Revised Laws of Hawaii 1945"; by Senator Robinson;

S. B. No. 504, by Senator Harrison, by request, entitled, "An Act authorizing and directing the Board of Supervisors of the County of Maui to pay a pension to Abraham Paaluhi";

S. B. No. 505, by Senators Nobriga and Okino, entitled: "An Act adding a new Section 6408 to Chapter 124 of the Revised Laws of Hawaii 1945, imposing a tax for the maintenance of public roads in the County of Hawaii and providing for the funding thereof";

S. B. No. 506, by Senator Hill, entitled: "An Act authorizing the Superintendent of Public Works to fix and collect charges for the use of public buildings";

S. B. No. 507, by Senator Hill, entitled: "An Act to amend Section 12720 of the Revised Laws of Hawaii 1945, as amended, relating to the cost of checking survey and plan";

S. B. No. 508, by Senator Hill, entitled: "An Act to amend Section 9745 of the Revised Laws of Hawaii 1945, relating to costs and fees for circuit courts and circuit judges in chambers";

S. B. No. 509, by Senator Hill, entitled: "An Act to amend Section 12705 of the Revised Laws of Hawaii 1945 as amended by Acts 255 and 241 of the Session Laws of Hawaii 1945 and Act 394 of the Session Laws of Hawaii 1949 relating to fees to be charged in the Land Court";

S. B. No. 510, by Senator Hill, entitled: "An Act to authorize the Director of the Bureau of the Budget to apply for, receive and distribute Federal surplus properties available for health or educational purposes and to make an appropriation therefor";

S. B. No. 511, by Senator Dillingham, entitled: "An Act relating to highways and improvement by assessments and amending Section 6705, as amended, of the Revised Laws of Hawaii 1945".

Upon motion by Senator Dillingham, seconded by Senator Okino, and carried, the bills passed First Reading by title and were referred to the Printing Committee.

At this time, Senator Dillingham, for the Select Committee of Oahu Senators, moved that the Senate reconsider its action in referring Resolution No. 179 adopted by the Board of Supervisors of the City and County of Honolulu, and transmitted to the Senate with Departmental Communication No. 56 from the City and County Clerk, to the Select Committee of Oahu Senators. Seconded by Senator Lee, and carried.

Senator Dillingham then moved that Resolution No. 179, covering the same subject matter as Senate Bill No. 406 now before the Committee on Ways and Means, be referred to the said Committee on Ways and Means. Seconded by Senator Lee, and carried; and Resolution No. 179 was thereupon returned to the Clerk's desk and so referred.

RESOLUTION OFFERED:

Senators Nobriga and Okino offered a Resolution (S. Res. No. 64), requesting the Territorial Surveyor to mark all existing public rights-of-way to forest areas in the County of Hawaii, particularly those located in the Hamakua district, which was read as follows:

(S. Res. No. 64)

Upon motion by Senator Nobriga, seconded by Senator Okino, and carried, the Resolution was adopted.

COMMUNICATION FROM THE HOUSE:

A communication from the House (H. Com. No. 160), informing the Senate that the House had adopted the report of the Committee on Conference on House Concurrent Resolution No. 30, and that said Concurrent Resolution was finally adopted by the House in accordance therewith, was read as follows:

(H. Com. No. 160)

The communication was received and placed on file.

Senator Fernandes, for the Committee on Conference on the disagreeing vote of the House to the amendment proposed by the Senate to House Concurrent Resolution No. 30, presented a report (Conf. Com. Rep. No. 2), recommending the final adoption of the concurrent resolution as adopted by the Senate, with a further amendment, which was read as follows:

(Conf. Com. Rep. No. 2)

Upon motion by Senator Fernandes, seconded by Senator Dillingham, and carried, the report of the Committee was adopted; and House Concurrent Resolution was finally adopted in accordance therewith.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 96), reporting that all matters referred to it had been mimeographed and were ready for distribution, was read, received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTION:

S. B. No. 483: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

S. B. No. 484: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

S. B. No. 485: The bill was referred to the Committee on Judiciary.

S. B. No. 486: The bill was referred to the Committee on Ways and Means.

S. B. No. 487: The bill was referred to the Committee on Ways and Means.

S. B. No. 488: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 489: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 490: The bill was referred to the Committee on Judiciary.

S. B. No. 491: The bill was referred to the joint committee of Maui, Hawaii and Kauai Select Committees, with Senator Ansai as Chairman.

S. B. No. 492: The bill was referred to the Committee on Ways and Means.

S. B. No. 493: Senator Fernandes moved that action on the bill be deferred until Monday, April 16th, in order that the members might have an opportunity to acquaint themselves with the contents of a digest of the bill which he had prepared and distributed to the members. Seconded by Senator Okino, and carried.

S. B. No. 494: The bill was referred to the Committee on Ways and Means.

S. B. No. 495: The bill was referred to the Committee on Public Health.

S. B. No. 496: The bill was referred to the Committee on Judiciary.

S. J. Res. No. 50: The joint resolution was referred to the Committee on Ways and Means.

REPORTS OF COMMITTEES:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 97), recommending the passage of Senate Bill No. 217, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 97)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 217, as amended, passed Second Reading and was placed on the calendar for Third Reading on Monday, April 16th.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 98), recommending the passage of Senate Bill No. 216 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 98)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 216 passed Second Reading in the amended form and was placed on the calendar for Third Reading on Monday, April 16th.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 99), recommending the passage of Senate Bill No. 77 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 99)

Upon motion by Senator Crockett, seconded by Senator Hill, and carried, the report of the Committee was adopted. Senate Bill No. 77 passed Second Reading in the amended form and was placed on the calendar for Third Reading on Monday, April 16th.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 62), recommending that Senate Petition No. 3, relating to flood control for Waiohinu, Hawaii, be referred to the Committee on Ways and Means for consideration with other similar requests before said Committee, which was read as follows:

(Spec. Com. Rep. No. 62)

Upon motion by Senator Capellas, seconded by Senator Hill, and carried, the report of the Committee was adopted; and Senate Petition No. 3 was thereupon referred to the Committee on Ways and Means.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 63), returning Departmental Communication No. 12 from the Manager of the Board of Harbor Commissioners, relating to a boat landing near the mouth of the Wailoa River, Hilo; and Miscellaneous Communication No. 1 from the Commander of the 14th Coast Guard District, relating to an aid to navigation on the Hilo Breakwater, with the recommendation that they be placed on file, which was read as follows:

(Spec. Com. Rep. No. 63)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted; and Departmental Communication No. 12 and Miscellaneous Communication No. 1 were returned to the Clerk's desk and thereupon placed on file.

Consideration of Special Committee Report No. 61, recommending the passage of Senate Bill No. 213, deferred from yesterday:

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, action on the report was further deferred until Tuesday, April 17th.

SECOND READING OF HOUSE BILLS:

H. B. No. 53: The bill was referred to the Committee on Ways and Means.

H. B. No. 509: The bill was referred to the Committee on Judiciary.

H. B. No. 592: The bill was referred to the Committee on Ways and Means.

H. B. No. 597: The bill was referred to the Committee on Ways and Means.

THIRD READINGS:

Third Reading of Senate Bill No. 31, entitled: "An Act relating to Police Departments, counties of Hawaii, Maui and Kauai, and amending Chapter 122-A of the Revised Laws of Hawaii 1945, and Act 212 of the Session Laws of Hawaii 1947":

Senator Nobriga moved to pass the bill on Third Reading. Seconded by Senator Ansai.

Senator Lee moved that action on the bill be deferred until Monday, April 16th. Seconded by Senator Heen.

Senator Hill moved to table the motion to defer Third Reading of the bill until Monday, April 16th. Seconded by Senator Capellas.

A Roll Call being demanded, the motion to table the motion to defer action on the bill until Monday, April 16th, was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: Senators Heen and Lee. Total, 2.

Excused and not voting: Senator Aguiar. Total, 1.

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of Senate Bill No. 79, as amended, entitled: "An Act to amend Section 4019 of the Revised Laws of Hawaii 1945, as amended, relating to the conveyance of mentally ill persons to the Territorial Hospital", deferred from April 11th:

Upon motion by Senator Harrison, seconded by Senator Hill, and carried, action on the bill was further deferred until Tuesday, April 17th.

Third Reading of Senate Bill No. 202, entitled: "An Act to amend Section 7405 of the Revised Laws of Hawaii 1945, as amended, relating to security required under the motor vehicle safety responsibility Act":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Fernandes, Harrison, Hill, Nobriga, Okino, Robinson and Mr. President. Total, 11.

Noes: Senators Duarte, Heen and Lee. Total, 3.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of Senate Bill No. 203, entitled: "An Act to amend Section 7428.04 of the Revised Laws of Hawaii 1945, as amended, relating to the applicability of the motor vehicle safety responsibility Act to publicly owned motor vehicles":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of Senate Bill No. 209, as amended, entitled: "An Act to amend Section 7417 of the Revised Laws of Hawaii 1945 relating to proof of financial responsibility required when operator's license becomes subject to revocation or suspension:

Upon motion by Senator Crockett, seconded by Senator Capellas, and carried, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of Senate Bill No. 312, entitled: "An Act relating to the Liquor Commission of the County of Maui and amending Section 7223 of the Revised Laws of Hawaii 1945", with pending amendment offered by Senator Okino yesterday, deferred from yesterday:

Senator Okino withdrew the amendment offered by him yesterday; and thereupon offered the following amendment in its place:

"Amend Senate Bill No. 312 to read as follows:

'AN ACT
AMENDING SECTION 7223 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO THE COUNTY LIQUOR COMMISSIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 7223 of the Revised Laws of Hawaii 1945 is hereby amended by deleting the last sentence of the first paragraph thereof and inserting in place of the same the following sentences:

"The commission for the county of Kauai shall consist of three members, appointed, one for a term to expire on December 31, 1937, one for a term to expire on December 31, 1938, and one for a term to expire on December 31, 1939; thereafter every appointment shall be made for a term of three years, commencing

from the date of expiration of the last preceding term. The commission for the county of Maui shall consist of five members, one of whom shall be a resident of the island of Lanai, and one a resident of the island of Molokai; of the members of this commission, two shall be appointed for a term to expire on December 31, 1951, two for a term to expire on December 31, 1952, and one for a term to expire December 31, 1953; thereafter every appointment shall be made for a term of three years, commencing from the date of the expiration of the last preceding term. The commission for the county of Hawaii shall consist of five members, four of whom shall be from the first representative district and one from the second representative district; of the members of this commission, two shall be appointed for a term to expire on December 31, 1951, two for a term to expire December 31, 1952, and one for a term to expire December 31, 1953; thereafter every appointment shall be made for a term of three years commencing from the date of the expiration of the last preceding term."

SECTION 2. The provisions of said section 7223 as amended by this Act to the contrary notwithstanding, the present members of the liquor commissions for the counties of Maui and Hawaii whose appointments have been confirmed by the Senate shall continue in office until the expiration of their respective terms unless vacancies in their respective offices sooner occur by reason of resignation, death or other cause. The two additional appointments to the commission for the county of Maui shall be persons who are otherwise qualified and are residents of Lanai and Molokai respectively. One of the two additional appointments to the commission for the county of Hawaii shall be a person who is otherwise qualified and is a resident of the second representative district.

SECTION 3. This Act shall take effect ten days after promulgation as required by section 2 of the Revised Laws of Hawaii 1945.'"

Senator Okino moved for the adoption of the amendment. Seconded by Senator Ansai.

Senator Lee moved that the amendment be printed, and that action thereon, and on the bill, be deferred until Monday, April 16th. Seconded by Senator Okino, and carried.

Third Reading of House Bill No. 150, entitled: "An Act to amend An Act entitled 'An Act relating to the county of Hawaii extra tax on liquid fuel, and the expenditure of the proceeds thereof', being Act 54 of the Session Laws of 1949, by amending Item 7 of Section 3 thereof, and reappropriating the sum for such item":

Upon motion by Senator Hill, seconded by Senator Okino, and bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Absent at Roll Call: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 271, entitled: "An Act relating to Iolani Palace, with pending amendment offered by Senator Harrison yesterday, deferred from yesterday:

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, action on the amendment and the bill was further deferred until Monday, April 16th, and the amendment was ordered printed.

At this time, Senator Dillingham moved that the Senate reconsider its action in referring Senate Bill No. 419 to the Committee on Judiciary. Seconded by Senator Capellas, and carried.

Consideration, on Second Reading, of Senate Bill No. 419:

Upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the bill was returned to the Clerk's desk and referred to the Committee on Ways and Means.

Senator Ansai moved that the Senate reconsider its action in referring Senate Joint Resolution No. 11 to the Committee on Agriculture, Forestry and Conservation. Seconded by Senator Lee, and carried.

Consideration, on Second Reading, of Senate Joint Resolution No. 11:

Senator Lee moved that Senate Joint Resolution No. 11 be referred to the Committee on Public Lands. Seconded by Senator Ansai, and carried. The joint resolution was thereupon returned to the Clerk's desk and so referred.

At 12:30 o'clock p.m., upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the Senate adjourned until Monday, April 16, 1951 at 11:00 o'clock a.m.

Ellen D. Smythe
Clerk of the Senate.

Approved:

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FORTY-THIRD Day

SATURDAY, APRIL 14, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FORTY-THIRD DAY

Saturday, April 14, 1951.

N O  S E S S I O N

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Nakuyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FORTY-FOURTH Day

MONDAY, APRIL 16, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FORTY-FOURTH DAY

Monday, April 16, 1951.

The Senate convened at 11:25 o'clock a.m., with President Tsukiyama presiding.

Chaplain Keala invoked the Divine Blessing, after which the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Second and Forty-Third Days.

DEPARTMENTAL COMMUNICATION:

A communication from the City and County Clerk (Dept. Com. No. 61), transmitting copy of Resolution No. 191 adopted by the Board of Supervisors of the City and County of Honolulu, protesting the passage of House Bill No. 751, establishing a Bureau of Architecture and Structural Engineering was read, received and placed on file; and the accompanying Resolution was referred to the Committee on Ways and Means.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 161, transmitting House Concurrent Resolution No. 58;

H. Com. No. 162, transmitting House Concurrent Resolution No. 59;

H. Com. No. 163, transmitting House Concurrent Resolution No. 60.

Consideration of House Concurrent Resolution No. 58, "expressing the gratitude of the people of Hawaii to the Legislature of the State of Nevada for its resolution favoring Statehood for Hawaii":

Upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the Concurrent Resolution was adopted.

Consideration of House Concurrent Resolution No. 59, "expressing the gratitude of the people of Hawaii to the Legislature of the State of Minnesota for its resolution favoring Statehood for Hawaii":

Upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the Concurrent Resolution was adopted.

Consideration of House Concurrent Resolution No. 60, "expressing the gratitude of the people of Hawaii to the Legislature of the State of Washington for its resolution favoring Statehood for Hawaii":

Upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the Concurrent Resolution was adopted.

MISCELLANEOUS COMMUNICATION:

A communication from Mrs. Thomas King, (Misc. Com. No. 37), expressing appreciation of the sentiments expressed in Senate Resolution No. 49, on the death of her mother, Mrs. Ethel Muriel Campbell Amalu, was read as follows:

(Misc. Com. No. 37)

The communication was received and placed on file.

INTRODUCTION OF BILLS AND JOINT RESOLUTION:

The following bills and joint resolution were introduced:

S. B. No. 512, by Senators Aguiar, Ansai and Fernandes, entitled: "An Act relating to the fluoridation of the public water supplies of the cities of Honolulu and Hilo and making an appropriation";

S. B. No. 513, by Senators Aguiar, Ansai and Fernandes, entitled: "An Act relating to the importation of plant life, seeds and soils and amending Section 1351 of the Revised Laws of Hawaii 1945";

S. B. No. 514, by Senator Hill, entitled: "An Act to authorize the Hawaii Housing Authority to expend for the housing purposes covered by Act 362, Session Laws of Hawaii 1949, $600,000 of the moneys appropriated by Act 338, Session Laws of Hawaii 1949";

S. B. No. 515, by Senators Ansai, Crockett and Duarte, entitled: "An Act relating to public parks, playgrounds and recreation in the county of Maui, and repealing all laws, ordinances, rules and regulations in conflict with this Act";

S. B. No. 516, by Senator Ansai, entitled: "An Act for the relief of agricultural cooperative associations";

S. B. No. 517, by Senator Crockett, entitled: "An Act to amend Section 9633 of the Revised Laws of Hawaii 1945, as amended, relating to the number of First Circuit Court Judges by providing for an additional judge of said court, and making an appropriation";

S. B. No. 518, by Senator Heen, entitled: "An Act creating a Retirement and pension Study Commission, prescribing its duties and making an appropriation therefor";

S. J. Res. No. 51, by Senator Dillingham, entitled: "Joint Resolution requesting the Congress of the United States not to enact legislation taxing municipal bonds for public improvements".

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the bills and joint resolution passed First Reading by title and were referred to the Printing Committee.

CONCURRENT RESOLUTION OFFERED:

Senators Tsukiyama, Harrison, Heen, Fernandes, Lee, Robinson, Dillingham, Aguiar, Ansai, Crockett, Duarte, Okino, Capellas, Hill and Nobriga offered a Concurrent Resolution (S. Con. Res. No. 35), extending aloha and deepest gratitude of the people of Hawaii to General of the Army Douglas MacArthur and expressing wishes for his future happiness and successful activity, which was read as follows:

(S. Con. Res. No. 35)

Upon motion by Senator Dillingham, seconded by Senator Duarte, and unanimously carried, the Resolution was adopted.

RESOLUTION OFFERED:

Senator Lee offered a Resolution (S. Res. No. 65), setting the forty-fifth day of the Senate of the Twenty-Sixth Legislature as the last day for the introduction of measures, except by unanimous consent, which was read as follows:

(S. Res. No. 65)

Senator Lee moved that the words "forty-fifth" in the third line of the resolution be deleted and the words "forty-sixth" substituted therefor. Seconded by Senator Nobriga, and carried.

Upon motion by Senator Lee, seconded by Senator Nobriga, and carried, the Resolution, as amended, was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 100), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

SECOND READING OF SENATE BILLS:

S. B. No. 497: The bill was referred to the Committee on Judiciary.

S. B. No. 498: The bill was referred to the Committee on Ways and Means.

S. B. No. 499: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

S. B. No. 500: The bill was referred to the Committee on Ways and Means.

S. B. No. 501: The bill was referred to the Committee on Ways and Means.

S. B. No. 502: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 503: The bill was referred to the Committee on Ways and Means.

S. B. No. 504: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

S. B. No. 505: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 506: The bill was referred to the Committee on Ways and Means.

S. B. No. 507: The bill was referred to the Committee on Ways and Means.

S. B. No. 508: The bill was referred to the Committee on Judiciary.

S. B. No. 509: The bill was referred to the Committee on Judiciary.

S. B. No. 510: The bill was referred to the Committee on Ways and Means.

S. B. No. 511: The bill was referred to the Select Committee of Oahu Senators.

COMMITTEE REPORTS:

Senator Capellas, for the Committee on Accounts and Public

Expenditures, presented a report (Stand. Com. Rep. No. 101), reporting on the accounts of the Senate as of this date, which was read as follows:

(Stand. Com. Rep. No. 101)

Upon motion by Senator Capellas, seconded by Senator Dillingham, and carried, the report of the Committee was adopted.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 102), recommending the passage of House Bill No. 661, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 102)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted. House Bill No. 661 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 103), recommending the passage of Senate Bill No. 465 in an amended form, and further recommending the filing of Senate Bill No. 469, which was read as follows:

(Stand. Com. Rep. No. 103)

Senator Dillingham asked to be excused from boting on this report; was so excused, and did not vote.

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 465 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow, and Senate Bill No. 469 was placed on file.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 104), recommending the passage of Senate Bill No. 96, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 104)

Upon motion by Senator Harrison, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 96 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 64), recommending the filing of Senate Bill No. 421, which was read as follows:

(Spec. Com. Rep. No. 64)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bill No. 421 was thereupon placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 65), recommending that Senate Bill No. 378 be amended in the form attached to the report; and that as so amended, it be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 65)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 378 in the amended form was thereupon referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 66), recommending that a copy of this report be transmitted to the

Committee on Ways and Means for information at the time Senate Bills No. 316 and 317 are being considered, and further recommending that House Bill No. 346 be placed on file, which was read as follows:

(Spec. Com. Rep. No. 66)

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 346 was thereupon placed on file, and a copy of the report to be transmitted to the Committee on Ways and Means for information.

Consideration of House Concurrent Resolution No. 15, requesting the Congress of the United States to provide for a new post office at Kapaa, Kauai, deferred from April 13th:

Upon motion by Senator Aguiar, seconded by Senator Lee, the Concurrent Resolution was placed on file, inasmuch as this matter is already before the Congress.

Consideration, on Second Reading, of Senate Bill No. 493, action on which was deferred on April 13th:

Senator Fernandes moved that the Rules be suspended and that the bill be read throughout on Second Reading. Seconded by Senator Nobriga, and carried.

The bill was thereupon read throughout on Second Reading; and upon motion by Senator Fernandes, seconded by Senator Nobriga, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

SECOND READING OF HOUSE BILLS:

H. B. No. 22: The bill was referred to the Committee on Public Health.

H. B. No. 125: The bill was referred to the Committee on Public Health.

H. B. No. 180: The bill was referred to the Committee on Education.

H. B. No. 185: The bill was referred to the Committee on Ways and Means.

H. B. No. 212: The bill was referred to the Committee on Judiciary.

H. B. No. 437: The bill was referred to the Committee on Public Health.

H. B. No. 476: The bill was referred to the Committee on Public Health.

H. B. No. 555: The bill was referred to the Committee on Judiciary.

H. B. No. 884: The bill was referred to the Committee on Judiciary.

H. B. No. 895: The bill was referred to the Committee of the Whole with Senator Nobriga as Chairman.

Senator Harrison was excused from the balance of this morning's session at this time.

THIRD READINGS:

Third Reading of Senate Bill No. 77, as amended, entitled: "An Act relating to civil service; amending Chapter 2 of the Revised Laws of Hawaii 1945 as amended":

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, action on the bill was deferred until tomorrow.

Third Reading of Senate Bill No. 216, as amended, entitled: "An Act relating to rules and regulations of officers, boards, commissions and other governmental agencies; amending Section 466 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillignahm, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of Senate Bill No. 217, as amended, entitled: "An Act amending Section 12659 of the Revised Laws of Hawaii 1945 relating to the registration of mortgages on property registered in the Land Court, and particularly to the effect of provisions in such mortgages providing for future advances":

Upon motion by Senator Heen, seconded by Senator Crockett, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of Senate Bill No. 312, with pending amendment, deferred from April 13th, entitled: "An Act relating to the Liquor Commission of the county of Maui and amending Section 7223 of the Revised Laws of Hawaii 1945":

Senator Lee moved for the adoption of the amendment offered by Senator Okino on April 13th. Seconded by Senator Okino, and carried.

Senator Heen offered the following further amendment:

"Amend Section 3 of the bill by deleting all of the words after the word "effect" in line 1, and inserting in lieu thereof the words "take effect upon its approval."

Senator Heen moved for the adoption of the amendment. Seconded by Senator Okino, and carried.

Upon motion by Senator Lee, seconded by Senator Okino, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of Senate Bill No. 444, as amended, entitled: "An Act to amend Section 6550 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of officers and members of the Honolulu Police Department", deferred from April 13th:

Upon motion by Senator Aguiar, seconded by Senator Dillingham, and carried, action on the bill was further deferred until Tuesday, April 17th.

Third Reading of House Bill No. 271, entitled: "An Act relating to Iolani Palace",with pending amendment, deferred from April 13th:

Upon motion by Senator Aguiar, seconded by Senator Dillingham, and carried, action on the bill and the pending amendment was further deferred until Wednesday, April 18th.

At this time, the President announced that the members of the Senate had been invited to attend the ceremonies in the amphitheatre of the University of Hawaii at 4:00 o'clock this afternoon, at which time the University would confer upon General of the Army Douglas MacArthur the honorary degree of doctor of civil laws, the highest honor a university can bestow; and that a section had been reserved for the members of the Legislature to witness the ceremonies.

At 12:10 o'clock p.m., upon motion by Senator Hill, seconded by Senator Ansai, and carried, the Senate stood in recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 1:55 o'clock p.m., with the President in the Chair and all Senators being present, with the exception of Senator Aguiar, excused.

At this juncture, under suspension of the Rules, President Tsukiyama presented to the members, Mr. E. J. (Dutch) Harrison, one of the top-ranking professional golfers of the United States, husband of Senator Harrison, who arrived from the Mainland last Saturday for a short visit. After a few appropriate words of introduction, the President appointed Senator Fernandes as a committee of one to escort Mr. Harrison to the dais, where he was seated on the right of the President.

The President hereupon asked Senator Harrison, Vice President of the Senate to assume the Chair, which she did; and President Tsukiyama took a seat on the floor of the Senate.

DEPARTMENTAL COMMUNICATION:

A communication from the Vice-Chairman of the Legislative Committee of the Board of Supervisors, City and County of Honolulu (Dept. Com. No. 62), transmitting sets of three proposed bills for favorable consideration of the Senate, was read as follows:

(Dept. Com. No. 62)

The communication and accompanying bills were received

and referred to the Select Committee of Oahu Senators.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 164, transmitting House Bill No. 169;

H. Com. No. 165, transmitting House Bill No. 257;

H. Com. No. 166, transmitting House Bill No. 528;

H. Com. No. 167, transmitting House Bill No. 705;

H. Com. No. 168, transmitting House Joint Resolution No. 15;

H. Com. No. 169, transmitting House Joint Resolution No. 16;

H. Com. No. 170, transmitting House Joint Resolution No. 37.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS:

House Bill No. 169, entitled: "An Act combining the Puumaile and Hilo Memorial Hospitals; creating the 'Managing Committee, Puumaile and Hilo Memorial Hospital'; conferring powers and imposing duties upon said Managing Committee, and upon the County Attorney of the County of Hawaii; and repealing Sections 6382, 6383, 6384 and 6385 of the Revised Laws of Hawaii 1945";

House Bill No. 257, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to pay a pension to Gus Kaleohana";

House Bill No. 528, entitled: "An Act defining the crime of providing minors with habit-forming drugs and setting forth the penalty therefor";

House Bill No. 705, entitled: "An Act authorizing and empowering the City and County Pension Board created by Section 6184 of the Revised Laws of Hawaii 1945, to award a pension to John Costa Pimental";

House Joint Resolution No. 15, entitled: "Joint Resolution

authorizing the Board of Supervisors of the City and County of Honolulu to pay an additional pension to John A. Gilman";

House Joint Resolution No. 16, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to permit sales of government lands where in the public interest";

House Joint Resolution No. 37, entitled: "Joint Resolution requesting the Congress of the United States to amend the Hawaiian Homes Commission Act, 1920, as amended, by amending the first sentence of section 2020 (a) thereof, relating to membership on the Hawaiian Homes Commission".

Upon motion by Senator Lee, seconded by Senator Tsukiyama, and carried, the bills and joint resolutions passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

MISCELLANEOUS COMMUNICATION:

A communication from Kokichi Sasaki of Fukuurahima, Matsushima Machi, Miyagi Pref., Japan (Misc. Com. No. 38), requesting a lump sum settlement of his pension, was read as follows:

(Misc. Com. No. 38)

The communication was received and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTION:

The following bills and joint resolutions were introduced:

S. B. No. 519, by Senator Dillingham, by request, entitled: "An Act to provide for the preservation and promotion of the public health, safety and welfare in the event of Territorial emergencies resulting from disruptions of service in the stevedoring industry (herein defined to include terminal and other related services), providing for the seizure and operation of the plant and facilities, including related facilities, of stevedoring com-

panies by the government during such emergencies, making appropriations and providing other funds for such government operations, prohibiting interference with government operationsand providing penalties and remedies therefor, and repealing Acts 2, 3 and 62 of the Special Session Laws of Hawaii 1949";

S. B. No. 520, by Senator Dillingham, by request, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to issue general obligation bonds in the sum of six million dollars ($6,000,000.00) for the construction of the Kalihi Tunnel and its approach roads";

S. B. No. 521, by Senator Tsukiyama, by request, entitled: "An Act to amend Chapter 15 of the Revised Laws of Hawaii 1945, as amended, relating to the Employees' Retirement System of the Territory of Hawaii";

S. B. No. 522, by Senator Tsukiyama, by request, entitled: "An Act to amend subsection 8 of Section 708 of the Revised Laws of Hawaii 1945, as amended, relating to the ordinary death benefit of the Employees' Retirement System";

S. B. No. 523, by Senator Dillingham, by request, entitled: "An Act relating to labor statistics and making an appropriation therefor";

S. B. No. 524, by Senator Robinson, by request, entitled: "An Act prohibiting the employment of women in certain occupations during the night";

S. J. Res. No. 52, by Senator Dillingham, by request, entitled: "Joint Resolution prohibiting the use of any area located within Section 4 (Waikiki-Diamond Head), lying between Kalakaua Avenue and the waterfront now owned by the City and County of Honolulu for other than the purposes set forth in the Master Plan of the City and County of Honolulu".

Upon motion by Senator Tsukiyama, seconded by Senator Lee, and carried, the bills and joint resolution passed First Reading by title and were referred to the Printing Committee.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 105), recommending the passage of Senate Joint Resolution No. 47, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 105)

Upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the report of the Committee was adopted. Senate Joint Resolution passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 106), recommending the passage of Senate Bill No. 419, which was read as follows:

(Stand. Com. Rep. No. 106)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 419 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 107), recommending the passage of Senate Bill No. 457, which was read as follows:

(Stand. Com. Rep. No. 107)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 457 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 108), recommending the passage of Senate Bill No. 404, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 108)

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the report of the Committee was adopted. Senate Bill No. 404 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, to which was recommitted Senate Bill No. 210 on Second Reading, together with Standing Committee Report No. 34 thereon, presented a report (Stand. Com. Rep. No. 109), recommending the passage of the said bill in an amended form, and further recommending the filing of Standing Committee Report No. 34, which was read as follows:

(Stand. Com. Rep. No. 109)

Senator Hill moved for the adoption of the report. Seconded by Senator Dillingham.

Senator Nobriga at this time gave notice that he would file a minority report on this bill, he having signified opposite his signature on the report that he did not concur in the recommendations therein; and in this connection he read a prepared statement setting forth his reasons for disagreeing with the report.

Senator Heen moved that action on the report be deferred until tomorrow. Seconded by Senator Lee.

Senator Hill moved that the motion to defer action on the report be tabled. Seconded by Senator Dillingham.

A Roll Call being demanded, the motion to table the motion to defer action on the report until tomorrow, was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Hill, Robinson, Tsukiyama and Madam Vice President. Total, 10.

Noes: Senators Heen, Lee, Nobriga and Okino. Total, 4.

Excused and not voting: Senator Aguiar. Total, 1.

Senator Hill thereupon renewed his motion for the adoption of the report. Seconded by Senator Dillingham, and carried. Senate Bill No. 210 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow; and Standing Committee Report No. 34 was placed on file.

President Tsukiyama hereupon resumed the Chair and the Vice President retired.

At this time, under suspension of the Rules, Senator Heen informed the Senate that there was present in the Chamber, Mr. James Miller, the District Sales Manager of the United Airlines, in Washington, D. C., who had greatly assisted the members of the Senate and the Delegates to the Constitutional Convention, as well as members of the Hawaii Statehood Commission, when they were in Washington in April and November of last year in the interests of statehood, in securing hotel accommodations and making air plane reservations for them, and whom he would like the President to present to the Senate.

Senator Heen thereupon escorted Mr. Miller to the dais, whereupon the President presented him to the Members, and welcomed him to Hawaii, and asked him to say a few words to the Senate.

Mr. Miller acknowledged the presentation, which he stated was a great honor, and said that the hospitality which they had attempted to show the delegation from Hawaii in Washington could not compare with the hospitality he had enjoyed in the last week in the Islands; and if the Senators would come back again, he thought he knew now how to be truly hospitable to the people of the Islands.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 110), recommending the passage of Senate Bill No. 402, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 110)

Upon motion by Senator Hill, seconded by Senator Robinson, and carried, the report of the Committee was adopted. Senate Bill No. 402 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 111), recommending the passage of Senate Bill No. 401, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 111)

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the report of the Committee was adopted. Senate Bill No. 401 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 112), recommending the passage of Senate Bill No. 170, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 112)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted. Senate Bill No. 170 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

A communication from the House (H. Com. No. 171), returning Senate Concurrent Resolution No. 35, was read, received and placed on file.

The President announced that Guy Goodness, of the Senate staff, had been permitted to personally present Senate Concurrent Resolution No. 35, adopted by the Legislature this morning, to General of the Army Douglas MacArthur at Admiral Radford's quarters at Makalapa; and that the General had asked Mr. Goodness to express to the members of the Legislature his appreciation for this tribute paid to him.

At 2:47 o'clock p.m., upon motion by Senator Lee, seconded by Senator Nobriga, and carried, the Senate adjourned until

11:00 o'clock a.m., on Tuesday, April 17, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wayne D. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FORTY-FIFTH Day

TUESDAY, APRIL 17, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FORTY-FIFTH DAY

Tuesday, April 17, 1951.

The Senate convened at 11:15 o'clock a.m., with the President in the Chair.

After Prayer by the Chaplain, the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Fourth Day.

Under suspension of the Rules, Senator Heen moved that the Senate reconsider its action taken yesterday in adopting House Concurrent Resolution No. 58. Seconded by Senator Fernandes, and carried.

Senator Heen then moved that the House of Representatives be respectfully requested to return House Concurrent Resolution No. 58 to the Senate for the purpose of making certain corrections therein. Seconded by Senator Okino, and carried.

Under suspension of the Rules, Senator Heen moved that the Senate reconsider its action taken yesterday in adopting House Concurrent Resolution No. 60. Seconded by Senator Fernandes, and carried.

Senator Heen then moved that the House of Representatives be respectfully requested to return House Concurrent Resolution No. 60 to the Senate for the purpose of making certain corrections therein. Seconded by Senator Fernandes, and carried.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 172, transmitting House Bill No. 59;

H. Com. No. 173, transmitting House Bill No. 61;

H. Com. No. 174, transmitting House Bill No. 68;

H. Com. No. 175, transmitting House Bill No. 293.

FIRST READING OF HOUSE BILLS:

H. B. No. 59, entitled: "An Act relating to mortgagee's and lessee's duplicate certificates of title, providing for the surrender and cancellation thereof, and amending Sections 12660, 12661, 12662, 12663, 12684 and 12695 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 61, entitled: "An Act to amend Section 12728 of the Revised Laws of Hawaii 1945, as amended, relating to the fees of the Bureau of Conveyances";

H. B. No. 68, entitled: "An Act to amend Section 6235 of the Revised Laws of Hawaii 1945, relating to advertisements of bills and resolutions, and amendments of ordinances";

H. B. No. 293, entitled: "An Act to regulate dealers in farm produce, amending Act 114 of the Regular Session Laws of Hawaii 1949".

Upon motion by Senator Lee, seconded by Senator Crockett, the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the Chairman of the Government Relations Committee of "We The Women of Hawaii" (Misc. Com. No. 39), requesting that Third Reading of Senate Bill No. 493, relating to horse racing in the Territory of Hawaii, be deferred until the public has an opportunity to express their views on this issue, was read as follows:

(Misc. Com. No. 39)

The communication was laid on the table to be taken up at a later date.

INTRODUCTION OF BILLS AND JOINT RESOLUTION:

The following bills and joint resolution were introduced:

S. B. No. 525, by Senator Heen, entitled: "An Act amending Section 703 of the Revised Laws of Hawaii 1945 relating to membership in the Employees' Retirement System";

S. B. No. 526, by Senator Heen, entitled: "An Act relating to the Master Plan of the City of Honolulu and amending Section 6637 of the Revised Laws of Hawaii 1945";

S. B. No. 527, by Senators Hill, Fernandes and Duarte, entitled: "An Act providing for the purchase of equipment, furniture and fixtures for Washington Place, and making an appropriation therefor";

S. B. No. 528, by Senator Hill, entitled: "An Act to repeal Sections 3 and 4 of Joint Resolution 14 of the Session Laws of Hawaii 1935, relating to the appointment of a commission to present to the Congress of the United States of America a resolution respecting the issuance of certificates of citizenship and the appropriation provided therefor";

S. B. No. 529, by Senator Hill, by request, entitled: "An Act relating to the powers of Regents of the University of Hawaii and amending Section 1943, as amended, of the Revised Laws of Hawaii 1945";

S. B. No. 530, by Senator Hill, entitled: "An Act abolishing the revolving fund for the purchase of surplus property from the Federal government";

S. B. No. 531, by Senator Ansai, entitled: "An Act relating to public officers and employees, and amending Chapter 2 of the Revised Laws of Hawaii 1945, as amended";

S. B. No. 532, by Senator Robinson, by request, entitled: "An Act relating to fees for licenses issued by the Treasurers of several counties";

S. B. No. 533, by Senators Okino and Capellas, entitled: "An Act amending Section 13 of Act 86 of the Session Laws of Hawaii 1949, relating to the Board of Water Supply of the County of Hawaii; requiring public hearings and publication of notices for the fixing and adjusting of rates and charges";

S. B. No. 534, by Senator Dillingham, entitled: "An Act amending Section 3842 of the Revised Laws of Hawaii 1945, relating to industrial and reformatory schools";

S. B. No. 535, by Senator Aguiar, entitled: "An Act to increase the compensation of members of the Public Utilities Commission";

S. B. No. 536, by Senator Crockett, entitled: "An Act relating to desertion and failure, neglect, or refusal to provide for support of wife or children; amending Section 12251 of the Revised Laws of Hawaii 1945";

S. B. No. 537, by Senator Crockett, entitled: "An Act amending Section 1653 of the Revised Laws of Hawaii 1945, relating to the maintenance of inventory of government assets";

S. J. Res. No. 53, by Senator Harrison, entitled: "Joint Resolution directing the Superintendent of Public Works to move certain buildings to the University of Hawaii for the housing of a school of nursing".

Upon motion by Senator Crockett, seconded by Senator Aguiar, and carried, the bills and joint resolution passed First Reading by title and were referred to the Printing Committee.

A Petition signed by 1363 petitioners, residents of the Island of Kauai (S. Pat. No. 17), approving of the stand taken by the Hawaii Congress Parent-Teacher Association in supporting a pupil-teacher ratio of 30 to 1 and an overhead allotment of 175 to 1, was read as follows:

(S. Pet. No. 17)

The Petition was referred to the Committee on Ways and Means.

A Petition from 74 residents of the Territory, protesting the passage of Senate Bill No. 493, relating to horse racing in the Territory of Hawaii (S. Pet. No. 18), was read as follows:

(S. Pet. No. 18)

The Petition was laid on the table to be taken up at a later date.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 113), reporting that all matters referred to it had been mimeographed and were ready for introduction was read, received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS:

S. B. No. 512: The bill was referred to the Committee on Public Health.

S. B. No. 513: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

S. B. No. 514: The bill was referred to the Committee on Ways and Means.

S. B. No. 515: The bill was referred to the Select Committee of Maui Senators.

S. B. No. 516: The bill was referred to the Committee on Ways and Means.

S. B. No. 517: The bill was referred to the Committee on Judiciary.

S. B. No. 518: The bill was referred to the Committee on Ways and Means.

S. B. No. 519: The bill was referred to the Committee on Judiciary.

S. B. No. 520: The bill was referred to the Committee on Ways and Means.

S. B. No. 521: The bill was referred to the Committee on Judiciary.

S. B. No. 522: The bill was referred to the Committee on Judiciary.

S. B. No. 523: The bill was referred to the Committee on Ways and Means.

S. B. No. 524: The bill was referred to the Committee on Judiciary.

S. J. Res. No. 51: The joint resolution was referred to the Committee on Ways and Means.

S. J. Res. No. 52: The joint resolution was referred to the Select Committee of Oahu Senators.

Consideration of Special Committee Report No. 61, recommending the passage of Senate Bill No. 213, deferred from April 13th, on special order:

Upon motion by Senator Capellas, seconded by Senator Fernandes, and carried, action on the bill was further deferred until tomorrow.

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS:

H. B. No. 169: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 257: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 528: The bill was referred to the Committee on Judiciary.

H. B. No. 705: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. J. Res. No. 15: The joint resolution was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. J. Res. No. 16: The joint resolution was referred to the Committee on Public Lands.

H. J. Res. No. 37: The joint resolution was referred to the Committee on Public Lands.

THIRD READINGS:

Third Reading of Senate Bill No. 77, as amended, entitled: "An Act relating to civil service; amending Chapter 2 of the Revised Laws of Hawaii 1945 as amended", deferred from April 16th:

Senator Ansai offered the following amendments to the bill:

"Amend Senate Bill No. 77 (S.D. 1) entitled: 'AN ACT RELATING TO CIVIL SERVICE; AMENDING CHAPTER 2 OF THE REVISED LAWS OF HAWAII 1945 AS AMENDED', by amending subdivisions thereof numbered 2 and 4 respectively to read as follows:

'2. By amending section 74, paragraph (d) to read as follows:

"(d) Board or commission members or heads of departments whose appointments are required under the laws of the Territory or by ordinances of the city and county to be made by the mayor and confirmed by the board of supervisors of the city and county;"

"(d) Board or commission members or heads of departments whose appointments are required under the laws of the Territory or by county ordinances to be made by the chairman of the board of supervisors and confirmed by the board of supervisors of the county;"'".

Senator Ansai moved for the adoption of the amendments. Seconded by Senator Aguiar.

Senator Dillingham moved that action on the pending amendment and the bill be deferred until tomorrow. Seconded by Senator Aguiar, and carried.

Consideration, on Third Reading, of Senate Bill No. 79, as amended, entitled: "An Act to amend Section 4019 of the Revised Laws of Hawaii 1945, as amended, relating to the conveyance of

mentally ill persons to the Territorial Hospital", deferred from April 13th:

Upon motion by Senator Harrison, seconded by Senator Aguiar, and carried, the bill was placed on file, inasmuch as House Bill No. 780 on the same subject matter is now before the Committee on Public Health.

Third Reading of Senate Bill No. 96, as amended, entitled: "An Act providing for a Bureau of Industrial Hygiene in the Board of Health with powers relating to conditions and exposures affecting health which are associated with conditions of employment, atmospheric pollution, fumigation, ventilation, ionizing radiation, and other similar conditions; and amending Section 2015 of the Revised Laws of Hawaii 1945";

Senator Harrison moved that the bill be placed on file, inasmuch as House Bill No. 476 on the same subject matter is now before the Committee on Public Health. Seconded by Senator Nobriga, and carried.

Third Reading of Senate Bill No. 170, as amended, entitled: "An Act to amend Chapter 85 of the Revised Laws of Hawaii 1945, by adding a new section relating to day care centers, children's boarding homes and children's foster homes; rescinding certain rules and regulations of the Board of Health, and amending Section 2015 of the Revised Laws of Hawaii 1945";

Upon motion by Senator Lee, seconded by Senator Robinson, and carried, action on the bill was deferred until tomorrow.

Third Reading of Senate Bill No. 210, as amended, entitled: "An Act relating to taxation and to provide revenues for the counties and the Territory; imposing a retail sales tax, and adding to Title 14 of the Revised Laws of Hawaii 1945, a new chapter providing therefor and imposing penalties; amending

Chapter 101 of the Revised Laws of Hawaii 1945, as amended, being the general excise tax law; amending Chapter 99 of the Revised Laws of Hawaii 1945, as amended, being the consumption tax law; repealing Chapter 98.01 of the Revised Laws of Hawaii 1945, being the compensating tax law; and amending Chapter 96 of the Revised Laws of Hawaii 1945, as amended, relating to taxes, revenues and county finances":

Senator Hill moved that the bill pass Third Reading. Seconded by Senator Dillingham.

Senator Nobriga, for the Minority of the Committee on Ways and Means, at this time presented a minority report on Senate Bill No. 210, in regard to which he gave notice yesterday, recommending the passage of the bill as recommended by the majority of the committee with certain further amendments, which was read as follows:

(Stand. Com. Rep. No. 114)

Inasmuch as the report of the majority of the Committee on Ways and Means on Senate Bill No. 210 had already been adopted, the report of the Minority of the Committee was received and placed on file.

Senator Nobriga thereupon offered the following amendments to the bill:

"Amend Senate Bill No. 210 (S.D.2) as follows:

1. By deleting the words 'three and three fourths' now appearing in line 2 of paragraph desiginated 'Sec. 5490.02', (page 4 of the printed bill), and substituting therefor the words 'three and one-half'.

2. By deleting the words 'two and five-eighths' now appearing in the third from the last line of paragraph A in Section 2 (page 9 of the printed bill), and substituting therefor the words 'three and one-half'."

Senator Nobriga moved for the adoption of the amendments. Seconded by Senator Duarte.

Senator Hill moved that the amendments be tabled. Seconded by Senator Dillingham, and carried.

Upon motion by Senator Hill, seconded by Senator Dillingham, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Robinson and Mr. President. Total, 11.

Noes: Senators Aguiar, Lee, Nobriga and Okino. Total, 4.

At 12:30 o'clock p.m., upon motion by Senator Lee, seconded by Senator Hill, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:22 o'clock p.m., with the President in the Chair and all Senators being present, with the exception of Senator Ansai, excused.

The Senate proceeded with the Third Reading of bills in which it was engaged at the time of the recess.

Third Reading of Senate Bill No. 401, as amended, entitled: "An Act relating to the bank excise tax and amending Section 5312, as amended, of the Revised Laws of Hawaii 1945":

Upon motion by Senator Hill, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Third Reading of Senate Bill No. 402, as amended, entitled: "An Act relating to the income tax rates and amending Section 5503, as amended, of the Revised Laws of Hawaii 1945":

Upon motion by Senator Hill, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Third Reading of Senate Bill No. 404, as amended, entitled: "An Act relating to taxation, increasing the tax on tobacco and liquor, and amending Sections 5733, as amended, and 5604, as amended, of the Revised Laws of Hawaii 1945":

Upon motion by Senator Hill, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: Senator Duarte. Total, 1.

Excused and not voting: Senator Ansai. Total, 1.

Third Reading of Senate Bill No. 419, entitled: "An Act relating to Territorial Holidays and amending Section 21, as amended, of the Revised Laws of Hawaii 1945":

Upon motion by Senator Dillingham, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Capellas, Crockett, Dillingham, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: Senators Aguiar and Duarte. Total, 2.

Excused and not voting: Senator Ansai. Total, 1.

Third Reading of Senate Bill No. 444, as amended, entitled: "An Act to amend Section 6550 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of officers and members of the Honolulu Police Department", deferred from April 12th:

Senator Dillingham offered the following amendments to the bill:

"Amend the bill in the following particulars:

1. Amend the title to read as follows:

'AN ACT
RELATING TO THE HONOLULU POLICE DEPARTMENT, AMENDING SECTION 6550 AND REPEALING SECTION 6551 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED.'

2. Amend Section 1 to read as follows:

'SECTION 1. Section 6550 of the Revised Laws of Hawaii 1945, as amended is hereby further amended by amending subsection (a) thereof to read as follows:

"Chief of Police ..... $10,780
Deputy Chief of Police:
$8280 for the 1st year of service
8780 for the 2nd year of service
9280 for the 3rd and subsequent years of service

Assistant Chief of Police:
$6780 for the 1st year of service
7080 for the 2nd year of service
7380 for the 3rd y ar of service
7680 for the 4th year of service
7980 for the 5th and subsequent years of service

Captains of Police:
$5780 each for the 1st year of service
6030 each for the 2nd year of service
6280 each for the 3rd year of service
6530 each for the 4th year of service
6780 each for the 5th and subsequent years of service

Desk Lieutenants and Detective Lieutenants:
$4885 each for the 1st year of service
5105 each for the 2nd year of service
5325 each for the 3rd year of service
5550 each for the 4th year of service
5780 each for the 5th and subsequent years of service

Field Lieutenants:
$4485 each for the 1st year of service
4685 each for the 2nd year of service
4885 each for the 3rd year of service
5105 each for the 4th year of service
5325 each for the 5th and subsequent years of service

Sergeants of Police, Detectives, Police Reporters:
$3715 each for the 1st year of service
3895 each for the 2nd year of service
4085 each for the 3rd year of service
4285 each for the 4th year of service
4485 each for the 5th and subsequent years of service

Patrolmen Clerks:
$3390 each for the 1st year of service
3545 each for the 2nd year of service
3715 each for the 3rd year of service
3895 for the 4th year of service
4085 each for the 5th and subsequent years of service

Patrolmen, Police Women:
$3249 each for the 1st year of service
3402 each for the 2nd year of service
3566 each for the 3rd year of service
3722 each for the 4th year of service
3900 each for the 5th and subsequent years of service

Trainees:
$2850 each

Any police officer, regardless of rank, who is assigned to the motorcycle division and who is required to personally operate a motorcycle, shall receive an additional sum of fifteen dollars ($15.00) per month over and above his regular salary."".

3. Amend Section 2 to read as follows:

'SECTION 2. Section 6551 of the Revised Laws of Hawaii 1945, as amended, is hereby repealed.'

4. Amend Section 3 to read as follows:

'SECTION 3. Any bonus enacted by the Public Salary and Bonus Law of 1947 (House Bill No. 132) and any bonus provided for public employees by the Session Laws of 1951 or any base pay increases included in the salaries of public employees shall be payable to such employees.'

5. Add a new Section 4 to read as follows:

'SECTION 4. This Act shall take effect July 1, 1951.'"

Senator Dillingham moved for the adoption of the amendments. Seconded by Senator Hill.

Senator Heen moved that action on the amendments and the bill be deferred until tomorrow. Seconded by Senator Aguiar.

Senator Hill moved that the motion to defer action on the amendments and the bill be tabled. Seconded by Senator Dillingham.

A Roll Call being demanded, the motion to table the motion to defer action on the amendments and the bill until tomorrow, was put, and lost, on the following showing of Ayes and Noes:

Ayes: Senators Capellas, Crockett, Dillingham, Fernandes, Hill and Robinson. Total, 6.

Noes: Senators Aguiar, Duarte, Harrison, Heen, Lee, Nobriga, Okino and Mr. President. Total, 8.

Excused and not voting: Senator Ansai. Total, 1.

Senator Heen thereupon renewed his motion to defer action on the amendments and the bill until tomorrow. Seconded by Senator Lee, and carried.

Third Reading of Senate Bill No. 457, entitled: "An Act to repeal Section 3 of Act 362 (Ser. F-343) of the Session Laws

of Hawaii 1949, relating to the Hawaii Housing Authority":

Upon motion by Senator Hill, seconded by Senator Capellas, and carried, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Third Reading of Senate Bill No. 465, as amended, entitled: "An Act providing for Honolulu Harbor and Waterfront improvements and for the financing thereof by the issuance of revenue bonds":

Senator Dillingham asked to be excused from voting on this bill; and he was so excused.

Upon motion by Senator Aguiar, seconded by Senator Hill, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Ansai and Dillingham. Total, 2.

At 2:45 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

At 2:55 o'clock p.m., the Senate reconvened.

Third Reading of Senate Bill No. 493, entitled: "An Act adding Chapter 137A to the Revised Laws of Hawaii 1945, relating to pari-mutuel horse racing by county referendum, to the creation of county racing commissions for the regulation and licensing of pari-mutuel horse racing, to the encouragement of horse breeding, and to the creation of special funds; and making an appropriation":

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, action on the bill was deferred until tomorrow.

Third Reading of Senate Joint Resolution No. 47, as amended, entitled: "Joint Resolution relating to the Hawaii Wing of the Civil Air Patrol and making an appropriation from the Airport Revenue Fund in the Territorial Treasury and providing for its expenditure":

Upon motion by Senator Dillingham, seconded by Senator Capellas, the joint resolution passed Third Reading, as amended, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Third Reading of House Bill No. 661, as amended, entitled: "An Act relating to the Board of Health and amending Section 2001 of the Revised Laws of Hawaii 1945, as amended":

Senator Crockett offered the following amendments to the bill, as amended:

"Amend H. B. No. 661 (H.D.1, S.D.1) as follows:

1. By changing the 'comma' in line 4 of Section 2001 after the words in the parenthesis '(including the president)' to a 'period' and deleting therefrom, beginning in line 5 of such section, the words 'of whom eight shall be appointive members and one shall be the

attorney general of the Territory, ex officio';

2. By inserting in said Section 2001 after the 'period' and before the words 'The president' in line 11 thereof, the following:

'At least one of the appointive members shall be a person licensed to practice as an attorney-at-law before the courts of the Territory of Hawaii. At least three of the appointive members shall be residents of a county other than the City and County of Honolulu, that is, one from each of the counties of Hawaii, Kauai and Maui.'"

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the amendments were adopted.

Senator Harrison moved that the bill, as amended, be referred to the Committee on Ways and Means. Seconded by Senator Lee, and carried.

At this time, Senator Robinson moved that the Senate reconsider its action taken earlier on the calendar in deferring the Third Reading of Senate Bill No. 170 until tomorrow. Seconded by Senator Heen, and carried.

Consideration, on Third Reading of Senate Bill No. 170, as amended, entitled: "An Act to amend Chapter 85 of the Revised Laws of Hawaii 1945, by adding a new Section relating to day care centers, children's boarding homes and children's foster homes; rescinding certain rules and regulations of the Board of Health, and amending Section 2015 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Robinson, seconded by Senator Okino, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Absent at Roll Call: Senator Harrison. Total, 1.

DEPARTMENTAL COMMUNICATIONS:

A communication from the Vice-Chairman of the Legislative Committee of the Board of Supervisors of the City and County of Honolulu (Dept. Com. No. 63), transmitting complete sets of four bills and three joint resolutions for the favorable consideration of the Senate, was read, received and placed on file; and the accompanying bills and joint resolutions were referred to the Select Committee of Oahu Senators.

A communication from the Vice-Chairman of the Legislative Committee of the Board of Supervisors of the City and County of Honolulu (Dept. Com. No. 64), transmitting complete sets of three bills for favorable consideration of the Senate, was read, received and placed on file; and the accompanying bills were referred to the Select Committee of Oahu Senators.

COMMUNICATIONS FROM THE HOUSE:

The following communications were received from the House of Representatives, read and placed on file:

H. Com. No. 176, transmitting House Bill No. 542;

H. Com. No. 177, transmitting House Bill No. 766;

H. Com. No. 178, transmitting House Joint Resolution No. 39;

H. Com. No. 179, transmitting House Joint Resolution No. 47.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS:

H. B. No. 542, entitled: "An Act defining the crime of larceny from the person and providing the penalty therefor";

H. B. No. 766, entitled: "An Act amending Section 12179 of the Revised Laws of Hawaii 1945, relating to revocation of wills";

H. J. Res. No. 39, entitled: "Joint Resolution memorializing the Congress of the United States to enact legislation to reimburse certain former hourly-paid employees of the U. S. Engineers in Hawaii for accumulated annual leave illegally denied to them during World War II";

H. J. Res. No. 47, entitled: "Joint Resolution requesting the Congress of the United States of America to enact legislation amending the Hawaiian Organic Act and relating to quorums of and voting in the houses of the Legislature of the Territory of Hawaii in the event of war and the death or disablement of members of the Houses".

Upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, the bills and joint resolutions passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 180), transmitting House Concurrent Resolution No. 41, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 41, "requesting the Congress of the United States of America to enact legislation providing for a new post office building in the county of Kauai":

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the Concurrent Resolution was referred to the Select Committee of Kauai Senators.

A communication from the House (H. Com. No. 181), returning, pursuant to the request of the Senate, House Concurrent Resolution No. 58 for the purpose of making certain corrections therein, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 58, "expressing the gratitude of the people of Hawaii to the Legislature of the State of Nevada for its resolution favorable Statehood for Hawaii", upon reconsideration:

Senator Heen offered the following amendments to the Concurrent Resolution:

"Amend House Concurrent Resolution No. 59 as follows:

1. Delete the figures '26' wherever the same appears in said Concurrent Resolution and insert in lieu thereof the figures '27'.

2. Delete the words 'and Alaska' appearing in the first paragraph of said Concurrent Resolution."

Senator Heen moved for the adoption of the amendments. Seconded by Senator Duarte, and carried.

Upon motion by Senator Heen, seconded by Senator Fernandes, and carried, the Concurrent Resolution, as amended, was adopted finally.

A communication from the House (H. Com. No. 182), returning House Concurrent Resolution No. 60, pursuant to the request of the Senate, for further consideration, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 60, "expressing the gratitude of the people of Hawaii to the Legislature of the State of Washington for its resolution favoring Statehood for Hawaii", upon reconsideration:

Senator Heen offered the following amendments to the Concurrent Resolution:

"Amend House Concurrent Resolution No. 60 as follows:

1. Delete the word 'RESOLUTION' appearing in the title and insert in lieu thereof the words 'HOUSE JOINT MEMORIAL'.

2. Delete the words 'Joint Resolution' appearing in the first and third paragraphs and insert in lieu thereof the words 'House Joint Memorial'.

3. Delete the words 'a resolution' appearing in the third paragraph and insert in lieu thereof the word 'Memorial'."

Upon motion by Senator Heen, seconded by Senator Fernandes, and carried, the amendments were adopted.

Upon motion by Senator Heen, seconded by Senator Fernandes, and carried, the Concurrent Resolution, as amended, was finally adopted.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolutions were introduced:

S. B. No. 538, by Senator Lee, entitled: "An Act amending Act 61 of the Special Session Laws of Hawaii 1941, relating to an appropriation for the filling of certain Territorial lands situate at Kapalama-kai under the control of the Commissioner of Public Lands";

S. B. No. 539, by Senator Tsukiyama, entitled: "An Act making an appropriation for the promotion of a program for young farmers";

S. B. No. 540, by Senator Crockett, entitled: "An Act relating to eminent domain";

S. B. No. 541, by Senator Dillingham, by request, entitled: "An Act to amend Chapter 127 of the Revised Laws of Hawaii 1945, as amended, relating to the City and County of Honolulu, by amending Section 6521 as amended, relating to the powers and duties of the Board of Supervisors of the City and County of Honolulu, by adding thereto a new sub-section to be designated sub-section 43B with respect to reclamation of swamp lands, and by amending sub-section 33 with respect to sale of real property including reclaimed swamp lands";

S. B. No. 542, by Senator Dillingham, by request, entitled: "An Act to amend Section 6101 of Chapter 119 of the Revised Laws of Hawaii 1945, relating to the power of eminent domain of the county government, with respect to the purposes for the taxing of private property";

S. B. No. 543, by Senator Dillingham, by request, entitled: "An Act amending Section 359 of the Revised Laws of Hawaii 1945, relating to hours of labor and computation of wages on public work of the Territory or any political subdivision thereof";

S. B. No. 544, by Senator Dillingham, by request, entitled: "An Act amending Section 6774 of Revised Laws of Hawaii 1945, as amended, relating to income from operation of parks, playgrounds and recreational facilities";

S. B. No. 545, by Senator Dillingham, by request, entitled: "An Act appropriating the sum of one million four hundred thousand dollars ($1,400,000.00) for the construction of a road around Kaena Point, from Makua to Kawaihapai";

S. B. No. 546, by Senator Dillingham, by request, entitled: "An Act directing the Territory and its political subdivisions to provide group health and accident insurance for the benefit of their employees; and directing the Board of Trustees of the Retirement System of the Territory to represent the employees in all matters and dealings with the insurance carrier";

S. B. No. 547, by Senator Dillingham, by request, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to issue bonds in the sum of three million five hundred thousand dollars ($3,500,000.00) for acquisition of all private property on the makai side of Kalakaua Avenue from and including the T. Cleghorn property to and including the Elks Club, and other areas on the Island of Oahu; and providing for the payments of interest and principal of said bonds";

S. B. No. 548, by Senator Heen, entitled: "An Act extending the application of the civil service and classification laws of the Territory of Hawaii to members of the fire and police departments of the City and County of Honolulu, excepting the heads thereof; repealing Section 6550 and amending Sections 117, 6521 (13), 6549, 6552, 6802, 6805, 6807, 6811 and 6813 of the Revised Laws of Hawaii 1945, as amended";

S. B. No. 549, by Senator Dillingham, by request, entitled: "An Act to amend Chapter 161, Revised Laws of Hawaii 1945, by amending Section 8541.01 to add an additional classification eligible for group life insurance";

S. J. Res. No. 54, by Senators Aguiar and Fernandes, entitled: "Joint Resolution requesting the Congress of the United States to enact legislation permitting any municipality in the Territory to borrow money pursuant to Chapter 118 of the Revised Laws of Hawaii 1945 as the same has been or in the future may be amended by the Legislature of the Territory of Hawaii and within such periods of time as the Legislature may determine";

S. J. Res. No. 55, by Senator Dillingham, entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm the issuance of general obligation bonds in the amount of six million dollars by the City and County of Honolulu for the construction of Kalihi Tunnel and approach roads, notwithstanding the limitations of Section 55 of the Organic Act of the Territory of Hawaii or of any other law";

S. J. Res. No. 56, by Senator Dillingham, entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm Act ___ of the Session Laws of Hawaii 1951, authorizing the Board of Supervisors of the City and County of Honolulu to issue

bonds in the sum of three million five hundred thousand dollars ($3,500,000.00) for acquisition of all private property on the makai side of Kalakua Avenue, from and including the T. Cleghorn property to and including the Elks Club, and other areas on the island of Oahu; and providing for payments of interest and principal of said bonds";

S. J. Res. No. 57, by Senator Dillingham, entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm the issuance of general obligation bonds in the amount of one million six hundred thousand dollars by the City and County of Honolulu for the completion of improvements to and development of certain existing parks and playgrounds and for the acquisition of new public parks and playgrounds in the City and County of Honolulu, Territory of Hawaii, notwithstanding the limitations of Section 55 of the Organic Act of the Territory or of any other law";

S. J. Res. No. 58, by Senator Dillingham, entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm Act ___ of the Session Laws of Hawaii 1951, authorizing the Board of Supervisors of the City and County of Honolulu to issue general obligation bonds in the sum of six million dollars ($6,000,000.00) for the construction of the Kalihi Tunnel and its approach roads";

S. J. Res. No. 59, by Senator Duarte, entitled: "Joint Resolution requesting Congress of the United States of America to cause a survey to be made of fish ponds on the Island of Molokai to the end that the Federal government cause such fish ponds to be reconstructed, replenished and utilized by the inhabitants of the Hawaiian Islands".

Upon motion by Senator Robinson, seconded by Senator Duarte, and carried, the bills and joint resolutions passed First Reading by title and were referred to the Printing Committee.

CONCURRENT RESOLUTION OFFERED:

Senator Dillingham offered a Concurrent Resolution (S. Con. Res. No. 36), conveying the thanks of the Legislature to the Committee on Un-American Activities of the House of Representatives of the Congress of the United States for their investigations held in Honolulu on subversive activities and for their report thereon, which was read as follows:

(S. Con. Res. No. 36)

Upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the Concurrent Resolution was adopted.

COMMITTEE REPORTS:

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 115), recommending that Senate Bill No. 391 be amended, and that as so amended, the bill be referred to the Committee on Ways and Means, which was read as follows:

(Stand. Com. Rep. No. 115)

Upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, the report of the Committee was adopted; and Senate Bill No. 391, as amended, was thereupon referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 67), recommending the filing of Senate Bill No. 412, which was read as follows:

(Spec. Com. Rep. No. 67)

Upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the report of the Committee was adopted, and Senate Bill No. 412 was thereupon placed on file.

At this time, Senator Capellas moved that the Clerk of the Senate be instructed to send flowers to former Senator Neal S. Blaisdell, who was slowly recuperating after an extended illness which had confined him to his bed for several months, with the sincere aloha of all the Senators expressing their happiness over his steady improvement, and their wish for a complete restoration to health and to his former position as an athlete of note in the Territory. The motion was seconded by Senator Fernandes, and carried; and the President stated that the intent of the motion would be carried out.

At 3:35 o'clock p.m., upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the Senate adjourned until 11:00 o'clock a.m., on Wednesday, April 18, 1951.

Eleanor D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FORTY-SIXTH Day

WEDNESDAY, APRIL 18, 1951

ELLEN D. SMYTHE
*Clerk*

# CORRECTION

THE PRECEDING DOCUMENT(S) HAS
BEEN REPHOTOGRAPHED TO ASSURE
LEGIBILITY
SEE FRAME(S)
IMMEDIATELY FOLLOWING

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FORTY-SIXTH Day

WEDNESDAY, APRIL 18, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FORTY-SIXTH DAY

Wednesday, April 18, 1951.

The Senate convened at 11:15 o'clock a.m., with the President presiding.

After Prayer by the Chaplain, the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Fifth Day.

Under suspension of the Rules, the President at this time presented to the Senate Mr. Richard W. Kemler, President of the United States Junior Chamber of Commerce, giving some interesting biographical information about him.

Mr. Kemler responded by expressing his appreciation of this opportunity to be presented to the Senate, and to be in Hawaii for a visit with the Junior Chamber of Commerce of Honolulu, and stated that he would treasure these memories as long as he lived.

The President then presented Mr. Harry Gordon Wiles, of St. John, Kansas, vice president of the United States Junior Chamber of Commerce, who is in charge of the organization's national policies and is assigned to the States of Kansas, Nebraska, Oklahoma, South Dakota and Texas.

Mr. Wiles expressed his appreciation of the opportunity to come to Hawaii with the National President, and stated that they were having a wonderful time in Hawaii.

DEPARTMENTAL COMMUNICATIONS:

A communication from the City and County Clerk, City and County of Honolulu (Dept. Com. No. 65), forwarding copy of Resolution No. 109, adopted by the Board of Supervisors of said City and County, protesting against mandates to the various counties by the Legislature, was read as follows:

(Dept. Com. No. 65)

The communication and Resolution were received and referred to the Select Committee of Oahu Senators.

A communication from the Clerk of the City and County of Honolulu (Dept. Com. No. 66), transmitting copy of Resolution No. 189 adopted by the Board of Supervisors of the said City and County, relating to the construction of a highway around Kaena Point, Oahu, was read as follows:

(Dept. Com. No. 66)

The communication and Resolution were received and referred to the Select Committee of Oahu Senators.

A communication from the Territorial Commission on Children and Youth (Dept. Com. No. 67), transmitting 15 copies of "A Study of the Youth Correction Authority Program", was read as follows:

(Dept. Com. No. 67)

The communication was received and placed on file, and the reports distributed to the Members.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 183), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Concurrent Resolution No. 58 (recalled for further consideration); and that said Concurrent Resolution, as thus amended, had been finally adopted by the House, was read as follows:

(H. Com. No. 183)

The communication was received and placed on file.

A communication from the House (H. Com. No. 184), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Concurrent Resolution (recalled for further consideration) and that said Concurrent Resolution, as thus amended, had been finally adopted by the House, was read as follows:

(H. Com. No. 184)

The communication was received and placed on file.

MISCELLANEOUS COMMUNICATIONS:

A communication from Dr. Y. C. Yang, of Honolulu (Misc. Com. No. 40), the newly appointed Ambassador to the United States from the Republic of Korea, expressing his appreciation for the honor bestowed upon him by the Senate in the adoption of Senate Resolution No. 61, was read as follows:

(Misc. Com. No. 40)

The communication was received and placed on file.

A communication from Mr. Charles K. Amalu (Misc. Com. No. 41), expressing appreciation for the sentiments contained in Senate Resolution No. 49 adopted at the time of Mrs. Muriel Campbell Amalu's death, was read by the Clerk as follows:

(Misc. Com. No. 41)

The communication was received and placed on file.

A communication from the Chairman of the Legislative Committee and the Secretary of the Maui Council, Diocesan Union of Holy Name Societies, Diocese of Honolulu, Wailuku, Maui (Misc. Com. No. 42), protesting the passage of House Bill No. 174, relating to divorce, was read as follows:

(Misc. Com. No. 42)

The communication was received and referred to the Committee on Judiciary.

A communication from the Chairman of the Printing Committee and Oahu Select Committee (Misc. Com. No. 43) advising the Senate of certain changes and new appointments made in the personnel of these two committees, was read as follows:

(Misc. Com. No. 43)

The communication was received; and upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the changes therein set forth were approved; and a copy of the communication to be furnished the Committee on Accounts.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolutions were introduced:

S. B. No. 550, by Senator Dillingham, by request, entitled: "An Act relating to the sale and use of firecrackers, rockets and other fireworks";

S. B. No. 551, by Senator Dillingham, by request, entitled: "An Act to amend Chapter 72A of the Revised Laws of Hawaii 1945, the Hawaii Employment Relations Act";

S. B. No. 552, by Senator Dillingham, by request, entitled: "An Act to amend Subsection (3) of Section 4150.03 of the Revised Laws of Hawaii 1945, relating to the definition of 'Employee' under the Hawaii Employment Relations Act";

S. B. No. 553, by Senator Capellas, entitled: "An Act making an appropriation for the Hawaii National Guard";

S. B. No. 554, by Senators Duarte and Ansai, entitled: "An Act for the relief of Toshio and Yoshio Wataru";

S. B. No. 555, by Senator Harrison, entitled: "An Act relating to insurance and amending Section 8504, as amended, of the Revised Laws of Hawaii 1945";

S. B. No. 556, by Senator Heen, entitled: "An Act amending Section 12402 of the Revised Laws of Hawaii 1945, relating to jurisdiction in equity";

S. B. No. 557, by Senator Dillingham, entitled: "An Act to amend Section 7222 of the Revised Laws of Hawaii 1945, relating to the manufacture, importation and sale of intoxicating liquor";

S. B. No. 558, by Senator Ansai, entitled: "An Act providing for appeals from decisions of a county Treasurer in cases involving registration of motor vehicles";

S. B. No. 559, by Senator Ansai, entitled: "An Act to amend Sec. 5508 of the Revised Laws of Hawaii 1945, relating to income taxes";

S. B. No. 560, by Senator Robinson, entitled: "An Act relating to carnivals, circuses, amusement parks and itinerant shows; amending Section 7110 of the Revised Laws of Hawaii 1945";

S. B. No. 561, by Senator Nobriga, entitled: "An Act requiring all newspapers with Territory-wide circulation to publish, without attached editorial comment, replies by persons adversely affected by editorials or other comments of newspapers, and suspending libel actions against said newspapers for a maximum of fifty days";

S. B. No. 562, by Senators Nobriga and Okino, entitled: "An Act making an appropriation for the Ahualoa-Honokaa area water system improvement, County of Hawaii";

S. B. No. 563, by Senators Nobriga and Okino, entitled: "An Act relating to taxation and providing certain exemptions";

S. B. No. 564, by Senator Nobriga, entitled: "An Act to amend Section 7639 of the Revised Laws of Hawaii 1945, relating to newspaper editorials";

S. J. Res. No. 60, by Senator Capellas, entitled: "Joint Resolution refunding certain fees";

S. J. Res. No. 61, by Senator Ansai, entitled: "Joint Resolution making an appropriation for the Maui Vocational School";

S. J. Res. No. 62, by Senators Dillingham, Ansai, Okino, Fernandes, Heen, Lee, Robinson, Aguiar, Crockett, Duarte, Capellas, Hill, Nobriga, Tsukiyama and Harrison, entitled: "Joint Resolution relating to the Pacific War Memorial Commission, requesting the Governor to set aside certain lands for its use, and making an appropriation".

Upon motion by Senator Dillingham, seconded by Senator Nobriga, and carried, the bills and joint resolutions passed First Reading by title and were referred to the Printing Committee.

CONCURRENT RESOLUTIONS:

Senator Capellas offered a Concurrent Resolution (S. Con. Res. No. 37), requesting Congress to support House Concurrent Resolution No. 64 now pending in the Congress, relating to the foreign policy of the United States, which was read as follows:

(S. Con. Res. No. 37)

Upon motion by Senator Dillingham, seconded by Senator Okino, and carried, the Concurrent Resolution was referred to the Committee on Military.

Senators Okino, Capellas and Hill offered a Concurrent Resolution (S. Con. Res. No. 38), requesting the Commissioner of Public Lands to direct the Territorial Survey Department to establish center-line road monuments acceptable to the Land Court; and that immediate attention be given to complying with this request with respect to certain enumerated places, which was read as follows:

(S. Con. Res. No. 38)

Upon motion by Senator Okino, seconded by Senator Capellas, and carried, the Concurrent Resolution was adopted.

RESOLUTION OFFERED:

Senator Capellas, by request, offered a Resolution (S. Res. No. 66), requesting the Department of Public Instruction to provide nutrition education in every grade of the schools of the Territory; and urging the University of Hawaii to publicize analysis of Hawaiian food products; encouraging the production of papayas and mangoes; urging the pineapple industry to make its fruit juice available at public places, etc., which was read as follows:

(S. Res. No. 66)

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the Resolution was referred to the Committee on Public Health.

CONFERENCE COMMITTEE REPORT:

Senator Dillingham, for the Committee on Conference on the disagree vote of the Senate to the amendment proposed by the House to Senate Bill No. 35, presented a report (Conf. Com. Rep. No. 3), recommending the Final passage of the bill as passed by the House, which was read as follows:

(Conf. Com. Rep. No. 3)

Upon motion by Senator Dillingham, seconded by Senator Hill, the report of the Committee was adopted; and Senate Bill No. 35, entitled: "An Act amending Chapter 118, Revised Laws of Hawaii 1945, as amended, relating to Revenue Bonds", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 116), reporting that all matters referred to it had been mimeographed and were ready for distribution, was read, received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS:

S. B. No. 525: The bill was referred to the Committee on Judiciary.

S. B. No. 526: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 527: The bill was referred to the Committee on Ways and Means.

S. B. No. 528: The bill was referred to the Committee on Ways and Means.

S. B. No. 529: The bill was referred to the Committee on Ways and Means.

S. B. No. 530: The bill was referred to the Committee on Ways and Means.

S. B. No. 531: The bill was referred to the Committee on Judiciary.

S. B. No. 532: The bill was referred to the Committee on Judiciary,

S. B. No. 533: The bill was referred to the Select Committee of Hawaii Senators.

S. B. No. 534: The bill was referred to the Committee on Education.

S. B. No. 535: Senator Aguiar moved that the Rules be suspended and that the bill be read throughout on Second Reading. Seconded by Senator Hill, and carried.

The bill was thereupon read throughout on Second Reading; and upon motion by Senator Aguiar, seconded by Senator Hill, and carried, the bill passed Second Reading and was placed

on the calendar for Third Reading tomorrow.

S. B. No. 536: Senator Lee moved that the Rules be suspended and that the bill be read throughout on Second Reading. Seconded by Senator Aguiar, and carried.

The bill was thereupon read throughout on Second Reading; and, upon motion by Senator Lee, seconded by Senator Crockett, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

S. B. No. 537: The bill was referred to the Committee on Judiciary.

S. B. No. 538: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 539: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

S. B. No. 540: The bill was referred to the Committee on Judiciary.

S. B. No. 541: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 542: Senator Crockett moved that the Rules be suspended and that the bill be read throughout on Second Reading. Seconded by Senator Dillingham, and carried.

The bill was thereupon read throughout on Seconded Reading; and upon motion by Senator Crockett, seconded by Senator Lee, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

S. B. No. 543: The bill was referred to the Committee on Judiciary.

S. B. No. 544: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 545: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 546: The bill was referred to the Committee

on Ways and Means.

S. B. No. 547: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 548: The bill was referred to the Select Committee of Oahu Senators.

S. B. No. 549: The bill was referred to the Committee on Judiciary.

S. J. Res. No. 53: Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, action on the joint resolution was deferred until later on the calendar.

S. J. Res. No. 54: Senator Aguiar moved that the Rules be suspended and that the joint resolution be read throughout on Second Reading. Seconded by Senator Dillingham, and carried.

The joint resolution was thereupon read throughout on Second Reading; and upon motion by Senator Aguiar, seconded by Senator Dillingham, and carried, the joint resolution passed Second Reading and was placed on the calendar for Third Reading tomorrow.

S. J. Res. No. 55: The joint resolution was referred to the Committee on Ways and Means.

S. J. Res. No. 56: The joint resolution was referred to the Committee on Ways and Means.

S. J. Res. No. 57: The joint resolution was referred to the Committee on Ways and Means.

S. J. Res. No. 58: Senator Dillingham moved that the joint resolution be placed on file, inasmuch as the subject matter thereof is the same as Senate Joint Resolution No. 55. Seconded by Senator Hill, and carried; and Senate Joint Resolution was thereupon placed on file.

S. J. Res. No. 59: The joint resolution was referred to the Select Committee of Maui Senators.

At this time, Senator Harrison moved that the Senate reconsider its action taken in referring Senate Bill No. 480 to the Committee on Public Health. Seconded by Senator Lee, and carried.

Consideration, on Second Reading, of Senate Bill No. 480:

Senator Harrison moved that the bill be referred to the Committee on Ways and Means. Seconded by Senator Lee, and carried. Senate Bill No. 480 was hereupon returned to the Clerk's desk and so referred.

Senator Crockett moved that the Senate reconsider its action taken yesterday in referring House Bill No. 661, as amended, on Third Reading, to the Committee on Ways and Means. Seconded by Senator Harrison, and carried.

Senator Crockett then moved that House Bill No. 661, as amended, be placed on the calendar for Third Reading today. Seconded by Senator Hill, and carried.

REPORTS OF COMMITTEES:

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 117), recommending the passage of Senate Bill No. 514, which was read as follows:

(Stand. Com. Rep. No. 117)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 514 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 118), recommending the passage of House Bill No. 405, which was read as follows:

(Stand. Com. Rep. No. 118)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House

Bill No. 405 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 119), recommending that House Bill No. 214 be referred to the Committee on Ways and Means with a request for favorable action, which was read as follows:

(Stand. Com. Rep. No. 119)

Upon motion by Senator Lee, seconded by Senator Ansai, and carried, the report of the Committee was adopted; and House Bill No. 214 was thereupon referred to the Committee on Ways and Means.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 120), recommending that House Bill No. 216 be referred to the Committee on Ways and Means with a request for favorable action, which was read as follows:

(Stand. Com. Rep. No. 120)

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the report of the Committee was adopted; and House Bill No. 216 was thereupon referred to the Committee on Ways and Means.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 121), recommending the filing of Senate Bill No. 62, which was read as follows:

(Stand. Com. Rep. No. 121)

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bill No. 62 was thereupon placed on file.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 122), recommending the adoption of Senate Concurrent Resolution No. 21, which was read as follows:

(Stand. Com. Rep. No. 122)

Upon motion by Senator Robinson, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and Senate Concurrent Resolution No. 21 was thereupon adopted.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 68), recommending the amendment of Senate Bill No. 228 in the form attached; and recommending that the said bill in the amended form be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 68)

Upon motion by Senator Dillingham, seconded by Senator Robinson, and carried, the report of the Committee was adopted; and Senate Bill No. 228, in the amended form, was thereupon referred to the Committee on Ways and Means.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 69), recommending the passage of Senate Bill No. 515, with certain amendments, which was read as follows:

(Spec. Com. Rep. No. 69)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 515 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 70), recommending the passage of Senate Bill No. 335, recommitted to the Committee on Third Reading, which was read as follows:

(Spec. Com. Rep. No. 70)

Upon motion by Senator Ansai, seconded by Senator Duarte, the report of the Committee was adopted; and Senate Bill No. 335, entitled: "An Act amending Act 400 (Series E-324) of the Session Laws of Hawaii 1949, authorizing the Board of Super-

visors of the County of Maui to issue bonds for school purposes", passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 71), recommending that House Bill No. 62 be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 71)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted; and House Bill No. 62 was thereupon referred to the Committee on Ways and Means.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 72), recommending that House Bill No. 589 be amended in the form attached to the report, and that as so amended, it pass Second Reading, which was read as follows:

(Spec. Com. Rep. No. 72)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 589, in the amended form, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 73), recommending that House Bill No. 159 be referred to the Committee of the Whole having under consideration other bills on the same subject matter, which was read as follows:

(Spec. Com. Rep. No. 73)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted; and House Bill No. 159 was thereupon referred to the Committee of the Whole on Pensions, of which Senator Aguiar is Chairman.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 74), recommending that Senate Bill No. 7 be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 74)

Upon motion by Senator Capellas, seconded by Senator Nobriga, and carried, the report of the Committee was adopted; and Senate Bill No. 7 was thereupon referred to the Committee on Ways and Means.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 75), recommending that Senate Bill No. 367 be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 75)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted; and Senate Bill No. 367 was thereupon referred to the Committee on Ways and Means.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 76), recommending the passage of Senate Bill No. 439, with an amendment, which was read as follows:

(Spec. Com. Rep. No. 76)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. Senate Bill No. 439, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 77), recommending that Senate Bill No. 103 be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 77)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted; and Senate Bill No. 103 was thereupon referred to the Committee on Ways and Means.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 78), recommending that Senate Bill No. 322 be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 78)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted; and Senate Bill No. 322 was thereupon referred to the Committee on Ways and Means.

At 12:25 o'clock p.m., upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:30 o'clock p.m., with the President in the Chair, and all Senators being present.

Senator Lee moved that the Senate reconsider its action taken this morning, in referring Senate Bill No. 538 to the Select Committee of Oahu Senators. Seconded by Senator Dillingham, and carried.

Consideration, on Second Reading, of Senate Bill No. 538:

Senator Lee moved that the Rules be suspended and that the bill be read throughout on Second Reading. Seconded by Senator Dillingham, and carried. The bill was thereupon read throughout on Second Reading.

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 185, transmitting House Bill No. 46;

H. Com. No. 186, transmitting House Bill No. 124;

H. Com. No. 187, transmitting House Bill No. 186;

H. Com. No. 188, transmitting House Bill No. 250;

H. Com. No. 189, transmitting House Bill No. 252;

H. Com. No. 190, transmitting House Bill No. 253;

H. Com. No. 191, transmitting House Bill No. 255;

H. Com. No. 192, transmitting House Bill No. 370;

H. Com. No. 193, transmitting House Bill No. 758;

H. Com. No. 194, transmitting House Bill No. 776;

H. Com. No. 195, transmitting House Bill No. 781;

H. Com. No. 196, transmitting House Bill No. 782;

H. Com. No. 197, transmitting House Bill No. 799;

H. Com. No. 198, transmitting House Bill No. 803;

H. Com. No. 199, transmitting House Bill No. 815;

H. Com. No. 200, transmitting House Bill No. 818;

H. Com. No. 201, transmitting House Bill No. 897;

H. Com. No. 202, transmitting House Bill No. 969.

FIRST READING OF HOUSE BILLS:

H. B. No. 46, entitled: "An Act to amend Chapter 94 of the Revised Laws of Hawaii 1945, as amended, by adding a new section providing for tax exemption for certain home water tanks";

H. B. No. 124, entitled: "An Act relating to the Hawaii Fire Department and amending Act 174 (Series B-114) of the Session Laws of Hawaii 1945";

H. B. No. 186, entitled: "An Act relating to cafeteria managers";

H. B. No. 250, entitled: "An Act for the relief of certain persons, firms and corporations on account of overpayment of taxes and other claims against the Territory, and providing appropriations therefor";

H. B. No. 252, entitled: "An Act to amend Section 5151 of the Revised Laws of Hawaii 1945, relating to real property tax exemptions";

H. B. No. 253, entitled: "An Act to amend Section 5151 of the Revised Laws of Hawaii 1945, relating to real property tax exemptions";

H. B. No. 255, entitled: "An Act to amend Section 5151 of the Revised Laws of Hawaii 1945, relating to real property tax exemptions";

H. B. No. 370, entitled: "An Act authorizing the exchange of officers and employees of the Department of Institutions with persons from similar institutions on the Mainland United States or elsewhere";

H. B. No. 758, entitled: "An Act relating to property tax exemptions for homes of disabled veterans, amending Section 5149.05 of the Revised Laws of Hawaii 1945";

H. B. No. 776, entitled: "An Act to amend Section 5151 of the Revised Laws of Hawaii 1945, relating to specific property tax exemptions";

H. B. No. 781, entitled: "An Act relating to the office of Auditor of the several counties";

H. B. No. 782, entitled: "An Act amending Sections 12274 and 12275 of the Revised Laws of Hawaii 1945, relating to service of notice in adoption proceedings";

H. B. No. 799, entitled: "An Act amending Chapter 67 of the Revised Laws of Hawaii 1945 relating to industrial and reformatory schools";

H. B. No. 803, entitled: "An Act for the relief of agricultural cooperative associations";

H. B. No. 815, entitled: "An Act amending Chapter 102 of the Revised Laws of Hawaii 1945, as amended, relating to net income taxes, providing for certain deductions by victims of the March floods on the Island of Oahu, and for computation of taxes in case of joint returns";

H. B. No. 818, entitled: "An Act relating to remission and refunding or crediting of taxes on real property damaged or destroyed by the flood on the Island of Oahu in March 1951";

H. B. No. 897, entitled: "An Act for the relief of Kotohira Jinsha, a religious corporation";

H. B. No. 969, entitled: "An Act relating to real property tax exemptions".

Upon motion by Senator Hill, seconded by Senator Aguiar, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 203), informing the Senate that the House had adopted the report of the Committee on Conference on Senate Bill No. 35, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 203)

The communication was received and placed on file.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS:

The following bills and joint resolutions were introduced:

S. B. No. 565, by Senator Hill, entitled: "An Act to amend

Chapter 85 of the Revised Laws of Hawaii 1945, as amended, to provide for liens for old age assistance furnished and reimbursement therefor";

S. B. No. 566, by Senator Hill, entitled: "An Act to provide for uniform reciprocal enforcement of support";

S. B. No. 567, by Senator Harrison, entitled: "An Act relating to insurance and amending Section 8502, as amended, 8504, as amended, and 8506, as amended, of the Revised Laws of Hawaii 1945";

S. B. No. 568, by Senator Okino, by request, entitled: "An Act to amend Chapter 196 of the Revised Laws of Hawaii 1945 relating to evidence, by inserting a new section to be designated Section 9840.01 relating to physicians testifying as to insanity";

S. B. No. 569, by Senator Crockett, entitled: "An Act empowering the court to appoint expert witnesses in civil and criminal proceedings, providing for conferences and joint reports of expert witnesses, and the compensation of expert witnesses, and repealing all laws inconsistent therewith";

S. J. Res. No. 63, by Senators Fernandes and Aguiar, entitled: "Joint Resolution requesting the Commissioner of Public Lands at the expiration of the present leases to sell the fee of certain lands, and, in so far as possible under the Organic Act, to give preference in purchasing the lands to the present lessees";

S. J. Res. No. 64, by Senator Nobriga, entitled: "Joint Resolution requesting the Congress of the United States to amend Section 73 of the Hawaiian Organic Act in respect of the sale of Houselots";

S. J. Res. No. 65, by Senator Nobriga, entitled: "Joint Resolution requesting the Congress of the United States to amend Section 73 of the Hawaiian Organic Act in respect of leases of pastoral and waste lands".

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the bills and joint resolutions passed First Reading by title and were referred to the Printing Committee.

REPORTS OF COMMITTEES:

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 123), recommending the passage of Senate Bill No. 530, which was read as follows:

(Stand. Com. Rep. No. 123)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 530 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 124), recommending the passage of Senate Bill No. 528, which was read as follows:

(Stand. Com. Rep. No. 124)

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 528 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 125), recommending the passage of Senate Bill No. 527, which was read as follows:

(Stand. Com. Rep. No. 125)

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the report of the Committee was adopted. Senate

Bill No. 527 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 126), recommending the passage of Senate Bill No. 529, which was read as follows:

(Stand. Com. Rep. No. 126)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 529 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 127), recommending the passage of House Joint Resolution No. 16, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 127)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Joint Resolution No. 16, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 128), recommending the passage of Senate Joint Resolution No. 14, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 128)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 14, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 129), recommending the passage of

Senate Bill No. 104, with certain amendments, which was read by the Clerk as follows:

(Stand. Com. Rep. No. 129)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 104, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Military, presented a report (Stand. Com. Rep. No. 130), recommending the passage of House Bill No. 566 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 130)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 566, in the amended form, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 131), recommending the passage of Senate Joint Resolution No. 15, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 131)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 15, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Consideration of Special Committee Report No. 61, from the Select Committee of Hawaii Senators, recommending the passage of Senate Bill No. 213, action on which was deferred yesterday:

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report was recommitted to the Select Committee of Hawaii Senators.

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS:

H. B. No. 59: The bill was referred to the Committee on Judiciary.

H. B. No. 61: The bill was referred to the Committee on Ways and Means.

H. B. No. 68: The bill was referred to the Committee on Judiciary.

H. B. No. 293: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

H. B. No. 542: The bill was referred to the Committee on Judiciary.

H. B. No. 766: The bill was referred to the Committee on Judiciary.

H. J. Res. No. 39: The joint resolution was referred to the Committee on Judiciary.

H. J. Res. No. 47: The joint resolution was referred to the Committee on Judiciary.

THIRD READING OF BILLS:

Senator Heen moved that the Senate at this time take up the consideration of Senate Bill No. 444, as amended, on Third Reading. Seconded by Senator Lee, and carried.

Third Reading of Senate Bill No. 444, as amended, entitled: "An Act to amend Section 6550 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of officers and members of the Honolulu Police Department", deferred from April 17th, with pending amendment offered by Senator Dillingham:

Senator Heen offered the following further amendments to the bill:

(Insert amendments)

Senator Heen then presented a tabulation of "Police Salary Comparisons", to be mimeographed and distributed to the members for consideration and information at the time the bill is before

the Senate.

Senator Heen then moved that the amendments offered by him be mimeographed for distribution to the members, and that action thereon, and on Senate Bill No. 444 as amended, with pending amendments offered by Senator Dillingham yesterday, be deferred until tomorrow. Seconded by Senator Dillingham, and carried.

At this time, Senator Dillingham moved that the Third Reading of the following bills on the calendar for today be deferred until tomorrow:

Senate Bill No. 77, with pending amendment, deferred from yesterday;

Senate Bill No. 444, with pending amendment offered by Senator Dillingham, deferred from yesterday; and pending amendments offered by Senator Heen today;

Senate Bill No. 493, deferred from yesterday;

House Bill No. 271, with pending amendment, deferred from yesterday.

House Bill No. 661.

The motion was seconded by Senator Fernandes, and carried.

A Message from the Governor (Gov. Message No. 15), submitting certain appointments for confirmation, was read as follows:

(Gov. Message No. 15)

Upon motion by Senator Heen, seconded by Senator Capellas, and carried, the Message was ordered printed, and action thereon deferred to be taken up with other similar Messages on Friday, April 20th.

At 2:55 o'clock p.m., upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the Senate resolved itself into a Committee of the Whole, with Senator Okino as Chairman, for the further consideration of the subject matter of Senate Resolutions Nos. 41, 54 and 58, relating to public lands in the Territory.

At 5:10 o'clock p.m., the Committee rose and the Senate reconvened.

Senator Okino, for the Committee of the Whole having under consideration the subject matter of Senate Resolutions Nos. 41, 54 and 58, relating to the sale and leases of certain public lands in the Territory, orally reported progress and asked leave to sit again at a date and hour to be set by the Chairman.

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the oral report of the Committee was adopted.

INTRODUCTION OF BILLS:

The following bills were introduced:

S. B. No. 570, by Senators Fernandes and Aguiar, entitled: "An Act to amend Section 6113 of the Revised Laws of Hawaii 1945, as amended, relating to the powers of the Boards of Supervisors of the several political subdivisions of the Territory with respect to county highways";

S. B. No. 571, by Senator Nobriga, entitled: "An Act relating to taxation; creating a commission to appraise real property and prescribing its duties; and making an appropriation".

Upon motion by Senator Nobriga, seconded by Senator Aguiar, and carried, the bills passed First Reading by title and were referred to the Printing Committee.

Senators Dillingham, Lee, Fernandes, Heen, Aguiar, Ansai, Crockett, Capellas and Tsukiyama offered a Concurrent Resolution (S. Con. Res. No. 39), "requesting the United States of America, through the American Battle Monuments Commission, to erect a suitable memorial dedicated to the war dead in the Battle of the Pacific during World War II", which was read as follows:

(S. Con. Res. No. 39)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Concurrent Resolution was adopted.

Consideration, on Second Reading, of Senate Joint Resolution No. 53, deferred from earlier on the calendar:

Upon motion by Senator Duarte, seconded by Senator Fernandes, and carried, action on the Joint Resolution was further deferred until tomorrow.

At 5:15 o'clock p.m., upon motion by Senator Lee, seconded by Senator Duarte, and carried, the Senate adjourned until 10:00 o'clock a.m., on Thursday, April 19, 1951.

Ellen D Smythe
Clerk of the Senate.

Approved:

Wilfred C Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FORTY-SEVENTH Day

THURSDAY, APRIL 19, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FORTY-SEVENTH DAY

Thursday, April 19, 1951.

The Senate convened at 10:35 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Sixth Day.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 204, transmitting House Bill No. 454;

H. Com. No. 205, transmitting House Bill No. 692;

H. Com. No. 206, transmitting House Bill No. 767;

H. Com. No. 207, transmitting House Bill No. 900;

H. Com. No. 208, transmitting House Bill No. 910;

H. Com. No. 209, transmitting House Bill No. 941;

H. Com. No. 210, transmitting House Bill No. 966;

H. Com. No. 211, transmitting House Bill No. 993.

FIRST READING OF HOUSE BILLS:

H. B. No. 454, entitled: "An Act relating to the Kamehameha Day Celebration Commission and making an appropriation";

H. B. No. 692; entitled: "An Act ratifying and approving

an agreement between the County of Hawaii and the Hawaii Aeronautics Commission";

H. B. No. 767, entitled: "An Act authorizing the Board of Supervisors of the County of Maui to pay Mrs. Lillian D. Bal a pension";

H. B. No. 900, entitled: "An Act relating to the sale and use of 2,4-D and related weed control substances having plant hormone characteristics; adding thereto a legislative declaration; amending Sections 3 and 5 of Act 357, Session Laws of Hawaii 1949; adding thereto a new section requiring a permit to use such substances; and, adding thereto a new section providing a procedure of appeal";

H. B. No. 910, entitled: "An Act for the relief of Mrs. Helen Goo Titcomb";

H. B. No. 941, entitled: "An Act to amend Section 5151 of the Revised Laws of Hawaii 1945 relating to real property tax exemptions";

H. B. No. 966, entitled: "An Act authorizing the Board of Commissioners of Agriculture and Forestry to establish, manage and regulate game reserves and refuges and public shooting grounds, and providing penalties";

H. B. No. 993, entitled: "An Act for the relief of Moses Pauole".

Upon motion by Senator Robinson, seconded by Senator Duarte, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 212), transmitting House Concurrent Resolution No. 35, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 35, as follows:

Upon motion by Senator Aguiar, seconded by Senator Capellas, and carried, the Concurrent Resolution was referred to the Select Committee of Hawaii Senators.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 132), reporting that all matters referred to it were mimeographed and ready for distribution, which was read, received and placed on file.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS:

S. B. No. 550: The bill was referred to the Committee on Military.

S. B. No. 551: The bill was referred to the Committee on Judiciary.

S. B. No. 552: The bill was referred to the Committee on Judiciary.

S. B. No. 553: The bill was referred to the Committee on Ways and Means.

S. B. No. 554: The bill was referred to the Committee on Ways and Means.

S. B. No. 555: Upon motion by Senator Harrison, seconded by Senator Hill, and carried, the bill was placed on file.

S. B. No. 556: The bill was referred to the Committee on Judiciary.

S. B. No. 557: The bill was referred to the Committee on Ways and Means.

S. B. No. 558: The bill was referred to the Committee on Judiciary.

S. B. No. 559: The bill was referred to the Committee on Ways and Means.

S. B. No. 560: The bill was referred to the Committee on Ways and Means.

S. B. No. 561: The bill was referred to the Committee on

Military.

S. B. No. 562: The bill was referred to the Committee on Ways and Means.

S. B. No. 563: The bill was referred to the Committee on Ways and Means.

S. B. No. 564: The bill was referred to the Committee on Military.

S. B. No. 565: The bill was referred to the Committee on Ways and Means.

S. B. No. 566: The bill was referred to the Committee on Judiciary.

S. B. No. 567: The bill was referred to the Committee on Ways and Means.

S. B. No. 568: The bill was referred to the Committee on Judiciary.

S. B. No. 569: The bill was referred to the Committee on Judiciary.

S. B. No. 570: The bill was referred to the Committee of the Whole, with Senator Nobriga as Chairman.

S. B. No. 571: The bill was referred to the Committee on Ways and Means.

S. J. Res. No. 60: The joint resolution was referred to the Select Committee of Hawaii Senators.

S. J. Res. No. 61: The joint resolution was referred to the Committee on Education.

S. J. Res. No. 62: The joint resolution was referred to the Committee on Ways and Means.

S. J. Res. No. 63: The joint resolution was referred to the Committee on Public Lands.

S. J. Res. No. 64: The joint resolution was referred to the Committee on Public Lands.

S. J. Res, No. 65: The joint resolution was referred to the Committee on Public Lands.

REPORTS OF COMMITTEES:

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 133), recommending that Senate Resolution No. 59 be referred to the Committee on Ways and Means with the statement that the Committee is unanimously in favor of its adoption, which was read as follows:

(Stand. Com. Rep. No. 133)

Upon motion by Senator Robinson, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and Senate Resolution No. 59 was thereupon referred to the Committee of the Whole.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 79), recommending the passage of House Bill No. 18, which was read as follows:

(Spec. Com. Rep. No. 79)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 18 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 80), recommending the passage of Senate Bill No. 502, which was read as follows:

(Spec. Com. Rep. No. 80)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 502 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 81), recommending the passage of Senate Bill No. 213, which was recommitted to the said Committee, together with Special Committee Report No. 61, and further recommending the filing of Special Committee Report No. 61, which was read as follows:

(Spec. Com. Rep. No. 81)

Upon motion by Senator Capellas, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. Senate Bill No. 213 passed Second Reading and was placed on the calendar for Third Reading tomorrow, and Special Committee Report No. 61 was placed on file.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 82), recommending that House Bill No. 63 be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 82)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and House Bill No. 63 was thereupon referred to the Committee on Ways and Means.

Consideration, on Second Reading, on Special Order, of Senate Joint Resolution No. 53, deferred from yesterday:

Senator Lee moved that this joint resolution be considered at the time House Bill No. 271 is before the Senate for consideration on Third Reading on the calendar for today. Seconded by Senator Dillingham, and carried.

SECOND READING OF HOUSE BILLS:

H. B. No. 46: The bill was referred to the Committee on Ways and Means.

H. N. No. 124: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 186: The bill was referred to the Committee on Judiciary.

H. B. No. 250: The bill was referred to the Committee on Ways and Means.

H. B. No. 252: The bill was referred to the Committee on Ways and Means.

H. B. No. 253: The bill was referred to the Committee on Ways and Means.

H. B. No. 255: The bill was referred to the Committee on Ways and Means.

H. B. No. 370: The bill was referred to the Committee on Judiciary.

H. B. No. 758: The bill was referred to the Committee on Ways and Means.

H. B. No. 776: The bill was referred to the Committee on Ways and Means.

H. B. No. 781: The bill was referred to the Committee on Judiciary.

H. B. No. 782: The bill was referred to the Committee on Judiciary.

H. B. No. 799: The bill was referred to the Committee on Military.

H. B. No. 803: The bill was referred to the Committee on Ways and Means.

H. B. No. 815: The bill was referred to the Committee on Ways and Means.

H. B. No. 818: The bill was referred to the Committee on Ways and Means.

H. B. No. 897: The bill was referred to the Committee on Ways and Means.

H. B. No. 969: The bill was referred to the Committee on Ways and Means.

THIRD READINGS:

Third Reading of Senate Bill No. 77, as amended, entitled: "An Act relating to civil service; amending Chapter 2 of the Revised Laws of Hawaii 1945 as amended", with pending amendments, deferred from April 18th:

Senator Ansai moved for the adoption of the amendments offered by him on April 17th. Seconded by Senator Robinson.

Senator Dillingham moved to table the amendments. Seconded by Senator Crockett.

A Roll Call being demanded, the motion to table the amendments was put, and lost, on the following showing of Ayes and Noes:

Ayes: Senators Crockett, Dillingham, Duarte, Heen and Okino. Total, 5.

Noes: Senators Aguiar, Ansai, Capellas, Fernandes, Harrison, Hill, Lee, Nobriga, Robinson and Mr. President. Total, 10.

Senator Ansai thereupon renewed his motion for the adoption of the amendments. Seconded by Senator Robinson.

Senator Capellas moved that action on the bill and the amendments be deferred until tomorrow. Seconded by Senator Ansai, and carried.

Third Reading of Senate Bill No. 104, as amended, entitled: "An Act relating to public lands; establishing Boards of Land Appraisers and conferring powers and imposing duties upon said Boards; conferring powers and imposing duties upon the Commissioner of Public Lands of the Territory of Hawaii; and amending Chapter 78 of the Revised Laws of Hawaii 1945, as amended":

Senator Aguiar moved for the passage of the bill. Seconded by Senator Fernandes.

Senator Dillingham offered the following amendment:

"In line 1, page 4, of the typewritten bill, delete the word 'fifteen' and insert in lieu thereof the word 'fifty'".

Senator Dillingham moved for the adoption of the amendment. Seconded by Senator Crockett.

Senator Duarte moved that the amendment be tabled. Seconded by Senator Nobriga.

A Roll Call being demanded, the motion to table the amendment was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Duarte, Fernandes, Harrison, Hill, Lee, Nobriga, Okino and Mr. President. Total, 10.

Noes: Senators Capellas, Crockett, Dillingham, Heen and Robinson. Total, 5.

Senator Aguiar moved that the bill pass Third Reading. Seconded by Senator Nobriga.

Senator Crockett moved that action on the bill be deferred until tomorrow. Seconded by Senator Harrison, and carried.

Third Reading of Senate Bill No. 439, as amended, entitled: "An Act to authorize and direct the Board of Supervisors of the County of Hawaii to construct a sidewalk or delineate a safety lane on Kinoole Street and to make an appropriation therefor":

Upon motion by Senator Nobriga, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 444, as amended, entitled: "An Act to amend Section 6550 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of officers and members of the Honolulu Police Department, with two pending amendments, deferred from yesterday:

Senators Dillingham and Heen offered the following amendments to the bill, being a combination of the amendments offered by each of them previously, which are now pending:

(Insert amendments)

Senator Heen then offered the following amendments to the above amendments:

"1. Delete the word 'such at the end of line 4 of Section 3 and insert in lieu thereof the word 'the';

2. In line 4 of said section, after the word 'employees' and before the 'comma', insert the following:

'mentioned in section 1 of this Act';

3. Insert a 'comma' after the word 'but' in said line 4 of said section;

4. Insert a 'comma' after the word 'employees' in line 6 of said section;

5. Insert a 'comma' after the word 'Women' in line 7 of said section; and

6. Insert a 'comma' after the word 'position' in line 8 of said section."

Senator Heen moved for the adoption of the amendments offered by Senator Dillingham and himself, as above amended. Seconded by Senator Dillingham, and carried.

Upon motion by Senator Lee, seconded by Senator Dillingham, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 493, entitled: "An Act adding Chapter 137A to the Revised Laws of Hawaii 1945, relating to pari-mutuel horse racing by county referendum, to the creation of county racing commissions for the regulation and

licensing of pari-mutuel horse racing, to the encouragement of horse breeding, and to the creation of special funds; and making an appropriation", deferred from yesterday.

Senator Fernandes moved that the bill pass Third Reading. Seconded by Senator Nobriga.

The motion to pass the bill on Third Reading was put, and failed to carry on the following showing of Ayes and Noes:

Ayes: Senators Capellas, Fernandes, Hill, Nobriga and Okino. Total, 5.

Noes: Senators Aguiar, Ansai, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Robinson and Mr. President. Total, 10.

Third Reading of Senate Bill No. 514, entitled: "An Act to authorize the Hawaii Housing Authority to expend for the housing purposes covered by Act 362, Session Laws of Hawaii 1949, $600,000.00 of the moneys appropriated by Act 338, Session Laws of Hawaii 1949":

Upon motion by Senator Hill, seconded by Senator Harrison, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 515, as amended, entitled: "An Act relating to public parks, playgrounds and recreation in the County of Maui, and repealing all laws, ordinances, rules and regulations in conflict with this Act":

Senator Ansai moved that action on the bill be deferred until tomorrow. Seconded by Senator Dillingham and carried.

Third Reading of Senate Bill No. 527, entitled: "An Act providing for the purchase of equipment, furniture and fixtures for Washington Place, and making an appropriation therefor":

Upon motion by Senator Hill, seconded by Senator Robinson, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Nobriga. Total, 1.

Third Reading of Senate Bill No. 528, entitled: "An Act to repeal Sections 3 and 4 of Joint Resolution 14 of the Session Laws of Hawaii 1935, relating to the appointment of a commission to present to the Congress of the United States of America a resolution respecting the issuance of certificates of citizenship and the appropriation provided therefor":

Upon motion by Senator Hill, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 529, entitled: "An Act relating to the powers of Regents of the University of Hawaii and amending Section 1943, as amended, of the Revised Laws of Hawaii 1945":

Senator Hill moved that the bill pass Third Reading. Seconded by Senator Dillingham.

Senator Ansai moved that the bill be tabled. Seconded by Senator Nobriga.

A Roll Call being demanded, the motion to table the bill was put, and lost, on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Nobriga and Okino. Total, 3.

Noes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Robinson and Mr. President. Total, 12.

Senator Nobriga moved that action on the bill be deferred until tomorrow. Seconded by Senator Ansai.

Senator Harrison moved to table the motion to defer action on the bill until tomorrow. Seconded by Senator Hill, and carried.

Upon motion by Senator Hill, seconded by Senator Harrison, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Robinson and Mr. President. Total, 12.

Noes: Senators Ansai, Nobriga and Okino. Total, 3.

Third Reading of Senate Bill No. 530, entitled: "An Act abolishing the revolving fund for the purchase of surplus property from the Federal government:

Upon motion by Senator Hill, seconded by Senator Harrison, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 535, entitled: "An Act to increase the compensation of members of the Public Utilities Commission"; deferred:

Senator Lee offered the following amendment:

"Amend Senate Bill No. 535 by deleting the word 'twenty' appearing in line 2 of Section 1, and substituting therefor the word "fifteen'."

Upon motion by Senator Lee, seconded by Senator Okino, and carried, the amendment was adopted.

Upon motion by Senator Lee, seconded by Senator Dillingham, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 536, entitled: "An Act relating to desertion and failure, neglect, or refusal to provide for support of wife or children; amending Section 12251 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Lee, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 538, entitled: "An Act amending Act 61 of the Special Session Laws of Hawaii 1941, relating to an appropriation for the filling of certain Territorial lands situate at Kapalama-Kai under the control of the Commissioner of Public Lands":

Upon motion by Senator Lee, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 542, entitled: "An Act to amend Section 6101 of Chapter 119 of the Revised Laws of Hawaii 1945, relating to the power of eminent domain of the county government, with respect to the purposes for the taking of private property":

Upon motion by Senator Dillingham, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Joint Resolution No. 14, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to make lands available to qualified farmers":

Upon motion by Senator Nobriga, seconded by Senator Lee, and carried, action on the joint resolution was deferred until tomorrow.

Third Reading of Senate Joint Resolution No. 15, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to public lands":

Upon motion by Senator Nobriga, seconded by Senator Lee, and carried, action on the joint resolution was deferred until tomorrow.

Third Reading of Senate Joint Resolution No. 54, entitled: "Joint Resolution requesting the Congress of the United States to enact legislation permitting any municipality in the Territory to borrow money pursuant to Chapter 118 of the Revised Laws of Hawaii 1945 as the same has been or in the future may be amended by the Legislature of the Territory of Hawaii and within such periods of time as the Legislature may determine":

Upon motion by Senator Aguiar, seconded by Senator Fernandes, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At this time, Senator Lee moved that action on all measures remaining on the calendar for today be deferred until tomorrow, as follows:

H. B. No. 271, as amended, with pending amendment, deferred from yesterday;

H. B. No. 405;

H. B. No. 566;

H. B. No. 589, as amended;

H. B. No. 661, as amended; deferred;

H. J. Res. No. 16, as amended;

S. J. Res. No. 53, to be taken up in connection with H. B. No. 271, which has been deferred until tomorrow.

A communication from Colonel Kendall J. Fielder, U.S.A., Pacific (Misc. Com. No. 44), acknowledging receipt of Senate Concurrent Resolution No. 26 relating to the Hawaii National Guard, was read as follows:

(Misc. Com. No. 44)

The communication was received and placed on file.

At this time, Senator Hill moved that action on the Governor's Messages submitting appointments for confirmation be deferred from Friday, April 20th, to Monday, April 23rd. Seconded by Senator Dillingham, and carried.

At 12:20 o'clock p.m., upon motion by Senator Lee, seconded by Senator Duarte, and carried, the Senate adjourned until 10:00 o'clock a.m., on Friday, April 20, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FORTY-EIGHTH Day

FRIDAY, APRIL 20, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FORTY-EIGHTH DAY

Friday, April 20, 1951.

The Senate convened at 10:30 o'clock a.m., with the President presiding.

The Divine Blessing was invoked by the Chaplain, after which the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Seventh Day.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 213), transmitting House Concurrent Resolution No. 39, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 39,"requesting the Territorial Highway Engineer to make certain studies", as follows:

(H. Con. Res. No. 39)

The Concurrent Resolution was referred to the Select Committee of Oahu Senators.

A communication from the House (H. Com. No. 214), transmitting House Concurrent Resolution No. 46, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 46, requesting the Congress of the United States to appropriate funds for dredging Kahului Harbor, as follows:

(H. Con. Res. No. 46)

The Concurrent Resolution was referred to the Select Committee of Maui Senators.

A communication from the House (H. Com. No. 215), returning Senate Concurrent Resolution No. 23, with an amendment, was read as follows:

(H. Com. No. 215)

The communication was received and placed on file.

Senator Ansai moved that the Senate concur in the amendment proposed by the House. Seconded by Senator Duarte, and carried; and Senate Concurrent Resolution No. 23, as thus amended, was finally adopted.

The following communications from the House of Representatives were read, received and placed on file.

H. Com. No. 216, returning Senate Concurrent Resolution No. 30;

H. Com. No. 217, returning Senate Concurrent Resolution No. 34;

H. Com. No. 218, transmitting House Bill No. 123;

H. Com. No. 219, transmitting House Bill No. 127;

H. Com. No. 220, transmitting House Bill No. 147;

H. Com. No. 221, transmitting House Bill No. 259;

H. Com. No. 222, transmitting House Bill No. 373;

H. Com. No. 223, transmitting House Bill No. 483;

H. Com. No. 224, transmitting House Bill No. 562;

H. Com. No. 225, transmitting House Bill No. 601;

H. Com. No. 226, transmitting House Bill No. 801;

H. Com. No. 227, transmitting House Bill No. 874;

H. Com. No. 228, transmitting House Bill No. 878;

H. Com. No. 229, transmitting House Bill No. 879;

H. Com. No. 230, transmitting House Bill No. 934;

H. Com. No. 231, returning Senate Joint Resolution No. 1.

FIRST READING OF HOUSE BILLS:

H. B. No. 123, entitled: "An Act amending subparagraph numbered 2 of Section 6173 of the Revised Laws of Hawaii 1945, relating to pensions for policemen, firemen and bandsmen";

H. B. No. 127, entitled: "An Act to amend Act 24 of the Session Laws of Hawaii 1927, as ratified by the Act of Congress of March 2, 1928, so as to extend the electric light and power franchise granted by said Act to cover the entire districts of Waimea and Koloa on the island of Kauai, Territory of Hawaii";

H. B. No. 147, entitled: "An Act providing for the acquisition by the Commissioner of Public Lands of certain lands in the City of Hilo for a public park";

H. B. No. 259, entitled: "An Act to amend Chapter 22 of the Revised Laws of Hawaii 1945, by adding thereto a new section relating to the powers of the Attorney General";

H. B. No. 373, entitled: "An Act amending Chapter 64 of the Revised Laws of Hawaii 1945, by adding thereto Section 3807.01, providing for and relating to a professional improvement program for officers and employees of the Territory of Hawaii, in the Department of Institutions and in institutions under the administration of the Department of Institutions and authorizing regulations for such professional improvement program";

H. B. No. 483, entitled: "An Act relating to expenditures of public money and the deposit of security in connection with competitive bids";

H. B. No. 562, entitled: "An Act relating to the availability for inspection and extract of books and records of offices and departments of the counties of Hawaii, Kauai and Maui";

H. B. No. 601, entitled: "An Act relating to the expenditure of public funds during the existing national emergency";

H. B. No. 801, entitled: "An Act amending Section 5935 of the Revised Laws of Hawaii 1945, relating to revenue bonds of the Territory";

H. B. No. 874, entitled: "An Act amending Section 4853 of the Revised Laws of Hawaii 1945, as amended, relating to examinations of the blind for public assistance";

H. B. No. 878, entitled: "An Act amending Section 12278 of the Revised Laws of Hawaii 1945, relating to the effect of adoption";

H. B. No. 879, entitled: "An Act amending Sections 12321, 12324.01 and 12325 of the Revised Laws of Hawaii 1945, relating to the jurisdiction of juvenile courts";

H. B. No. 934, entitled: "An Act to amend Sections 5150-A, 5455-A, and 5509 of the Revised Laws of Hawaii 1945, as amended, relating to exemption of blind persons from the payment of certain taxes".

Upon motion by Senator Crockett, seconded by Senator Aguiar, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading on Monday, April 23rd.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 134), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

REPORTS OF COMMITTEES:

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 135), recommending the amendment of Senate Bill No. 283 in certain respects, and recommending that as so amended it be referred to the Committee on Ways and Means, which was read as follows:

(Stand. Com. Rep. No. 135)

Upon motion by Senator Ansai, seconded by Senator Nobriga, and carried, the report of the Committee was adopted; and Senate Bill No. 283, as amended, was thereupon referred to the Committee on Ways and Means.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 136), recommending the passage of Senate Bill No. 284, which was read as follows:

(Stand. Com. Rep. No. 136)

Upon motion by Senator Ansai, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. Senate Bill No. 284 passed Second Reading and was placed on the calendar for Third Reading on Monday, April 23rd.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 137), recommending the passage of Senate Bill No. 136 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 137)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 136 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading on Monday, April 23rd.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 138), recommending the passage of Senate Bill No. 435, which was read as follows:

(Stand. Com. Rep. No. 138)

Upon motion by Senator Harrison, seconded by Senator Crockett, and carried, the report of the Committee was adopted. Senate Bill No. 435 passed Second Reading and was placed on the

calendar for Third Reading on Monday, April 23rd.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 139), recommending the passage of Senate Bill No. 450, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 139)

Upon motion by Senator Harrison, seconded by Senator Crockett, and carried, the report of the Committee was adopted. Senate Bill No. 450 passed Second Reading, as amended, and was placed on the calendar for Third Reading on Monday, April 23rd.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 140), recommending the passage of House Bill No. 780, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 140)

Upon motion by Senator Harrison, seconded by Senator Crockett, and carried, the report of the Committee was adopted. House Bill No. 780, as amended, passed Second Reading and was placed on the calendar for Third Reading on Monday, April 23rd.

Senator Fernandes, for the Select Committee of Kauai Senators, presented a report (Spec. Com. Rep. No. 83), recommending the passage of House Bill No. 224, which was read as follows:

(Spec. Com. Rep. No. 83)

Upon motion by Senator Fernandes, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. House Bill No. 224 passed Second Reading and was placed on the calendar for Third Reading on Monday, April 23rd.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 84), recommending the passage of Senate Joint Resolution No. 41 in an amended form, which was read as follows:

(Spec. Com. Rep. No. 84)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 41 passed Second Reading in the amended form and was placed on the calendar for Third Reading on Monday, April 23rd.

SECOND READING OF HOUSE BILLS:

H. B. No. 454: The bill was referred to the Committee on Ways and Means.

H. B. No. 692: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 767: The bill was referred to the Committee of the Whole, with Senator Aguiar as Chairman.

H. B. No. 900: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

H. B. No. 910: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 941: The bill was referred to the Committee on Ways and Means.

H. B. No. 966: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

H. B. No. 993: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

At this time, Senator Crockett, for the Committee on Military, reported orally, returning Senate Bills Nos. 561 and 564 to the Clerk's desk, with the recommendation that they be referred to the Committee on Judiciary.

Upon motion by Senator Crockett, seconded by Senator Nobriga,

and carried, the oral report of the Committee was adopted. Senate Bills Nos. 561 and 564 were thereupon returned to the Clerk's desk and referred to the Committee on Judiciary.

THIRD READINGS:

Third Reading of Senate Bill No. 77, as amended, entitled: "An Act relating to civil service; amending Chapter 2 of the Revised Laws of Hawaii 1945, as amended", together with pending amendments offered by Senator Ansai, deferred from yesterday:

Senator Ansai moved for the adoption of the amendments. Seconded by Senator Nobriga.

A Roll Call being demanded, the motion to adopt the amendments was put, and lost, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Fernandes, Robinson and Mr. President. Total, 6.

Noes: Senators Crockett, Dillingham, Duarte, Harrison, Heen, Hill, Lee, Nobriga and Okino. Total, 9.

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, action on the bill was deferred until Monday, April 23rd.

Third Reading of Senate Bill No. 104, entitled: "An Act relating to public lands; establishing boards of land appraisers and conferring powers and imposing duties upon said boards; conferring powers and imposing duties upon the Commissioner of Public Lands of the Territory of Hawaii; and amending Chapter 78 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Aguiar, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: Senators Dillingham and Harrison. Total, 2.

Third Reading of Senate Bill No. 213, entitled: "An Act to amend Section 6376, Revised Laws of Hawaii 1945, relating to the Chief Engineer, Hawaii County Department of Public Works":

Upon motion by Senator Capellas, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 502, entitled: "An Act relating to off-street parking areas and amending Section 6527.01 of the Revised Laws of Hawaii 1945 and Act 153 of the Session Laws of Hawaii 1949":

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 515, entitled: "An Act relating to public parks, playgrounds and recreation in the County of Maui, and repealing all laws, ordinances, rules and regulations in conflict with this Act", deferred from April 19th:

Senator Ansai offered the following amendment to the bill:

"Amend the bill by amending the last sentence of Section 5 to read as follows:

'All such rules and regulations shall be approved by the chairman of the board of supervisors and when promulgated as required by Section 466, Revised Laws of Hawaii 1945, shall have the force and effect of law.'"

Upon motion by Senator Ansai, seconded by Senator Crockett, and carried, the amendment was adopted.

Upon motion by Senator Ansai, seconded by Senator Crockett, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: Noes.

Third Reading of Senate Joint Resolution No. 14, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to make lands available to qualified farmers", deferred from April 19th:

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, action on the joint resolution was further deferred until Monday, April 23rd.

Third Reading of Senate Joint Resolution No. 15, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to public lands", deferred from April 19th:

Senator Aguiar offered the following amendments to the joint Resolution:

(Insert amendments)

Senator Nobriga moved that action on the amendments and the joint resolution be deferred until Monday, April 23rd, and that the amendments be printed and distributed to the members.

Seconded by Senator Duarte, and carried.

Third Reading of House Bill No. 18, entitled: "An Act to amend Section 6459 of the Revised Laws of Hawaii 1945, as amended, relating to the Maui Hospital Managing Committee":

Upon motion by Senator Ansai, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 271, entitled: "An Act relating to Iolani Palace", with pending amendment offered by Senator Harrison, deferred from yesterday; and

Consideration of Senate Joint Resolution No. 53, on Second Reading, deferred from yesterday, for consideration in connection with House Bill No. 271:

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, House Bill No. 271, together with the pending amendments, and Senate Joint Resolution No. 53 were placed on file.

Third Reading of House Bill No. 405, entitled: "An Act making an appropriation out of the general revenues for the Hawaii Employment Relations Board for the biennial period ending June 30, 1951, deferred from yesterday:

Upon motion by Senator Hill, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 566, as amended, entitled: "An Act to amend Section 13050 of the Revised Laws of Hawaii 1945, as amended by Act 123 (Ser. E-189) of the Session Laws of Hawaii 1947, relating to the Armory Board", deferred from April 19th:

Upon motion by Senator Dillingham, seconded by Senator Crockett, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 589, as amended, entitled: "An Act requesting the Board of Supervisors of the County of Hawaii to make provision for the conversion of the site of the Kailua courthouse, Kona, Hawaii, to a suitable area for a park and playground", deferred from April 19th:

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, action on the bill was further deferred until Tuesday, April 24th.

Third Reading of House Bill No. 661, as amended, entitled: "An Act relating to the Board of Health and amending Section 2001 of the Revised Laws of Hawaii 1945, as amended", deferred from April 19th:

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Joint Resolution No. 16, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to permit sales of government lands where in the public interest", deferred from April 19th:

Upon motion by Senator Aguiar, seconded by Senator Ansai, and carried, action on the joint resolution was further deferred until Tuesday, April 24th.

CONCURRENT RESOLUTIONS OFFERED:

Senators Ansai, Nobriga, Lee, Robinson and Aguiar offered a Concurrent Resolution (S. Con. Res. No. 40), "extending appreciation to Congress of the United States, Secretary of Agriculture, Bureau of Entomology and Plant Quarantine for splendid assistance rendered to Hawaii in appropriating funds for study and control of oriental fruit fly pest", which was read as follows:

(S. Con. Res. No. 40)

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the Concurrent Resolution was adopted.

Senators Ansai, Lee, Nobriga, Robinson and Aguiar offered a Concurrent Resolution (S. Con. Res. No. 41), "thanking the Legislature of the State of California for appropriating monies for the investigation and control of the Oriental fruit fly in the Territory of Hawaii", which was read as follows:

(S. Con. Res. No. 41)

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the Concurrent Resolution was adopted.

Senators Ansai, Robinson, Lee, Nobriga and Aguiar offered a Concurrent Resolution (S. Con. Res. No. 42), requesting the Secretary of Agriculture to recommend adequate appropriations

for fiscal year ending June 30, 1953 to provide increase in staff of Plant Quarantine Inspectors in Hawaii to maintain and protect agriculture of Hawaii and United States from further introduction of dangerous plant pests", which was read as follows:

(S. Con. Res. No. 42)

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the Concurrent Resolution was adopted.

At this time, Senator Nobriga moved that the Committee on Public Lands be authorized to proceed to Molokai to make an inspection tour of that island in connection with legislation pending before the Senate involving that Island, leaving Honolulu on Wednesday, April 25th, at 2:00 o'clock p.m., and returning to Honolulu at 10:00 o'clock a.m., on Thursday, April 26th. The motion was seconded by Senator Duarte, and carried.

President Tsukiyama stated that there was pending before the Senate a Miscellaneous Communication from We The Women of Hawaii (Misc. Com. No. 39), and a Petition from 74 citizens and residents of the Territory of Hawaii (S. Pet. No. 18), relating to Senate Bill No. 493, relating to horse racing, which had been laid on the table for consideration at the time the bill was before the Senate on Third Reading. Inasmuch as the bill had failed of passage on Third Reading yesterday and was no longer before the Senate, he directed that Miscellaneous Communication No. 39 and and Senate Petition No. 18 be placed on file; and they were thereupon so placed on file.

At this juncture, President Tsukiyama requested Vice President Harrison to take the Chair; and she thereupon assumed the Chair, whereupon Senator Tsukiyama, from the floor of the Senate, rose to a point of personal privilege

# CORRECTION

THE PRECEDING DOCUMENT(S) HAS
BEEN REPHOTOGRAPHED TO ASSURE
LEGIBILITY
SEE FRAME(S)
IMMEDIATELY FOLLOWING

Third Reading of House Joint Resolution No. 16, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to permit sales of government lands where in the public interest", deferred from April 19th:

Upon motion by Senator Aguiar, seconded by Senator Ansai, and carried, action on the joint resolution was further deferred until Tuesday, April 24th.

CONCURRENT RESOLUTIONS OFFERED:

Senators Ansai, Nobriga, Lee, Robinson and Aguiar offered a Concurrent Resolution (S. Con. Res. No. 40), "extending appreciation to Congress of the United States, Secretary of Agriculture, Bureau of Entomology and Plant Quarantine for splendid assistance rendered to Hawaii in appropriating funds for study and control of oriental fruit fly pest", which was read as follows:

(S. Con. Res. No. 40)

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the Concurrent Resolution was adopted.

Senators Ansai, Lee, Nobriga, Robinson and Aguiar offered a Concurrent Resolution (S. Con. Res. No. 41), "thanking the Legislature of the State of California for appropriating monies for the investigation and control of the Oriental fruit fly in the Territory of Hawaii", which was read as follows:

(S. Con. Res. No. 41)

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the Concurrent Resolution was adopted.

Senators Ansai, Robinson, Lee, Nobriga and Aguiar offered a Concurrent Resolution (S. Con. Res. No. 42), requesting the Secretary of Agriculture to recommend adequate appropriations

for fiscal year ending June 30, 1953 to provide increase in staff of Plant Quarantine Inspectors in Hawaii to maintain and protect agriculture of Hawaii and United States from further introduction of dangerous plant pests", which was read as follows:

(S. Con. Res. No. 42)

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the Concurrent Resolution was adopted.

At this time, Senator Nobriga moved that the Committee on Public Lands be authorized to proceed to Molokai to make an inspection tour of that island in connection with legislation pending before the Senate involving that Island, leaving Honolulu on Wednesday, April 25th, at 2:00 o'clock p.m., and returning to Honolulu at 10:00 o'clock a.m., on Thursday, April 26th. The motion was seconded by Senator Duarte, and carried.

President Tsukiyama stated that there was pending before the Senate a Miscellaneous Communication from We The Women of Hawaii (Misc. Com. No. 39), and a Petition from 74 citizens and residents of the Territory of Hawaii (S. Pet. No. 18), relating to Senate Bill No. 493, relating to horse racing, which had been laid on the table for consideration at the time the bill was before the Senate on Third Reading. Inasmuch as the bill had failed of passage on Third Reading yesterday and was no longer before the Senate, he directed that Miscellaneous Communication No. 39 and and Senate Petition No. 18 be placed on file; and they were thereupon so placed on file.

At this juncture, President Tsukiyama requested Vice President Harrison to take the Chair; and she thereupon assumed the Chair, whereupon Senator Tsukiyama, from the floor of the Senate, rose to a point of personal privilege

and addressed the Senate as follows:

"I am going to ask the Senators to bear with me for possibly three or four minutes. We have cleared our docket of the much controverted pari-mutuel bill. I am going to say something this morning pertaining to the extent of influence and power that journalism can wield in any community throughout the world - I am speaking this morning, Madam Vice President, with no rancor (quoting the words of General MacArthur), but I do want to clarify something that has bothered me since yesterday after reading the editorial in the Star-Bulletin.

"I think all of the Senators will share in my view when I say that the local papers have been very fair. It is my understanding that accuracy is the cardinal principle of journalism. We believe in freedom of speech, but that freedom of speech is based upon facts that are determined, and if the facts are distorted we are not going to have the freedom of speech that we want. Once we agree that the facts are so, then we can ramify and amplify upon those facts. We all are apt to disagree, taking one side or the other. The extent to which newspaper editors are particular in the matter of accuracy is borne out by this one little story of mine. A little Western paper once hired a young reporter. The editor called him in and told him 'what this paper wants is accuracy of report'. Then this young man was assigned to a certain function. He returned and wrote up his article. Much to the surprise of the Editor, he said '777 eyes were focused upon the speaker. The editor said 'how can you say 777 eyes--everybody has two eyes'. The reporter said 'there was one man who sat in front of me who had only one eye, the other eye was bad'. That seems facetious, and yet that is the extent to which the Press must be accurate because whatever the Press says will be swallowed by the public. I am referring to the editorial which appeared in the Star-Bulletin day-before-yesterday. In its comment on the bill introduced by Senator Fernandes and others - and no reflection on Senator Fernandes - one paragraph of that editorial read as follows:

> 'Every member of the Legislature must know in his own heart that gambling is bad. Within the month the Senate President has discharged legislative employees caught gambling within a stone's throw of the Senate Chamber. He spoke out vigorously against gambling then, yet he has permitted the Fernandes steam roller to move ahead unchecked.'

"I ask you, Madam Vice President and fellow Senators, did I discharge those who were involved in that gambling? Did the President allow my good friend, Senator Fernandes' horse racing bill to go unchecked? I ask the Press to be a little more conversant with parliamentary rules of procedure - when a motion is made and properly seconded and has the support of the majority, the Chair can do nothing but put that motion, and let it go. According to this Editorial, the President was expected to overrule all motions, to say 'that is a bad bill and the Chair will not entertain any motion'. I know the Star-Bulletin

has been vociferously speaking against Communism. I don't know why the Star-Bulletin intimates in this editorial that I have been demoted to the position of Dictator - and I use the word 'demoted' advisedly - ladies and gentlemen of this Chamber, because only under a totalitarian state is a man promoted to that position of dictatorship. If the Star-Bulletin thought that I should have taken over, overruled all motions as I saw fit, then the Star-Bulletin sanctions the idea of dictatorship; and if the Star-Bulletin thinks I have reached that position, I say I have been demoted and not promoted.

"It isn't fair to say that the President discharged these employees, that the President allowed, permitted - the 'Fernandes steam roller' to go through. Look at the result -- the Senators did not hesitate to allow the bill to be introduced, to allow the bill to go through Second Reading -- the result of the Third Reading showed that most of them had already made up their minds and, as a matter of courtesy, they were willing to allow that bill to go up to the Third Reading.

"I want to say in all sincerity that the Star-Bulletin should have checked the facts, should have checked the rules of parliamentary procedure before carrying any implication that the President did this and the President didn't do that. I challenge the Editor of the Star-Bulletin, who is responsible for the editorial, to prove to me that I have erred. I have been most cooperative with the members of this Chamber, and I try not to overrule any motion when the majority are in favor of that motion, and that is what makes our system of government the government of majority rule and it has ruled all the time; and I say in conclusion, with all due respect to the local Press, that I ask them, and I think you will all join me in asking them, to first determine the facts and then, with freedom of comment, amplification, ramification, from the determined facts, finally accept a course - we believe in it. But under a mistaken set of facts, I challenge the authority of a paper of this kind to make comments as appeared in this particular editorial. The influence is great. I have come to the conclusion, Madam Vice President, to make this short statement because, since this editorial appeared, a number of people called me and implied that I had not carried out my previous stand against the pari-mutuel. They thought, from this editorial, I had changed my mind. That is the extent to which our Press can wield its influence. I hope that forever more our Press will be cautious. We believe in the freedom of the Press, but if that freedom is based on erroneous facts, I think it is all wrong.

"I have said my little piece, Madam Vice President. I leave it with the Senators to either agree or disagree with me."

Senator Heen then rose and made the following statement:

"I am in full accord with the observations made by the last speaker. I think that that statement in the editorial - I didn't happen to read it - is unfair and not based on the facts, and not based upon any knowledge of proper parliamentary procedure. However, I do not believe that that statement can be attributed to any of the Reporters who sit here day after day reporting the actions of the Senate or of the Committees of the Senate. I think that statement is simply the creation of the man who wrote that editorial without any basis of fact or of sound judgment; and I move that it is the sense of this Senate that we agree with the statements that have been made by the President of the Senate in condemning the statement made in this editorial".

Senator Lee, in seconding the motion made by Senator Heen said:

"I want to further state, not only in support of what the President stated this morning, that we who are in public life in the greatest public forum in the Territory of Hawaii - the Legislature - are constantly subjects of pressure, of criticism for whatever wo do; and it seems to me, particularly the President of the Senate, who has been, in my opinion, very fair in all of his dealings with any member of the Senate, regardless of Party, and his stand upon the dais, has been according to the rules that any body has to have, has to govern itself with, and he has complied with the same, and if it is the rule of the body that the bill should not be referred to a committee and should pass Second Reading under suspension of the rules, there is nothing more he can do but follow the dictates of that body; and accordingly, I second the motion made by the previous speaker."

Senators Capellas, Nobriga, Hill, Heen and Crockett spoke in support of the President, and a motion was offered by Senator Hill that a Resolution be adopted pointing out the inaccuracies, unfairness and injustice of the statements in the editorial.

Following some discussion, the President stated from the floor of the Senate:

"Every question, no matter what the nature may be, has two sides. I asked for the floor to present the other side; the Star-Bulletin has had an opportunity to present one side; I had my opportunity to present the other side, for clarification. Idid not intend to receive any apology; my statement has been spread on the record; others have heard it, and I believe the members of the Press here will give my side of the story,

and I think that is enough. I appreciate the sentiments of my colleagues but it carries a certain reflection on the Senate itself when it implies that the President should not have allowed the procedure, so it does reflect upon the Senate. As far as I am concerned, I should like to let the matter rest; I have had a chance to give my side. So, if the Senators feel that they want to go further to the extent of having an apology made to me, I do want to say that I do not expect that. I only wanted to present my side."

At this time, Senator Heen renewed his previous motion, as follows:

"I move that it is the sense of this Senate that the President is justified in making the statement that he did condemning the editorial referred to by him which was not based upon the facts, which showed the lack of knowledge of parliamentary procedure and which reflected upon the integrity of the President. "

Senator Lee renwed his second to the motion, which was put, and carried.

At 11:50 o'clock a.m., upon motion by Senator Tsukiyama, seconded by Senator Hill, and carried, the Senate adjourned until 11:00 o'clock a.m., on Monday, April 23, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FORTY-NINTH Day

SATURDAY, APRIL 21, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FORTY-NINTH DAY

Saturday, April 21, 1951.

N O  S E S S I O N

Ellen D. Smythe

Clerk of the Senate.

Approved:

Wilfred D. Tsukiyama

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FIFTIETH Day

MONDAY, APRIL 23, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FIFTIETH DAY

Monday, April 23, 1951.

The Senate convened at 11:10 o'clock a.m., with President Tsukiyama presiding.

After Prayer by Chaplain Keala, the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Eighth and Forty-Ninth Days.

DEPARTMENTAL COMMUNICATIONS:

A communication from the Deputy County Clerk, County of Maui (Dept. Com. No. 68), transmitting certified copy of Resolution No. 107, adopted by the Board of Supervisors of the County of Maui, opposing the enactment of Senate Bill No. 496, was read, received and referred to the Committee on Judiciary.

A communication from the Deputy County Clerk, County of Maui (Dept. Com. No. 69), transmitting certified copy of Resolution No. 126, adopted by the Board of Supervisors of the County of Maui, requesting the Legislature to amend Section 7109 of the Revised Laws of Hawaii 1945 to provide for the imposition of a fee upon the showing of moving pictures, was read, received and referred to the Committee on Ways and Means.

A communication from the Chairman of the Pacific War Memorial (Dept. Com. No. 70), transmitting a copy of the report of said Commission, was read, received and placed on file; and

the report ordered printed and distributed to the members.

A communication from the Chairman of the Advisory Council for Adult Education, D.P.I. (Dept. Com. No. 71), opposing House Bill No. 303 and Senate Bill No. 500, proposing the abolishment of all Special Funds, including the Special Fund for Adult Education, was read, received and referred to the Committee on Ways and Means.

A communication from the Acting Secretary of Hawaii (Dept. Com. No. 72), informing the Senate that the Governor had signed Senate Joint Resolution No. 4, as Joint Resolution 4, was read, as follows:

(Dept. Com. No. 72)

The communication was received and placed on file.

INTRODUCTION OF BILLS:

By unanimous consent, the following bills were introduced:

S. B. No. 572, by Senator Crockett, entitled: "An Act to provide for disaster relief during any period in which Act 320 of the Session Laws of Hawaii 1949 shall not be in effect";

S. B. No. 573, by Senator Crockett, entitled: "An Act relating to the existing national emergency; providing for the public peace, health, safety and welfare and for the common defense during such emergency; providing for preparation for and functioning in respect of attacks (including sabotage or any hostile action) during such emergency, and for other measures having to do with shortages during such emergency and the maintenance of the strength, resources and economic life of the Territory and its inhabitants during such emergency; providing for the emergency organization of government and suspension of laws; providing the duties and powers of the governor and the political subdivisions; providing for

certain transactions; authorizing charges to be made; authorizing the governor to exercise certain powers over persons and property, to prescribe rules and regulations, and to delegate powers; prescribing rights and immunities; authorizing cooperation and agreements with Federal government, state governments and other governments and agencies; providing penalties and other means of enforcement; and making and authorizing appropriations and expenditures";

S. B. No. 574, by Senator Heen, entitled: "An Act to amend Section 10052 of the Revised Laws of Hawaii 1945, relating to restraining order bond";

S. B. No. 575, by Senator Heen, entitled: "An Act appropriating the sum of three hundred thirty dollars to honor check number 5176, drawn by the Treasurer of the Territory of Hawaii, payable to Hilo General Contractors, dated March 5, 1947, for services rendered".

Upon motion by Senator Crockett, seconded by Senator Heen, and carried, the bills passed First Reading by title and were referred to the Printing Committee.

At this time, under suspension of the Rules, Senator Dillingham escorted to the dais Mr. Rudolph Friml, internationally renowned song writer and musician, composer of "The Three Musketeers", and other well-known compositions, who was present in the Chamber.

The President thereupon presented Mr. Friml to the members, and in acknowledging the presentation, Mr. Friml stated that he was very proud to have this unexpected honor. and thanked the members for this privilege.

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 232, transmitting House Bill No. 26;

H. Com. No. 233, transmitting House Bill No. 27;

H. Com. No. 234, transmitting House Bill No. 222;

H. Com. No. 235, transmitting House Bill No. 725;

H. Com. No. 236, transmitting House Bill No. 727;

H. Com. No. 237, transmitting House Bill No. 728;

H. Com. No. 238, transmitting House Bill No. 731;

H. Com. No. 239, transmitting House Bill No. 733;

H. Com. No. 240, transmitting House Bill No. 734;

H. Com. No. 241, trasnmitting House Bill No. 747;

H. Com. No. 242, transmitting House Bill No. 748;

H. Com. No. 243, transmitting House Bill No. 804;

H. Com. No. 244,, transmitting House Bill No. 827;

H. Com. No. 245, transmitting House Bill No. 845;

H. Com. No. 246, transmitting House Bill No. 872;

H. Com. No. 247, transmitting House Bill No. 875;

H. Com. No. 248, transmitting House Bill No. 899;

H. Com. No. 249, transmitting House Bill No. 945;

H. Com. No. 250, transmitting House Bill No. 946;

H. Com. No. 251, transmitting House Bill No. 956;

H. Com. No. 252, transmitting House Bill No. 975;

H. Com. No. 253, transmitting House Bill No. 990;

H. Com. No. 254, transmitting House Bill No. 999;

H. Com. No. 255, transmitting House Bill No. 1018;

H. Com. No. 256, transmitting House Bill No. 1019;

H. Com. No. 257, transmitting House Bill No. 1102;

H. Com. No. 258, returning Senate Bill No. 69.

FIRST READING OF HOUSE BILLS:

H. B. No. 26, entitled: "An Act to amend Act 73 of the Session Laws of Hawaii 1947 relating to Federal aid highways in the county of Hawaii and making appropriations therefor";

H. B. No. 27, entitled: "An Act relating to the disposition of funds received from the rental of government property purchased by moneys from the Territorial Highway Fund;"

H. B. No. 222, entitled: "An Act to amend Sections 5705, 5706 and 5708 to 5712, inclusive, and sections 7340.01, 7341 and 7347, Revised Laws of Hawaii 1945, relating to number plates for vehicles";

H. B. No. 725, entitled: "An Act amending Sections 5141, 5154, as amended, and 5166, of the Revised Laws of Hawaii 1945, relating to taxation of real property";

H. B. No. 727, entitled: "An Act relating to taxation, amending Chapters 94 and 95 of the Revised Laws of Hawaii 1945";

H. B. No. 728, entitled: "An Act relating to disputed Territorial claims, including disputed taxes and other moneys representing claims in favor of the Territory, amending Sections 1575, 5219, 5535, and 10482 of the Revised Laws of Hawaii 1945";

H. B. No. 731, entitled: "An Act relating to taxation, making amendments of Sections 5371, 5372, 5376, 5378 and 5387 of Chapter 99, and of Sections 5370.01 and 5370.02 of Chapter 98.01 of the Revised Laws of Hawaii 1945, also further amendments of said Chapter 99 to provide for the collection of the consumption tax by sellers, the duties and liabilities of sellers, and penal offenses connected therewith, and further amendments of said Chapter 98.01 to provide for the registration of any representative required to collect the compensating tax who does not have a general excise tax license";

H. B. No. 733, entitled: "An Act to amend Chapter 98 of the Revised Laws of Hawaii 1945, relating to the compensation and dividends tax";

H. B. No. 734, entitled: "An Act relating to deeds offered for record, amending Chapter 308 of the Revised Laws of Hawaii 1945, by inserting therein a new Section 12732.01";

H. B. No. 747, entitled: "An Act relating to the issuance, negotiation and transfer of warehouse receipts and the obligations and rights of warehousemen upon their receipts and with respect to warehoused goods; to make uniform the law with respect thereto; creating offenses and providing penalties therefor; and repealing Sections 8780 to 8783, inclusive, of Revised Laws of Hawaii 1945, and all other laws inconsistent therewith";

H. B. No. 748, entitled: "An Act relating to trust receipts and pledges of personal property unaccompanied by possession in the pledgee, and to make uniform the law with reference thereto, and repealing all laws inconsistent therewith";

H. B. No. 804, entitled: "An Act amending Section 358 of the Revised Laws of Hawaii 1945, relating to citizen labor;"

H. B. No. 827, entitled: "An Act to amend Section 4259 of the Revised Laws of Hawaii 1945, relating to penalty for delinquency in payment of unemployment compensation contributions";

H. B. No. 845, entitled: "An Act relating to the assignment of accounts receivable and notice thereof; the rights and liabilities of assignors, assignees, mortgagors and mortgagees of accounts receivable and of the persons owing the same, and of persons interested therein";

H. B. No. 872, entitled: "An Act relating to public assistance to the blind, and amending Sections 4821, 4848, and 4850, as amended, of the Revised Laws of Hawaii 1945";

H. B. No. 875, entitled: "An Act relating to public assistance to the blind, and amending Section 4834 of the Revised Laws of Hawaii 1945";

H. B. No. 899, entitled: "An Act to amend Section 2015 of the Revised Laws of Hawaii 1945, as amended by Act 116 (A-42) of the Session Laws 1945 and Act 71 (A-59) of the Session Laws 1949, relating to the authority of the Board of Health to make regulations for the public health and safety";

H. B. No. 945, entitled: "An Act amending Section 351 of the Revised Laws of Hawaii 1945, as amended, relating to the expenditure of public money";

H. B. No. 946, entitled: "An Act to amend Chapter 121, as amended, of the Revised Laws of Hawaii 1945, relating to pensions";

H. B. No. 956, entitled: "An Act to amend Section 4874 of the Revised Laws of Hawaii 1945, relating to workshops for the blind, by providing for workmen's compensation for blind workmen";

H. B. No. 975, entitled: "An Act transferring regulation of the manufacturing, sale, possession, and use of explosives and the appropriation for and the personnel engaged in such regulation from the Department of Public Works to the Department of Labor and Industrial Relations; amending Chapter 76A of the Revised Laws of Hawaii 1945, as enacted by Act 64 of the Session Laws of Hawaii 1947, as amended, and Chapter 88 of the Revised Laws of Hawaii 1945, to accomplish such purpose; and making an appropriation";

H. B. No. 990, entitled: "An Act relating to remission and refunding or crediting of taxes on real property damaged or destroyed by the lava flow in South Kona, Hawaii, in 1950";

H. B. No. 999, entitled: "An Act amending Chapter 102 of the Revised Laws of Hawaii 1945, as amended, relating to net income taxes, providing for certain deductions by victims of the lava flow in South Kona, Hawaii, in 1950, and for computation of taxes in case of joint returns";

H. B. No. 1018, entitled: "An Act to provide for remission, refunding or crediting of taxes on real property damaged or destroyed by flood on December 3 and 4, 1950 in Happy Valley, Maui";

H. B. No. 1019, entitled: "An Act relating to the income tax, authorizing that certain losses suffered by flood on December 3, and 4, 1950 in Happy Valley, Maui, be deducted over a period of five years";

H. B. No. 1102, entitled: "An Act providing for remission, refunding or credit of taxes on real property damaged or destroyed by floods in 1950 and 1951, at Naalehu and Waiohinu, Hawaii".

Upon motion by Senator Duarte, seconded by Senator Crockett, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 259) informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 566, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 259)

The communication was received and placed on file.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 141), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

Senator Capellas, for the Committee on Accounts and Public Expenditures, presented a report (Stand. Com. Rep. No. 142), reporting on the accounts of the Senate as of this date, which was read as follows:

(Stand. Com. Rep. No. 142)

Upon motion by Senator Capellas, seconded by Senator Duarte, and carried, the report of the Committee was adopted.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 143), recommending the passage of House Bill No. 221 and the filing of Senate Bill No. 152 relating to the same subject matter, which was read as follows:

(Stand. Com. Rep. No. 143)

Upon motion by Senator Ansai, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. House Bill No. 221 passed Second Reading and was placed on the calendar for Third Reading tomorrow; and Senate Bill No. 152 was placed on file.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 144), recommending the passage of Senate Bill No. 239, which was read as follows:

(Stand. Com. Rep. No. 144)

Upon motion by Senator Hill, seconded by Senator Harrison, and carried, the report of the Committee was adopted. Senate Bill No. 239 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Commitee on Ways and Means, presented a report (Stand. Com. Rep. No. 145), recommending the passage of House Bill No. 96, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 145)

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 96, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 146), recommending the amendment of Senate Joint Resolution No. 61; and further recommending that the Joint Resolution, as amended, be referred to the Committee on Ways and Means for favorable action, which was read as follows:

(Stand. Com. Rep. No. 146)

Upon motion by Senator Robinson, seconded by Senator Capellas, and carried, the report of the Committee wax adopted. Senate Joint Resolution No. 61, as amended, was thereupon referred to the Committee on Ways and Means.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 147), recommending that Senate Bill No. 288 be amended in the form attached, and that as so amended it pass Second Reading, and then be referred to the Committee on Ways and Means for further study, which was read as follows:

(Stand. Com. Rep. No. 147)

Upon motion by Senator Crockett, seconded by Senator Heen, and carried, the report of the Committee was adopted. Senate Bill No. 288 passed Second Reading in the amended form and as so amended was referred to the Committee on Ways and Means.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 148), recommending the passage of Senate Bill No. 308, which was read as follows:

(Stand. Com. Rep. No. 148)

Upon motion by Senator Robinson, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 308 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 149), recommending that Senate Bills Nos. 188 and 189 be placed on file; and further recommending that a copy of this report and copies of Senate Bills Nos. 188 and 189 be referred to the Board of Commissioners of Agriculture and Forestry, which was read as follows:

(Stand. Com. Rep. No. 149)

Upon motion by Senator Ansai, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. Senate Bills Nos. 188 and 189 were thereupon placed on file, and a copy of the report to be transmitted to the Board of Commissioners of Agriculture and Forestry, together with copies of the said two bills.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 150), recommending that Senate Bill No. 369 be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Stand. Com. Rep. No. 150)

Upon motion by Senator Ansai, seconded by Senator Nobriga, and carried, the report of the Committee was adopted; and Senate Bill No. 360 was thereupon referred to the Committee on Ways

and Means.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 151), recommending that Senate Bill No. 438 be referred to the Committee on Ways and Means for favorable action, which was read as follows:

(Stand. Com. Rep. No. 151)

Upon motion by Senator Ansai, seconded by Senator Nobriga, and carried, the report of the Committee was adopted; and Senate Bill No. 438 was thereupon referred to the Committee on Ways and Means.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 152), recommending the passage of House Bill No. 966, which was read as follows:

(Stand. Com. Rep. No. 152)

Upon motion by Senator Ansai, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. House Bill No. 966 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 153), recommending the passage of Senate Joint Resolution No. 13, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 153)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 13, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 154), recommending the passage of Senate Bill No. 193 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 154)

Upon motion by Senator Harrison, seconded by Senator Okino, and carried, the report of the Committee was adopted. Senate Bill No. 193 passed Second Reading in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 155), recommending the passage of House Bill No. 481, which was read as follows:

(Stand. Com. Rep. No. 155)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 481 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 156), recommending the passage of Senate Bill No. 115 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 156)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 115 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 157), recommending the passage of Senate Bill No. 25 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 157)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate

Bill No. 25 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 158), recommending the passage of Senate Bill No. 78 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 158)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 78 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 159), recommending that Senate Bill No. 85 be referred to a Holdover Committee or other commission that might be created by the Legislature, for further study, and be reported to the next session of the Legislature, which was read as follows:

(Stand. Com. Rep. No. 159)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bill No. 85 will be referred to a Holdover Committee or other commission created by the Legislature for study and report to the next Legislature.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 160), recommending the passage of Senate Bill No. 90 and Senate Joint Resolution No. 8, both in amended forms, which was read as follows:

(Stand. Com. Rep. No. 160)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 90 in the amended form, and Senate Joint Resolution No. 8 in the amended form passed Second Reading and were placed

on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 161), recommending the passage of Senate Bill No. 141 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 161)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 141 in the amended form passed Second Reading and was placed on the calendar for ThirdReading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 162), recommending the passage of House Bill No. 160 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 162)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 160 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 163), recommending the passage of Senate Bill No. 225 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 163)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 225 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 164), recommending the passage of Senate Bill No. 260 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 164)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 260 passed Second Reading in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 165), recommending the passage of Senate Bill No. 267 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 165)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 267 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 166), recommending the passage of Senate Bill No. 307 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 166)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 307 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 167), recommending the passage of Senate Bill No. 420 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 167)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 420 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 168), recommending the passage of Senate Bill No. 428, which was read as follows:

(Stand. Com. Rep. No. 168)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 428 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 169), recommending the passage of Senate Bill No. 517, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 169)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 517 passed Second Reading as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 170), recommending the passage of Senate Bill No. 519, with an amendment, which was read by the Clerk as follows:

(Stand. Com. Rep. No. 170)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 519 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 171), recommending that Senate Bill No. 321 be placed on file, inasmuch as Senate Bill No. 193, as amended, on the same subject matter, had been recommended for passage, which was read as follows:

(Stand. Com. Rep. No. 171)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted, and Senate Bill No. 321 was thereupon placed on file.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 172), recommending the passage of House Bill No. 476, which was read as follows:

(Stand. Com. Rep. No. 172)

Upon motion by Senator Harrison, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 476 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 173), recommending the passage of Senate Bill No. 337, which was read as follows:

(Stand. Com. Rep. No. 173)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 337 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 174), recommending the passage of Senate Bill No. 448, which was read as follows:

(Stand. Com. Rep. No. 174)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 448 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 85), recommending the adoption of House Concurrent Resolution No. 6, which was read as follows:

(Spec. Com. Rep. No. 85)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Concurrent Resolution No. 6 was thereby adopted.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 86), recommending the adoption of House Concurrent Resolution No. 2, which was read as follows:

(Spec. Com. Rep. No. 86)

Upon motion by Senator Ansai, seconded by Senator Crockett, and carried, the report of the Committee was adopted; and House Concurrent Resolution No. 2 was thereby adopted.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 87), recommending the passage of Senate Bill No. 114, in an amended form, which was read as follows:

(Spec. Com. Rep. No. 87)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 114 passed Second Reading in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No.88), recommending the amendment of Senate Bill No. 205 in the form attached, and further recommending that the bill in the amended form be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 88)

Upon motion by Senator Dillingham, seconded by Senator Heen, and carried, the report of the Committee was adopted; and Senate Bill No. 205, in the amended form, was thereupon referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 89), recommending that Senate Bills Nos. 392 and 394 be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 89)

Upon motion by Senator Dillingham, seconded by Senator Robinson, and carried, the report of the Committee was adopted; and Senate Bills Nos. 392 and 394 were thereupon referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 90), recommending that Senate Bill No. 455 be placed on file, which was read as follows:

(Spec. Com. Rep. No. 90)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bill No. 455 was thereupon placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 91), recommending the passage of House Joint Resolution No. 32, which was read as follows:

(Spec. Com. Rep. No. 91)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Joint Resolution No. 32 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

SECOND READING OF HOUSE BILLS:

H. B. No. 123: The bill was referred to the Committee on Ways and Means.

H. B. No. 127: The bill was referred to the Select Committee of Kauai Senators.

H. B. No. 147: The bill was referred to the Committee on Public Lands.

H. B. No. 259: The bill was referred to the Committee on Judiciary.

H. B. No. 373: The bill was referred to the Committee on Judiciary.

H. B. No. 483: The bill was referred to the Committee on Judiciary.

H. B. No. 562: The bill was referred to the Joint Committee of the Select Committees of Hawaii, Maui and Kauai Senators, with Senator Ansai as Chairman.

H. B. No. 601: The bill was referred to the Committee on Ways and Means.

H. B. No. 801: The bill was referred to the Committee on Ways and Means.

H. B. No. 874: The bill was referred to the Committee on Ways and Means.

H. B. No. 878: The bill was referred to the Committee on Judiciary.

H. B. No. 879: The bill was referred to the Committee on Judiciary.

H. B. No. 934: The bill was referred to the Committee on Ways and Means.

THIRD READINGS:

Third Reading of Senate Bill No. 77, as amended, entitled: "An Act relating to civil service; amending Chapter 2 of the Revised Laws of Hawaii 1945, as amended," deferred from April 20th:

Upon motion by Senator Dillingham, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Hill, Lee and Okino. Total, 9.

Noes: Senators Aguiar, Ansai, Fernandes, Nobriga, Robinson and Mr. President. Total, 6.

Third Reading of Senate Bill No. 136, as amended, entitled: "An Act to amend Chapter 121.01 of the Revised Laws of Hawaii 1945, as enacted by Act 379 of the Session Laws of Hawaii 1949 (Series B-175), by amending Sections 6195.03, 6195.04, 6195.05, 6195.06, 6195.10, 6195.16, 6195.17, 6195.21, and 6195.24 thereof relating to urban redevelopment; authorizing boards of supervisors of counties to prepare master plans for the county when the board has not been authorized to establish a planning commission; authorizing redevelopment agencies to acquire undeveloped, vacant areas in connection with the redevelopment of blighted areas, exercise the power of eminent domain, issue bonds and other obligations, and give security therefor, and enter into agreements to secure financial aid or contributions and comply with conditions imposed in connection therewith; and authorizing counties to issue and sell bonds for the purpose of donating funds to a redevelopment agency": deferred

Senator Nobriga offered the following amendments to the bill:

(Insert amendments)

Senator Hill moved that action on the amendments and the bill be deferred until tomorrow. Seconded by Senator Lee, and carried.

Third Reading of Senate Bill No. 284, entitled: "An Act to amend Section 1071 of the Revised Laws of Hawaii 1945, relating to owners of unbranded animals":

Upon motion by Senator Ansai, seconded by Senator Robinson, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 435, entitled: "An Act relating to the name of Kula Sanatorium":

Upon motion by Senator Harrison, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 450, as amended, entitled: "An Act relating to the practice of osteopathy in the Territory and the powers and duties of the Board of Osteopathic Examiners, and amending Chapter 54 of the Revised Laws of Hawaii 1945, as amended, relating to osteopathy":

Upon motion by Senator Harrison, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Joint Resolution No. 14, as amended, entitled: "Joint Resolution requesting the Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to make lands available to qualified farmers, deferred from April 20th:

Upon motion by Senator Nobriga, seconded by Senator Okino, and carried, action on the joint resolution was further deferred until Tuesday, April 24th.

Third Reading of Senate Joint Resolution No. 15, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to public lands", with pending amendments offered by Senator Aguiar, deferred from April 20th:

Upon motion by Senator Nobriga, seconded by Senator Okino, and carried, action on the joint resolution, and on the pending amendments, was deferred until Tuesday, April 24th:

Third Reading of Senate Joint Resolution No. 41, as amended, entitled: "Joint Resolution memorializing the Congress of the United States of America to enact the necessary legislation granting Federal aid to the City and County of Honolulu for the construction of the Koolau Tunnel Project through the Kalihi Valley":

Upon motion by Senator Dillingham, seconded by Senator Lee, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 224, entitled: "An Act to amend Act 401 of the Session Laws of Hawaii 1949, relating to appropriations for public improvements and the issuance of public improvement bonds":

Upon motion by Senator Fernandes, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 780, as amended, entitled: "An Act to amend Section 4019 of the Revised Laws of Hawaii 1945, as amended, relating to the conveyance of mentally ill persons to the Territorial Hospital":

Upon motion by Senator Harrison, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At this time, Senator Lee moved that action on Governor's Messages Nos. 5, 8, 11, 13, 14 and 15, relating to appointments, be deferred until Friday, April 27th. Seconded by Senator Duarte.

Senator Hill moved that the motion to defer action on the above enumerated Governor's Messages be tabled. Seconded by Senator Robinson.

A Roll call being demanded, the motion to table the motion to defer action on the Governor's Messages above enumerated was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Harrison, Hill, Robinson and Mr. President. Total, 8.

Noes: Senators Aguiar, Duarte, Fernandes, Heen, Lee, Nobriga and Okino. Total, 7.

Senator Hill then moved that the Senate go into executive session at this time to consider Governor's Messages Nos. 5, 8, 11, 13, 14, 15 on the calendar for today. Seconded by Senator Harrison.

Senator Heen moved that the Senate stand in recess until 1:30 o'clock this afternoon. Seconded by Senator Duarte.

Senator Hill moved that the motion to stand in recess until 1:30 o'clock this afternoon be tabled. Seconded by Senator Harrison, and carried.

Senator Hill thereupon renewed his motion that the Senate go into Executive Session for the consideration of the above enumerated Governor's Messages relating to appointments. Seconded by Senator Harrison, and carried; and at 11:55 o'clock a.m., the Senate went into Executive Session for such purpose.

The Executive Session being ended, the Senate reconvened at 1:25 o'clock p.m., and the Clerk was instructed to communicate with the Governor as follows:

(Insert communication to Governor)

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 260, transmitting House Bill No. 23;

H. Com. No. 261, transmitting House Bill No. 25;

H. Com. No. 262, transmitting House Bill No. 133;

H. Com. No. 263, transmitting House Bill No. 134;

H. Com. No. 264, transmitting House Bill No. 138;

H. Com. No. 265, transmitting House Bill No. 177;

H. Com. No. 266, transmitting House Bill No. 559;

H. Com. No. 267, transmitting House Bill No. 729;

H. Com. No. 268, transmitting House Bill No. 902;

H. Com. No. 269, transmitting House Bill No. 991;

H. Com. No. 270, transmitting House Bill No. 1044;

H. Com. No. 271, transmitting House Bill No. 1086;

H. Com. No. 272, transmitting House Bill No. 1095;

H. Com. No. 273, transmitting House Joint Resolution No. 53.

FIRST READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTION:

H. B. No. 23, entitled: "An Act relating to fuel taxes and the disposition thereof in the county of Maui and amending Chapter 100 and Section 5260 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 25, entitled: "An Act relating to fuel taxes and the disposition thereof; amending Section 5404, Revised Laws of Hawaii 1945, as amended, and amending Sections 5, 6 and 7 of Act 196, Session Laws of Hawaii 1947, and Section 1 of Act 373, Session Laws of Hawaii 1949";

H. B. No. 133, entitled: "An Act relating to sick leave of Territorial and county officers and employees";

H. B. No. 134, entitled: "An Act amending Section 550 of the Revised Laws of Hawaii 1945 relating to vacations of Territorial and county officers and employees, establishing the hourly-multiple principle for charging such vacations";

H. B. No. 138, entitled: "An Act requiring all public officers and employees to be given the benefit of all legal holidays or to be given compensatory time-off";

H. B. No. 177, entitled: "An Act to amend Section 550, Revised Laws of Hawaii 1945, relating to vacations of public officers and employees";

H. B. No. 559, entitled: "An Act relating to the Territorial Council on Veterans' Affairs";

H. B. No. 729, entitled: "An Act to amend Chapter 101 of the Revised Laws of Hawaii 1945, relating to the general excise tax, by amending Sections 5446, 5449, 5451, 5455, 5461, and 5478, and by adding a new section 5451.01";

H. B. No. 902, entitled: "An Act providing a pension of thirty dollars per month for Henry A. Leslie";

H. B. No. 991, entitled: "An Act relating to reemployment lists under the civil service and amending Chapters 2 and 3 of the Revised Laws of Hawaii 1945";

H. B. No. 1044, entitled: "An Act relating to pharmacists and pharmacy and amending Section 2906 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 1086, entitled: "An Act providing a pension of fifty dollars per month for Mun Fee Lum";

H. B. No. 1095, entitled: "An Act removing the Legislative Reference Bureau from the University of Hawaii, establishing it as a separate agency of the Territorial government, and making an appropriation therefor; and repealing Sections 1972 to 1976, inclusive, of the Revised Laws of Hawaii 1945";

H. J. Res. No. 53, entitled: "Joint Resolution authorizing the conveyance to the United States of America of a portion of the lands of the campus of the University of Hawaii".

Upon motion by Senator Capellas, seconded by Senator Heen, and carried, the bills and joint resolution passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

At 1:30 o'clock p.m., upon motion by Senator Lee, seconded by Senator Duarte, and carried, the Senate adjourned until 10:30 o'clock a.m., on Tuesday, April 24, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Hebert K. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FIFTY-FIRST Day

TUESDAY, APRIL 24, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FIFTY-FIRST DAY

Tuesday, April 24, 1951.

The Senate convened at 11:32 o'clock a.m., with the President in the Chair.

After Prayer by the Chaplain, the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Fiftieth Day.

A Message from the Governor (Gov. Message No. 16), acknowledging receipt of certified copy of Senate Concurrent Resolution No. 34, was read as follows:

( Gov. Message No. 16)

The Message was received and placed on file.

DEPARTMENTAL COMMUNICATIONS:

A communication from the Chairman of the Governor's Full Employment Committee (Dept. Com. No. 73), recommending favorable consideration and passage of House Bill No. 804, was read as follows:

(Dept. Com. No. 73)

The communication was received and referred to the Committee on Judiciary.

A communication from the City and County Clerk, City and County of Honolulu (Dept. Com. No. 74), transmitting certified copy of Resolution No. 205 adopted by the Board of Supervisors of said City and County, approving the passage of Senate Joint Resolution No. 25, was read, received and referred to the Committee on Ways and Means.

A communication from the Secretary of the Employees' Retirement System of the Territory of Hawaii (Dept. Com. No. 75), transmitting a copy of the Report of the Actuary on the System for the year ending June 30, 1950, was read, received and placed on file.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 274), informing the Senate that the House had reconsidered its action in passing Senate Joint Resolution No. 1 on Third Reading, and requesting its return to the House for further consideration, was read, received and placed on file.

Upon motion by Senator Lee, seconded by Senator Duarte, and carried, the request was granted; and the Clerk was instructed to comply therewith.

A communication from the House (H. Com. No. 275), transmitting House Concurrent Resolution No. 57, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 57, requesting the Board of Supervisors of the County of Hawaii to increase the rates charged for medical care and hospitalization in hospitals under its jurisdiction to an amount comparable with those charged in the city and county of Honolulu and the County of Kauai:

Upon motion by Senator Hill, seconded by Senator Lee, and carried, the Concurrent Resolution was referred to the Joint Committee composed of the Select Committees of Hawaii, Maui and Kauai Senators, with Senator Ansai as Chairman.

A communication from the House (H. Com. No. 276), transmitting House Concurrent Resolution No. 61, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 61, requesting the Managing Committee of the Hilo Memorial Hospital to increase the rates charged for medical care and

hospitalization in hospitals under its jurisdiction so that such rates shall be comparable to those charged by hospitals subsidized by the Territory in the City and County of Honolulu and the County of Hawaii:

Senator Aguiar offered the following amendment:

"Amend House Concurrent Resolution No. 61 as follows:

"Delete the word 'Hawaii' in line 1 on page 2 of the typewritten copy of the Concurrent Resolution and insert in lieu thereof the word 'Kauai'".

Upon motion by Senator Aguiar, seconded by Senator Duarte, and carried, the amendment was adopted.

Upon motion by Senator Hill, seconded by Senator Lee, and carried, the Concurrent Resolution, as amended, was referred to the Joint Committee composed of the Select Committees of Hawaii, Maui and Kauai Senators, with Senator Ansai as Chairman.

A communication from the House (H. Com. No. 277), transmitting House Concurrent Resolution No. 62, was read, received and placed on file.

Consideration of House Concurrent Resolutinn No. 62, requesting the Maui Hospital Managing Committee to increase the rates charged for medical care and hospitalization in hospitals under its jurisdiction to an amount comparable with those charged by hospitals subsidized by the Territory in the City and County of Honolulu and the County of Kauai:

Upon motion by Senator Hill, seconded by Senator Lee, and carried, the Concurrent Resolution was referred to the Joint Committee composed of the Select Committees of Hawaii, Maui and Kauai Senators, with Senator Ansai as Chairman.

A communication from the House (H. Com. No. 278), transmitting House Concurrent Resolution No. 64, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 64, requesting the Board of Health and the Board of Water Supply of Honolulu and the Board of Water Supply of the County of Hawaii to study thoroughly the problem of fluoridation of the water supply of Honolulu and Hilo, the cost of its application and methods of paying therefor, and to work in conjunction with a legislative Holdover Committee, should one be established, and report their findings to the next regular session of the Legislature:

Upon motion by Senator Harrison, seconded by Senator Duarte, and carried, the Concurrent Resolution was adopted.

The following communications from the House of Representatives, transmitting House Bills and House Joint Resolutions, were read, received and placed on file:

H. Com. No. 279, transmitting House Bill No. 560;

H. Com. No. 280, transmitting House Bill No. 819;

H. Com. No. 281, transmitting House Bill No. 825;

H. Com. No. 282, transmitting House Bill No. 854;

H. Com. No. 283, transmitting House Bill No. 886;

H. Com. No. 284, transmitting House Bill No. 939;

H. Com. No. 285, transmitting House Bill No. 982;

H. Com. No. 286, transmitting House Bill No. 1040;

H. Com. No. 287, transmitting House Bill No. 1041;

H. Com. No. 288, transmitting House Joint Res. No. 33;

H. Com. No. 289, transmitting House Joint Resolution No. 42.

FIRST READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS:

H. B. No. 560, entitled: "An Act amending Chapter 137 of the Revised Laws of Hawaii 1945, as amended relating to intoxicating liquor, by amending Sections 7221, 7222, 7225, 7244, 7256, 7266, 7274 and 7281 thereof; by repealing Sections 7245 subsection 5, 7271, 7273 thereof; and by adding thereto a new section to be designated Section 7250.1 with respect to filing fee with certain applications in the City and County of Honolulu";

H. B. No. 819, entitled: "An Act to amend Section 3651 of the Revised Laws of Hawaii 1945, relating to government aid for housing projects";

H. B. No. 825, entitled: "An Act to amend Chapter 61 of the Revised Laws of Hawaii 1945, as amended, relating to The Hawaii Housing Authority, by amending Sections 3503, 3507, 3515, 3530, 3532, 3536 and 3537 thereof and by repealing Sections 3533, 3534 and 3535 thereof";

H. B. No. 854, entitled: "An Act exempting the motor vehicles furnished veteran amputees by the United States from the vehicle weight tax, and amending Section 5707 of the Revised Laws of Hawaii 1945";

H. B. No. 886, entitled: "An Act authorizing the Board of Supervisors of the County of Maui to pay Mrs. Lucy Bal a pension";

H. B. No. 939, entitled: "An Act authorizing the Board of Supervisors of the County of Kauai to provide a life pension for John K. Cockett";

H. B. No. 982, entitled: "An Act relating to death benefits for elected county and city and county officials; amend-

ing Chapters 122 and 127 of the Revised Laws of Hawaii 1945, as amended, by inserting within each a new section, the new sections to be designated Section 6216.01 and Section 6547.01, respectively";

H. B. No. 1040, entitled: "An Act relating to licenses to sell poisonous drugs and amending Sections 7105 and 7106 of the Revised Laws of Hawaii 1945";

H. B. No. 1041, entitled: "An Act relating to the practice of pharmacy and amending Section 2901 of the Revised Laws of Hawaii 1945, as amended";

H. J. Res. No. 33, entitled: "Joint Resolution requesting the Congress of the United States to amend Sections 208 (1), 213 (b), 213 (c) and 215 of Title II of the Hawaiian Homes Commission Act, 1920, as amended";

H. J. Res. No. 42, entitled: "Joint Resolution exempting from taxation the gross income of and the privilege of engaging in the business of the transportation of property only by air within the Territory of Hawaii, and exempting such business from airport landing fees and rentals".

Upon motion by Senator Duarte, seconded by Senator Ansai, and carried, the bills and joint resolutions passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 290), returning Senate Joint Resolution No. 43, was read, received and placed on file.

A communication from the House (H. Com. No. 291), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 661, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read, received and placed on file.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 175), reporting that all matters referred to it had been mimeographed and were ready for distribution, was read, received and placed on file.

SECOND READING OF SENATE BILLS:

S. B. No. 572: Senator Crockett moved that the Rules be suspended and that the bill be read throughout on Second Reading. Seconded by Senator Lee, and carried; and the bill was thereupon read throughout on Second Reading.

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

S. B. No. 573: Senator Crockett moved that the Rules be suspended and that the bill be read throughout on Second Reading. Seconded by Senator Lee, and carried; and the bill was thereupon read throughout on Second Reading.

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

S. B. No. 574: The bill was referred to the Committee on Judiciary.

S. B. No. 575: The bill was referred to the Committee on Ways and Means.

REPORTS OF COMMITTEES:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 176), recommending the passage of Senate Bill No. 481, which was read as follows:

(Stand. Com. Rep. No. 176)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 481 passed Second Reading and was placed on the calendar

for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 177), recommending the passage of Senate Bill No. 540, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 177)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 540 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Fernandes, for the Select Committee of Kauai Senators, presented a report (Spec. Com. Rep. No. 92), recommending the adoption of House Concurrent Resolution No. 41, with certain amendments, which was read as follows:

(Spec. Com. Rep. No. 92)

Upon motion by Senator Fernandes, seconded by Senator Aguiar, and carried, the report of the Committee was adopted, thereby adopting House Concurrent Resolution No. 41, as amended.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 93), recommending the amendment of Senate Bill No. 488 in the form attached; and further recommending that the bill, in the amended form, be referred to the Committee on Ways and Means for favorable action, which was read as follows:

(Spec. Com. Rep. No. 93)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bill No. 488, in the amended form, was referred to the Committee on Ways and Means.

SECOND READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS:

H. B. No. 23: The bill was referred to the Committee on Ways and Means.

H. B. No. 25: The bill was referred to the Committee on Ways and Means.

H. B. No. 26: The bill was referred to the Committee on Ways and Means.

H. B. No. 27: The bill was referred to the Committee on Ways and Means.

H. B. No. 133: The bill was referred to the Committee on Judiciary.

H. B. No. 134: The bill was referred to the Committee on Judiciary.

H. B. No. 138: The bill was referred to the Committee on Judiciary.

H. B. No. 177: The bill was referred to the Committee on Judiciary.

H. B. No. 222: The bill was referred to the Committee on Judiciary.

H. B. No. 559: The bill was referred to the Committee on Military.

H. B. No. 725: The bill was referred to the Committee on Ways and Means.

H. B. No. 727: The bill was referred to the Committee on Ways and Means.

H. B. No. 728: The bill was referred to the Committee on Ways and Means.

H. B. No. 729: The bill was referred to the Committee on Ways and Means.

H. B. No. 731: The bill was referred to the Committee on Ways and Means.

H. B. No. 733: The bill was referred to the Committee on Ways and Means.

H. B. No. 734: The bill was referred to the Committee on Judiciary.

H. B. No. 747: The bill was referred to the Committee on Judiciary.

H. B. No. 748: The bill was referred to the Committee on Judiciary.

H. B. No. 804: The bill was referred to the Committee on Judiciary.

H. B. No. 827: The bill was referred to the Committee on Ways and Means.

H. B. No. 845: The bill was referred to the Committee on Judiciary.

H. B. No. 872: The bill was referred to the Committee on Ways and Means.

H. B. No. 875: The bill was referred to the Committee on Ways and Means.

H. B. No. 899: The bill was referred to the Committee on Public Health.

H. B. No. 902: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 945: The bill was referred to the Committee on Judiciary.

H. B. No. 946: The bill was referred to the Committee on Ways and Means.

H. B. No. 956: The bill was referred to the Committee on Ways and Means.

H. B. No. 975: The bill was referred to the Committee on Judiciary.

H. B. No. 990: The bill was referred to the Committee on Ways and Means.

H. B. No. 991: The bill was referred to the Committee on Judiciary.

H. B. No. 999: The bill was referred to the Committee on Ways and Means.

H. B. No. 1018: The bill was referred to the Committee on Ways and Means.

H. B. No. 1019: The bill was referred to the Committee on Ways and Means.

H. B. No. 1044: The bill was referred to the Committee on Ways and Means.

H. B. No. 1086: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 1095: The bill was referred to the Committee on Judiciary.

At this time, Senator Dillingham, Chairman of the Committee of the Whole having under consideration certain bills pending before the Senate on the reorganization of various Executive Departments of the Territorial government, reported orally, returning Senate Bills Nos. 88, 92, 374, 381 and 386 to the Clerk's desk with the recommendation that Senate Bills Nos. 88, 381 and 386 be referred to the Committee on Ways and Means, and further recommending that Senate Bills Nos. 92 and 374 be referred to the Committee on Judiciary.

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the oral report of the Committee was adopted, a written report to be filed later; and Senate Bills Nos. 88, 92, 374, 381 and 386 were referred as recommended.

The President thereupon discharged the Committee of the Whole to which the above enumerated bills had been referred.

H. B. No. 1102: The bill was referred to the Committee on Ways and Means.

H. J. Res. No. 53: The joint resolution was referred to the Committee on Public Lands.

THIRD READINGS:

Third Reading of Senate Bill No. 25, as amended, entitled: "An Act to repeal Chapter 73 of the Revised Laws of Hawaii 1945, as amended by Act 146 of the Session Laws of Hawaii 1949, relating to labor disputes in public utilities":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 78, as amended, entitled: "An Act to exempt certain positions in the Department of Public Instruction from the provisions of Chapter 3 of the Revised Laws of Hawaii 1945, as amended, relating to classification":

Upon motion by Senator Dillingham, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 90, as amended, entitled: "An Act to remove the discrimination against women in the matter of jury service in the Territory of Hawaii":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 114, as amended, entitled: "An Act providing for the payment by the Territory of Hawaii of the expense of removal, relocation, replacement and reconstruction of certain utilities in connection with the construction, reconstruction or maintenance of Territorial or Federal Aid Highways:

Upon motion by Senator Dillingham, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 115, as amended, entitled: "An Act relating to the appointment and removal of the Public Prosecutor and the City and County Attorney of the City and County of Honolulu; amending Sections 6528 and 6575 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Dillingham, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15:

Noes: None.

Third Reading of Senate Bill No. 136, as amended, entitled: "An Act to amend Chapter 121.01 of the Revised Laws of Hawaii 1945, as enacted by Act 379 of the Session Laws of Hawaii 1949 (Series B-175), by amending Sections 6195.03, 6195.04, 6195.05, 6195.06, 6195.10, 6195.16, 6195.17, 6195.21, and 6195.24 thereof relating to urban development; authorizing Boards of Supervisors of counties to prepare Master Plans for the county when the Board has not been authorized to establish a Planning Commission; authorizing redevelopment agencies to acquire undeveloped, vacant areas in connection with the redevelopment of blighted areas, exercise the power of eminent domain, issue bonds and other obligations, and give security therefor, and enter into agreements to secure financial aid or contributions and comply with conditions imposed in connection therewith; and authorizing counties to issue and sell bonds for the purpose of donating funds to a redevelopment agency", with pending amendments offered by Senator Nobriga, deferred from yesterday:

Senator Nobriga moved that the amendments be adopted. Seconded by Senator Dillingham, and carried.

Upon motion by Senator Aguiar, seconded by Senator Dillingham, and carried, action on the bill, as amended, was deferred until tomorrow.

At 12:30 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Aguiar, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:24 o'clock p.m., with the President in the Chair, and all Senators being present, with the exception of Senator Hill, excused.

At this time, under suspension of the Rules, Senator Dillingham, for the Select Committee of Oahu Senators, moved that the Senate reconsider its action taken in referring Senate Joint Resolution No. 46 to the Select Committee of Oahu Senators. Seconded by Senator Lee, and carried.

Consideration, on Second Reading, of Senate Joint Resolution No. 46:

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the joint resolution was referred to the Committee on Ways and Means.

The Senate at this time proceeded with the Third Reading of bills and joint resolutions in which it was engaged at the time of the recess:

Third Reading of Senate Bill No. 141, as amended, entitled: "An Act relating to beneficiaries of the Retirement System provided by Chapter 15 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Bill No. 193, as amended, entitled: "An Act to amend Section 2015 of the Revised Laws of Hawaii 1945, relating to the authority of the Board of Health to make regulations for the public health and safety":

Upon motion by Senator Harrison, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Bill No. 225, as amended, entitled: "An Act to amend Chapter 116 of the Revised Laws of Hawaii 1945, as amended, relating to the duties of the Chiefs of Police and prosecuting officers of the various counties and city and county":

Upon motion by Senator Dillingham, seconded by Senator Crockett, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Bill No. 239, entitled: "An Act to amend Chapter 100 of the Revised Laws of Hawaii 1945, relating to fuel taxes":

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Bill No. 260, as amended, entitled: "An Act to amend Chapter 282 of the Revised Laws of Hawaii 1945, as amended, relating to sex offenses":

Upon motion by Senator Dillingham, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators, Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Bill No. 267, as amended, entitled: "An Act relating to demotion, dismissal, and suspension of police officers; amending Sections 6299 and 6811 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Lee, seconded by Senator Ansai, and carried, the bill was recommitted to the Committee on Judiciary.

Third Reading of Senate Bill No. 307, entitled: "An Act providing for the withdrawal of William Viela, Sr., as a member of the Employees' Retirement System of the Territory of Hawaii and for his reinstatement as a member of the Pension Fund for policemen of the County of Maui":

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Bill No. 308, entitled: "An Act to amend Chapter 33, Revised Laws of Hawaii 1945, relating to county public libraries":

Upon motion by Senator Okino, seconded by Senator Lee, and carried, action on the bill was deferred until tomorrow.

Third Reading of Senate Bill No. 337, entitled: "An Act to amend Chapter 74 of the Revised Laws of Hawaii 1945, as amended, relating to employment security":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Bill No. 420, as amended, entitled: "An Act to amend Chapter 74 of the Revised Laws of Hawaii 1945, as amended, relating to employment security":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Bill No. 428, entitled: "An Act to amend Chapter 74 of the Revised Laws of Hawaii 1945, as amended, relating to employment security":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Bill No. 448, entitled: "An Act relating to the taking of depositions in this Territory to be used in any foreign jurisdiction":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Bill No. 517, as amended, entitled: "An Act to amend Section 9633 of the Revised Laws of Hawaii 1945, as amended, relating to the number of First Circuit Court Judges by providing for an additional judge of said court, and making an appropriation":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson, and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Bill No. 519, as amended, entitled: "An Act to provide for the preservation and promotion of the public health, safety and welfare in the event of territorial emergencies resulting from disruptions of service in the stevedoring industry (herein defined to include terminal and other related services), providing for the seizure and operation of the plant and facilities, including related facilities, of stevedoring companies by the government during such emergencies, making appropriations and providing other funds for such government operations, prohibiting interference with government operations and providing penalties and remedies therefor, and repealing Acts 2, 3 and 62 of the Special Session Laws of Hawaii 1949":

Senator Heen offered the following amendment to the bill, as amended:

"Amend Senate Bill No. 519 as follows:

In line 4 of Section 3 of the typewritten bill on Third Reading, delete the word 'territory-wide' and insert in lieu thereof the word 'territorial'".

Upon motion by Senator Dillingham, seconded by Senator Heen, the amendment was adopted.

Upon motion by Senator Dillingham, seconded by Senator Crockett, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Harrison, Heen, Lee, Robinson and Mr. President. Total, 9.

Noes: Senators Aguiar, Duarte, Fernandes, Nobriga and Okino. Total, 5.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Joint Resolution No. 8, as amended, entitled: "Joint Resolution memorializing the Congress of the United States to enact legislation to remove the discrimination against women in the matter of jury service in the Territory of Hawaii":

Upon motion by Senator Robinson, seconded by Senator Capellas, and carried, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Joint Resolution No. 13, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to grant purchase options to certain lessees":

Upon motion by Senator Nobriga, seconded by Senator Duarte, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Crockett, Dillingham, Duarte, Fernandes, Heen, Lee, Nobriga, Okino and Mr. President. Total, 9.

Noes: Senators Aguiar, Ansai, Capellas, Harrison and Robinson. Total, 5.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of Senate Joint Resolution No. 14, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to make lands available to qualified farmers", deferred from yesterday:

Senator Nobriga offered the following amendments to the joint resolution:

(insert amendments)

Senator Ansai moved that action on the amendments and on the joint resolution be deferred until tomorrow, and that the amendments be printed and distributed to the members. Seconded by Senator Dillingham, and carried.

Third Reading of Senate Joint Resolution No. 15, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to public lands", with pending amendment, deferred from yesterday:

Upon motion by Senator Nobriga, seconded by Senator Dillingham, and carried, action on the amendments and the joint resolution, as amended, be deferred until tomorrow. Seconded by Senator Dillingham, and carried.

Third Reading of House Bill No. 96, as amended, entitled: "An Act making appropriations out of the general revenues to cover certain deficiencies for governmental purposes for the biennial period ending June 30, 1951":

Upon motion by Senator Ansai, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: Senator Duarte. Total, 1.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of House Bill No. 160, as amended, entitled: "An Act amending Section 1653 of the Revised Laws of Hawaii 1945, relating to the maintenance of inventory of government assets by county officers":

Upon motion by Senator Crockett, seconded by Senator Ansai, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of House Bill No. 221, entitled: "An Act to amend Section 1238 of the Revised Laws of Hawaii 1945, relating to opelu fishing":

Upon motion by Senator Ansai, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: Senator Duarte. Total, 1.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of House Bill No. 476, as amended, entitled: "An Act relating to public health, providing for a Bureau of Industrial Hygiene, defining its powers and duties, amending Section 2015 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Harrison, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of House Bill No. 481, entitled: "An Act relating to child labor, and to amend Section 4121 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Dillingham, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of House Bill No. 589, as amended, entitled: "An Act requesting the Board of Supervisors of the County of Hawaii to make provision for the conversion of the site of the Kailua courthouse, Kona, Hawaii, to a suitable area for a park and playground", deferred from April 20th:

Upon motion by Senator Okino, seconded by Senator Capellas, and carried, the bill was recommitted to the Select Committee of Hawaii Senators.

Third Reading of House Bill No. 966, entitled: "An Act authorizing the Board of Commissioners of Agriculture and Forestry to establish, manage and regulate game reserves and refuges and public shooting grounds, and providing penalties":

Upon motion by Senator Ansai, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

Third Reading of House Joint Resolution No. 16, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to permit sales of government lands where in the public interest", deferred from April 20th:

Upon motion by Senator Aguiar, seconded by Senator Ansai, and carried, action on the joint resolution was further deferred until tomorrow.

Third Reading of House Joint Resolution No. 32, entitled: "Joint Resolution requesting the Congress of the United States of America to withdraw and to restore to its previous status under the control of the Territory certain Hawaiian Home Lands required for use by the Board of Water Supply of the City and County of Honolulu for a water shaft, pump station and tunnel, and to amend Section 203 of the Hawaiian Homes Commission Act, 1920, so as to place certain lands of Auwaiolimu, Kewalo-Uka and Kalawahine on the island of Oahu, Territory of Hawaii, under the operation of said Act and to confer thereon the status of Hawaiian Home Lands":

Upon motion by Senator Dillingham, seconded by Senator Aguiar, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Hill. Total, 1.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 292), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 780, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read, received and placed on file.

A communication from the House (H. Com. No. 293), transmitting House Bill No. 730, was read, received and placed on file.

FIRST READING OF HOUSE BILL:

H. B. No. 730, entitled: "An Act to amend Chapter 101 of the Revised Laws of Hawaii 1945, relating to the general excise tax, by adding a new Section 5476.01 relating to the setting aside of admissions to guarantee collection of the tax from transient performers and other transients":

Upon motion by Senator Harrison, seconded by Senator Duarte, and carried, the bill passed First Reading by title and was placed on the calendar for Second Reading tomorrow.

INTRODUCTION OF BILL:

Under suspension of the Rules, and by unanimous consent, Senator Harrison introduced a bill (S. B. No. 576), entitled: "Ah Act relating to the temporary care and custody of mentally ill persons and to the procedure with respect to the custody and care of such persons".

Upon motion by Senator Harrison, seconded by Senator Duarte, and carried, the bill passed First Reading by title and was referred to the Printing Committee.

COMMITTEE REPORTS:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 178), recommending the passage of Senate Bill No. 551 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 178)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 551 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 94), recommending that Senate Bill No. 489, together with a copy of the proposed budget of the Oahu Disaster Relief Agency, be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 94)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bill No. 489 with the copy of the proposed budget referred to, were referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 95), recommending the passage of Senate Bill No. 544, in an amended form, which was read as follows:

(Spec. Com. Rep. No. 95)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 544 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 96), recommending that Senate Bill No. 453 be placed on file, which was read as follows:

(Spec. Com. Rep. No. 96)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bill No. 453 was thereupon placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 97), recommending that Senate Bill No. 396 be placed on file, which was read as follows:

(Spec. Com. Rep. No. 97)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bill No. 396 was thereupon placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 98), recommending the amendment of Senate Bill No. 353 in the form attached, and as so amended, recommending that it be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 98)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bill No. 353, in the amended form, was thereupon referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 99), recommending the amendment of Senate Bill No. 545 in the form attached, and further recommending that the bill, in the amended form, be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Spec. Com. Rep. No. 99)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bill No. 545, in the amended form, was referred to the Committee on Ways and Means.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 100), recommending that Senate Joint Resolution No. 40 be placed on file, which was read as follows:

(Spec. Com. Rep. No. 100)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Joint Resolution No. 40 was thereupon placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 101), recommending the adoption of House Concurrent Resolution No. 39, which was read as follows:

(Spec. Com. Rep. No. 101)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted, thereby House Concurrent Resolution No. 39 was adopted.

Senator Dillingham, for the Committee of the Whole, having under consideration Senate Bills Nos. 88, 92, 374, 381 and 386, presented a report (Com. Whole Rep. No. 10), recommending that Senate Bills Nos. 88, 381 and 386 be referred to the Committee on Ways and Means; further recommending that Senate Bills Nos. 92 and 374 be referred to the Committee on Judiciary; and further recommending that the Committee be discharged, which was read as follows:

(Com. Whole Rep. No. 10)

The report was received and placed on file, the oral report of the Committee having been adopted previously.

CONCURRENT RESOLUTION OFFERED:

Senators Capellas, Nobriga and Okino offered a Concurrent Resolution (S. Con. Res. No. 43), requesting the Board of Supervisors of the County of Hawaii to make provision for the conver-

sion of the site of the Kailua courthouse at Kona, Hawaii, so that it will be a suitable area for park and playground purposes, which was read as follows:

(S. Con. Res. No. 43)

Upon motion by Senator Okino, seconded by Senator Ansai, and carried, action on the Concurrent Resolution was deferred until tomorrow.

At 3:15 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Lee, and carried, the Senate adjourned until 10:30 o'clock a.m., on Wednesday, April 25, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FIFTY-SECOND Day

WEDNESDAY, APRIL 25, 19 51

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FIFTY-SECOND DAY

Wednesday, April 25, 1951.

The Senate convened at 11:18 o'clock a.m., with the President presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-First Day.

DEPARTMENTAL COMMUNICATION:

A communication from the Acting Secretary of Hawaii (Dept. Com. No. 76), informing the Senate that the Governor had signed Senate Bill No. 227, as Act 5, was read as follows:

(Dept. Com. No. 76)

The communication was received and placed on file.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 294), transmitting House Concurrent Resolution No. 66, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 66, requesting the Governor to return to the House of Representatives House Bill No. 566, relating to the Armory Board, for the purpose of making certain corrections therein:

Upon motion by Senator Heen, seconded by Senator Fernandes, and carried, the Concurrent Resolution was adopted.

A communication from the House (H. Com. No. 295), returning Senate Concurrent Resolution No. 36 adopted by the House of Representatives, was read, received and placed on file.

A communication from the House (H. Com. No. 296), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Concurrent Resolution No. 41, and that said Concurrent Resolution, as thus amended, had been finally adopted by the House, was read, received and placed on file.

A communication from the House (H. Com. No. 297), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 96; had requested a conference thereon, and had appointed Representatives Sakakihara, Paschoal and Fukushima as Managers on the part of the House at such conference, was read as follows:

(H. Com. No. 297)

The communication was received and placed on file.

The President thereupon appointed Senators Hill, Fernandes and Ansai as Conferees on the part of the Senate for the consideration of said amendments.

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 298, transmitting House Bill No. 6;

H. Com. No. 299, transmitting House Bill No. 72;

H. Com. No. 300, transmitting House Bill No. 126;

H. Com. No. 301, transmitting House Bill No. 167;

H. Com. No. 302, transmitting House Bill No. 341;

H. Com. No. 303, transmitting House Bill No. 380;

H. Com. No. 304, transmitting House Bill No. 410;

H. Com. No. 305, transmitting House Bill No. 413;

H. Com. No. 306, transmitting House Bill No. 440;

H. Com. No. 307, transmitting House Bill No. 521;

H. Com. No. 308, transmitting House Bill No. 524;

H. Com. No. 309, transmitting House Bill No. 575;

H. Com. No. 310, transmitting House Bill No. 644;

H. Com. No. 311, transmitting House Bill No. 862;

H. Com. No. 312, transmitting House Bill No. 873;

H. Com. No. 313, transmitting House Bill No. 881;

H. Com. No. 314, transmitting House Bill No. 915;

H. Com. No. 315, transmitting House Bill No. 922;

H. Com. No. 316, transmitting House Bill No. 924;

H. Com. No. 317, transmitting House Bill No. 989;

H. Com. No. 318, transmitting House Bill No. 1064;

H. Com. No. 319, transmitting House Bill No. 1125;

H. Com. No. 320, transmitting House Bill No. 663;

H. Com. No. 321, transmitting House Joint Resolution No. 5;

H. Com. No. 322, transmitting House Joint Resolution No. 18;

FIRST READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS:

H. B. No. 6, entitled: "An Act amending Section 4353 of the Revised Laws of Hawaii 1945, as amended, relating to wages and hours of labor, by increasing the minimum wage";

H. B. No. 72, entitled: "An Act relating to the prevention and control of fire hazards and fires in the County of Kauai; creating the Kauai Fire Department; defining offenses and providing penalties";

H. B. No. 126, entitled: "An Act relating to the Maui Fire Department and amending Act 25 (Series B-192) of the Session Laws of Hawaii 1949";

H. B. No. 167, entitled: "An Act providing for the establishment of the Kauai Veterans Memorial Hospital at Waimea, Kauai";

H. B. No. 341, entitled: "An Act to amend Section 11707 of the Revised Laws of Hawaii 1945, relating to lights on motor and other vehicles";

H. B. No. 380, entitled: "An Act amending Section 552, Revised Laws of Hawaii 1945, relating to sick leaves and providing that the administration thereof shall be on a calendar year basis";

H. B. No. 410, entitled: "An Act relating to public improvements and the financing thereof, making appropriations for expenditure by the Hawaiian Homes Commission for construction of an irrigation system at Waimea, Hawaii; amending Act 227 of the Session Laws of Hawaii 1943, reducing the amount for expenditure by the Molokai Water Board for an irrigation and water utilitization system";

H. B. No. 413, entitled: "An Act relating to the Retirement System and amending Section 708 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 440, entitled: "An Act providing overtime pay for per diem employees of the several counties";

H. B. No. 521, entitled: "An Act to amend Chapter 282 of the Revised Laws of Hawaii 1945, as amended, relating to sex offenses";

H. B. No. 524, entitled: "An Act to amend Section 3906 of the Revised Laws of Hawaii 1945, as amended, relating to the duties of jailors";

H. B. No. 575, entitled: "An Act to amend Section 7481 of the Revised Laws of Hawaii 1945, relating to weights and measures";

H. B. No. 644, entitled: "An Act creating a new Council on Veterans' Affairs, defining its functions, powers and du-

ties, abolishing the Territorial Council on Veterans' Affairs, repealing Act 150 of the Session Laws of Hawaii 1945";

H. B. No. 862, entitled: "An Act to amend Chapter 74 of the Revised Laws of Hawaii 1945, as amended, relating to employment security";

H. B. No. 873, entitled: "An Act amending Part II of Chapter 85 of the Revised Laws of Hawaii 1945, as amended, and relating to aid to the permanently and totally disabled";

H. B. No. 881, entitled: "An Act relating to the Employees' Retirement System of the Territory of Hawaii and amending Section 708 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 915, entitled: "An Act to amend Section 8540 of the Revised Laws of Hawaii 1945, relating to the Fire Marshal, and copies of reports and communications from and to the Fire Marshal";

H. B. No. 922, entitled: "An Act authorizing the Board of Supervisors of the County of Kauai to negotiate with the Commissioner of Public Lands of the Territory of Hawaii for the acquisition of a site at Lihue, Kauai, for a public cemetery";

H. B. No. 924, entitled: "An Act amending the third paragraph of Section 4517 of the Revised Laws of Hawaii 1945, relating to public lands and fees for consents to assign, sublet, mortgage or transfer interests in the same";

H. B. No. 989, entitled: "An Act relating to the duties of the several directors of personnel with respect to the Retirement System and amending Section 65 of the Revised Laws of Hawaii 1945";

H. B. No. 1064, entitled: "An Act to prevent discrimination in employment by reason of membership in the National Guard, and providing penalties for violation thereof";

H. B. No. 1125, entitled: "An Act relating to the inheritance tax and amending Section 5574 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 663, entitled: "An Act relating to the employment of prisoners serving sentences in county jails, commutation of such sentences, amending Sections 3905 and 3951 of the Revised Laws of Hawaii 1945, and repealing Section 3952 of the Revised Laws of Hawaii 1945";

H. J. Res. No. 5, entitled: "Joint Resolution memorializing the Congress of the United States of America to enact legislation authorizing and empowering the Commissioner of Public Lands of the Territory of Hawaii to extend to pineapple growers the same provisions and conditions as are now extended to sugar growers";

H. J. Res. No. 18, entitled: "Joint Resolution requesting the Congress of the United States of America to amend the Hawaiian Organic Act to permit sale of lands to farmers qualified for Bankhead-Jones Act loans".

Upon motion by Senator Crockett, seconded by Senator Aguiar, and carried, the bills and joint resolutions passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 179), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

SECOND READING OF SENATE BILL:

S. B. No. 576: The bill was referred to the Committee on Public Health.

REPORTS OF COMMITTEES:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 180), recommending the passage of Senate Bill No. 89 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 180)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 89, in the amended form, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 181), recommending that Senate Bill No. 287 be placed on file, which was read as follows:

(Stand. Com. Rep. No. 181)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bill No. 287 was thereupon placed on file.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 182), recommending the passage of Senate Bill No. 463 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 182)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 463 passed Second Reading in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 183), recommending the passage of Senate Bill No. 462, which was read as follows:

(Stand. Com. Rep. No. 183)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 462 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 184), recommending the passage of Senate Bill No. 343, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 184)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 343 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 185), recommending the passage of Senate Bill No. 338, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 185)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 338, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 186), recommending the passage of Senate Bill No. 229, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 186)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 229, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 102), recommending the passage of House Bill No. 169, which was read as follows:

(Spec. Com. Rep. No. 102)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 169 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Fernandes, for the Select Committee of Kauai Senators, presented a report (Spec. Com. Rep. No. 103), recommending the passage of House Bill No. 127, which was read as follows:

(Spec. Com. Rep. No. 103)

Upon motion by Senator Fernandes, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. House Bill No. 127 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Consideration of Senate Concurrent Resolution No. 43, requesting the Board of Supervisors of the County of Hawaii to make provision for the conversion of the site of the Kailua courthouse at Kona, Hawaii, so that it will be a suitable area for park and playground purposes", deferred from yesterday, on Special Order:

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the Concurrent Resolution was referred to the Select Committee of Hawaii Senators.

SECOND READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS:

H. B. No. 560: The bill was referred to the Committee on Judiciary.

H. B. No. 730: The bill was referred to the Committee on Ways and Means.

H. B. No. 819: The bill was referred to the Committee on Judiciary.

H. B. No. 825: The bill was referred to the Committee on Judiciary.

H. B. No. 854: The bill was referred to the Committee on Ways and Means.

H. B. No. 886: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 939: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 982: The bill was referred to the Committee on Ways and Means.

H. B. No. 1040: The bill was referred to the Committee on Public Health.

H. B. No. 1041: The bill was referred to the Committee on Public Health.

H. J. Res. No. 33: The joint resolution was referred to the Committee on Public Lands.

H. J. Res. No. 42: The joint resolution was referred to the Committee on Ways and Means.

THIRD READINGS:

Third Reading of Senate Bill No. 136, as amended, entitled: "An Act to amend Chapter 121.01 of the Revised Laws of Hawaii 1945, as enacted by Act 379 of the Session Laws of Hawaii 1949 (Series B-175), by amending Sections 6195.03, 6195.04, 6195.05, 6195.06,

6195.10, 6195.16, 6195.17, 6195.21 and 6195.24 thereof relating to urban redevelopment; authorizing boards of supervisors of counties to prepare master plans for the county when the board has not been authorized to establish a planning commission; authorizing redevelopment agencies to acquire undeveloped, vacant areas in connection with the redevelopment of blighted areas, exercise the power of eminent domain, issue bonds and other obligations, and give security therefor, and enter into agreements to secure financial aid or contributions and comply with conditions imposed in connection therewith; and authorizing counties to issue and sell bonds for the purpose of donating funds to a redevelopment agency", deferred from yesterday:

Upon motion by Senator Nobriga, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Capellas. Total, 1.

Third Reading of Senate Bill No. 308, as amended, entitled: "An Act to amend Chapter 33, Revised Laws of Hawaii 1945, relating to county public libraries", deferred from yesterday:

Senator Okino offered the following amendments to the bill:

"Amend Senate Bill No. 308 as follows:

a. Delete ",Ltd.," in lines six and eight and change the 'comma' after the word 'Association' to a period' and delete 'Ltd.' in line thirteen of quoted Section 1916 in Section 1.

b. Delete ",Limited," in line 10, the 'comma' following the word 'Association' in line 18, and 'Limited,' in line 19 of quoted Section 1917 in Section 1.

c. Delete ', Limited,' in lines 3 and 5 of paragraph one and in lines 4 and 10 of paragraph four of quoted Section 1918 in Section 1.

d. Delete ', Limited,' in line 3 of Section 2."

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the amendments were adopted.

Upon motion by Senator Okino, seconded by Senator Nobriga, the bill, as amended, and as further amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 481, entitled: "An Act to amend Chapter 74 of the Revised Laws of Hawaii 1945, as amended, relating to employment security":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: Senators Aguiar, Duarte and Fernandes. Total, 3.

Third Reading of Senate Bill No. 540, as amended, entitled: "An Act relating to eminent domain":

Senator Heen offered the following amendment to the bill:

"Amend Senate Bill No. 540, SD 1, as follows:

Amend SECTION 7 of the bill by substituting for the word 'chapter' in the fifth line of said section, the words 'other law'; and by substituting for the word and figure 'chapter 8' in the seventh line of said section, the words 'other laws'".

Upon motion by Senator Heen, seconded by Senator Lee, and carried, the amendments were adopted.

Upon motion by Senator Dillingham, seconded by Senator Duarte, the amended bill as further amended passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Capellas. Total, 1.

Third Reading of Senate Bill No. 544, as amended, entitled: "An Act amending Section 6774 of the Revised Laws of Hawaii 1945, as amended, relating to income from operation of parks, playgrounds and recreational facilties":

Upon motion by Senator Duarte, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 551, as amended, entitled: "An Act to amend Chapter 72A of the Revised Laws of Hawaii 1945, the Hawaii Employment Relations Act":

Senator Heen offered the following amendments to the bill:

"Amend Senate Bill No. 551-SD 1, as follows:

1. Amend the title to read as follows:

'AN ACT
TO AMEND THE HAWAII EMPLOYMENT RELATIONS ACT
AS ENACTED BY ACT 250 OF THE SESSION LAWS
OF HAWAII 1945.'

2. Amend Section 1 by deleting '4150.03 of the Revised' appearing in line 1, and substituting therefor the following:

'3 of the Session'

3. Amend Section 2 by deleting '4150.04 of the Revised' appearing in line 1, and substituting therefor the following:

'4 of the Session'

4. Amend Section 3 by deleting '4150.05 of the Revised' appearing in line 1, and substituting therefor the following:

'5 of the Session'

5. Amend said Section 3 by deleting '(4150.05).' appearing in line 1 of the quoted section.

6. Amend Section 4 by deleting '4150.09 of the Revised' appearing in line 1, and substituting therefor the following:

'9 of the Session'."

Upon motion by Senator Heen, seconded by Senator Dillingham, and carried, the amendments were adopted.

Upon motion by Senator Heen, seconded by Senator Dillingham, the amended bill as further amended passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Hill. Total, 1.

Third Reading of Senate Bill No. 572, entitled: "An Act to provide for disaster relief during any period in which Act 320 of the Session Laws of Hawaii 1949 shall not be in effect":

Senator Hill moved that the bill be referred to the Committee of the Whole Senate. Seconded by Senator Dillingham, and carried.

The President thereupon appointed Senator Crockett as Chairman of such Committee of the Whole.

Third Reading of Senate Bill No. 573, entitled: "An Act relating to the existing national emergency; providing for the public peace, health, safety and welfare and for the common defense during such emergency; providing for preparation for and functioning in respect of attacks (including sabotage or any hostile action) during such emergency, and for other measures having to do with shortages during such emergency and the maintenance of the strength, resources and economic life of the Territory and its inhabitants during such emergency; providing for the emergency organization of government and suspension of laws; providing the duties and powers of the governor and the political subdivisions; providing for certain transactions; authorizing charges to be made; authorizing the governor to exercise certain powers over persons and property, to prescribe rules and regulations, and to delegate powers; prescribing rights and immunities; authorizing cooperation and agreements with the federal government, state governments and other governments and agencies; providing penalties and other means of enforcement; and making and authorizing appropriations and expenditures":

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the bill was referred to the Committee of the Whole with Senator Crockett as Chairman.

Third Reading of Senate Joint Resolution No. 14, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to make lands available to qualified farmers", with pending amendments offered by Senator Nobriga, deferred from yesterday:

Senator Heen moved that the joint resolution and the pending amendments be referred to the Committee of the Whole Senate. Seconded by Senator Hill, and carried.

The President thereupon appointed Senator Nobriga as Chairman of the said Committee of the Whole.

Third Reading of Senate Joint Resolution No. 15, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to public lands", with pending amendments, deferred from yesterday:

Senator Heen moved that the Joint Resolution, and the pending amendments be referred to the Committee of the Whole, with Senator Nobriga as Chairman, to which Senate Joint Resolution No. 14 had been referred. Seconded by Senator Hill, and carried.

Third Reading of House Joint Resolution No. 16, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to permit sales of government lands where in the public interest", deferred from yesterday:

Senator Aguiar moved that the joint resolution be referred to the Committee of the Whole, with Senator Nobriga as Chairman. Seconded by Senator Hill, and carried.

INTRODUCTION OF BILL:

Under suspension of the Rules, and by unanimous consent, Senators Lee, Aguiar, Nobriga, Robinson and Ansai introduced a bill (S. B. No. 577), entitled: "An Act for the relief of farmers at Waimanalo, Oahu; authorizing the Farm Loan Board of Hawaii to make loans not exceeding one thousand dollars to such farmers".

Upon motion by Senator Lee, seconded by Senator Robinson, and carried, the bill passed First Reading by title and was referred to the Printing Committee.

At 12:40 o'clock p.m., upon motion by Senator Lee, seconded by Senator Hill, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:31 o'clock p.m., with the President in the Chair and all Senators being present with the exception of Senator Harrison excused and Senators Heen and Hill temporarily excused.

A communication from the House (H. Com. No. 323), returning Senate Bill No. 60, with an amendment, was read as follows:

(H. Com. No. 323)

The communication was received and placed on file.

Senator Crockett moved that the Senate concur in the amendment proposed by the House. Seconded by Senator Robinson, and carried; and Senate Bill No. 323, entitled: "An Act to amend Section 4112 of the Revised Laws of Hawaii 1945, relating to duties and powers of the Commission of Labor and Industrial Relations", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Harrison, Heen and Hill. Total, 3.

At this time, Senator Lee moved that the Senate resolve itself into a Committee of the Whole for the consideration of Senate Bills Nos. 572 and 573, relating to the national emergency. Seconded by Senator Dillingham, and carried; and at 2:35 o'clock p.m., the Senate resolved itself into a Committee of the Whole for such purpose, with Senator Crockett as Chairman.

At 3:01 the Committee rose and the Senate reconvened, with all Senators being present with the exception of Senator Harrison, excused.

Senator Crockett, for the Committee of the Whole, reported orally, recommending the passage on Third Reading of Senate Bills Nos. 572 and 573.

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the oral report of the Committee was adopted, a written report to be filed later.

Third Reading of Senate Bill No. 572, entitled: "An Act to provide for disaster relief during any period in which Act 320 of the Session Laws of Hawaii 1949 shall not be in effect":

Upon motion by Senator Crockett, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of Senate Bill No. 573, entitled: "An Act relating to the existing national emergency; providing for the public peace, health, safety and welfare and for the common defense during such emergency; providing for preparation

for and functioning in respect of attacks (including sabotage or any hostile action) during such emergency, and for other measures having to do with shortages during such emergency and the maintenance of the strength, resources and economic life of the Territory and its inhabitants during such emergency; providing for the emergency organization of government and suspension of laws; providing the duties and powers of the governor and the political subdivisions; providing for certain transactions; authorizing charges to be made; authorizing the governor to exercise certain powers over persons and property, to prescribe rules and regulations, and to delegate powers; prescribing rights and immunities; authorizing cooperation and agreements with the federal government, state governments and other governments and agencies; providing penalties and other means of enforcement; and making and authorizing appropriations and expenditures":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

At 3:06 o'clock p.m., upon motion by Senator Nobriga, seconded by Senator Okino, and carried, the Senate resolved itself into a Committee of the Whole for the consideration of Senate Joint Resolutions Nos. 14 and 15 and House Joint Resolution No. 16, with Senator Nobriga as Chairman.

At 4:30 o'clock p.m., the Committee rose and the Senate reconvened.

Senator Nobriga, for the Committee of the Whole, having under consideration Senate Joint Resolutions Nos. 14 and 15 and House Joint Resolution No. 16, all relating to public lands of the Territory, reported orally, recommending that Senate Joint Resolution No. 14, as amended, together with the pending amendments, be referred to a Holdover Committee of the Legislature should one be created; that Senate Joint Resolution No. 15, as amended, together with the pending amendments, be recommitted to the Committee on Public Lands; and that House Joint Resolution No. 16, as amended, be placed on the calendar for Third Reading tomorrow, subject to such amendments as the Attorney General may submit.

Upon motion by Senator Nobriga, seconded by Senator Okino, and carried, the oral report of the Committee was adopted, a written report to be filed later.

At 4:40 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Hill, and carried, the Senate adjourned until 11:00 o'clock a.m., on Thursday, April 26, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Nelson D. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FIFTY-THIRD Day

THURSDAY, APRIL 26, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FIFTY-THIRD DAY

Thursday, April 26, 1951.

The Senate convened at 11:15 o'clock a.m., with the President in the Chair.

After Prayer by the Chaplain, the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Second Day.

DEPARTMENTAL COMMUNICATIONS:

A communication from the Acting Secretary of Hawaii (Dept. Com. No. 77), informing the Senate that the Governor had signed House Bill No. 966, as Act 6, was read as follows:

(Dept. Com. No. 77)

The communication was received and placed on file.

A communication from the City and County Clerk (Dept. Com. No. 78), transmitting certified copy of Resolution No. 213 adopted by the Board of Supervisors of the City and County of Honolulu, requesting the Legislature to memorialize the Congress of the United States in support of bill S 1124 relating to an amendment of the Federal Civil Defense Act of 1950, was read, and was referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 324), transmitting House Concurrent Resolution No. 51, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 51, relating to the coffee industry in Hawaii:

The Concurrent Resolution was referred to the Committee on Agriculture, Forestry and Conservation.

A communication from the House (H. Com. No. 325) transmitting House Concurrent Resolution No. 55, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 55, "requesting the Agricultural Extension Service of the University of Hawaii to publicize the benefits available to farmers under the National Agricultural Conservation program":

The Concurrent Resolution was referred to the Committee on Agriculture, Forestry and Conservation.

A communication from the House (H. Com. No. 326), returning Senate Concurrent Resolution No. 40, was read, received and placed on file.

A communication from the House (H. Com. No. 327), returning Senate Concurrent Resolution No. 42, was read, received and placed on file.

A communication from the House (H. Com. No. 328), returning Senate Concurrent Resolution No. 41, with an amendment was read as follows:

(H. Com. No. 328)

The communication was received and placed on file.

Upon motion by Senator Lee, seconded by Senator Ansai, and carried, the Senate concurred in the amendment proposed by the House; and Senate Concurrent Resolution No. 41, as amended, was thereby finally adopted.

The following communications were received from the House of Representatives, transmitting House Bills and House Joint Resolutions, were read, received and placed on file:

H. Com. No. 329, transmitting House Joint Resolution No. 64;

H. Com. No. 330, transmitting House Bill No. 132;

H. Com. No. 331, transmitting House Bill No.136;

H. Com. No. 332, transmitting House Bill No. 157;

H. Com. No. 333, transmitting House Bill No. 359;

H. Com. No. 334, transmitting House Bill No. 372;

H. Com. No. 335, transmitting House Bill No. 434;

H. Com. No. 336, transmitting House Bill No. 457;

H. Com. No. 337, transmitting House Bill No. 577;

H. Com. No. 338, transmitting House Bill No. 757;

H. Com. No. 339, transmitting House Bill No. 763;

H. Com. No. 340, transmitting House Bill No. 768;

H. Com. No. 341, transmitting House Bill No. 774;

H. Com. No. 342, transmitting House Bill No. 798;

H. Com. No. 343, transmitting House Bill No. 914;

H. Com. No. 344, transmitting House Bill No. 955;

H. Com. No. 345, transmitting House Bill No. 986;

H. Com. No. 346, transmitting House Bill No. 1010;

H. Com. No. 347, transmitting House Bill No. 1011;

H. Com. No. 348, transmitting House Bill No. 1094;

H. Com. No. 349, transmitting House Bill No. 54;

H. Com. No. 350, transmitting House Joint Resolution No. 36;

H. Com. No. 351, transmitting House Joint Resolution No. 51.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS:

H. J. Res. No. 64, entitled: "Joint Resolution for the relief of Edward C. Searle; requesting Congress to authorize and direct the

Commissioner of Public Lands to issue a right of purchase lease on homestead land at Ninole-Wailau, Kau, Hawaii";

H. B. No. 132, entitled: "An Act amending Act 36 of the Special Session Laws of Hawaii 1949, relating to overtime work of government officers and employees";

H. B. No. 136, entitled: "An Act to amend Chapter 15, Revised Laws of Hawaii 1945, by adding thereto Sections 719, 720 and 721 to define the privileges and benefits of members of the Employees' Retirement System of the Territory of Hawaii while in the Armed Forces and certain essential war services and for a limited time thereafter";

H. B. No. 157, entitled: "An Act relating to the administration of general assistance by the Department of Public Welfare";

H. B. No. 359, entitled: "An Act amending Section 351 of the Revised Laws of Hawaii 1945, relating to qualifications of bidders on public contracts";

H. B. No. 372, entitled: "An Act relating to Territorial prisons";

H. B. No. 434, entitled: "An Act to authorize the Director of Institutions to pay the claims of certain employees of Oahu Prison for overtime work";

H. B. No. 457, entitled: "An Act relating to the sale of liquor to uniformed personnel of the Armed Forces";

H. B. No. 577, entitled: "An Act to provide for the acquisition, construction, establishment and improvement of certain highway improvements, and drainage, sanitary sewerage, light and water systems, and other public improvements, by special assessment, in the county of Kauai and to provide for financing the same by the issuance of improvement district bonds and other means";

H. B. No. 757, entitled: "An Act to amend Act 225 of the Session Laws of Hawaii 1949, relating to paraplegic veterans";

H. B. No. 763, entitled: "An Act relating to attorneys' fees in probate proceedings";

H. B. No. 768, entitled: "An Act amending paragraph 47 (County of Hawaii), Part (a), Section 2 of Act 401 of the Session Laws of Hawaii 1949, relating to Kohala High School";

H. B. No. 774, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to provide a life pension for John C. Lane";

H. B. No. 798, entitled: "An Act to amend Chapter 122 of the Revised Laws of Hawaii 1945, as amended, by amending Section 6233 thereof, and by adding thereto a new subtitle and eleven new sections to be numbered 6233.02 to 6233.12, inclusive, and amending Sections 12644 and 12720 of the Revised Laws of Hawaii 1945, as amended, relating to the control of subdivisions of land within the counties of Hawaii, Kauai, and Maui, including land court certificates and subdivision maps of registered lands, and filing plans and surveys, all with relation thereto";

H. B. No. 914, entitled: "An Act relating to descent of property and amending paragraphs 2 and 3 of Section 12073 of the Revised Laws of Hawaii 1945";

H. B. No. 955, entitled: "An Act relating to appeals from the Supreme Court of Hawaii";

H. B. No. 986, entitled: "An Act establishing the Kauai County Waterworks Board and defining its powers and duties and amending Chapter 125 and Section 6081 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 1010, entitled: "An Act relating to banks, trust companies or savings and loans associations and authorizing destruction of records and files after a prescribed period of time and relating to the effect of the destruction of such records";

H. B. No. 1011, entitled: "An Act to provide for the admission in evidence of photographic reproductions of business and public records and to make uniform the law with reference thereto";

H. B. No. 1094, entitled: "An Act adding to the Revised Laws of Hawaii 1945 a new chapter providing for the licensing and regulation of emigrant agents, prescribing penalties for violations thereof or of regulations promulgated thereunder, and repealing Sections 7054 to and including 7062 of said Revised Laws";

H. B. No. 54, entitled: "An Act to amend Chapter 101 of the Revised Laws of Hawaii 1945, relating to the rates of general excise tax by amending Section 5455";

H. J. Res. No. 36, entitled: "Joint Resolution requesting Congress to amend the Organic Act to permit withdrawal of leased public lands for houselots and farms";

H. J. Res. No. 51, entitled: "Joint Resolution requesting Congress of the United States of America to pass legislation enabling the Hawaiian Homes Commission to exchange available lands as designated by the Hawaiian Homes Commission Act, 1920, for public or private lands".

Upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, the above House Bills and House Joint Resolutions passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 352), returning Senate Bill No. 252, was read, received and placed on file.

RESOLUTION OFFERED:

Senator Dillingham offered a Resolution (S. Res. No. 67), designating the position filled by Rod Gudgel as "Statistician, Oahu Select Committee", and fixing his compensation at the rate of $17.50 per day as of the 12th day of April, 1951, which was read as follows:

(S. Res. No. 67)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Resolution was adopted.

CONCURRENT RESOLUTIONS OFFERED:

Senators Dillingham, Crockett, Ansai, Okino, Duarte, Lee, Tsukiyama, Capellas, Fernandes, Heen, Aguiar, Harrison, Nobriga, Robinson and Hill offered a Concurrent Resolution (S. Con. Res. No. 44), "requesting the Congress of the United States of America to enact legislation authorizing organization of a Hawaii Territorial Guard prior to the Hawaii National Guard being called into active Federal service", which was read as follows:

(S. Con. Res. No. 44)

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the Concurrent Resolution was adopted.

Senators Lee and Tsukiyama offered a Concurrent Resolution (S. Con. Res. No. 45), "extending an invitation to the Honorable Oscar L. Chapman to address the Senate and House of Representatives of the Twenty-Sixth Legislature of the Territory of Hawaii, in joint session", which was read as follows:

(S. Con. Res. No. 45)

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, the Concurrent Resolution was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 187), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

SECOND READING OF SENATE BILL:

S. B. No. 577: The bill was referred to the Committee on Agriculture, Forestry and Conservation.

INTRODUCTION OF BILL:

Under suspension of the Rules, and by unanimous consent, Senator Hill introduced a bill (S. B. No. 578), entitled: "An Act relating to the Board of Harbor Commissioners and amending Sections 4996, as amended, and 4998, as amended, of the Revised Laws of Hawaii 1945".

Upon motion by Senator Hill, seconded by Senator Lee, and carried, the bill passed First Reading by title and was referred to the Printing Committee.

REPORTS OF COMMITTEES:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 188), recommending the passage of Senate Bill No. 434, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 188)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 434, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 189), recommending the passage of Senate Bill No. 393, which was read as follows:

(Stand. Com. Rep. No. 189)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 393 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 190), recommending the passage of Senate Bill No. 423, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 190)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 423, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 191), recommending the passage of Senate Bill No. 443, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 191)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 443 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 192), recommending the passage of Senate Bill No. 388, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 192)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 388 passed Second Reading in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 193), recommending the passage of Senate Bill No. 458, which was read as follows:

(Stand. Com. Rep. No. 193)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 458 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 194), recommending the passage of Senate Bill No. 342, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 194)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 342 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 195), recommending the passage of Senate Bill No. 418, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 195)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 418 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judciary, presented a report (Stand. Com. Rep. No. 196), recommending the passage of Senate Bill No. 521, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 196)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate

Bill No. 521 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

SECOND READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS:

H. B. No. 6: The bill was referred to the Committee on Judiciary.

H. B. No. 72: The bill was referred to the Select Committee of Kauai Senators.

H. B. No. 126: The bill was referred to the Select Committee of Maui Senators.

H. B. No. 167: The bill was referred to the Select Committee of Kauai Senators.

H. B. No. 341: The bill was referred to the Committee on Judiciary.

H. B. No. 380: The bill was referred to the Committee on Judiciary.

H. B. No. 410: The bill was referred to the Select Committee of Maui Senators.

H. B. No. 413: The bill was referred to the Committee on Judiciary.

H. B. No. 440: The bill was referred to the Committee on Ways and Means.

H. B. No. 521: The bill was referred to the Committee on Judiciary.

H. B. No. 524: The bill was referred to the Committee on Ways and Means.

H. B. No. 575: The bill was referred to the Committee on Ways and Means.

H. B. No. 644: The bill was referred to the Committee on Military.

H. B. No. 663: The bill was referred to the Committee on Judiciary.

H. B. No. 862: The bill was placed on file, it being the same subject matter as Senate Bill No. 420 which has already passed Third Reading in the Senate and transmitted to the House.

H. B. No. 873: The bill was referred to the Committee on Ways and Means.

H. B. No. 881: The bill was referred to the Committee on Judiciary.

H. B. No. 915: The bill was referred to the Committee on Judiciary.

H. B. No. 922: The bill was referred to the Select Committee of Kauai Senators.

H. B. No. 924: The bill was referred to the Committee on Public Lands.

H. B. No. 989: The bill was referred to the Committee on Judiciary.

H. B. No. 1064: The bill was referred to the Committee on Military.

H. B. No. 1125: The bill was referred to the Committee on Ways and Means.

H. J. Res. No. 5: The joint resolution was referred to the Committee on Public Lands.

H. J. Res. No. 18: The joint resolution was referred to the Committee on Public Lands.

THIRD READINGS:

Third Reading of Senate Bill No. 89, as amended, entitled: "An Act to amend Act 232, Session Laws of Hawaii 1949, relating to the office hours and hours of work of officers and employees of the Territory of Hawaii, the several counties and the boards and commissionsthereof":

Senator Heen offered the following amendment to the bill:

"Amend paragraph designated '1' of Section 1 to read as follows:

'1. Delete all of the first paragraph of section 1, except the first sentence thereof.'"

Upon motion by Senator Heen, seconded by Senator Crockett, and carried, the amendment was adopted.

Upon motion by Senator Heen, seconded by Senator Crockett, and carried, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino Robinson and Mr. President. Total, 14.

Noes: Senator Nobriga. Total, 1.

Third Reading of Senate Bill No. 229, as amended, entitled: "An Act to amend Section 7031 of the Revised Laws of Hawaii 1945, relating to auctioneer's charges":

Upon motion by Senator Duarte, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Hill. Total, 1.

Third Reading of Senate Bill No. 338, as amended, entitled: "An Act amending Section 4 of Act 202 of the Session Laws of Hawaii 1947, relating to limitation on the number of wards under the Uniform Veterans' Guardianship Act":

Upon motion by Senator Aguiar, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 343, as amended, entitled: "An Act amending Section 9722 of the Revised Laws of Hawaii 1945, as amended, relating to the appointment and compensation of temporary clerks of court":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 462, entitled: "An Act amending Section 8871 of the Revised Laws of Hawaii 1945, with respect to mortgage liens":

Upon motion by Senator Aguiar, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 463, as amended, entitled: "An Act amending Section 8772 of the Revised Laws of Hawaii 1945,

and Section 7 of Act 241 of the Session Laws of Hawaii 1949, pertaining to liens of mechanics and materialmen":

Upon motion by Senator Crockett, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 127, as amended, entitled: "An Act to amend Act 24 of the Session Laws of Hawaii 1927, as ratified by the Act of Congress of March 2, 1928, so as to extend the electric light and power franchise granted by said Act to cover the entire Districts of Waimea and Koloa on the Island of Kauai, Territory of Hawaii":

Upon motion by Senator Aguiar, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 169, as amended, entitled: "An Act combining the Puumaile and Hilo Memorial Hospitals; creating the "Managing Committee, Puumaile and Hilo Memorial Hospital"; conferring powers and imposing duties upon said Managing Committee, and upon the County Attorney of the County of Hawaii; and repealing Sections 6382, 6383, 6384 and 6385 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Capellas, seconded by Senator Nobriga, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Joint Resolution No. 16, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to permit sales of government lands where in the public interest"; deferred from yesterday:

Senator Nobriga submitted the amendments to the joint resolution as prepared by the Attorney General's office in an amended form of the joint resolution, as follows:

(Insert amended form of joint resolution)

Senator Capellas moved that the Joint Resolution in the amended form be mimeographed and distributed to the members; and that action on the joint resolution in its amended form, be deferred until tomorrow. Seconded by Senator Heen, and carried.

At 12:05 o'clock p.m., upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:18 o'clock p.m., with the President in the Chair, and all Senators being present.

A communication from the House (H. Com. No. 353), informing the Senate that the House had adopted the report of the Committee on Conference on House Bill No. 96, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 353)

The communication was received and placed on file.

Senator Hill, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 96, presented a report (Conf. Com. Rep. No. 4), recommending the Final passage of the bill as passed by the Senate with a further amendment, which was read as follows:

(Conf. Com. Rep. No. 4)

Upon motion by Senator Hill, seconded by Senator Fernandes, the report of the Committee was adopted; and House Bill No. 96, entitled: "An Act making appropriations out of the general revenues to cover certain deficiencies for governmental purposes for the biennial period ending June 30, 1951", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 354), transmitting House Concurrent Resolution No. 67, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 67, requesting the Governor to return House Bill No. 661 to the House of Representatives for the purpose of making certain corrections therein, as follows:

(H. Con. Res. No. 67)

Upon motion by Senator Harrison, seconded by Senator Okino, and carried, the Concurrent Resolution was adopted.

REPORTS OF COMMITTEES:

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 197), recommending the passage of House Bill No. 48, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 197)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 48 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 198), recommending the passage of Senate Bill No. 456, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 198)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 456, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 199), recommending the passage of Senate Bill No. 549, which was read as follows:

(Stand. Com. Rep. No. 199)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 549 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 104), recommending the passage of House Bill No. 154, which was read as follows:

(Spec. Com. Rep. No. 104)

Upon motion by Senator Capellas, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. House Bill No. 154 passed Second Reading, and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 105), recommending the passage of Senate Bill No. 349, which was read as follows:

(Spec. Com. Rep. No. 105)

Upon motion by Senator Capellas, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. Senate Bill No. 349 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

At this time, Senator Hill, for the Committee on Ways and Means, reported orally, returning Senate Bill No. 44 to the Clerk's desk with the recommendation that it be referred to the Committee of the Whole, with Senator Nobriga as Chairman.

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the oral report of the Committee was adopted; and Senate Bill No. 44 was thereupon referred to the Committee of the Whole with Senator Nobriga as Chairman.

Senator Dillingham, for the Select Committee of Oahu Senators, reported orally, returning Senate Bill No. 228 to the Clerk's desk with the recommendation that it be referred to the Committee of the Whole, with Senator Nobriga as Chairman.

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the oral report of the Committee was adopted; and Senate Bill No. 228 was thereupon referred to the Committee of the Whole, with Senator Nobriga as Chairman.

At 2:35 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Ansai, and carried, the Senate adjourned until 10:30 o'clock a.m., on Friday, April 27, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

F I F T Y - F O U R T H Day

FRIDAY, APRIL 27, 19 51

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FIFTY-FOURTH DAY

Friday, April 27, 1951.

The Senate convened at 11:14 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Third Day.

MESSAGES FROM THE GOVERNOR:

A Message from the Governor (Gov. Message No. 17), submitting appointments for confirmation by the Senate, was read as follows:

(Gov. Message No. 17)

The Message was received, ordered printed and action thereon deferred until Monday, April 30th.

A Message from the Governor (Gov. Message No. 18), withdrawing from the list of nominations sent to the Senate on April 25th, the names of Sam Spencer and Sidney Silver, was read as follows:

(Gov. Message No. 18)

The Message was received, ordered printed, and action thereon deferred until Monday, April 30th.

A Message from the Governor (Gov. Message No. 19), withdrawing from the list of nominations previously submitted, the name of Charles A. Goo as a member from the Island of Hawaii of the Public Welfare Board; and submitting his name as a member of the Board of Commissioners of Public Instruction from the Island of Hawaii, was read as follows:

(Gov. Message No. 19)

The Message was received, ordered printed, and action thereon deferred until Monday, April 30th.

DEPARTMENTAL COMMUNICATION:

A communication from the Acting Secretary of Hawaii (Dept. Com. No. 78a), informing the Senate that the Governor had signed Senate Joint Resolution No. 21 as Joint Resolution 5, Senate Joint Resolution No. 31 as Joint Resolution 6; Senate Bill No. 35 as Act 7, and House Bill No. 150 as Act 8, was read as follows:

(Dept. Com. No. 78)

The communication was received and placed on file.

RESOLUTION OFFERED:

Senator Crockett offered a Resolution (S. Res. No. 68), requesting the House of Representatives to return to the Senate House Bill No. 566 (recalled from the Governor), for the purpose of making certain corrections therein, which was read as follows:

(S. Res. No. 68)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the Resolution was adopted.

THIRD READING OF SENATE BILL:

Under suspension of the Rules, Senator Hill moved that the Senate at this time take up the consideration of House Bill No. 48, as amended, on the calendar for Third Reading today. Seconded by Senator Dillingham, and carried.

Third Reading of House Bill No. 48, as amended, entitled: "An Act making appropriations out of the general revenues for the biennial period ending June 30, 1953":

Upon motion by Senator Hill, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Nobriga, Robinson and Mr. President. Total, 11.

Noes: Senators Aguiar, Heen, Lee and Okino. Total, 4.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 200), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

SECOND READING OF SENATE BILL:

S. B. No. 578: Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the Rules were suspended, and the bill was read throughout on Second Reading.

Upon motion by Senator Hill, seconded by Senator Capellas, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

REPORTS OF COMMITTEES:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 201), recommending that Senate Joint Resolution 37 be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Stand. Com. Rep. No. 201)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Joint Resolution No. 37 was thereupon referred to the Committee on Ways and Means.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 202), recommending that House Bill No. 485 be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Stand. Com. Rep. No. 202)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and House Bill No. 485 was thereupon referred to the Committee on Ways and Means.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 203), recommending the passage of Senate Bill No. 477, which was read as follows:

(Stand. Com. Rep. No. 203)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 477 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 204), recommending the passage of House Bill No. 437, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 204)

Upon motion by Senator Harrison, seconded by Senator Crockett, and carried, the report of the Committee was adopted. House Bill No. 437, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 205), recommending the passage of House Bill No. 409, which was read as follows:

(Stand. Com. Rep. No. 205)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 409 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 206), recommending the passage of House Bill No. 125, which was read as follows:

(Stand. Com. Rep. No. 206)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted. House Bill No. 125 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 207), recommending the passage of House Joint Resolution No. 9, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 207)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted. House Joint Resolution No. 9, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 208), recommending the passage of Senate Joint Resolution No. 49, which was read as follows:

(Stand. Com. Rep. No. 208)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 49 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 209), recommending the passage of Senate Bill No. 495, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 209)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted. Senate Bill No. 495 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 210), recommending the passage of House Bill No. 845, which was read as follows:

(Stand. Com. Rep. No. 210)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 845 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 211), approving, in principle, House Bill No. 180, and recommending that it be referred to the Committee on Ways and Means, which was read as follows:

(Stand. Com. Rep. No. 211)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted; and House Bill No. 180 was thereupon referred to the Committee on Ways and Means.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 212) recommending the passage of House Bill No. 747, which was read as follows:

(Stand. Com. Rep. No. 212)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 747 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 213), recommending the passage of House Bill No. 748, which was read as follows:

(Stand. Com. Rep. No. 213)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 748 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 214), recommending the passage of Senate Bill No. 374, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 214)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 374 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 215), recommending that Senate Resolution No. 66 be referred to the Committee on Education, which was read as follows:

(Stand. Com. Rep. No. 215)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and Senate Resolution No. 66 was thereupon referred to the Committee on Education.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 216), recommending the passage of House Bill No. 166, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 216)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted. House Bill No. 166 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 217), recommending the passage of Senate Bill No. 534, which was read as follows:

(Stand. Com. Rep. No. 217)

Upon motion by Senator Robinson, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. Senate Bill No. 534 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 218), recommending the tabling of Senate Bill No. 330, and the adoption of a concurrent resolution in lieu thereof, in the form attached to the report, which was read as follows:

(Stand. Com. Rep. No. 218)

Upon motion by Senator Robinson, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. Senate Bill No. 330 was thereupon tabled, and the concurrent resolution submitted for introduction.

Senators Robinson, Okino, Capellas, Ansai and Aguiar offered a Concurrent Resolution (S. Con. Res. No. 46), directing the Commissioners of Public Instruction to discontinue the core system in the public schools until such time as the factors necessary for its success are available, to review the curriculum and methods of teaching in the public schools, to investigate reports connected with the graduation of pupils from high school, and to take such action as they may deem proper in the premises, which was read as follows:

(S. Con. Res. No. 46)

Senator Robinson moved for the adoption of the Resolution. Seconded by Senator Okino.

Senator Lee moved that action on the Concurrent Resolution be deferred until tomorrow, and that it be printed. Seconded by Senator Okino, and carried.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 219), recommending the passage of House Bill No. 268, which was read as follows:

(Stand. Com. Rep. No. 219)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 268 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 220), recommending the passage of House Bill No. 734, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 220)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report was adopted. House Bill No. 734 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 106), recommending the adoption of House Concurrent Resolution No. 35, which was read as follows:

(Spec. Com. Rep. No. 106)

Upon motion by Senator Capellas, seconded by Senator Nobriga, and carried, the report of the Committee was adopted; and House Concurrent Resolution No. 35 was thereby adopted.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 107), recommending the passage of House Bill No. 829, which was read as follows:

(Spec. Com. Rep. No. 107)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 829 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 108), recommending the passage of Senate Bill No. 346, in an amended form, which was read as follows:

(Spec. Com. Rep. No. 108)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. Senate Bill No. 346 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 109), recommending the passage of Senate Bill No. 533, which was read as follows:

(Spec. Com. Rep. No. 109)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. Senate

Bill No. 533 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Joint Committee of Hawaii, Maui and Kauai Senators, presented a report (Spec. Com. Rep. No. 110), recommending the passage of Senate Bill No. 491, which was read as follows:

(Spec. Com. Rep. No. 110)

Upon motion by Senator Ansai, seconded by Senator Capellas, and carried, the report of the Committee was adopted. Senate Bill No. 491 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Joint Committee of Hawaii, Maui and Kauai Senators, presented a report (Spec. Com. Rep. No. 111), recommending the passage of House Bill No. 562, with certain amendments, which was read as follows:

(Spec. Com. Rep. No. 111)

Upon motion by Senator Ansai, seconded by Senator Crockett, and carried, the report of the Committee was adopted. House Bill No. 562 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 112), recommending the passage of Senate Bill No. 407, in an amended form, which was read as follows:

(Spec. Com. Rep. No. 112)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 407 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives, transmitting House Bills, were read, received and placed on file:

H. Com. No. 355, transmitting House Bill No. 75;

H. Com. No. 356, transmitting House Bill No. 179;

H. Com. No. 357, transmitting House Bill No. 394;

H. Com. No. 358, transmitting House Bill No. 522;

H. Com. No. 359, transmitting House Bill No. 658;

H. Com. No. 360, transmitting House Bill No. 722;

H. Com. No. 361, transmitting House Bill No. 754;

H. Com. No. 362, transmitting House Bill No. 971;

H. Com. No. 363, transmitting House Bill No. 985.

FIRST READING OF HOUSE BILLS:

H. B. No. 75, entitled: "An Act to amend Section 7341 of Chapter 138, Revised Laws of Hawaii 1945, relating to the registration of motor vehicles";

H. B. No. 179, entitled: "An Act relating to public officers and employees, and amending Chapters 2, 3, and 11 of the Revised Laws of Hawaii 1945, as amended, concerning civil service, classification, compensation, qualifications and organizations of such personnel";

H. B. No. 394, entitled: "An Act amending Chapter 94 of the Revised Laws of Hawaii 1945, as amended, providing for property tax exemption of new industries";

H. B. No. 522, entitled: "An Act amending Chapter 127 of the Revised Laws of Hawaii 1945, as amended, relating to the City and County of Honolulu, by inserting therein a new section to be numbered 6590.01, authorizing the Board of Supervisors to make temporary transfers or loans of moneys in excess of the amounts necessary for immediate requirements to a bond loan fund; which fund is hereby created";

H. B. No. 658, entitled: "An Act to provide for the organization and conduct of nonprofit cooperative associations to engage in the marketing, handling, and distribution of fish and fishery products";

H. B. No. 722, entitled: "An Act relating to the jurisdiction of District Courts in summary possession actions where title to real estate shall come in question";

H. B. No. 754, entitled: "An Act to amend Chapter 139, Revised Laws of Hawaii 1945, as amended, providing for the regulation of licenses to dealers and salesmen of motor vehicles, to repose the function of licensing in a motor vehicle dealers' and salesmen's licensing board, to provide rules regulating the licensing and renewals of licenses to motor vehicle dealers and salesmen and motor vehicle retail installment contracts, and to provide penalties for violations thereof";

H. B. No. 971, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to issue bonds in the sum of one million dollars ($1,000,000.00) for the completion of, the improvements to and development of certain existing public parks and playgrounds and for the acquisition of new public parks and playgrounds in the City and County of Honolulu";

H. B. No. 985, entitled: "An Act relating to the Maui County Waterworks Board and Act 289 (Series B-194) of the Session Laws of Hawaii 1949".

Upon motion by Senator Aguiar, seconded by Senator Duarte, and carried the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 364), returning Senate Concurrent Resolution No. 45, was read, received and placed on file.

SECOND READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS:

H. B. No. 54: The bill was referred to the Committee on Ways and Means.

H. B. No. 132: The bill was referred to the Committee on Ways and Means.

H. B. No. 136: The bill was referred to the Committee on Judiciary.

H. B. No. 157: The bill was referred to the Committee on Ways and Means.

H. B. No. 359: The bill was referred to the Committee on Judiciary.

H. B. No. 372: The bill was referred to the Committee on Ways and Means.

H. B. No. 434: The bill was referred to the Committee on Ways and Means.

H. B. No. 457: The bill was referred to the Committee on Judiciary.

H. B. No. 577: The bill was referred to the Select Committee of Kauai Senators.

H. B. No. 757: The bill was referred to the Committee on Ways and Means.

H. B. No. 763: The bill was referred to the Committee on Judiciary.

H. B. No. 768: The bill was referred to the Committee on Ways and Means.

H. B. No. 774: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 798: The bill was referred to the Joint Committee of Hawaii, Maui and Kauai Senators, with Senator Ansai as Chairman.

H. B. No. 914: The bill was referred to the Committee on Judiciary.

H. B. No. 955: The bill was referred to the Committee on Judiciary.

H. B. No. 986: The bill was referred to the Select Committee of Kauai Senators.

H. B. No. 1010: The bill was referred to the Committee on Judiciary.

H. B. No. 1011: The bill was referred to the Committee on Judiciary.

H. B. No. 1094: The bill was referred to the Committee on Judiciary.

H. J. Res. No. 36: The joint resolution was referred to the Committee on Public Lands.

H. J. Res. No. 51: The joint resolution was referred to the Committee on Public Lands.

H. J. Res. No. 64: The joint resolution was referred to the Committee on Public Lands.

THIRD READINGS:

Third Reading of Senate Bill No. 342, as amended, entitled: "An Act amending Section 12037 of the Revised Laws of Hawaii 1945, as amended, relating to the administration of small estates":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 349, entitled: "An Act to authorize the Board of Supervisors of the County of Hawaii to construct a walkway between Kohala School and Hawi Village, Kohala, Hawaii":

Senator Capellas offered the following amendment to the bill:

"Amend Senate Bill No. 349 as follows:

Amend the title by inserting the word 'HIGH' between the words 'KOHALA' and 'SCHOOL'".

Upon motion by Senator Capellas, seconded by Senator Nobriga, and carried, the amendment was adopted.

Senator Nobriga offered the further following amendments to the bill, as amended:

"1. Amend the title by substituting the words 'safety lane' for the word 'walkway' now appearing therein.

2. Amend Section 1 to read:

'SECTION 1. The board of supervisors of the county of Hawaii is authorized and directed to construct a safety lane between Kohala High School and Hawi Village, Kohala, Hawaii, and to make an appropriation from county funds to be expended for the purpose of this Act.'

3. Delete Section 2.

4. Renumber present Section 3 as Section 2."

Senator Nobriga moved that action on the amendments offered by him and on the bill, as amended, be deferred until tomorrow. Seconded by Senator Okino, and carried.

Third Reading of Senate Bill No. 388, as amended, entitled:

"An Act relating to the Employees' Retirement System of the Territory of Hawaii and amending Section 707 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Dillingham, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Aguiar. Total, 1.

Third Reading of Senate Bill No. 393, entitled: "An Act relating to disability retirement under the Employees' Retirement System of the Territory and amending Section 708, as amended, of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 418, as amended, entitled: "An Act relating to rights and remedies granted to an employee by the Workmen's Compensation Law; amending Chapter 77 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 423, as amended, entitled: "An Act to amend Chapter 133 of the Revised Laws of Hawaii 1945 by amending Sections 7019 and 7024 relating to public auctions and by adding a new section relating to suits to enjoin violation of the law and to actions for damages":

Upon motion by Senator Dillingham, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 434, as amended, entitled: "An Act to amend Chapter 152 of the Revised Laws of Hawaii 1945, by adding thereto a new subtitle relating to the conversion, merger or consolidation of national banks and Territorial banks to be known as the 'Bank Merger Act'":

Upon motion by Senator Heen, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 443, as amended, entitled: "An Act to amend Section 8661 of the Revised Laws of Hawaii 1945, as amended, relating to investments of trust companies":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 456, as amended, entitled: "An Act to amend Section 465 of the Revised Laws of Hawaii 1945, relating to permits for use of public buildings by the blind":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 458, entitled: "An Act amending Section 12721 of the Revised Laws of Hawaii 1945, relating to the description of the land shown on file plans filed in the Bureau of Conveyances":

Upon motion by Senator Heen, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 521, as amended, entitled: "An Act to amend Chapter 15 of the Revised Laws of Hawaii 1945, as amended, relating to the Employees' Retirement System of the Territory of Hawaii":

Upon motion by Senator Crockett, seconded by Senator Capellas,

the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 549, entitled: "An Act to amend Chapter 161, Revised Laws of Hawaii 1945, by amending Section 8541.01 to add an additional classification eligible for group life insurance":

Upon motion by Senator Dillingham, seconded by Senator Crockett, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 154, entitled: "An Act authorizing the payment of pay increments for certain periods for employees of the County of Hawaii to be paid out of certain appropriations":

Upon motion by Senator Ansai, seconded by Senator Nobriga, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Joint Resolution No. 16, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic

Act to permit sales of government lands where in the public interest":

Upon motion by Senator Nobriga, seconded by Senator Duarte, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 9.

Noes: Senators Aguiar, Ansai, Capellas, Crockett, Harrison and Robinson. Total, 6.

At 12:40 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Lee, and carried, the Senate adjourned until 11:00 o'clock a.m., on Saturday, April 28, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FIFTY-FIFTH Day

SATURDAY, APRIL 28, , 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FIFTY-FIFTH DAY

Saturday, April 28, 1951.

The Senate convened at 11:25 o'clock a.m., with the President in the Chair.

After Prayer by the Chaplain, the Roll was called, showing all Senators present, with the exception of Senators Ansai, Fernandes and Hill, excused.

The President announced that he had read and approved the Journal of the Fifty-Fourth Day.

DEPARTMENTAL COMMUNICATIONS:

A communication from the City and County Clerk, City and County of Honolulu (Dept. Com. No. 79), transmitting certified copies of Resolutions Nos. 209 and 211, adopted by the Board of Supervisors of said City and County, relating, respectively, to approving and urging the passage of Senate Bill No. 139, and opposing the passage of House Bill No. 285, was read, received and referred to the Committee on Ways and Means.

A communication from the Vice Chairman of the City Planning Commission of the City and County of Honolulu (Dept. Com. No. 80), opposing the passage of Senate Bill No. 526, relating to the Master Plan of the City and County of Honolulu, was read as follows:

(Dept. Com. No. 80)

The communication was received and referred to the Select Committee of Oahu Senators.

A communication from the Chairman of the Legislative Committee of the Board of Supervisors, County of Maui (Dept. Com. No. 81), urging the passage of House Bill No. 985, relating to the Maui County Waterworks Board, was read, received and referred to the Select Committee of Maui Senators.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 365), informing the Senate that the House had reconsidered its action in agreeing to the amendments proposed by the Senate to House Bill No. 566 (recalled from the Governor), had disagreed to said amendments, requested a conference thereon, and had appointed Representatives Pakele, Richardson and Henriques as Managers on the part of the House at such conference, was read as follows:

(H. Com. No. 365)

The communication was received and placed on file.

The President thereupon appointed Senators Crockett, Dillingham and Ansai as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 366), returning Senate Concurrent Resolution No. 32, was read, received and placed on file.

A communication from the House (H. Com. No. 367), returning Senate Bill No. 8, with an amendment, was read as follows:

(H. Com. No. 367)

The communication was received and placed on file.

Senator Nobriga moved that the Senate concur in the amendment proposed by the House. Seconded by Senator Okino, and carried; and Senate Bill No. 8, as thus amended, entitled: "An Act to amend Section 4981 of the Revised Laws of Hawaii 1945, relating to the Board of Harbor Commissioners", passed Final Reading on the following showing of Ayes and Noes;

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

The following communications from the House of Representatives, transmitting House Bills and House Joint Resolutions, were read, received and placed on file:

H. Com. No. 368, transmitting House Bill No. 732;

H. Com. No. 369, transmitting House Bill No. 898;

H. Com. No. 370, transmitting House Bill No. 987;

H. Com. No. 371, transmitting House Bill No. 1110;

H. Com. No. 372, transmitting House Bill No. 1112;

H. Com. No. 373, transmitting House Bill No. 1113;

H. Com. No. 374, transmitting House Bill No. 1115;

H. Com. No. 375, transmitting House Bill No. 1129;

H. Com. No. 376, transmitting House Joint Resolution No. 60;

H. Com. No. 377, transmitting House Joint Resolution No. 63;

H. Com. No. 378, transmitting House Bill No. 2;

H. Com. No. 379, transmitting House Bill No. 4;

H. Com. No. 380, transmitting House Bill No. 5;

H. Com. No. 381, transmitting House Bill No. 8;

H. Com. No. 382, transmitting House Bill No. 50;

H. Com. No. 383, transmitting House Bill No. 74;

H. Com. No. 384, transmitting House Bill No. 168;

H. Com. No. 385, transmitting House Bill No. 172;

H. Com. No. 386, transmitting House Bill No. 176;

H. Com. No. 387, transmitting House Bill No. 206;

H. Com. No. 388, transmitting House Bill No. 307;

H. Com. No. 389, transmitting House Bill No. 376;

H. Com. No. 390, transmitting House Bill No. 406;

H. Com. No. 391, transmitting House Bill No. 482;

H. Com. No. 392, transmitting House Bill No. 518;

H. Com. No. 393, transmitting House Bill No. 533;

H. Com. No. 394, transmitting House Bill No. 541;

H. Com. No. 395, transmitting House Bill No. 568;

H. Com. No. 396, transmitting House Bill No. 580;

H. Com. No. 397, transmitting House Bill No. 581;

H. Com. No. 398, transmitting House Bill No. 582;

H. Com. No. 399, transmitting House Bill No. 583;

H. Com. No. 400, transmitting House Bill No. 584;

H. Com. No. 401, transmitting House Bill No. 585;

H. Com. No. 402, transmitting House Bill No. 667;

H. Com. No. 403, transmitting House Bill No. 673;

H. Com. No. 404, transmitting House Bill No. 676;

H. Com. No. 405, transmitting House Bill No. 680;

H. Com. No. 406, transmitting House Bill No. 681;

H. Com. No. 407, transmitting House Bill No. 682;

H. Com. No. 408, transmitting House Bill No. 707;

H. Com. No. 409, transmitting House Bill No. 720;

H. Com. No. 410, transmitting House Bill No. 751;

H. Com. No. 411, transmitting House Bill No. 769;

H. Com. No. 412, transmitting House Bill No. 777;

H. Com. No. 413, transmitting House Bill No. 785;

H. Com. No. 414, transmitting House Bill No. 791;

H. Com. No. 415, transmitting House Bill No. 808;

H. Com. No. 416, transmitting House Bill No. 809;

H. Com. No. 417, transmitting House Bill No. 813;

H. Com. No. 418, transmitting House Bill No. 823;

H. Com. No. 419, transmitting House Bill No. 833;

H. Com. No. 420, transmitting House Bill No. 855;

H. Com. No. 421, transmitting House Bill No. 887;

H. Com. No. 422, transmitting House Bill No. 951;

H. Com. No. 423, transmitting House Bill No. 959;

H. Com. No. 424, transmitting House Bill No. 961;

H. Com. No. 425, transmitting House Bill No. 962;

H. Com. No. 426, transmitting House Bill No. 977;

H. Com. No. 427, transmitting House Bill No. 998;

H. Com. No. 428, transmitting House Bill No. 1003;

H. Com. No. 429, transmitting House Bill No. 1004;

H. Com. No. 430, transmitting House Bill No. 1005;

H. Com. No. 431, transmitting House Bill No. 1030;

H. Com. No. 432, transmitting House Bill No. 1034;

H. Com. No. 433, transmitting House Bill No. 1056.

FIRST READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS:

H. B. No. 732, entitled: "An Act to amend Chapter 102 of the Revised Laws of Hawaii 1945, as amended, relating to income taxes, by amending Sections 5501, 5502, 5506, 5508, 5511, 5516, and 5524 thereof";

H. B. No. 898, entitled: "An Act to amend Section 9757 of the Revised Laws of Hawaii 1945, as amended, relating to fees and expenses of executors, administrators, trustees and guardians";

H. B. No. 987, entitled: "An Act relating to the Board of Water Supply of the County of Hawaii, and amending Act 86 (Series B-185) of the Session Laws of Hawaii 1949 and Section 6081 of the Revised Laws of Hawaii 1945";

H. B. No. 1110, entitled: "An Act amending Section 6774 of the Revised Laws of Hawaii 1945, as amended, relating to income from operation of parks, playgrounds and recreational facilities";

H. B. No. 1112, entitled: "An Act amending Section 4839 of the Revised Laws of Hawaii 1945, as amended, relating to fraudulent or improper obtaining of public assistance";

H. B. No. 1113, entitled: "An Act amending Section 4843 of the Revised Laws of Hawaii 1945, relating to penalties for frauds in connection with public assistance";

H. B. No. 1115, entitled: "An Act relating to public assistance to aged persons, and amending Section 4847 of the Revised Laws of Hawaii 1945";

H. B. No. 1129, entitled: "An Act relating to survival of causes of action for injuries to persons";

H. J. Res. No. 60, entitled: "Joint Resolution requesting Congress of the United States of America to enact a bill enabling the Legislature of the Territory of Hawaii to authorize the City and County of Honolulu to issue bonds for the completion of improvements to and development of certain existing public parks and playgrounds and for the acquisition of certain public parks and playgrounds in the City and County of Honolulu";

H. J. Res. No. 63, entitled: "Joint Resolution directing the Superintendent of Public Works to move certain buildings to the University of Hawaii for the housing of a school of nursing":

H. B. No. 2, entitled: "An Act making an appropriation for the purposes of Act 365 of the Session Laws of 1949, relating to statehood for Hawaii";

H. B. No. 4, entitled: "An Act relating to a bonus for pensioners; providing a monthly bonus for certain pensioners; and making an appropriation therefor";

H. B. No. 5, entitled: "An Act to increase the base pay rates of compensation of public employees and to provide for a bonus for public employees";

H. B. No. 8, entitled: "An Act relating to the powers and functions of the Industrial Research Advisory Council, amending Act 122 (Series A-43) of the Session Laws of Hawaii 1949, and making an appropriation therefor";

H. B. No. 50, entitled: "An Act amending Act 232 (Series A-16) of the Session Laws of Hawaii 1949 relating to the office hours and hours of work of officers and employees of the Territory of Hawaii, the several counties and the boards and commissions thereof";

H. B. No. 74, entitled: "An Act relating to public improvements and amending Act 401 (Series E-325) of the Session Laws of Hawaii 1949";

H. B. No. 168, entitled: "An Act creating a Division of Hospitals and Medical Care in the Department of Health, defining its powers, duties and functions, providing for a Territorial Advisory Commission and County Advisory Health Committees, providing for the medical care of indigents and medically indigents, and making an appropriation";

H. B. No. 172, entitled: "An Act making an appropriation to pay the claim of William G. Aiona, Sr.";

H. B. No. 176, entitled: "An Act to amend Chapter 15 of the Revised Laws of Hawaii 1945, relating to the Employees' Retirement System of the Territory of Hawaii";

H. B. No. 206, entitled: "An Act appropriating $3,000.00 from the Territorial General Fund for the relief of Mrs. Edith K. De Matta";

H. B. No. 307, entitled: "An Act to amend Section 370 of the Revised Laws of Hawaii 1945, relating to Territorial and County Funds, to authorize County Treasurers to make temporary transfers

or loans of money in excess of the amounts necessary for immediate requirements";

H. B. No. 376, entitled: "An Act to provide employment for persons in need of general assistance from the Department of Public Welfare";

H. B. No. 406, entitled: "An Act to amend Section 8351 of Chapter 155 of the Revised Laws of Hawaii 1945, relating to corporations";

H. B. No. 482, entitled: "An Act establishing a School of Nursing at the University of Hawaii, defining its functions, and making an appropriation therefor";

H. B. No. 518, entitled: "An Act authorizing issuance of bonds for flood control projects";

H. B. No. 533, entitled: "An Act to amend Section 7315 of the Revised Laws of Hawaii 1945, relating to the chauffeur's and operator's license";

H. B. No. 541, entitled: "An Act relating to the ownership or possession of firearms or ammunition by persons convicted of certain crimes and providing the penalty therefor and amending Section 7186 of the Revised Laws of Hawaii 1945";

H. B. No. 568, entitled: "An Act to amend Section 4464 of the Revised Laws of Hawaii 1945, as amended by Act 169, Session Laws of 1947, relating to workmen's compensation";

H. B. No. 580, entitled: "An Act amending Section 8228 of the Revised Laws of Hawaii 1945, relating to restrictions on loan of building and loan associations";

H. B. No. 581, entitled: "An Act amending Section 8193 of the Revised Laws of Hawaii 1945, relating to notaries public connected with building and loan associations";

H. B. No. 582, entitled: "An Act amending Section 8222 of the Revised Laws of Hawaii 1945, relating to real estate loans of building and loan associations";

H. B. No. 583, entitled: "An Act amending Section 8225 of the Revised Laws of Hawaii 1945, relating to loans of surplus funds of building and loan associations";

H. B. No. 584, entitled: "An Act amending Section 8227 of the Revised Laws of Hawaii 1945, relating to funds of foreign building and loan associations";

H. B. No. 585, entitled: "An Act to amend Section 8218 of the Revised Laws of Hawaii 1945, relating to withdrawals from building and loan associations";

H. B. No. 667, entitled: "An Act to amend Chapter 74 of the Revised Laws of Hawaii 1945, as amended, relating to employment security";

H. B. No. 673, entitled: "An Act to repeal Sections 3 and 4 of Joint Resolution 14 of the Session Laws of Hawaii 1935, relating to the appointment of a commission to present to the Congress of the United States of America a resolution respecting the issuance of certificates of citizenship and the appropriation provided therefor";

H. B. No. 676, entitled: "An Act amending Section 8084 of the Revised Laws of Hawaii 1945, relating to the investments authorized for bank savings departments";

H. B. No. 680, entitled: "An Act amending Section 8207 of the Revised Laws of Hawaii 1945, relating to the capital stock of building and loan associations";

H. B. No. 681, entitled: "An Act amending Section 8215 of the Revised Laws of Hawaii 1945, relating to cash reserves of building and loan associations";

H. B. No. 682, entitled: "An Act amending Sections 8171, 8212 and 8216 of Chapter 153 of the Revised Laws of Hawaii, as amended, relating to building and loan associations":

H. B. No. 707, entitled: "An Act making an appropriation for the Department of Institutions";

H. B. No. 720, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to provide a pension for David Haili";

H. B. No. 751, entitled: "An Act establishing the Bureau of Architecture and Structural Engineering, defining its powers and duties, making an appropriation and creating a special fund therefor, and amending the Revised Laws of Hawaii 1945, as amended, to conform hereto";

H. B. No. 769, entitled: "An Act amending Item 42 (County of Hawaii), of subsection (a) of Section 2 of Act 401 of the Session Laws of Hawaii 1949, relating to Honokaa Hospital";

H. B. No. 777, entitled: "An Act making an appropriation for an oil portrait of Governor Ingram M. Stainback";

H. B. No. 785, entitled: "An Act relating to corporations and amending Section 8305 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 791, entitled: "An Act making it a misdemeanor to sell, loan, possess or use any rifled barreled air rifle or pistol to or by any person under the age of sixteen and providing the penalty therefor";

H. B. No. 808, entitled: "An Act relating to eleemosynary corporations and amending Sections 8311 and 8312 of the Revised Laws of Hawaii 1945";

H. B. No. 809, entitled: "An Act relating to corporations and enacting a new section of the Revised Laws of Hawaii 1945 regarding corporations involuntarily dissolved";

H. B. No. 813, entitled: "An Act authorizing the Board of Supervisors of the County of Hawaii to pay William M. S. Lindsey the sum of five hundred fifty three dollars and sixty-

one cents ($553.61) in lieu of accumulated vacation";

H. B. No. 823, entitled: "An Act relating to aid for veterans with amputations or with various degrees of loss of locomotion, amending Act 16 of the Session Laws of Hawaii 1947";

H. B. No. 833, entitled: "An Act relating to the registration and protection of trade marks, prints and labels, and amending Section 9288 of the Revised Laws of Hawaii 1945";

H. B. No. 855, entitled: "An Act relating to foreign corporations and amending Section 8391 of the Revised Laws of Hawaii 1945";

H. B. No. 887, entitled: "An Act for the relief of Mrs. J. Pia Cockett";

H. B. No. 951, entitled: "An Act to authorize the Board of Supervisors of the County of Maui to regulate motor vehicle common carriers of passengers in the county";

H. B. No. 959, entitled: "An Act authorizing the Board of Supervisors of the County of Hawaii to pay John Fernandez a pension";

H. B. No. 961, entitled: "An Act to facilitate the cooperation of the Territory of Hawaii with other states and territories and to establish an unpaid commission for that purpose";

H. B. No. 962, entitled: "An Act relating to driverless for rent motor vehicles, amending Section 7429 of the Revised Laws of Hawaii 1945";

H. B. No. 977, entitled: "An Act relating to the operation and maintenance of fire boats";

H. B. No. 998, entitled: "An Act to amend Section 5151 of the Revised Laws of Hawaii 1945, relating to real property tax exemptions";

H. B. No. 1003, entitled: "An Act for the relief of Mrs. Mary Alika Kilauano";

H. B. No. 1004, entitled: "An Act creating the position of a second assistant Engineer for the County of Hawaii";

H. B. No. 1005, entitled: "An Act relating to the Department of Public Works, county of Hawaii";

H. B. No. 1030, entitled: "An Act relating to the Board of Water Supply of the County of Hawaii";

H. B. No. 1034, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to issue general obligation bonds in the sum of six million dollars ($6,000,000.00) for the construction of the Kalihi Tunnel and its approach roads";

H. B. No. 1056, entitled: "An Act amending Chapter 13 of the Revised Laws of Hawaii 1945, as amended, relating to the loyalty oath of government officers and employees";

Upon motion by Senator Harrison, seconded by Senator Crockett, and carried, the bills and joint resolutions passed First Reading by title and were placed on the calendar for Second Reading on Monday, April 30th.

A communication from the House (H. Com. No. 434), returning Senate Joint Resolution No. 1 in an amended form, was read, received and placed on file.

Senator Dillingham moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Lee, and carried; and Senate Joint Resolution, in the amended form, entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm Act 7 of the Session Laws of Hawaii 1951, amending Chapter 118, Revised Laws of Hawaii 1945", relating to

revenue bonds", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

MISCELLANEOUS COMMUNICATION:

A communication from Lorrin P. Thurston, Publisher of the Honolulu Advertiser, and Chairman of the Hawaii Visitors Bureau (Misc. Com. No. 45), relating to the Master Plan for Honolulu Airport, was read as follows:

(Misc. Com. No. 45)

The communication was received and referred to the Committee on Ways and Means.

INTRODUCTION OF BILLS:

Under suspension of the Rules, and by unanimous consent, Senators Nobriga, Okino and Capellas introduced a bill (S. B. No. 579), entitled: "An Act reappropriating moneys heretofore appropriated by Act 55 of the Special Session Laws of Hawaii 1949, for the development of an irrigation and water utilization project in Waimea, Hawaii".

Upon motion by Senator Nobriga, seconded by Senator Capellas, and carried, the bill passed First Reading by title and was referred to the Printing Committee.

RESOLUTION OFFERED:

Senator Harrison offered a Resolution (S. Res. No. 69), requesting the House of Representatives to return to the Senate House Bill No. 661 for the purpose of making certain corrections thereto, upon its recall from the Governor, which was read as follows:

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the Resolution was adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 221), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

REPORTS OF COMMITTEES:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 222), recommending the passage of Senate Bill No. 332, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 222)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 332 passed Second Reading, as amended, and was placed on the calendar for Third Reading on Monday, April 30th.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand Com. Rep. No. 223), recommending the passage of Senate Bill No. 566, which was read as follows:

(Stand. Com. Rep. No. 223)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 566 passed Second Reading and was placed on the calendar for Third Reading on Monday, April 30th.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 224), recommending the passage of Senate Bill No. 558, which was read as follows:

(Stand. Com. Rep. No. 224)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate

Bill No. 558 passed Second Reading and was placed on the calendar for Third Reading on Monday, April 30th.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 225), recommending the passage of Senate Bill No. 101 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 225)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 101 passed Second Reading in the amended form and was placed on the calendar for Third Reading on Monday, April 30th.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 226), recommending the passage of House Bill No. 6, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 226)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 6 passed Second Reading, as amended, and was placed on the calendar for Third Reading on Monday, April 30th.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 227), recommending the passage of Senate Bill No. 576, which was read as follows:

(Stand. Com. Rep. No. 227)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted. Senate Bill No. 576 passed Second Reading and was placed on the calendar for Third Reading on Monday, April 30th.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 228), recommending the

passage of House Joint Resolution No. 64, which was read as follows:

(Stand. Com. Rep. No. 228)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Joint Resolution No. 64 passed Second Reading and was placed on the calendar for Third Reading on Monday, April 30th.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 229), recommending the passage of House Bill No. 315, which was read as follows:

(Stand. Com. Rep. No. 229)

Upon motion by Senator Robinson, seconded by Senator Capellas, and carried, the report of the Committee was adopted. House Bill No. 315 passed Second Reading and was placed on the calendar for Third Reading on Monday, April 30th.

Senator Nobriga, for the Committee of the Whole, having under consideration Senate Joint Resolution No. 15, presented a report (Com. Whole Rep. No. 11), recommending that the said joint resolution be recommitted to the Committee on Public Lands for the necessary changes to conform with the suggestions made, which was read as follows:

(Com. Whole Rep. No. 11)

The report was received and placed on file, the oral report of the Committee having been previously adopted.

Senator Nobriga, for the Committee of the Whole, having under consideration Senate Joint Resolution No. 14, presented a report (Com. Whole Rep. No. 12), recommending that the said joint resolution be referred to a Holdover Committee of the Legislature if such a committee is appointed, which was read as follows:

(Com. Whole Rep. No. 12)

The report was received and placed on file, the oral report of the Committee having been previously adopted.

Senator Nobriga, for the Committee of the Whole, having under consideration House Joint Resolution No. 16, presented a report (Com. Whole Rep. No. 13), recommending the passage of the said joint resolution, in an amended form, which was read as follows:

(Com. Whole Rep. No. 13)

The report was received and placed on file, the oral report of the Committee having previously been adopted.

Senator Crockett, for the Committee of the Whole, having under consideration Senate Bills Nos. 572 and 573, presented a report (Com. Whole Rep. No. 14), recommending the passage of said bills, which was read as follows:

(Com. Whole Rep. No. 14)

The report was received and placed on file, the oral report of the Committee having been previously adopted.

Consideration of Senate Concurrent Resolution No. 46, relating to the core system in the public schools, a review of the curriculum and methods of teaching, and an investigation of reports connected with the graduation of pupils from high school, on special order, deferred from yesterday:

Senator Lee offered the following amendment:

"In line 5, on page 2 of the Concurrent Resolution, delete the word 'directed' and insert in lieu thereof the word 'requested'".

Upon motion by Senator Lee, seconded by Senator Robinson, and carried, the amendment was adopted.

Upon motion by Senator Lee, seconded by Senator Robinson, and carried, the Concurrent Resolution, as amended, was adopted.

SECOND READING OF HOUSE BILLS:

H. B. No. 75: The bill was referred to the Committee on Judiciary.

H. B. No. 179: The bill was referred to the Committee on Judiciary.

H. B. No. 394: The bill was referred to the Committee on Ways and Means.

H. B. No. 522: The bill was referred to the Select Committee of Oahu Senators.

H. B. No. 658: The bill was referred to the Committee on Judiciary.

H. B. No. 722: The bill was referred to the Committee on Judiciary.

H. B. No. 754: The bill was referred to the Committee on Judiciary.

H. B. No. 971: The bill was referred to the Select Committee of Oahu Senators.

H. B. No. 985: The bill was referred to the Select Committee of Maui Senators.

At this time, Senator Harrison moved that the Senate reconsider its action taken in referring Senate Bill No. 567 to the Committee on Ways and Means. Seconded by Senator Lee, and carried.

Consideration, on Second Reading, of Senate Bill No. 567:

Senator Harrison moved that the bill be returned to the Clerk's desk and that it be referred to the Committee on Judiciary. Seconded by Senator Lee, and carried; and the bill was returned to the Clerk's desk and so thereupon referred.

THIRD READINGS:

Third Reading of Senate Bill No. 346, as amended, entitled: "An Act relating to the salaries of District Magistrates in the County of Hawaii, and amending Section 9779, as amended, of the Revised Laws of Hawaii 1945":

Upon motion by Senator Nobriga, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of Senate Bill No. 349, as amended, entitled: "An Act to authorize the Board of Supervisors of the County of Hawaii to construct a walkway between Kohala High School and Hawi Village, Kohala, Hawaii", with pending amendments offered by Senator Nobriga, deferred from yesterday:

Senator Nobriga moved for the adoption of the amendments offered by him yesterday. Seconded by Senator Duarte, and carried.

Senator Nobriga then offered the following further amendments to the bill:

"Amend Senate Bill No. 349, S.D. 1, entitled: 'AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF THE COUNTY OF HAWAII TO CONSTRUCT A WALKWAY BETWEEN KOHALA HIGH SCHOOL AND HAWI VILLAGE, KOHALA, HWAII', in the following particulars:

"1. By amending the title to read:

'AN ACT
TO AUTHORIZE AND DIRECT THE BOARD OF SUPERVISORS OF THE COUNTY OF HAWAII TO MAKE AN APPROPRIATION FOR THE CONSTRUCTION OF, AND TO CONSTRUCT, A SAFETY LANE BETWEEN KOHALA HIGH SCHOOL AND HAWI VILLAGE, KOHALA, HAWAII.'

"2. Amend Section 1 of the bill to read:

'SECTION 1. The board of supervisors of the county of Hawaii is authorized and directed to construct a safety lane between Kohala High School and Hawi Village, Kohala, Hawaii, and to make an appropriation from county funds to be expended for the purpose of this Act.'

"3. Delete Section 2.

"4. Renumber present Section 3 as 'SECTION 2'".

Upon motion by Senator Nobriga, seconded by Senator Okino, and carried, the amendments were adopted.

Senator Nobriga moved that the bill, as amended, and as further amended, pass Third Reading. Seconded by Senator Okino.

The motion to pass the bill on Third Reading was put; and the bill failed of passage on the following showing of Ayes and Noes:

Ayes: Senators Capellas, Crockett, Duarte, Harrison, Nobriga, Okino and Robinson. Total, 7.

Noes: Senators Aguiar, Dillingham, Heen, Lee and Mr. President. Total, 5.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of Senate Bill No. 374, as amended, entitled: "An Act relating to the Surveyor of the Territory of Hawaii":

Upon motion by Senator Dillingham, seconded by Senator Aguiar, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of Senate Bill No. 407, as amended, entitled: "An Act amending Section 6637 of the Revised Laws of Hawaii 1945, relating to the Master Plan of the City and County of Honolulu":

Upon motion by Senator Dillingham, seconded by Senator Robinson, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Harrison, Heen, Lee, Robinson and Mr. President. Total, 9.

Noes: Senators Duarte, Nobriga and Okino. Total, 3.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of Senate Bill No. 477, entitled: "An Act to amend Act 265 of the Session Laws of Hawaii 1945, Act 62 of the Session Laws of Hawaii 1947, and Act 109 of the Session Laws of Hawaii 1947, relating to blind persons":

Upon motion by Senator Crockett, seconded by Senator Heen, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heeh, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of Senate Bill No. 491, entitled: "An Act relating to the salaries of employees of the Fire Departments of the counties of Hawaii, Maui, and Kauai and amending Section 121 of Chapter 3 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Capellas, seconded by Senator Harrison, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of Senate Bill No. 495, as amended, entitled: "An Act amending Chapter 43 of the Revised Laws of Hawaii 1945, as amended, relating to Hansen's disease and the powers and duties of the Board of Health":

Upon motion by Senator Duarte, seconded by Senator Crockett, and carried, action on the bill was deferred until Monday, April 30th.

Third Reading of Senate Bill No. 533, entitled: "An Act amending Section 13 of Act 86 of the Session Laws of Hawaii 1949, relating to the Board of Water Supply of the County of Hawaii; requiring public hearings and publication of notices for the fixing and adjusting of rates and charges":

Upon motion by Senator Capellas, seconded by Senator Nobriga, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of Senate Bill No. 534, entitled: "An Act amending Section 3842 of the Revised Laws of Hawaii 1945, relating to industrial and reformatory schools":

Upon motion by Senator Dillingham, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of Senate Bill No. 578, entitled: "An Act relating to the Board of Harbor Commissioners and amending Sections 4996, as amended, and 4998, as amended, of the Revised Laws of Hawaii 1945":

Upon motion by Senator Aguiar, seconded by Senator Lee, and carried, action on the bill was deferred until Monday, April 30th.

Third Reading of Senate Joint Resolution No. 49, entitled: "Joint Resolution authorizing the Department of Health to cooperate with the Department of Public Instruction in providing physiotherapy and occupational therapy for exceptional children":

Upon motion by Senator Harrison, seconded by Senator Duarte, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of House Bill No. 125, as amended, entitled: "An Act to create a Bureau of Nutrition of the Board of Health and to provide for its duties":

Upon motion by Senator Harrison, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of House Bill No. 166, as amended, entitled: "An Act to amend Section 2503 of the Revised Laws of Hawaii 1945 relating to the Board of Medical Examiners and the qualifications for examination for license to practice medicine":

Senator Okino offered the following amendments to the bill as amended:

> "Amend House Bill No. 166 by renumbering section 2 so that the same shall become Section 3 and by inserting as Section 2 the following:
>
> > 'SECTION 2. If any provision of this Act or the application thereof to any person or circumstance, is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.'"

Upon motion by Senator Okino, seconded by Senator Harrison, and carried, the amendments were adopted.

Upon motion by Senator Okino, seconded by Senator Harrison, and carried, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of House Bill No. 268, entitled: "An Act amending Chapter 195 of the Revised Laws of Hawaii 1945, and authorizing jury commissioners to issue questionnaires to prospective jurors and grand jurors, and defining as contempt any failure or refusal to complete and return questionnaire":

Upon motion by Senator Dillingham, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of House Bill No. 409, as amended, entitled: "An Act creating a Commission on Historical Sites and defining its powers and duties":

Upon motion by Senator Crockett, seconded by Senator Nobriga, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 11.

Noes: Senator Duarte. Total, 1.

Excused and not voting: Senators Ansai, Fernandes and

Hill. Total, 3.

Third Reading of House Bill No. 437, as amended, entitled: "An Act relating to public health; establishing the Division of Preventive Medicine, and defining the powers thereof";

Upon motion by Senator Harrison, seconded by Senator Capellas, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of House Bill No. 562, as amended, entitled: "An Act relating to the availability for inspection and extract of books and records of offices and departments of the counties of Hawaii, Kauai and Maui":

Senator Crockett offered the following amendment to the bill:

"Amend House Bill No. 562 as follows:

By deleting in line 23 after the words 'licensed attorneys', the words 'acting under written authority signed by either party'".

Upon motion by Senator Okino, seconded by Senator Dillingham, and carried, action on the amendment and the bill was deferred until Monday, April 30th.

Third Reading of House Bill No. 734, as amended, entitled: "An Act relating to deeds offered for record, amending Chapter 308 of the Revised Laws of Hawaii 1945, by inserting therein a new Section 12732.01";

Upon motion by Senator Lee, seconded by Senator Dillingham, the bill, as amended passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Senator Heen moved that the Senate reconsider its action in passing House Bill No. 734, as amended, on Third Reading. Seconded by Senator Lee, and carried.

Consideration, on Third Reading, of House Bill No. 734, as amended, entitled: "An Act relating to deeds offered for record, amending Chapter 308 of the Revised Laws of Hawaii 1945, by inserting therein a new Section 12732.01":

Senator Heen offered the following amendments to the bill:

"Amend House Bill No. 734 as follows:

1. Delete the figures '12372.01' in line one of the quoted section of Section 1 and insert in lieu thereof the figures '12732.01'.

2. Amend SECTION 2 to read as follows:

'SECTION 2. This Act shall take effect thirty days after its approval'".

Upon motion by Senator Heen, seconded by Senator Harrison, and carried, the amendments were adopted.

Upon motion by Senator Lee, seconded by Senator Harrison, the amended bill, as further amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of House Bill No. 747, entitled: "An Act relating to the issuance, negotiation and transfer of warehouse receipts and the obligations and rights of warehousemen upon their receipts and with respect to warehoused goods; to make uniform the law with respect thereto; creating offenses and providing penalties therefor; and repealing Sections 8780 to 8783, inclusive, of Revised Laws of Hawaii 1945, and all other laws inconsistent therewith":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of House Bill No. 748, entitled: "An Act relating to trust receipts and pledges of personal property unaccompanied by possession in the pledgee, and to make uniform the law with reference thereto, and repealing all laws inconsistent therewith":

Senator Crockett offered the following amendment to the bill:

"Amend House Bill No. 748 (H.D. 1) as follows:

1. By deleting the word 'trustees' on page 14, line 6, and insert in lieu thereof the word 'trustee' so that it will read in the singular and not the plural'".

Upon motion by Senator Crockett, seconded by Senator Nobriga, and carried, the amendment was adopted.

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of House Bill No. 829, entitled: "An Act relating to the clearing, development and improvement of Kaumana Park, South Hilo, County of Hawaii, and amending Act 102 (Ser. F-227) of the Session Laws of Hawaii 1947":

Upon motion by Senator Lee, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of House Bill No. 845, entitled: "An Act relating to the assignment of accounts receivable and notice there-

of; the rights and liabilities of assignors, assignees, mortgagors and mortgagees of accounts receivable and of the persons owing the same, and of persons interested therein":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

Third Reading of House Joint Resolution No. 9, as amended, entitled: "Joint Resolution creating a Commission on Nursing Education and Nursing Services, and making an appropriation therefor":

Upon motion by Senator Dillingham, seconded by Senator Harrison, and carried, the joint resolution, as amended, was referred to the Committee on Ways and Means.

At this time, Senator Crockett having voted with the majority, moved that the Senate reconsider its action in failing to pass Senate Bill No. 349, as amended, on Third Reading. Seconded by Senator Nobriga, and carried.

Consideration, on Third Reading, of Senate Bill No. 349, as amended, entitled: "An Act to authorize and direct the Board of Supervisors of the County of Hawaii to make an appropriation for the construction of, and to construct, a safety lane between Kohala High School and Hawi Village, Kohala, Hawaii":

Upon motion by Senator Crockett, seconded by Senator Nobriga, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Capellas, Crockett, Dillingham, Duarte, Harrison, Nobriga, Okino, Robinson and Mr. President. Total, 9.

Noes: Senators Aguiar, Heen and Lee. Total, 3.

Excused and not voting: Senators Ansai, Fernandes and Hill. Total, 3.

At 12:52 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Harrison, and carried, the Senate adjourned until 11:00 O'clock a.m., on Monday, April 30, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FIFTY-SIXTH Day

MONDAY, APRIL 30, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

2 page 2'd
ge 2/5/52
page 6 should be page 5, etc.

FIFTY-SIXTH DAY

Monday, April 30, 1951.

The Senate convened at 11:09 o'clock a.m., with the President presiding.

After Prayer by Chaplain Keala, the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Fifth Day.

RESOLUTION OFFERED:

Under suspension of the Rules, Senator Dillingham at this time offered a Resolution (S. Res. No. 70), extending to the Hawaii Congress of Parents and Teachers the commendation of the Senate for the excellent work it is doing in the field of Americanism and good government, which was read as follows:

(S. Res. No. 70)

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the Resolution was adopted.

Under suspension of the Rules, Senator Crockett moved that the Senate reconsider its action in referring House Bills Nos. 11 and 12 to the Committee on Ways and Means. Seconded by Senator Lee, and carried:

Consideration, on Second Reading, of House Bill No. 11:

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the Bill was referred to the Committee on Judiciary.

Consideration, on Second Reading, of House Bill No. 12:

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the bill was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 435, transmitting House Bill No. 847;

H. Com. No. 436, transmitting House Bill No. 896;

H. Com. No. 437, transmitting House Bill No. 1057;

H. Com. No. 438, transmitting House Bill No. 1058;

H. Com. No. 439, transmitting House Bill No. 1059;

H. Com. No. 440, transmitting House Bill No. 1063;

H. Com. No. 441, transmitting House Bill No. 1066;

H. Com. No. 442, transmitting House Bill No. 1077;

H. Com. No. 443, transmitting House Bill No. 1078;

H. Com. No. 444, transmitting House Bill No. 1079;

H. Com. No. 445, transmitting House Bill No. 1096;

H. Com. No. 446, transmitting House Bill No. 1097;

H. Com. No. 447, transmitting House Bill No. 1098;

H. Com. No. 448, transmitting House Bill No. 1132;

H. Com. No. 449, transmitting House Bill No. 1136;

H. Com. No. 450, transmitting House Joint Resolution No. 35;

H. Com. No. 451, transmitting House Joint Resolution No. 45;

H. Com. No. 452, transmitting House Joint Resolution No. 55;

H. Com. No. 453, transmitting House Joint Resolution No. 59;

H. Com. No. 454, returning Senate Bill No. 18;

H. Com. No. 455, returning Senate Bill No. 171;

H. Com. No. 456, returning Senate Bill No. 232;

H. Com. No. 457, returning Senate Bill No. 284;

H. Com. No. 458, returning Senate Bill No. 481;

H. Com. No. 459, returning Senate Bill No. 536;

H. Com. No. 460, returning Senate Bill No. 540.

FIRST READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS:

H. B. No. 847, entitled: "An Act providing pensions for members of the Legislature";

H. B. No. 896, entitled: "An Act amending Section 9671 of the Revised Laws of Hawaii 1945, as amended, relating to the District Magistrates; and amending Section 9780 of the Revised Laws of Hawaii 1945 to establish the salary of the District Magistrate of Waimea and Koloa in the County of Kauai";

H. B. No. 1057, entitled: "An Act providing for vacating the office of any public officer and terminating the employment of any public employee who refuses to give testimony concerning certain matters";

H. B. No. 1058, entitled: "An Act providing for a Hold-over Committee of the Legislature; creating said committee and conferring powers and imposing duties upon it; and making appropriations";

H. B. No. 1059, entitled: "An Act relating to fuel taxes and the disposition thereof in the County of Kauai and amending Chapter 100 and Section 5260 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 1063, entitled: "An Act relating to jails and places of confinement in the County of Maui";

H. B. No. 1066, entitled: "An Act relating to taxation and amending Chapter 100 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 1077, entitled: "An Act relating to fuel taxes and the disposition thereof in the County of Hawaii and amending Chapter 100 and Section 5260 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 1078, entitled: "An Act relating to improvements by assessment in the City and County of Honolulu and exempting the property of the Lin Yee Chung Society from certain assessments therefor";

H. B. No. 1079, entitled: "An Act to amend Section 247 of the Revised Laws of Hawaii 1945, as amended, relating to elections";

H. B. No. 1096, entitled: "An Act relating to governmental office buildings in the County of Hawaii and providing for the construction and financing thereof";

H. B. No. 1097, entitled: "An Act making available an appropriation from the general revenues of the Territory for the claim of E. L. Wung and others relating to the parcel of land described in L.C.A. 9249-C.R. P. 7098 to Kuapalahalaha";

H. B. No. 1098, entitled: "An Act authorizing the County of Hawaii to expend funds for public improvements";

H. B. No. 1132, entitled: "An Act relating to the franchise of the Hilo Electric Light Company, Limited, and amending Act 101, as amended, of the Session Laws of Hawaii 1921";

H. B. No. 1136, entitled: "An Act amending Section 359 of the Revised Laws of Hawaii 1945, relating to hours of labor and computation of wages on public work of the Territory or any political subdivision thereof";

H. J. Res. No. 35, entitled: "Joint Resolution requesting the Congress of the United States to amend the Organic Act so as to permit Territorial Legislators to be eligible for appointment to judicial offices and office of Attorney General";

H. J. Res. No. 45, entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm Act ___ of the Session Laws of Hawaii 1951 authorizing the issuance

of bonds for flood control projects";

H. J. Res. No. 55, entitled: "Joint Resolution memorializing Congress to authorize the issuance of public improvement bonds by the County of Maui without regard to the limitations imposed by the Hawaiian Organic Act";

H. J. Res. No. 59, entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm Act ____ of the Session Laws of Hawaii 1951, authorizing the Board of Supervisors of the City and County of Honolulu to issue general obligation bonds in the sum of six million dollars ($6,000,000.00) for the construction of the Kalihi Tunnel and its approach roads";

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the bills and joint resolution passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 461), returning Senate Bill No. 238, with an amendment, was read as follows:

(H. Com. No. 461)

The communication was received and placed on file.

Senator Harrison moved that the Senate concur in the amendment proposed by the House. Seconded by Senator Lee, and carried; and Senate Bill No. 238, as thus amended, entitled: "An Act to amend Act 80 of the Session Laws of Hawaii 1949, relating to meetings of the Board of Health", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Dillingham, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: Senators Crockett and Duarte. Total, 2.

A communication from the House (H. Com. No. 462), returning Senate Bill No. 529, with an amendment, was read as follows:

(H. Com. No. 462)

The communication was received and placed on file; and the amended bill was referred to the Committee on Ways and Means for study, upon motion by Senator Hill, seconded by Senator Duarte, and carried.

A communication from the House (H. Com. No. 463), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 160, and that said bill, as thus amended, had passed Final Reading in the House of Representatives was read as follows:

(H. Com. No. 463)

The communication was received and placed on file.

A communication from the House (H. Com. No. 464), transmitting House Concurrent Resolution No. 65, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 65, "requesting the Board of Health to make a survey for a mosquito control and eradication program", as follows:

(H. Con. Res. No. 65)

The Concurrent Resolution was referred to the Committee on Public Health.

A communication from the House (H. Com. No. 465), transmitting House Concurrent Resolution No. 68, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 68, "requesting the Superintendent of Public Works to proceed with the construction of the Waikiki Aquarium on the Diamond Head side of the Natatorium", as follows:

(H. Con. Res. No. 68)

The Concurrent Resolution was referred to the Select Committee of Oahu Senators.

A communication from the House (H. Com. No. 466), returning Senate Concurrent Resolution No. 25, was read, received and placed on file.

A communication from the House (H. Com. No. 467), returning Senate Concurrent Resolution No. 39, was read, received and placed on file.

A communication from the House (H. Com. No. 468), returning Senate Concurrent Resolution No. 44, was read, received and placed on file.

A communication from the House (H. Com. No. 469), returning House Bill No. 661 (recalled from the Governor) for further consideration, was read as follows:

(H. Com. No. 469)

The communication was read, received and placed on file.

Consideration of House Bill No. 661, recalled from the Governor, entitled: "An Act relating to the Board of Health and amending Section 2001 of the Revised Laws of Hawaii 1945, as amended":

Senator Harrison offered the following amendments to the bill:

"Further amend Section 2001 of the Revised Laws of Hawaii 1945 as the same appears in Section 1 of House Bill No. 661, H.D.1, S.D. 2, in the following respects:

(a) By amending the first sentence thereof to read as follows:

'There shall be a board of health for the Territory (hereinafter referred to as the board) consisting of nine members (including the president), of whom eight shall be appointive members and one shall be the attorney general of the Territory of Hawaii, ex officio.'

(b) By deleting the fourth sentence thereof."

Upon motion by Senator Harrison, seconded by Senator Lee, and carried, the amendments were adopted.

Upon motion by Senator Harrison, seconded by Senator Lee, House Bill No. 661, as amended, passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

The following communications from the House of Representatives were read, received and placed on file.

H. Com. No. 470, transmitting House Bill No. 9;

H. Com. No. 471, transmitting House Bill No. 52;

H. Com. No. 472, transmitting House Bill No. 139;

H. Com. No. 473, transmitting House Bill No. 151.

FIRST READING OF HOUSE BILLS:

H. B. No. 9, entitled: "An Act relating to the rights and privileges of officers and employees of the Territory of Hawaii or of any county or political subdivision thereof on active duty with the armed forces of the United States";

H. B. No. 52, entitled: "An Act relating to the Board of Regents, University of Hawaii, amending Section 1942 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 139, entitled: "An Act amending Chapter 12, Revised Laws of Hawaii 1945, as amended, relating to leaves of absence and vacations of government employees";

H. B. No. 151, entitled: "An Act relating to the classification, compensation, recruitment, appointment, employment, efficiency ratings and appeals of public employees, amending Chapter 3 of the Revised Laws of Hawaii 1945, as amended".

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing presented a report (Stand. Com. Rep. No. 230), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

SECOND READING OF SENATE BILL:

S. B. No. 579: Senator Nobriga moved that the Rules be suspended, and that the bill be read throughout on Second Reading. Seconded by Senator Okino, and carried; and Senate Bill No. 579 was thereupon read throughout on Second Reading.

Upon motion by Senator Nobriga, seconded by Senator Okino, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

At this time, Senator Dillingham, under suspension of the Rules, moved that the Senate reconsider its action in referring House Bills Nos. 522 and 971 to the Select Committee of Oahu Senators. Seconded by Senator Lee, and carried.

Consideration, on Second Reading, of House Bill No. 522:

Upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the bill was referred to the Committee on Ways and Means.

Consideration, on Second Reading, of House Bill No. 971:

Upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the bill was referred to the Committee on Ways and Means.

Under suspension of the Rules, Senator Dillingham moved that the Senate reconsider its action in referring Senate Bills Nos. 240, 242, 243, 244, 245, 246, 247, 248, 249 and 395 to the Select Committee of Oahu Senators. Seconded by Senator Lee,

and carried.

Senator Dillingham thereupon moved that Senate Bills Nos. 240, 242, 243, 244, 245, 246, 247, 248, 249 and 395 be referred to the Committee on Ways and Means. Seconded by Senator Lee, and carried.

REPORTS OF COMMITTEES:

Senator Capellas, for the Committee on Accounts and Public Expenditures, presented a report (Stand. Com. Rep. No. 231), reporting on the Accounts of the Senate as of this date, which was read as follows:

(Stand. Com. Rep. No. 231)

The report was received; and upon motion by Senator Capellas, seconded by Senator Dillingham, and carried, the report was adopted.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 232), recommending the passage of Senate Bill No. 266, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 232)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 266 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 233), recommending the passage of Senate Bill No. 345, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 233)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bill No. 345 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 234), recommending the passage of Senate Bill No. 405, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 234)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 405 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 235), recommending the passage of Senate Bill No. 485, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 235)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 485 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 236), recommending the passage of House Bill No. 804, which was read as follows:

(Stand. Com. Rep. No. 236)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 804 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Military, presented a report (Stand. Com. No. 237), recommending the passage of House Bill No. 799, which was read as follows:

(Stand. Com. Rep. No. 237)

Upon motion by Senator Crockett, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House

Bill No. 799 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means (presented a report (Stand. Com. Rep. No. 238), recommending the passage of Senate Bill No. 367, which was read as follows:

(Stand. Com. Rep. No. 238)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 367 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 239), recommending the passage of Senate Bill No. 292, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 239)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 292 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 240), recommending the passage of House Bill No. 157, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 240)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 157 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 241), recommending the passage of Senate Bill No. 63, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 241)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 63, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 242), recommending the passage of Senate Bill No. 486, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 242)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 486 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 243), recommending the tabling of Senate Bill No. 441, which was read as follows:

(Stand. Com. Rep. No. 243)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted; and Senate Bill No. 441 was thereupon tabled.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 244), recommending that Senate Bill No. 153 be placed on file, an identical bill (House Bill No. 180) having been acted upon by said Committee, which was read as follows:

(Stand. Com. Rep. No. 244)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted; and Senate Bill No. 153 was thereupon placed on file.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 245), recommending that House Bill No. 99 be referred to the Committee on Ways and Means for favorable action, which was read as follows:

(Stand. Com. Rep. No. 245)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted; and House Bill No. 99 was thereupon referred to the Committee on Ways and Means.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 246), recommending the passage of Senate Bill No. 509, which was read as follows:

(Stand. Com. Rep. No. 246)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 509 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 247), recommending that House Bill No. 100 be referred to the Committee on Ways and Means for favorable consideration which was read as follows:

(Stand. Com. Rep. No. 247)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted; and House Bill No. 100 was thereupon referred to the Committee on Ways and Means.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 248), recommending the passage of Senate Joint Resolution No. 48, which was read as follows:

(Stand. Com. Rep. No. 248)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 48 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 249), recommending the passage of Senate Bill No. 219, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 249)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 219 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 250), recommending the passage of Senate Joint Resolution No. 37, which was read as follows:

(Stand. Com. Rep. No. 250)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 37 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 251), recommending the passage of Senate Joint Resolution No. 18, which was read as follows:

(Stand. Com. Rep. No. 251)

Upon motion by Senator Hill, seconded by Senator Hill, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 18 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 252), recommending the passage of Senate Bill No. 20, which was read as follows:

(Stand. Com. Rep. No. 252)

Upon motion by Senator Hill, seconded by Senator Snsai, and carried, the report of the Committee was adopted. Senate Bill No. 20 passed Second Reading and was placed on the calendar for

Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 253), recommending the passage of Senate Bill No. 510, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 253)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 510 passed Second Reading in an amended form and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 254), recommending the passage of House Bill No. 229, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 254)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 229 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 255), recommending the passage of Senate Bill No. 513, which was read as follows:

(Stand. Com. Rep. No. 255)

Upon motion by Senator Ansai, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. Senate Bill No. 513 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 256),

recommending that Senate Bill No. 539 be referred to the Committee on Ways and Means for favorable action, which was read as follows:

(Stand. Com. Rep. No. 256)

Upon motion by Senator Ansai, seconded by Senator Aguiar, and carried, the report of the Committee was adopted; and Senate Bill No. 539 was thereupon referred to the Committee on Ways and Means.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 257), recommending the passage of Senate Bill No. 196, which was read as follows:

(Stand. Com. Rep. No. 257)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 196 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 258), recommending the passage of Senate Bill No. 565, which was read as follows:

(Stand. Com. Rep. No. 258)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 565 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 259), recommending the passage of Senate Bill No. 506, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 259)

Upon motion by Senator Hill, seconded by Senator Ansai, and

carried, the report of the Committee was adopted. Senate Bill No. 506 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 260), recommending the passage of House Bill 23, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 260)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 23 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 261), recommending the passage of House Bill No. 874, which was read as follows:

(Stand. Com. Rep. No. 261)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 874 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 262), recommending the passage of Senate Bill No. 328, in an amended form, which was read as follows:

(Stand Com. Rep. No. 262)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 328 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 263), recommending the passage of Senate Bill No. 559, which was read as follows:

(Stand. Com. Rep. No. 263)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 559 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 264), recommending the passage of Senate Bill No. 492, which was read as follows:

(Stand. Com. Rep. No. 264)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 492 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 265), recommending the passage of Senate Bill No. 507, which was read as follows:

(Stand. Com. Rep. No. 265)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 507 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 266), recommending the passage of Senate Bill No. 575, which was read as follows:

(Stand. Com. Rep. No. 266)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 575 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 267), recommending the filing of

Senate Bill No. 67, and submitting for introduction a concurrent Resolution in lieu thereof, which was read as follows:

(Stand. Com. Rep. No. 267)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted. Senate Bill No. 67 was thereupon placed on file.

CONCURRENT RESOLUTION OFFERED:

Senators Robinson, Okino, Capellas, Ansai and Aguiar offered a Concurrent Resolution (S. Con. Res. No. 47), requesting the Commissioners of Public Instruction and the Chiefs of Police of the several counties and the City and County of Honolulu to formulate and carry out a plan for the enforcement of the compulsory school atteandance law, which was read as follows:

(S. Con. Res. No. 47)

Upon motion by Senator Okino, seconded by Senator Capellas, and carried, the Concurrent Resolution was adopted.

REPORTS OF COMMITTEES:

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 268), recommending the adoption of House Concurrent Resolution No. 51, which was read as follows:

(Stand. Com. Rep. No. 268)

Upon motion by Senator Ansai, seconded by Senator Aguiar, and carried, the report of the Committee was adopted; and House Concurrent Resolution No. 51 was thereby adopted.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 269), recommending the adoption of House Concurrent Resolution No. 55,

which was read as follows:

(Stand. Com. Rep. No. 269)

Upon motion by Senator Ansai, seconded by Senator Aguiar, and carried, the report of the Committee was adopted; and House Concurrent Resolution No. 55 was thereby adopted.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 270), recommending that Senate Resolution No. 51 be referred to the Committee on Ways and Means, with a request for favorable action on an appropriation of $10,000 to the Board of Agriculture and Forestry towards its program to curb bovine tuberculosis, which was read as follows:

(Stand. Com. Rep. No. 270)

Upon motion by Senator Ansai, seconded by Senator Aguiar, and carried, the report of the Committee was adopted; and Senate Resolution No. 51 was thereupon referred to the Committee on Ways and Means.

Senator Heen, for the Special Committee of three Senators, appointed pursuant to Senate Resolution No. 60, for the purpose of investigating the accounts and finances of the Hawaiian Homes Commission, presented a report (Spec. Com. Rep. No. 113), making certain recommendations, and commending the Territorial Auditor and his staff for their investigations and audit of the books of the Hawaiian Homes Commission, which was read as follows:

(Spec. Com. Rep. No. 113)

Upon motion by Senator Heen, seconded by Senator Ansai, and carried, the report of the Committee was adopted.

Senator Heen thereupon moved that a certified copy of the report be sent to the Chairman of the Finance Committee of the House of Representatives, to the Hawaiian Homes Commission, and to the Territorial Auditor. The motion was seconded by

Senator Ansai, and carried.

The President thereupon discharged the Special Committee, with thanks.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 114), returning Senate Bills Nos. 17, 87, 107, 133, 224, 325, 358 and 398 and Senate Petition No. 16, with the recommendation that they be referred to the Committee on Ways and Means, which was read as follows:

(Spec. Com. Rep. No. 114)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and the above enumerated bills and Petition were thereupon referred to the Committee on Ways and Means.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 115), recommending that Senate Petition No. 5 be referred to the Committee on Ways and Means, to substantiate the purpose and appropriation called for in Senate Bill No. 426, which is now before the Committee on Ways and Means, which was read as follows:

(Stand. Com. Rep. No. 115)

Upon motion by Senator Nobriga, seconded by Senator Okino, and carried, the report of the Committee was adopted; and Senate Petition No. 5 was thereupon referred to the Committee on Ways and Means.

At this time, Senator Lee moved that the Rules be suspended, and that the Senate take up the Third Reading of measures on the calendar for today. Seconded by Senator Fernandes, and carried.

THIRD READINGS:

Third Reading of Senate Bill No. 101, as amended, entitled: "An Act to amend Section 4352 of the Revised Laws of Hawaii 1945, as amended, defining terms used in the Hawaii Wage and Hour Law":

Upon motion by Senator Dillingham, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Heen. Total, 1.

Third Reading of Senate Bill No. 332, as amended, entitled: "An Act relating to divorce; amending Section 12210 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Crockett, Dillingham, Harrison, Heen, Hill, Lee, Okino and Mr. President. Total, 8.

Noes: Senators Aguiar, Ansai, Capellas, Duarte, Fernandes, Nobriga and Robinson. Total, 7.

Under suspension of the Rules, the President at this time, asked Senator Capellas to escort to the dais Mr. and Mrs. Owen Rall and their daughter, Miss Katherine Rall, visitors from Chicago, who were present in the audience.

Senator Capellas thereupon escorted them to the dais, and seated them.

In presenting these guests to the Senate, the President informed the Senate that Mr. Rall was a student at Coe College, Cedar Rapids, Iowa, when he attended that college, and that they had beeh very close friends ever since that time. Mr. Rall received his law degree from Northwestern University in Evanston, Illinois, and was now a very successful attorney in Chicago.

Mr. Rall expressed his appreciation for this honor accorded to him.

The President then presented Mrs. Rall and Miss Rall to the Senate.

At 12:04 o'clock p.m., upon motion by Senator Hill, seconded by Senator Lee, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:25 o'clock p.m., with the President in the Chair, and all Senators being present, with the exception of Senator Harrison, temporarily excused.

The Senate proceeded with the Third Reading of measures in the calendar for today, in which it was engaged at the time of the recess.

Third Reading of Senate Bill No. 495, as amended, entitled: "An Act amending Chapter 43 of the Revised Laws of Hawaii 1945, as amended, relating to Hansen's disease and the powers and duties of the Board of Health", deferred from April 28th:

Upon motion by Senator Hill, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: Senators Ansai and Crockett. Total, 2.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of Senate Bill No. 558, entitled: "An Act providing for appeals from decisions of a county Treasurer in cases involving registration of motor vehicles":

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of Senate Bill No. 566, entitled: "An Act to provide for uniform reciprocal enforcement of support":

Upon motion by Senator Aguiar, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of Senate Bill No. 576, entitled: "An Act relating to the temporary care and custody of mentally ill persons and to the procedure with respect to the custody and care of such persons":

Upon motion by Senator Aguiar, seconded by Senator Lee, and carried, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of Senate Bill No. 578, entitled: "An Act relating to the Board of Harbor Commissioners and amending Sections 4996, as amended, and 4998, as amended, of the Revised Laws of Hawaii 1945", deferred from April 28th:

Senator Hill offered the following amendment to the bill in the form of an amended bill, as follows:

"Amend the bill to read as follows:

'AN ACT
RELATING TO THE BOARD OF HARBOR COMMISSIONERS, CREATING A FUND FOR SMALL BOAT HARBOR MAINTENANCE AND OPERATION, AND AMENDING CHAPTER 90, AS AMENDED, OF THE REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 90, as amended, of the Revised Laws of Hawaii 1945 is hereby further amended in the following particulars:

1. By further amending section 4996, as amended, by substituting for the words "the general fund of the Territory" appearing in the fifth and sixth lines of subsection (b), the words "the small boat harbor maintenance fund, which fund is hereby created."

2. By adding thereto a new section to be numbered 4998.02. to read as follows:

"Sec. 4998.02. Maintenance of small boat harbors. The cost of maintenance and operation of properties under the control and management of the board which are used principally for recreation and the landing of fish (except properties under the control and management of the board at Kewalo, Ewa of Ala Moana Park, Honolulu) shall be paid from the small boat harbor maintenance fund; provided, however, if funds collected from the operation of the foregoing facilities for recreation and the landing of fish are insufficient to meet all such costs of operation and maintenance, the board may transfer from the harbor board special fund to the small boat harbor maintenance fund, for the purposes thereof, sums not in excess of fifteen thousand dollars per annum. No transfer shall be made if the balance remaining in the harbor board special fund after the transfer would not be adequate to meet all of the purposes of section 4998."

SECTION 2. This Act shall take effect ten

days after promulgation as required by section 2 of the Revised Laws of Hawaii 1945.'"

Senator Hill moved for the adoption of the amendment. Seconded by Senator Capellas, and carried.

Upon motion by Senator Hill, seconded by Senator Capellas, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of House Bill No. 6, as amended, entitled: "An Act amending Section 4353 of the Revised Laws of Hawaii 1945, as amended, relating to wages and hours of labor, by increasing the minimum wage":

Upon motion by Senator Dillingham, seconded by Senator Okino, and carried, action on the bill was deferred until tomorrow.

Third Reading of House Bill No. 315, entitled: "An Act amending Chapter 32 of the Revised Laws of Hawaii 1945 by adding a new Section 1892.02 relating to vocational agriculture and farm shop training at Lahainaluna High School":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of House Bill No. 562, as amended, entitled: "An Act relating to the availability for inspection and extract of books and records of offices and departments of the counties of Hawaii, Kauai, and Maui, with pending amendment offered by Senator Crockett, deferred from April 28th:

Senator Crockett moved for the adoption of the amendment offered by him on April 28th. Seconded by Senator Okino, and carried.

Senator Okino then offered the further following amendments to the bill:

"Amend H. B. No. 562, H.D. 1, S.D. 1, as follows:

(a) Delete 'in his capacity as public prosecutor,' in line 9 of sub-quoted Sec. 6290.01.

(b) Delete the word 'assistant' in line 12 of said sub-quoted Sec. 6290.01 and substitute therefor 'deputy'".

Senator Okino moved for the adoption of the amendments. Seconded by Senator Duarte, and carried.

Upon motion by Senator Okino, seconded by Senator Nobriga, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of House Joint Resolution No. 64, entitled: "Joint Resolution for the relief of Edward C. Searle; requesting Congress to authorize and direct the Commissioner of Public Lands to issue a right of purchase lease on homestead land at Ninole-Wailau, Kau, Hawaii":

Upon motion by Senator Dillingham, seconded by Senator Nobriga, and carried, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

At this time, Senator Heen moved that the Senate reconsider its action taken this morning in adopting an amendment to House Bill No. 661, recalled from the Governor, and in passing the bill, as amended, on Final Reading. Seconded by Senator Fernandes and carried.

Senator Heen moved that action on the amended bill be deferred until tomorrow. Seconded by Senator Fernandes, and carried.

SECOND READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS:

H. B. No. 2: The bill was referred to the Committee on Ways and Means.

H. B. No. 4: The bill was referred to the Committee on Ways and Means.

H. B. No. 5: The bill was referred to the Committee on Ways and Means.

H. B. No. 8: The bill was referred to the Committee on Ways and Means.

H. B. No. 50: The bill was referred to the Committee on Judiciary.

H. B. No. 74: The bill was referred to the Committee on Ways and Means.

H. B. No. 168: The bill was referred to the Committee on Public Health.

H. B. No. 172: The bill was referred to the Committee on Ways and Means.

H. B. No. 176: The bill was referred to the Committee on Judiciary.

H. B. No. 206: The bill was referred to the Committee on Judiciary.

H. B. No. 307: The bill was referred to the Committee on Ways and Means.

H. B. No. 376: The bill was referred to the Committee on Ways and Means.

H. B. No. 406: The bill was referred to the Committee on Ways and Means.

H. B. No. 482: The bill was referred to the Committee on Education.

H. B. No. 518: The bill was referred to the Committee on Ways and Means.

H. B. No. 533: The bill was referred to the Committee on Judiciary.

H. B. No. 541: The bill was referred to the Committee on Judiciary.

H. B. No. 568: The bill was referred to the Committee on Ways and Means.

H. B. No. 580: The bill was referred to the Committee on Judiciary.

H. B. No. 581: The bill was referred to the Committee on Judiciary.

H. B. No. 582: The bill was referred to the Committee on Judiciary.

H. B. No. 583: The bill was referred to the Committee on Judiciary.

H. B. No. 584: The bill was referred to the Committee on Judiciary.

H. B. No. 585: The bill was referred to the Committee on Judiciary.

H. B. No. 667: The bill was referred to the Committee on Judiciary.

H. B. No. 673: The bill was referred to the Committee on Judiciary.

H. B. No. 676: The bill was referred to the Committee on Judiciary.

H. B. No. 680: The bill was referred to the Committee on Judiciary.

H. B. No. 681: The bill was referred to the Committee on Judiciary.

H. B. No. 682: The bill was referred to the Committee on Judiciary.

H. B. No. 707: The bill was referred to the Committee on Ways and Means.

H. B. No. 720: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 732: The bill was referred to the Committee on Ways and Means.

H. B. No. 751: The bill was referred to the Committee on Judiciary.

H. B. No. 769: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 777: The bill was referred to the Committee on Ways and Means.

H. B. No. 785: The bill was referred to the Committee on Judiciary.

H. B. No. 791: The bill was referred to the Committee on Judiciary.

H. B. No. 808: The bill was referred to the Committee on Judiciary.

H. B. No. 809: The bill was referred to the Committee on Judiciary.

H. B. No. 813: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 823: The bill was referred to the Committee on Military.

H. B. No. 833: The bill was referred to the Committee on Judiciary.

H. B. No. 855: The bill was referred to the Committee on Judiciary.

H. B. No. 887: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 898: The bill was referred to the Committee on Judiciary.

H. B. No. 951: The bill was referred to the Select Committee of Maui Senators.

H. B. No. 959: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 961: The bill was referred to the Committee on Judiciary.

H. B. No. 962: The bill was referred to the Committee on Judiciary.

H. B. No. 977: The bill was referred to the Committee on Ways and Means.

H. B. No. 987: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 998: The bill was referred to the Committee on

Ways and Means.

H. B. No. 1003: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 1004: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 1005: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 1030: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 1034: The bill was referred to the Select Committee of Oahu Senators.

H. B. No. 1056: The bill was referred to the Committee on Judiciary.

H. B. No. 1110: The bill was placed on file, upon motion by Senator Heen, seconded by Senator Lee, and carried, inasmuch as it is identical with Senate Bill No. 544, which passed Third Reading in the Senate on April 25th.

H. B. No. 1112: The bill was referred to the Committee on Judiciary.

H. B. No. 1113: The bill was referred to the Committee on Judiciary.

H. B. No. 1115: The bill was referred to the Committee on Judiciary.

H. B. No. 1129: The bill was referred to the Committee on Judiciary.

H. J. Res. No. 60: The joint resolution was referred to the Select Committee of Oahu Senators.

H. J. Res. No. 63: The joint resolution was referred to the Committee on Judiciary.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 474, transmitting House Bill No. 109;

H. Com. No. 475, transmitting House Bill No. 143;

H. Com. No. 476, transmitting House Bill No. 430;

H. Com. No. 477, transmitting House Bill No. 646;

H. Com. No. 478, transmitting House Bill No. 690;

H. Com. No. 479, transmitting House Bill No. 816;

H. Com. No. 480, transmitting House Bill No. 849;

H. Com. No. 481, transmitting House Bill No. 856;

H. Com. No. 482, transmitting House Bill No. 921;

H. Com. No. 483, transmitting House Bill No. 980;

H. Com. No. 484, transmitting House Bill No. 1007;

H. Com. No. 485, transmitting House Bill No. 1008;

H. Com. No. 486, transmitting House Bill No. 1031;

H. Com. No. 487, transmitting House Bill No. 1032;

H. Com. No. 488, transmitting House Bill No. 1067;

H. Com. No. 489, transmitting House Bill No. 1099;

H. Com. No. 490, transmitting House Bill No. 1103;

H. Com. No. 491, transmitting House Bill No. 1105;

H. Com. No. 492, transmitting House Bill No. 1137;

H. Com. No. 493, transmitting House Joint Resolution No. 52;

H. Com. No. 494, transmitting House Joint Resolution No. 62;

H. Com. No. 495, returning Senate Bill No. 78;

H. Com. No. 496, returning Senate Bill No. 234.

FIRST READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS:

H. B. No. 109, entitled: "An Act to amend Section 6411, Revised Laws of Hawaii 1945, as amended, relating to salaries of the officers of the County of Kauai";

H. B. No. 143, entitled: "An Act amending sub-section 9 of Section 708 of the Revised Laws of Hawaii 1945, relating to accidental death benefit";

H. B. No. 430, entitled: "An Act to amend Chapter 135, Revised Laws of Hawaii 1945, relating to firearms and the possession, transfer and registration thereof, and providing penalties";

H. B. No. 646, entitled: "An Act to amend Section 6451 of the Revised Laws of Hawaii 1945, as amended, relating to officers of the County of Maui";

H. B. No. 690, entitled: "An Act to amend Section 6352 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of the officers of the County of Hawaii";

H. B. No. 816, entitled: "An Act to amend Chapter 138 of the Revised Laws of Hawaii 1945, as amended, relating to the registration of vehicles";

H. B. No. 849, entitled: "An Act relating to foreign corporations and amending Section 8395 of the Revised Laws of Hawaii 1945";

H. B. No. 856, entitled: "An Act relating to married women doing business on their separate account";

H. B. No. 921, entitled: "An Act to amend Section 7134 of the Revised Laws of Hawaii 1945, relating to drivers' badges";

H. B. No. 980, entitled: "An Act to amend Chapter 145 of the Revised Laws of Hawaii 1945, as amended, regulating boxing contests in the Territory of Hawaii";

H. B. No. 1007, entitled: "An Act to amend Section 6552 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of officers and members of the Honolulu Fire Department";

H. B. No. 1008, entitled: "An Act to amend Section 6548 of the Revised Laws of Hawaii 1945, relating to salaries of the officers of the City and County of Honolulu";

H. B. No. 1031, entitled: "An Act relating to weights and measures, defining the powers and duties of enforcing officers, providing penalties, and amending Chapter 142 of the Revised Laws of Hawaii 1945";

H. B. No. 1032, entitled: "An Act relating to weights and measures, amending Section 7476 of the Revised Laws of Hawaii 1945";

H. B. No. 1067, entitled: "An Act relating to the practice of optometry and amending Chapter 53 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 1099, entitled: "An Act relating to public employees";

H. B. No. 1103, entitled: "An Act relating to cattle, defining the crime of theft of cattle, and providing penalties";

H. B. No. 1105, entitled: "An Act requiring preemployment health examination of applicants for Territorial positions and periodic health examinations of Territorial employees and creating Medicial Advisory Board to the Territorial Civil Service Commission";

H. B. No. 1137, entitled: "An Act to amend Chapter 127 of the Revised Laws of Hawaii 1945, as amended, relating to the City and County of Honolulu, by amending Section 6521 as amended, relating to the powers and duties of the Board of Supervisors of the City and County of Honolulu, by adding thereto a new sub-section to be designated sub-section 43B with respect to reclamation of swamp lands, and by amending sub-section 33 with respect to sale of real property including reclaimed swamp lands";

H. J. Res. No. 52, entitled: "Joint Resolution directing the Board of Regents of the University of Hawaii to execute on behalf of the Territory the 'Proposed compact for Western Regional cooperation in higher education'; authorizing the Board of Regents to make payments to the 'Western Interstate Commission for Higher Education'; requesting the Congress of the United States to enact legislation enabling the Territory of Hawaii to enter into the proposed compact; and making an appropriation";

H. J. Res. No. 62, entitled: "Joint Resolution relating to veterans";

Upon motion by Senator Capellas, seconded by Senator Nobriga, and carried, the bills and joint resolutions passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

MISCELLANEOUS COMMUNICATIONS:

A communication from the teachers of the Kapaa High & Elementary School, Kapaa, Kauai (Misc. Com. No. 46), urging the passage of House Bill No. 547 and Senate Bill No. 314, was read, received and referred to the Committee on Ways and Means.

A communication from the President of the Rural Oahu Principals' Club, Aiea, Oahu (Misc. Com. No. 47), urging the passage of Senate Bill No. 198, was read, received and referred to the Committee on Ways and Means.

REPORTS OF COMMITTEES:

Senator Crockett, for the Committee on Military, presented a report (Stand. Com. Rep. No. 271), recommending the passage of Senate Bill No. 111, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 271)

Upon motion by Senator Crockett, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 111 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 272), recommending the passage of Senate Joint Resolution No. 42, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 272)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 42, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga, for the Committee on Public Lands, to which was recommitted Senate Joint Resolution No. 15, as amended, on Third Reading, presented a report (Stand. Com. Rep. No. 273), recommending the passage of Senate Joint Resolution No. 15, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 273)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and action on the joint resolution, in the amended form, on Third Reading, was deferred until tomorrow.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 274), recommending the passage of Senate Joint Resolution No. 64, which was read as follows:

(Stand. Com. Rep. No. 274)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 64 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga, for the Committee on Public Lands, presented a report on the inspection trip on the island of Molokai, including

a public hearing held at Kaunakakai on April 27th (Stand. Com. Rep. No. 275), during which certain bills and joint resolutions now pending in the Senate were discussed; and further reporting that no decisions were made until further study, and recommending that the report be adopted, which was read as follows:

(Stand Com. Rep. No. 275)

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, action on the report was deferred until tomorrow.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 276), recommending the passage of Senate Bill No. 140, which was read as follows:

(Stand. Com. Rep. No. 276)

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, action on the report was deferred until May 1st.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 277), recommending the passage of Senate Bill No. 268, which was read as follows:

(Stand. Com. Rep. No. 277)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 268 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 116), recommending the passage of Senate Joint Resolution No. 10, in an amended form, which was read as follows:

(Spec. Com. Rep. No. 116)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 10 passed Second Reading in the amended form, and was placed on the calendar for Third Reading tomorrow.

RESOLUTION OFFERED:

Senators Aguiar and Ansai offered a Resolution (S. Res. No. 71), allowing Joseph Shikata and Henry Yap the sum of $150.00 each for the use of their respective private automobiles in connection with Senate business during the Session of the Twenty-Sixth Legislature, which was read as follows:

(S. Res. No. 71)

Upon motion by Senator Aguiar, seconded by Senator Ansai, and carried, the Resolution was adopted.

A Message from the Governor (Gov. Message No. 20), transmitting for the consideration of the Senate the name of David Furtado as a Member of the Hawaii Aeronautics Commission for a term expiring December 31, 1954, was read as follows:

(Gov. Message No. 20)

Upon motion by Senator Lee, seconded by Senator Hill, and carried, action on the Message was deferred until later on the calendar, with other similar messages on today's calendar.

A Message from the Governor (Gov. Message No. 21), transmitting for the further consideration of the Senate, the name of Victoria Holt as High Sheriff of the Territory for a term of four years from February 19, 1951, was read as follows:

(Gov. Message No. 21)

Upon motion by Senator Lee, seconded by Senator Hill, and carried, action on the Message was deferred until later on the calendar to be taken up with other similar Messages on today's calendar for consideration.

EXECUTIVE SESSION:

At this time, Senator Lee moved that the Senate go into Executive Session for the consideration of Governor's Messages Nos. 17, 18, 19, 20 and 21, relating to appointments. Seconded by Senator Hill, and carried; and at 3:05 o'clock p.m., the Senate went into Executive Session for such purpose.

The Executive Session being ended, the Senate reconvened at 3:35 o'clock p.m., and the Clerk was instructed to communicate with the Governor as follows:

(Insert communication to Governor)

Senator Harrison, who had been temporarily excused from the afternoon session was present at this time.

REPORT OF COMMITTEE:

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 278), recommending the passage of Senate Bill No. 316, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 278)

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the report of the Committee was adopted. Senate Bill No. 316 passed Second Reading in the amended form, and was placed on the calendar for Third Reading tomorrow.

At 3:40 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

At 3:48 O'clock p.m., the Senate reconvened.

Senator Harrison was excused at this time from the balance of this afternoon' session.

At this time, the President suggested that, as this was the last day that Governor Ingram M. Stainback would occupy the office of Chief Executive of this Territory, a Committee of five Senators be appointed to call upon the Governor to express the aloha of the members of the Senate and to wish him God speed.

Senator Dillingham thereupon moved that such a Committee be

appointed by the President. Seconded by Senator Hill, and carried.

The Chair thereupon appointed Senators Heen, Ansai, Fernandes, Robinson and Hill as such Committee; and the Committee at this time left the Chamber to carry out its mission.

At 3:50 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

At 4:00 o'clock p.m., the Senate reconvened, and the Committee appointed to call upon Governor Stainback to express to him the good wishes of the Senate, returned to the Chamber, accompanied by Governor Stainback.

Senator Heen, for the Special Committee appointed to call upon the Governor, reported, orally, as follows:

> "Your Special Committee appointed to call upon the Governor to express to him the regard of the members of the Senate as he retires from his high office, and also to express to him the gratitude of the members of the Senate for the many courtesies and considerations he has accorded these members, desires to report that it has performed this function and, in addition, has requested the Governor to appear before us on the eve of his retirement from his high office, to say a few words to the members of the Senate. I now wish to present, Mr. President, the retiring Governor of the Territory of Hawaii, Honorable Ingram M. Stainback."

The President, in accepting the oral report of the special Committee, said:

> "The Special Committee has very ably performed and discharged its duty; and the Chair will discharge that Committee with the appreciation of the Senate."

President Tsukiyama then stated:

> "I believe that everything that needs to be said to our retiring Governor in connection with his departure from the Chamber of the Governor, has been said by the Special Committee. However, on behalf of the entire Senate of the Territory, convened in the Twenty-Sixth Session of the Legislature, I wish to state that we have, for all these many years, had a very able and efficient Governor in Governor Stainback, regardless of partisan politics. We, who are in office are public servants. I am sure that the Governor has had the best interests and welfare of the Territory of Hawaii

of Hawaii foremost in mind in carrying out his functions and duties. We, ourselves, as members of this Chamber, have to the utmost of our ability endeavored to cooperate and collaborate with our Chief Executive. Within a few minutes, or within anhour, Governor Stainback will be descending from that high office to go into private life. Should he accept the President's appointment to the Supreme Court as Associate Justice he will again be in public service -- this time with the Judiciary of the Territory of Hawaii, a position in which we all recognize he is capable of performing his duty equally as well as he has performed his duties as Chief Executive of the Territory of Hawaii.

"We are not happy at all, Governor, to see this transition. I think I speak from the record when I say that hardly any measure that was vetoed by Governor Stainback has been overridden by the Legislature, at least that is my recollection since I have been a member of this Chamber. What the Legislature did before my becoming a member of this Chamber I am not certain. However, I am sure that the Members of this Chamber will share my view when I say that we are sorry that a good Governor must descend from that high office because of the vicissitudes of politics -- probably these things are inevitable. However, whatever the Governor may do hereafter - whether as Associate Justice of the Supreme Court of the Territory, or whether he chooses to go into private practice of the law, he will have our deep aloha to go along with him, and the best wishes of every member of this Chamber for a successful life, whether as Associate Justice or whether in private life."

The Governor, in replying, said:

"Mr. President, Members of the Senate: I know of no body, or group, whose action in commending my administration could give me greater pleasure than the action of this body. I have been particularly close to this body - many of you continuously for some eight and a half years -- and I have found a wonderful cooperation that has been an inspiration to me throughout those many long years; and I know that my work has been infinitely easier because I knew I could count on this body. Many of you were personal friends before I came up here - at least two of you have been associated with me in the practice of law before I became Governor; and I would say that the President and Brother Heen are very fine lawyers, and it has been a pleasure to be associated with them, not at the same time, but at different times, in the practice of law.

"My relations have been particularly close to the Senate - not only because I have felt free to call you in to discuss various matters and measures, and proposed measures, but on the appointments of the Executive Department of the Territory. There is no State in the Union that has a compact central organization like Hawaii, where the Governor practically appoints almost without exception the executive officers of the Territory, much of it, in the case of

various Commissions and County Commissions, like the Liquor Commission and the Police Commission, and things of that sort. It possibly is a sort of survival of the Monarchy, where all the power is in the King, and in the exercise of this great power - strong power - unusual power and privileges, duties - I have had to have, and I have had, the cooperation of this Senate. You have all entered into the executive department of this Territory in no small manner over some eight and a half years. Your President mentioned the veto - I remember my first experience in vetoing a measure. I believe it came back to the Senate, and if you look up the records, it is probably unique in history, that you sustained the veto by a unanimous vote. I don't think it has ever been done before or since. But I have never lightly vetoed any legislation, and in my Message to you I said that I hesitated to put my judgment against the majority of each house, and I only did so when I thought you had overlooked something - some matter that would result from such an act, or it was clearly unconstitutional, or it could not be defended from a legal standpoint; and I have always found you very reasonable. Of course, we have differed a little on appropriations. ..... But we didn't fight very hard on those matters, and I tried to make an explanation of my acts.

"I do want you to know how highly I appreciate this honor, and I am sure that you gentlemen here have performed great services for the Territory.

"Now I see I am pictured in today's paper as passing the aspirin to my successor, but it is not all headaches. Frankly, I have enjoyed my tenure as Governor. I have had headaches, yes; I have had difficulties, yes; I came in under very trying circumstances, yes; but I have tried to hew to the line. I have always aimed at the best interests of the Territory. I have never once tried to sacrifice the interests of the Territory to partisan politics, or to selfish interests. I don't say I have been 100% successful; I don't say what percentage it has been, but I know that my conscience is clear, as far as my conduct as Governor of this Territory is concerned.

"We have had some trying times, both during the War and in that more dangerous threatening war that you faced so courageously two years ago when they tried to blockade this Territory. Those men, led by a bunch of Communists, and it took real courage by you to stand up for the interests of this Territory as you did, and I complimented you then and I compliment you now. And if you show that fearless courage you have shown, to show those men who infiltrated into this government, as they have, and tried to control it, that Hawaii is American AND WILL REMAIN AMERICAN, and that you have a right to come into our sisterhood of States on an equality because you will see that we STAY AMERICAN.

"I wish to thank you, and I know you will serve this country in the future as you have in the past, and although I am going out of office, I stand ready to fight for the principles of Americanism; and I believe we are facing a fight in this Territory, as well as in our Union - as

much here as anywhere in the whole United States. Thank you, gentlemen."

At the suggestion of Senator Capellas, all those in the Chamber stood as they joined in the singing of "Aloha Oe" to Governor Stainback at the close of his eight and a half years as Chief Executive of this Territory.

At 4:20 o'clock p.m., upon motion by Senator Lee, seconded by Senator Duarte, and carried, the Senate adjourned until 10:30 o'clock a.m., on Tuesday, May 1, 1951, after which the members all personally greeted the Governor.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FIFTY-SEVENTH Day

TUESDAY, MAY 1, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FIFTY-SEVENTH DAY

Tuesday, May 1, 1951.

The Senate convened at 11:03 o'clock with the President presiding.

The Divine Blessing was invoked by the Chaplain, after which the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Sixth Day.

MESSAGE FROM THE ACTING GOVERNOR:

A Message from Acting Governor Oren E. Long (Gov. Message No. 22), withdrawing all nominations heretofore submitted to the Senate for confirmation which have not yet been acted upon, and stating that a list of nominations, with some possible changes, would be returned for consideration before the end of the session, was read as follows:

(Gov. Message No. 22)

The Message was received and placed on file.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 497), informing the Senate that the House had adopted the report of the Committee on Conference on House Bill No. 566, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 497)

The communication was received and placed on file.

Senator Crockett, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 566, presented a report (Conf. Com. Rep No. 5), recommending the Final passage of the bill as passed by the House, which was read as follows:

(Conf. Com. Rep. No. 5)

Upon motion by Senator Crockett, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and House Bill No. 566, entitled: "An Act to amend Section 13050 of the Revised Laws of Hawaii 1945, as amended by Act 123 (Ser. E-189) of the Session Laws of Hawaii 1947, relating to the Armory Board", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Robinson. Total, 1.

A communication from the House (H. Com. No. 498), requesting the return of Senate Bill No. 78 for further consideration was read as follows:

(H. Com. No. 498)

The communication was received and placed on file; and upon motion by Senator Lee, seconded by Senator Fernandes, and carried, the request of the House was granted, and the Clerk was instructed to return Senate Bill No. 78 to the House.

A communication from the House (H. Com. No. 499), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 437, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 499)

The communication was received and placed on file.

A communication from the House (H. Com. No. 500, informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 562, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 500)

The communication was received and placed on file.

A communication from the House (H. Com. No. 501), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 734, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 501)

The communication was received and placed on file.

The following communications from the House were read, received and placed on file:

H. Com. No. 502, transmitting House Bill No. 1;

H. Com. No. 503, transmitting House Bill No. 7;

H. Com. No. 504, transmitting House Bill No. 182

H. Com. No. 505, transmitting House Bill No. 264;

H. Com. No. 506, transmitting House Bill No. 508;

H. Com. No. 507, transmitting House Bill No. 920.

FIRST READING OF HOUSE BILLS:

H. B. No. 1, entitled: "An Act making appropriations for public improvements and providing for the issuance of public improvement bonds";

H. B. No. 7, entitled: "An Act amending Joint Resolution 5, Special Session Laws of Hawaii 1949, relating to the Commission on Subversive Activities, and making an appropriation";

H. B. No. 182, entitled: "An Act to amend Section 1943 of the Revised Laws of Hawaii 1945, as amended, relating to the University of Hawaii and the powers of the Board of Regents thereof";

H. B. No. 264, entitled: "An Act to amend Chapter 150 of the Revised Laws of Hawaii 1945 relating to real estate brokers and salesmen";

H. B. No. 508, entitled: "An Act defining an habitual criminal and establishing the minimum sentence for an habitual criminal";

H. B. No. 920, entitled: "An Act relating to public improvements and amending Act 401 (Series E-325) of the Session Laws of Hawaii 1949, Act 206 (Series F-208) of the Session Laws of Hawaii 1947, and Act 232 (Series E-240) of the Session Laws of Hawaii 1939, and authorizing the issuance of county bonds".

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

A communication from the House (H. Com. No. 508), transmitting House Concurrent Resolution No. 32, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 32, "to request the Postmaster General of the United States to establish a Post Office at Waihee, Island of Maui, Territory of Hawaii"; as follows:

(H. Con. Res. No. 32)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the Concurrent Resolution was adopted.

A communication from the House (H. Com. No. 509), transmitting House Concurrent Resolution No. 37, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 37, "requesting Congress to increase the compensation to the Delegate to Congress from Hawaii, the Governor and Secretary of Hawaii, and judges of certain courts in the Territory", as follows:

(H. Con. Res. No. 37)

Upon motion by Senator Lee, seconded by Senator Crockett, the Concurrent Resolution was referred to the Committee on Judiciary.

A communication from the House (H. Com. No. 510), transmitting House Concurrent Resolution No. 69, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 69, "expressing the gratitude of the people of Hawaii to the Honorable Ingram M. Stainback for his years of faithful service as Governor of the Territory", as follows:

(H. Con. Res. No. 69)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Concurrent Resolution was adopted.

The following communications from the House of Representatives were read, received and placed on file:

H. Com. No. 511, returning Senate Bill No. 517;

H. Com. No. 512, returning Senate Concurrent Resolution

No. 14; adopted by the House on April 30th;

H.Com.No. 513, returning Senate Concurrent Resolution No. 31, adopted by the House on April 30th.

MISCELLANEOUS COMMUNICATION:

A communication from the Executive Secretary of the Hawaii Education Association and the Executive Director of the Hawaiian Government Employees' Association (Misc. Com. No. 48), enclosing copies of two resolutions adopted at a joint meeting of the memberships of the two above associations relating, respectively, to Senate Bill No. 314 and House Bills Nos. 547 and 151 and urging their passage; and to the pupil-teacher ratio of 32-1; also enclosing a petition signed by approximately 943 government employees on Oahu, relating to increasing the salaries of government employees; copy of a letter conveying the sentiments of the faculty of the University of Hawaii pertaining to the question of salaries and wages, was read, received and upon motion by Senator Hill, seconded by Senator Lee, and carried, referred, with the enclosures, to the Committee on Ways and Means.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 279), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

At this time, Senator Dillingham moved that the Senate reconsider its action taken in Referring House Bill No. 1034 and House Joint Resolution No. 60 to the Select Committee of Oahu Senators. Seconded by Senator Lee, and carried.

Senator Dillingham then moved that House Bill No. 1034 and House Joint Resolution No. 60 be referred to the Committee on Ways and Means. Seconded by Senator Hill, and carried; and the said bill and said joint resolution were thereupon returned to the Clerk's desk and so referred.

Senator Crockett at this time moved that the Rules be suspended, and that the Senate reconsider its action taken in referring House Bill No. 1115 to the Committee on Judiciary. Seconded by Senator Hill, and carried.

Senator Crockett thereupon moved that House Bill No. 1115 be referred to the Committee on Ways and Means to which Senate Bill No. 565 on the same subject matter had been referred and which was on the calendar for Third Reading today. Seconded by Senator Hill, and carried; and House Bill No. 1115 was thereupon returned to the Clerk's desk and so referred.

SENATE BILL INTRODUCED:

Under suspension of the Rules, and by unanimous consent, Senator Hill introduced a bill (S. B. No. 580), entitled: "An Act making an appropriation for the repair, reconstruction and reconditioning of Washington Place".

Upon motion by Senator Hill, seconded by Senator Capellas, and carried, the bill passed First Reading by title and was referred to the Printing Committee.

REPORTS OF COMMITTEES:

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 280), recommending the filing of Senate Bill No. 272 for the reasons set forth in the report, and submitting a Resolution for introduction dealing with the subject matter of Senate Bill No. 272, which was read as follows:

(Stand. Com. Rep. No. 280)

Upon motion by Senator Ansai, seconded by Senator Aguiar, and carried, the report of the Committee was adopted; and Senate Bill No. 272 was thereupon placed on file and the Resolution attached to the report was offered.

RESOLUTION OFFERED:

Senators Ansai, Aguiar, Lee, Robinson and Nobriga offered a Resolution (S. Res. No. 72), "relating to the use of hog cholera vaccine and requesting all veterinarians to give prompt service in the immunization of hog herds and to make every effort to maintain this service to hog farmers at least possible cost", which was read as follows:

(S. Res. No. 72)

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the Resolution was adopted.

REPORTS OF COMMITTEES:

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 281), recommending the passage of Senate Bill No. 577, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 281)

Upon motion by Senator Ansai, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. Senate Bill No. 577 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 282), recommending the passage of House Bill No. 12, which was read as follows:

(Stand. Com. Rep. No. 282)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 12 passed Second Reading and was placed on the cal-

endar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 283), recommending the filing of Senate Bill No. 201, which was read as follows:

(Stand. Com. Rep. No. 283)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Bill No. 201 was thereupon placed on file.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 284), recommending the passage of House Bill No. 11, which was read as follows:

(Stand. Com. Rep. No. 284)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 11 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Military, presented a report (Stand. Com. Rep. No. 285), recommending the passage of House Bill No. 644, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 285)

Upon motion by Senator Crockett, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 644 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 286), recommending the passage of House Joint Resolution No. 42, and the filing of Senate Joint Resolution No. 19 on the same subject matter, which was read as follows:

(Stand. Com. Rep. No. 286)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Joint Resolution No. 42 passed Second Reading and was placed on the calendar for Third Reading tomorrow, and Senate Joint Resolution No. 19 was placed on file.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 287), recommending the passage of Senate Bill No. 4, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 287)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 4 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 288), recommending the passage of House Bill No. 900, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 288)

Upon motion by Senator Ansai, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. House Bill No. 900 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 289), recommending the passage of House Bill No. 25, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 289)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House

Bill No. 25 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 290), recommending the passage of House Bill No. 250, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 290)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 250 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 291), recommending the passage of Senate Bill No. 256, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 291)

Upon motion by Senator Hill seconded by Senator Nobriga, and carried, the report of the Committee was adopted. Senate Bill No. 256 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 292), recommending the passage of House Bill No. 181, and recommending the filing of Senate Bill No. 347, identically entitled, which was read as follows:

(Stand. Com. Rep. No. 292)

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, the report of the Committee was adopted.

House Bill No. 181 passed Second Reading and was placed on the calendar for Third Reading tomorrow; and Senate Bill No. 347 was placed on file.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 293), recommending the passage of Senate Bill No. 211, which was read as follows:

(Stand. Com. Rep. No. 293)

Upon motion by Senator Dillingham, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. Senate Bill No. 211 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 294), recommending the passage of Senate Joint Resolution No. 39, which was read as follows:

(Stand. Com. Rep. No. 294)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 39 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 295), recommending that Senate Bill No. 304 be amended by reducing the appropriation to $25,000, and as so amended, recommending that it be referred to the Committee on Ways and Means, which was read as follows:

(Stand. Com. Rep. No. 295)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and Senate Bill No. 304 was thereupon referred to the Committee on Ways and

Means, as amended.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 296), recommending the adoption of Senate Concurrent Resolution No. 8, which was read as follows:

(Stand. Com. Rep. No. 296)

Upon motion by Senator Nobriga, seconded by Senator Dillingham, and carried, the report of the Committee was adopted; and Senate Concurrent Resolution No. 8 was thereby adopted.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 297), recommending the adoption of Senate Concurrent Resolution No. 9, which was read as follows:

(Stand. Com. Rep. No. 297)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted, and Senate Concurrent Resolution No. 9 was thereby adopted.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 298), recommending the adoption of Senate Concurrent Resolution No. 11, which was read as follows:

(Stand. Com. Rep. No. 298)

Upon motion by Senator Nobriga, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and Senate Concurrent Resolution No. 11 was thereby adopted.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 299), recommending that Senate Bill No. 138 be referred to the Committee on Ways and Means, which was read as follows:

(Stand. Com. Rep. No. 299)

Upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, the report of the Committee was adopted, and Senate Bill No. 138 was thereupon referred to the Committee on Ways and Means.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 300), recommending the passage of Senate Bill No. 476, which was read as follows:

(Stand. Com. Rep. No. 300)

Upon motion by Senator Nobriga, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 476 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 117), recommending the passage of House Bill No. 124, with an amendment, which was read as follows:

(Spec. Com. Rep. No. 117)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 124 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 118), recommending the passage of House Bill No. 951, which was read as follows:

(Spec. Com. Rep. No. 118)

Upon motion by Senator Ansai, seconded by Senator Crockett, and carried, the report of the Committee was adopted. House Bill No. 951 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Joint Committee of Hawaii, Maui and Kauai Senators, presented a report (Spec. Com. Rep. No. 119), recommending the adoption of House Concurrent Resolutions Nos. 57, 61,with an amendment, and 62, which was read as follows:

(Spec. Com. Rep. No. 119)

Upon motion by Senator Ansai, seconded by Senator Capellas,

and carried, the report of the Committee was adopted; and House Resolutions Nos. 57 and 62 were adopted, and House Concurrent Resolution No. 61, as amended was adopted.

Senator Fernandes, for the Select Committee of Kauai Senators, presented a report (Spec. Com. Rep. No. 120), recommending the passage of House Bill No. 922, which was read as follows:

(Spec. Com. Rep. No. 120)

Upon motion by Senator Fernades, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. House Bill No. 922 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Fernandes, for the Select Committee of Kauai,Senators, presented a report (Spec. Com. Rep. No. 121), recommending the passage of House Bill No. 72, which was read as follows:

(Spec. Com. Rep. No. 121)

Upon motion by Senator Fernandes, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. House Bill No. 72 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Consideration of Standing Committee Report No. 276, recommending the passage of Senate Bill No. 140, deferred from yesterday, on special order:

Upon motion by Senator Hill, seconded by Senator Aguiar, and carried, the report and Senate Bill No. 140 were referred to the Committee on Ways and Means.

Consideration of House Bill No. 661, recalled from the Governor, together with pending amendments offered by Senator Harrison, deferred from yesterday, on special order:

Senator Harrison withdrew the amendments she offered yesterday; and thereupon offered the following amendments to the bill:

"Further amend section 2001 of the Revised Laws of Hawaii 1945 as the same appears in Section 1 of House Bill No. 661, H.D. 1, S.D. 2, in the following respects:

(a) By amending the first sentence thereof to read as follows:

'There shall be a board of health for the Territory (hereinafter referred to as the board) consisting of nine members (including the president), of whom eight shall be appointive members and one shall be the attorney general of the Territory of Hawaii, ex officio.'

(b) By deleting the fourth and fifth sentences thereof.

(c) By substituting for the words 'doctor of medicine or osteopathy', appearing in the sixth sentence thereof, the word 'physician'."

Senator Harrison moved for the adoption of the amendments. Seconded by Senator Lee, and carried.

Senator Harrison moved to pass the bill on Final Reading, as amended. Seconded by Senator Lee.

Senator Heen moved that the Senate reconsider its action in adopting the amendments offered by Senator Harrison. Seconded by Senator Lee, and carried.

Senator Harrison thereupon withdrew the amendments she offered this morning.

Senator Heen then offered the following amendments to the bill:

"Further amend Section 2001 of the Revised Laws of Hawaii 1945 as the same appears in Section 1 of House Bill No. 661, HD1, SD 2, in the following respects:

(a) By amending the first sentence thereof to read as follows:

'There shall be a board of health for the Territory (hereinafter referred to as the board) consisting of nine members (including the president), of whom

eight shall be appointive members and one shall be the attorney general of the Territory of Hawaii, ex officio.'

(b) By deleting the fourth and fifth sentences thereof."

Senator Heen moved for the adoption of the amendments. Seconded by Senator Lee.

Senator Crockett moved that action on the bill and the amendments offered by Senator Heen be deferred until tomorrow. Seconded by Senator Ansai, and carried.

Consideration of Standing Committee Report No. 275, from the Committee on Public Lands, reporting on the inspection trip of the Committee to the Island of Molokai, in connection with certain measures pending before the Senate, and recommending that the report be adopted, deferred from yesterday, on special order:

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, the report was received and placed on file.

Consideration, on Third Reading, of Senate Joint Resolution No. 15, as amended, entitled: "Joint Resolution requesting the Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to the Commissioner of Public Lands", deferred from yesterday, on special order:

Upon motion by Senator Aguiar, seconded by Senator Hill, and carried, action on the Joint Resolution was further deferred until tomorrow.

At 12:09 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Lee, and carried, the Senate stood in recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:00 o'clock p.m., with the President on the Chair and all members being present.

THIRD READINGS:

Under the suspension of the Rules, the Senate at this time took up the Third Readings on the calendar for today.

Third Reading of Senate Bill No. 20, entitled: "An Act to amend Sections 5252 and 5254 of the Revised Laws of Hawaii 1945, as amended, relating to the County of Maui; including property taxes in the County of Maui and the Maui County Budget":

Senator Ansai offered the following amendments to the bill:

"Amend the bill in the following particulars:

1. Insert a new Section 5 which shall read as follows:

"SECTION 5. Nothing herein shall be deemed to supersede any law providing for the raising by real property taxes of moneys for civil defense or kindred purposes, and the real property tax rate limit fixed by this Act for the year 1952 and later years, nevertheless shall be increased for the year 1952 by the amount so required to be raised for civil defense or kindred purposes. The amount so required to be raised for divil defense and kindred purposes shall be deducted from the calculated yield of real property taxes for the purposes of section 1 (b) and section 2 of this Act.'

2. Re-number present section 5, 'SECTION 6'".

Senator Ansai moved for the adoption of the amendments. Seconded by Senator Dillingham, and carried.

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: Senator Aguiar. Total, 1.

Absent at Roll Call: Senator Harrison. Total, 1.

Third Reading of Senate Bill No. 63, as amended, entitled: "An Act relating to the amount to be raised annually from real property taxes in and for the County of Kauai":

Senator Capellas offered the following amendments in the amended form of the bill:

"Amend the bill to read as follows:

'AN ACT
RELATING TO THE AMOUNTS TO BE RAISED ANNUALLY FROM REAL PROPERTY TAXES IN AND FOR THE COUNTIES OF KAUAI AND HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Any provision of section 5252 of the Revised Laws of Hawaii 1945, as amended, or any other law to the contrary notwithstanding:

(a) The real property tax rate in the county of Kauai shall be fixed at such rate as will yield the sum of $700,000.00 annually for such county, of which amount the sum of $100,000.00 shall be expendable for the acquisition of land and the construction of new buildings and other improvements for public schools in said county, and

(b) The real property tax rate in the county of Hawaii shall be fixed at such rate as will yield the sum of $1,500,000.00 annually for such county.

SECTION 2. Nothing herein shall be deemed to supersede any law providing for the raising by real property taxes of moneys for civil defense or kindred purposes. The real property tax rate limit fixed for the county of Kauai by this Act shall be increased for the years 1951 and 1952 by the amount so required to be raised for civil defense or kindred purposes, but the real property tax rate limit fixed by this Act for the county of Hawaii for the years 1951 and 1952, nevertheless shall be deemed to include such required amount.

Nothwithstanding any provision of law setting the time for the submission of county budgets, the time for the submission of such budget for the calendar year 1951, is hereby extended to and including the 7th day after the approval of this Act.

SECTION 3. Upon its approval, this Act shall take effect as of January 1, 1951.'"

Upon motion by Senator Capellas, seconded by Senator Fernandes, and carried, the amendments were adopted.

Upon motion by Senator Capellas, seconded by Senator Fernandes, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 111, as amended, entitled: "An Act to amend Chapter 320 of the Revised Laws of Hawaii 1945, as amended, relating to the National Guard and the unorganized militia of the Territory of Hawaii":

Upon motion by Senator Dillingham, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 196, entitled: "An Act amending Act 251 of the Session Laws of Hawaii 1941, as amended, relating to the County of Kauai bonds for public improvements":

Upon motion by Senator Aguiar, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 219, as amended, entitled: "An Act relating to Hinana or Baby Oopu, and making an appropriation therefor":

Upon motion by Senator Aguiar, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 266, as amended, entitled: "An Act relating to appeals from Liquor Commissions; amending Section 7276 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 268, entitled: "An Act amending Chapter 8, Revised Laws of Hawaii 1945, by adding thereto a new section to be numbered 314.01, providing a ceiling on awards for real property condemned for public purpose":

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, the bill was referred to the Committee on Ways and Means.

Third Reading of Senate Bill No. 292, as amended, entitled: "An Act relating to fuel taxes and the disposition thereof; amending Section 5404 of the Revised Laws of Hawaii 1945, as amended":

Senator Dillingham offered the following amendments:

"Amend Section 1 of said bill by substituting for the 'period' at the end of quoted paragraph (4), a 'comma' and the following words and punctuation: 'and in further addition thereto, a special tax of one cent, which special tax shall be known as the "city and county of Honolulu special tax"'".

Senator Dillingham moved for the adoption of the amendments. Seconded by Senator Duarte, and carried.

Upon motion by Senator Dillingham, seconded by Senator Okino, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 316, as amended, entitled: "An Act to amend Section 5252 of the Revised Laws of Hawaii 1945, as amended, relating to real property tax":

Senator Dillingham offered the following amendments to the bill, as amended:

"Amend the bill in the following particulars:

1. Amend the first paragraph of the quoted subsection (b) in Section 1 by deleting from lines 22, 23 and 24 of the mimeographed bill, the following words and punctuation: 'together with any amount for civil defense or a kindred purpose required by statute to be added to the amounts required for all other purposes,'.

2. Insert a new section to be numbered 2, which shall read as follows:

'SECTION 2. Nothing herein shall be deemed to supersede any law providing for the raising by real property taxes of moneys for civil defense or kindred purposes. The amount fixed by this Act as the maximum amount which, in the city and county of Honolulu, the rate may be calculated to yield,

nevertheless shall include for the years 1951 and 1952, and shall not be increased by, the amount so required to be raised for civil defense and kindred purposes. In the county of Maui the real property tax rate limits fixed by this Act shall be increased for the years 1951 and 1952 by the amount required to be raised for civil defense or kindred purposes.

'Notwithstanding any provision of law setting the time for the fixing of tax rates, said time for the calendar year 1951 is hereby extended to and including the 10th day after the approval of this Act.'

3. Re-number present Section 2, 'SECTION 3'."

Senator Dillingham moved for the adoption of the amendments. Seconded by Senator Ansai, and carried.

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 328, as amended, entitled: "An Act relating to funds for preparation for and functioning in respect of attacks and other hostile action, providing for raising of such funds by real property taxes and for the appropriation and expenditure thereof":

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino,

Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 345, as amended, entitled: "An Act relating to notary fees; amending Section 7676 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 367, entitled: "An Act making an appropriation by way of advacement for the construction of a homestead road at Waipunalei, North Hilo, County of Hawaii":

Upon motion by Senator Nobriga, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 405, entitled: "An Act extending service credit in the Employees' Retirement System of the Territory to certain members for periods of employment by the legislature":

Upon motion by Senator Dillingham, seconded by Senator Crockett, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 485, as amended, entitled: "An Act amending Chapter 296 of the Revised Laws of Hawaii 1945 relating to annulment, divorce and separation":

Upon motion by Senator Dillingham, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 12.

Noes: Senators Duarte, Fernandes and Nobriga. Total, 3.

Third Reading of Senate Bill No. 486, as amended, entitled: "An Act relating to voting machines and making an appropriation therefor":

Upon motion by Senator Dillingham, seconded by Senator Crockett, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 492, entitled: "An Act making an appropriation for the Department of Public Works of the Territory of Hawaii":

Upon motion by Senator Dillingham, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 506, as amended, entitled: "An Act authorizing the Superintendent of Public Works to fix and collect charges for the use of space and other facilities in public buildings and on adjacent public grounds":

Upon motion by Senator Hill, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 507, entitled: "An Act to amend Section 12720 of the Revised Laws of Hawaii 1945, as amended, relating to the cost of checking survey and plan":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 509, entitled: "An Act to amend Section 12705 of the Revised Laws of Hawaii 1945, as amended by Acts 255 and 241 of the Session Laws of Hawaii 1945 and Act 394 of the Session Laws of Hawaii 1949, relating to fees to be charged in the Land Court":

Upon motion by Senator Duarte, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 510, as amended, entitled: "An Act relating to Federal surplus property and aid available to the Territory, charging the Director of the Bureau of the Budget and the Attorney General with certain duties and authority in respect thereof and making an appropriation therefor":

Upon motion by Senator Duarte, seconded by Senator Okino, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 513, entitled: "An Act relating to the importation of plant life, seeds and soils and amending Section 1351 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Duarte, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 559, entitled: "An Act to amend Section 5508 of the Revised Laws of Hawaii 1945, relating to income taxes":

Upon motion by Senator Duarte, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 565, entitled: "An Act to amend Chapter 85 of the Revised Laws of Hawaii 1945, as amended, to provide for liens for old age assistance furnished and reimbursement therefor":

Senator Hill moved that this bill lie on the table until later on the calendar. Seconded by Senator Fernandes, and carried.

Third Reading of Senate Bill No. 575, entitled: "An Act appropriating the sum of three hundred thirty dollars to honor check number 5176, drawn by the Treasurer of the Territory of Hawaii, payable to Hilo General Contractors, dated March 5, 1947, for services rendered":

Upon motion by Senator Capellas, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 579, entitled: "An Act reappropriating moneys heretofore appropriated by Act 55 of the Special Session Laws of Hawaii 1949, for the development of an irrigation and water utilization project in Waimea, Hawaii":

Upon motion by Senator Duarte, seconded by Senator Nobriga, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Joint Resolution No. 10, as amended, entitled: "Joint Resolution suspending the laws and ordinances relating to the construction and maintenance of certain structures within Iolani Palace Grounds":

Upon motion by Senator Duarte, seconded by Senator Lee, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Joint Resolution No. 18, entitled: "Joint Resolution requesting the Congress of the United States of America to eliminate taxes upon passenger transportation between the several islands comprising the Territory of Hawaii":

Upon motion by Senator Duarte, seconded by Senator Capellas, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Joint Resolution No. 37, entitled: "Jpint Resolution for the relief of Frank R. Sommerfeld";

Upon motion by Senator Crockett, seconded by Senator Lee, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Joint Resolution No. 42, as amended, entitled: "Joint Resolution requesting the Congress of the United States to amend the Hawaiian Homes Commission Act, 1920":

Senator Nobriga moved for the passage of the joint resolution. Seconded by Senator Duarte.

Senator Hill moved that the joint resolution be referred to the Committee on Ways and Means. Seconded by Senator Heen, and carried.

In connection with his support of the joint resolution, Senator Nobriga read a communication from Mr. Dan Ainoa, Executive Secretary of the Hawaiian Homes Commission, approving the joint resolution, and asked that it be referred to the Committee on Ways and Means, with the joint resolution; and it was so referred.

Third Reading of Senate Joint Resolution No. 48, entitled: "Joint Resolution relating to training and care of exceptional children by the Department of Public Instruction";

Upon motion by Senator Duarte, seconded by Senator Dillingham, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Joint Resolution No. 64, entitled: "Joint Resolution requesting the Congress of the United States to amend Section 73 of the Hawaiian Organic Act in respect of the sale of houselots":

Senator Nobriga moved that the joint resolution pass Third Reading. Seconded by Senator Fernandes. The motion to pass the joint resolution on Third Reading was put, and the joint resolution failed of passage on the following showing of Ayes and Noes:

Ayes: Senators Duarte, Fernandes, Heen, Lee, Nobriga, Okino and Mr. President. Total, 7.

Noes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Harrison, Hill and Robinson. Total, 8.

Third Reading of House Bill No. 6, as amended, entitled: "An Act amending Section 4353 of the Revised Laws of Hawaii 1945, as amended, relating to wages and hours of labor, by increasing the minimum wage", deferred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the bill was referred to the Committee on Ways and Means.

Third Reading of House Bill No. 23, as amended, entitled: "An Act relating to fuel taxes and the disposition thereof in the County of Maui and amending Chapter 100 and Section 5260 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Ansai, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 157, as amended, entitled: "An Act amending Section 4863 of the Revised Laws of Hawaii 1945, requiring recipients of general assistance to register for county employment as a condition of receiving aid":

Upon motion by Senator Ansai, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 229, as amended, entitled: "An Act relating to the operation of fish traps, providing for licenses and penalties, amending Chapter 19 and repealing Sections 7071 and 7072 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Lee, seconded by Senator Fernandes, and carried, action on the bill was deferred until tomorrow.

Third Reading of House Bill No. 799, entitled: "An Act amending Chapter 67 of the Revised Laws of Hawaii 1945 relating to industrial and reformatory schools":

Upon motion by Senator Crockett, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes

and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 804, entitled: "An Act amending Section 358 of the Revised Laws of Hawaii 1945, relating to citizen labor":

Upon motion by Senator Crockett, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 874, as amended, entitled: "An Act amending Section 4853 of the Revised Laws of Hawaii 1945, as amended, relating to examinations of the blind for public assistance":

Upon motion by Senator Crockett, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

SECOND READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS:

H. B. No. 9: The bill was referred to the Committee on Judiciary.

H. B. No. 52: The bill was referred to the Committee on Education.

H. B. No. 109: The bill was referred to the Committee of the Whole, with Senator Nobriga as Chairman.

H. B. No. 139: The bill was referred to the Committee on Judiciary.

H. B. No. 143: The bill was referred to the Committee on Ways and Means.

H. B. No. 151: The bill was referred to the Committee on Judiciary.

H. B. No. 430: The bill was referred to the Committee on Judiciary.

H. B. No. 646: The bill was referred to the Committeeof the Whole, with Senator Nobriga as Chairman.

H. B. No. 690: The bill was referred to the Committee of the Whole, with Senator Nobriga as Chairman.

H. B. No. 816: The bill was referred to the Committee on Judiciary.

H. B. No. 847: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 849: The bill was referred to the Committee on Judiciary.

H. B. No. 856: The bill was referred to the Committee on Judiciary.

H. B. No. 896: The bill was referred to the Committee on Judiciary.

H. B. No. 921: The bill was referred to the Committee on Judiciary.

H. B. No. 980: The bill was referred to the Committee on Judiciary.

H. B. No. 1007: The bill was referred to the Select Committee of Oahu Senators.

H. B. No. 1008: The bill was referred to the Committee of the Whole, with Senator Nobriga as Chairman.

H. B. No. 1031: The bill was referred to the Committee on Judiciary.

H. B. No. 1032: The bill was referred to the Committee on Judiciary.

H. B. No. 1057: The bill was referred to the Committee on Judiciary.

H. B. No. 1058: The bill was referred to the Committee on Ways and Means.

H. B. No. 1059: Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the Rules were suspended and the bill was read throughout on Second Reading.

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

H. B. No. 1063: The bill was referred to the Select Committee of Maui Senators.

H. B. No. 1066: The bill was referred to the Committee on Ways and Means.

H. B. No. 1067: The bill was referred to the Committee on Public Health.

H. B. No. 1077: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 1078: The bill was referred to the Committee on Ways and Means.

H. B. No. 1079: The bill was referred to the Committee on Ways and Means.

H. B. No. 1096: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 1097: The bill was referred to the Committee on Ways and Means.

H. B. No. 1098: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 1099: The bill was referred to the Committee on Judiciary.

H. B. No. 1103: The bill was referred to the Committee on Judiciary.

H. B. No. 1105: The bill was referred to the Committee on Public Health.

H. B. No. 1132: The bill was referred to the Select Committee of Hawaii Senators.

H. B. No. 1136: The bill was referred to the Committee on Judiciary.

H. B. No. 1137: The bill was referred to the Select Committee of Oahu Senators.

H. J. Res. No. 35: The joint resolution was referred to the Committee on Judiciary.

H. J. Res. No. 45: The joint resolution was referred to the Committee on Ways and Means.

H. J. Res. No. 52: The joint resolution was referred to the Committee on Education.

H. J. Res. No. 55: The joint resolution was referred to the Committee on Ways and Means.

H. J. Res. No. 59: The joint resolution was referred to the Select Committee of Oahu Senators.

H. J. Res. No. 62: The joint resolution was referred to the Committee on Military.

COMMITTEE REPORTS:

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 301), recommending the passage of House Bill No. 1115 and the filing of Senate Bill No. 565, relating to the same subject matter, on the calendar for Third Reading today, which was read as follows:

(Stand. Com. Rep. No. 301)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 1115 passed Second Reading and was placed on the calendar for Third Reading tomorrow; and Senate Bill No. 565 relating to the same subject matter, on which action was deferred earlier on today's calendar, was thereupon placed on file.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 302), recommending the passage of House Bill No. 293, with an amendment, and further recommending that Senate Bill No. 190, on the same subject matter, be placed on file, which was read as follows:

(Stand. Com. Rep. No. 302)

Upon motion by Senator Ansai, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. House Bill No. 293, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow; and Senate Bill No. 190 was placed on file.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 303), recommending the passage of Senate Bill No. 571, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 303)

Upon motion by Senator Hill, seconded by Senator Capellas, and carried, the report of the Committee was adopted. Senate Bill No. 571 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 304), recommending the passage of House Bill No. 100, which was read as follows:

(Stand. Com. Rep. No. 304)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 100 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

At this time, Senator Nobriga moved that the Senate reconsider its action taken in referring Senate Bill No. 570 to the Committee of the Whole, of which he is Chairman. Seconded by Senator Lee, and carried.

Senator Nobriga then moved that Senate Bill No. 570 be referred to the Committee on Judiciary. Seconded by Senator Lee, and carried; and the bill was thereupon returned to the Clerk's desk and so referred.

At this time, Senator Nobriga moved that the Senate resolve itself into a Committee of the Whole for the consideration of Senate Bills Nos. 44, 228, 315, 440 and 479 and House Bills Nos. 109, 646, 690 and 1008, relating to salaries of county officers. Seconded by Senator Okino, and carried; and at 3:30 o'clock p.m., the Senate resolved itself into a Committee of the Whole for such purpose,

with Senator Nobriga as Chairman.

At 5:18 o'clock p.m., the Committee rose and the Senate reconvened.

Senator Nobriga, for the Committee of the Whole having under consideration Senate Bills Nos. 44, 228, 315, 440 and 479 and House Bills Nos. 109, 646, 690 and 1008, orally reported progress and asked leave to sit again tomorrow afternoon at 2:00 o'clock for the further consideration of the above enumerated bills.

Upon motion by Senator Nobriga, seconded by Senator Okino, and carried, the oral report of the Committee was adopted.

At this time, Senator Dillingham moved that the Senate reconsider its action taken in referring Senate Bill No. 181 to the Committee on Judiciary. Seconded by Senator Fernandes, and carried.

Senator Dillingham then moved that Senate Bill No. 181 be referred to the Committee on Ways and Means. Seconded by Senator Fernandes, and carried. Senate Bill No. 181 was thereupon returned to the Clerk's desk and so referred.

Senator Dillingham moved that the Senate reconsider its action taken in placing Senate Joint Resolution No. 40 on file. Seconded by Senator Robinson, and carried.

Senator Dillingham then moved that Senate Joint Resolution No. 40 be recommitted to the Select Committee of Oahu Senators. Seconded by Senator Robinson, and carried.

A communication from the Secretary of Hawaii (Dept. Com. No. 82), informing the Senate that the Acting Governor had signed House Bill No. 18, as Act 9, and Senate Bill No. 18, as Act 10, was read as follows:

(Dept. Com. No. 82)

The communication was received and placed on file.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 514), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Joint Resolution No. 16, and that said joint resolution, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 514)

The communication was received and placed on file.

A communication from the House (H. Com. No. 515), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 23, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 515)

The communication was received and placed on file.

A communication from the House (H. Com. No. 516), returning Senate Bill No. 73, was read, received and placed on file.

The following communications from the House of Representatives, transmitting House Bills and House Joint Resolutions were read, received and placed on file:

H. Com. No. 517, transmitting House Bill No. 108;

H. Com. No. 518, transmitting House Bill No. 135;

H. Com. No. 519, transmitting House Bill No. 251;

H. Com. No. 520, transmitting House Bill No. 279;

H. Com. No. 521, transmitting House Bill No. 311;

H. Com. No. 522, transmitting House Bill No. 321;

H. Com. No. 523, transmitting House Bill No. 338;
H. Com. No. 524, transmitting House Bill No. 342;
H. Com. No. 525, transmitting House Bill No. 345;
H. Com. No. 526, transmitting House Bill No. 348;
H. Com. No. 527, transmitting House Bill No. 401;
H. Com. No. 528, transmitting House Bill No. 419;
H. Com. No. 529, transmitting House Bill No. 445;
H. Com. No. 530, transmitting House Bill No. 530;
H. Com. No. 531, transmitting House Bill No. 561;
H. Com. No. 532, transmitting House Bill No. 565;
H. Com. No. 533, transmitting House Bill No. 632;
H. Com. No. 534, transmitting House Bill No. 637;
H. Com. No. 535, transmitting House Bill No. 655;
H. Com. No. 536, transmitting House Bill No. 671;
H. Com. No. 537, transmitting House Bill No. 675;
H. Com. No. 538, transmitting House Bill No. 677;
H. Com. No. 539, transmitting House Bill No. 678;
H. Com. No. 540, transmitting House Bill No. 679;
H. Com. No. 541, transmitting House Bill No. 691;
H. Com. No. 542, transmitting House Bill No. 715;
H. Com. No. 543, transmitting House Bill No. 723;
H. Com. No. 544, transmitting House Bill No. 741;
H. Com. No. 545, transmitting House Bill No. 742;
H. Com. No. 546, transmitting House Bill No. 743;
H. Com. No. 547, transmitting House Bill No. 744;
H. Com. No. 548, transmitting House Bill No. 752;
H. Com. No. 549, transmitting House Bill No. 762;
H. Com. No. 550, transmitting House Bill No. 793;
H. Com. No. 551, transmitting House Bill No. 811;

H. Com. No. 552, transmitting House Bill No. 848;

H. Com. No. 553, transmitting House Bill No. 904;

H. Com. No. 554, transmitting House Bill No. 918;

H. Com. No. 555, transmitting House Bill No. 926;

H. Com. No. 556, transmitting House Bill No. 938;

H. Com. No. 557, transmitting House Bill No. 947;

H. Com. No. 558, transmitting House Bill No. 948;

H. Com. No. 559, transmitting House Bill No. 970;

H. Com. No. 560, transmitting House Bill No. 1014

H. Com. No. 561, transmitting House Bill No. 1024;

H. Com. No. 562, transmitting House Bill No. 1025;

H. Com. No. 563, transmitting House Bill No. 1026;

H. Com. No. 564, transmitting House Bill No. 1027;

H. Com. No. 565, transmitting House Bill No. 1029;

H. Com. No. 566, transmitting House Bill No. 1054;

H. Com. No. 567, transmitting House Bill No. 1072;

H. Com. No. 568, transmitting House Bill No. 1080;

H. Com. No. 569, transmitting House Bill No. 1081;

H. Com. No. 570, transmitting House Bill No. 1107;

H. Com. No. 571, transmitting House Bill No. 1127;

H. Com. No. 572, transmitting House Joint Resolution No. 30;

H. Com. No. 573, transmitting House Joint Resolution No. 65.

FIRST READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS:

H. B. No. 108, entitled: "An Act making the Territory liable for certain tort claims, relating to the filing of claims and suits on such claims, the compromise and settlement of such claims and suits, reports on claims paid, and attorneys' fees and limitation periods in reference to such claims";

H. B. No. 135, entitled: "An Act amending Section 708 of the Revised Laws of Hawaii 1945, as amended, relating to service retirement benefits":

H. B. No. 251, entitled: "An Act to amend Chapter 108 of the Revised Laws of Hawaii 1945, relating to the vehicle weight tax, by amending Sections 5706 and 5707 thereof";

H. B. No. 279, entitled: "An Act to amend Section 10067 of the Revised Laws of Hawaii 1945, relating to actions of ejectment to enforce the right of possession of lands";

H. B. No. 311, entitled: "An Act repealing Section 10486 and enacting Sections 10486.01, 10486.02, 10486.03 of the Revised Laws of Hawaii 1945, relating to actions for death by wrongful Act";

H. B. No. 321, entitled: "An Act to amend Section 4401 of the Revised Laws of Hawaii 1945, as amended, relating to workmen's compensation";

H. B. No. 338, entitled: "An Act to amend Section 12351 of the Revised Laws of Hawaii 1945, relating to marriage";

H. B. No. 342, entitled: "An Act relating to fraudulent commercial paper and amending Section 11322 of the Revised Laws of Hawaii 1945";

H. B. No. 345, entitled: "An Act to amend Section 7329 of the Revised Laws of Hawaii 1945, relating to unlawful use of an operator's or chauffeur's license or any official device representing the same";

H. B. No. 348, entitled: "An Act to amend Sections 7302, 7308 and 7313 of the Revised Laws of Hawaii 1945, relating to the chauffeur's and operator's license";

H. B. No. 401, entitled: "An Act making an appropriation for the construction of improvements on and the development of public lands at Kapaa Swamp, Kapaa, Kauai";

H. B. No. 419, entitled: "An Act to amend a Section, numbered 9661, to chapter 190 of the Revised Laws of Hawaii 1945, relating to masterships and receiverships";

H. B. No. 445, entitled: "An Act relating to intoxicating liquor and amending Section 7283 of the Revised Laws of Hawaii 1945";

H. B. No. 530, entitled: "An Act amending Section 7134 of the Revised Laws of Hawaii 1945, relating to drivers' badges";

H. B. No. 561, entitled: "An Act relating to records of convictions of traffic violations and amending Section 7322 of the Revised Laws of Hawaii 1945";

H. B. No. 565, entitled: "An Act to amend Chapter 320 of the Revised Laws of Hawaii 1945, as amended, relating to the National Guard and the unorganized militia of the Territory of Hawaii";

H. B. No. 632, entitled: "An Act to amend Chapter 94 of the Revised Laws of Hawaii 1945, as amended, relating to the taxation of real property by adding two new sections providing for equalization boards and by amending Section 5160 thereof relating to appeals";

H. B. No. 637, entitled: "An Act relating to sales of goods and amending Section 9215 of the Revised Laws of Hawaii 1945";

H. B. No. 655, entitled: "An Act relating to chauffeurs and operators of motor vehicles and amending Section 7305 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 671, entitled: "An Act relating to the contributions payable by the Territory of Hawaii to the Employees' Retirement System";

H. B. No. 675, entitled: "An Act relating to refunds by industrial loan companies";

H. B. No. 677, entitled: "An Act amending Chapter 170 of the Revised Laws of Hawaii 1945, by adding thereto a new section related to the suspension, revocation or surrender of li-

censes of industrial loan companies";

H. B. No. 678, entitled: "An Act to provide for an annual license fee for industrial loan companies";

H. B. No. 679, entitled: "An Act amending Section 8661 of the Revised Laws of Hawaii 1945, as amended, relating to investments of trust companies";

H. B. No. 691, entitled: "An Act authorizing and empowering the City and County Pension Board created by Section 6184 of the Revised Laws of Hawaii 1945, to award a pension to Thomas D. Costa";

H. B. No. 715, entitled: "An Act relating to the expenses of serving indorsed warrants and amending Section 9683 of the Revised Laws of Hawaii 1945";

H. B. No. 723, entitled: "An Act to amend Chapter 111 of the Revised Laws of Hawaii 1945, relating to the Territorial Bank Examiner and providing penalties for violations of said chapter";

H. B. No. 741, entitled: "An Act relating to trial jurors and grand jurors";

H. B. No. 742, entitled: "An Act relating to appeals from District Magistrates and amending Section 9501 of the Revised Laws of Hawaii 1945";

H. B. No. 743, entitled: "An Act relating to fences";

H. B. No. 744, entitled: "An Act relating to hunting, providing penalties, amending Chapter 18 of the Revised Laws of Hawaii 1945";

H. B. No. 752, entitled: "An Act directing the President of the Board of Health to appoint field nutritionist for rural Oahu and making an appropriation therefor";

H. B. No. 762, entitled: "An Act to amend Section 5202 of the Revised Laws of Hawaii 1945, relating to real property Boards of Review";

H. B. No. 793, entitled: "An Act relating to vagrants and amending Section 11771 of the Revised Laws of Hawaii 1945, as amended";

H. B. No. 811, entitled: "An Act relating to corporations and amending Section 8308 of the Revised Laws of Hawaii 1945";

H. B. No. 848, entitled: "An Act to amend Section 8493 of the Revised Laws of Hawaii 1945, relating to the increase of the capital of domestic insurance companies";

H. B. No. 904, entitled: "An Act relating to the powers of District Magistrates";

H. B. No. 918, entitled: "An Act relating to classification";

H. B. No. 926, entitled: "An Act making appropriation by way of advancement from the general fund of the Territory to be repaid out of the proceeds of sales of public lands in the County of Hawaii for the construction and improvement of certain homestead and other roads in the County of Hawaii";

H. B. No. 938, entitled: "An Act relating to appeals from District Magistrates";

H. B. No. 947, entitled: "An Act relating to the registration of judgments of Federal courts";

H. B. No. 948, entitled: "An Act relating to taxation and amending Title 14 of the Revised Laws of Hawaii 1945, as amended, by adding thereto a new Chapter, to be known as the invoice tax law";

H. B. No. 970, entitled: "An Act amending Section 12402 of the Revised Laws of Hawaii 1945, relating to jurisdiction in equity";

H. B. No. 1014, entitled: "An Act to amend Chapter 76 of the Revised Laws of Hawaii 1945, as amended, relating to payment of wages";

H. B. No. 1024, entitled: "An Act amending Chapter 161 of the Revised Laws of Hawaii 1945, as amended, by adding a new section thereto defining uniform individual accident and sickness policy provisions";

H. B. No. 1025, entitled: "An Act amending Chapter 161 of the Revised Laws of Hawaii 1945, as amended, relating to insurance";

H. B. No. 1026, entitled: "An Act amending Chapter 161 of the Revised Laws of Hawaii 1945, as amended, relating to insurance";

H. B. No. 1027, entitled: "An Act relating to unfair methods of competition and unfair and deceptive acts and practices in the business of insurance";

H. B. No. 1029, entitled: "An Act amending Section 12540 of the Revised Laws of Hawaii 1945, pertaining to the sales of real property of minors, insane persons and spendthrifts by the guardian of the estates thereof";

H. B. No. 1054, entitled: "An Act relating to the loyalty of public officers, public employees and persons deriving any compensation out of public funds, creating the Territorial Loyalty Board and defining its powers, duties and functions, conferring further powers, duties and functions on the Commission on Subversive activities and on the Civil Service Commission, prescribing offenses, providing penalties, and making an appropriation";

H. B. No. 1072, entitled: "An Act appropriating $175 from the general revenues of the Territory for the relief of William P. Caminos";

H. B. No. 1080, entitled: "An Act to amend Section 200.01 of the Revised Laws of Hawaii 1945, as enacted by Act 399 of the Session Laws of Hawaii 1949, relating to voting booths or units";

H. B. No. 1081, entitled: "An Act to amend Section 261 of the Revised Laws of Hawaii 1945, relating to elections";

H. B. No. 1107, entitled: "An Act to amend Act 115 of the Session Laws of Hawaii 1947, as amended, relating to the Hawaii Statehood Commission";

H. B. No. 1127, entitled: "An Act relating to suits arising out of the operation of motor vehicles and the service of process in connection therewith";

H. J. Res. No. 30, entitled: "Joint Resolution providing for the improvement of the water supply system at Kihei, Maui, and making an appropriation therefor by way of advancement from the general fund of the Territory to be repaid out of the proceeds of sales of public lands";

H. J. Res. No. 65, entitled: "Joint Resolution making an appropriation for the establishment of facilities for units of the Reserve Officers' Training Corps (Junior Division) in high schools in the counties of Hawaii, Kauai and Maui, and authorizing and directing the Commissioners of Public Instruction to apply for establishment of such units".

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the bills and joint resolutions passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

CONCURRENT RESOLUTION OFFERED:

Senator Crockett offered a Concurrent Resolution (S. Res. No. 48), requesting the Acting Governor of Hawaii to return to the House, Senate Bill No. 536, for the purpose of making certain corrections therein, which was read as follows:

(S. Con. Res. No. 48)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the Concurrent Resolution was adopted.

At 5:25 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Dillingham, and carried, the Senate adjourned until Wednesday, May 2, 1951, at 10:00 o'clock a.m.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FIFTY-EIGHTH Day

WEDNESDAY, MAY 2, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FIFTY-EIGHTH DAY

Wednesday, May 2, 1951.

The Senate convened at 11:18 o'clock a.m., with the President in the Chair.

After Prayer by Chaplain Keala, the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Seventh Day.

RESOLUTION OFFERED:

Under suspension of the Rules, Senators Hill, Robinson, Dillingham, Crockett, Capellas, Harrison, Ansai, Fernandes, Aguiar, Duarte, Okino, Lee, Heen and Tsukiyama offered a Resolution (S. Res. No. 73), advising the Speaker of the House of Representatives that the Senate is ready to confer with the House upon all measures upon which the two Houses may disagree, which was read as follows:

(S. Res. No. 73)

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the Resolution was adopted.

Under suspension of the Rules, Senator Crockett moved that the Senate reconsider its action in referring House Bill No. 151 to the Committee on Judiciary. Seconded by Senator Lee, and carried.

Senator Crockett moved that House Bill No. 151 be referred to the Committee on Ways and Means. Seconded by Senator Lee, and carried. The bill was returned to the Clerk's desk and so referred.

Under suspension of the Rules, Senator Harrison moved that the Senate take up the consideration of House Bill No. 661, recalled from the Governor, on the calendar, on special order, on Final Reading, with pending amendments offered by Senator Heen, deferred from yesterday. Seconded by Senator Crockett, and carried.

Consideration, on Final Reading, of House Bill No. 661, recalled from the Governor, entitled: "An Act relating to the Board of Health and amending Section 2001 of the Revised Laws of Hawaii 1945, as amended", with pending amendments offered by Senator Heen, deferred from yesterday:

Senator Harrison moved that the amendments be adopted. Seconded by Senator Heen.

Senator Ansai moved that the amendments be tabled. Seconded by Senator Nobriga.

A Roll Call being demanded, the motion to table the amendments was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Crockett, Duarte, Fernandes, Nobriga, Okino and Robinson. Total, 8.

Noes: Senators Capellas, Dillingham, Harrison, Heen, Hill, Lee and Mr. President. Total, 7.

Senator Heen then offered the following amendments to the bill:

"Amend quoted Sec. 2001 in SECTION 1 of the bill in the following respects:

(a) By amending the first sentence thereof to read as follows:

'There shall be a board of health for the Territory (hereinafter referred to as the board) consisting of nine members (including the president), of whom eight shall be appointive members and one shall be the attorney general of the Territory of Hawaii, ex officio.'

(b) By deleting the fourth sentence thereof."

Senator Heen moved for the adoption of the amendments. Seconded by Senator Crockett, and carried.

Upon motion by Senator Heen, seconded by Senator Harrison, the bill, as amended, passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At this time, the President presented to the Senate Mr. Oscar A. Trippett, President of the Los Angeles Chamber of Commerce, and Mr. C. M. Barnes, Sales Manager of the Firestone Tire and Rubber Company of Los Angeles, who were present in the Chamber and are here with the twenty-first annual "goodwill" tour sponsored by Los Angeles Chamber of Commerce to Hawaii.

Mr. Trippett expressed his appreciation and also on behalf of Mr. Barnes, for the honor being accorded them in being presented to the Senate.

Under suspension of the Rules, Senator Dillingham moved that the Senate reconsider its action taken yesterday in passing Senate Bill No. 292 on Third Reading. Seconded by Senator Duarte, and carried.

Senator Dillingham then moved that the House of Representatives be requested to return Senate Bill No. 292 to the Senate for further consideration. Seconded by Senator Fernandes, and carried.

THIRD READINGS:

Under suspension of the Rules, the Senate at this time took up the Third Reading of bills and joint resolutions on the calendar for today.

Third Reading of Senate Bill No. 4, as amended, entitled: "An Act relating to the hours of work of per diem employees of the various counties and authorizing the counties to provide per diem employees with work on Saturday when the total number of hours of work between Monday and Friday do not total forty":

Upon motion by Senator Duarte, seconded by Senator Fernandes, the bill, as amended, passed Third reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 211, entitled: "An Act providing for public improvements to and through the public lands formerly known as Kapaa Swamps, County of Kauai, and making an appropriation therefor, by way of advancement, from the general fund of the Territory":

Upon motion by Senator Fernandes, seconded by Senator Dillingham, action on the bill was deferred until later on the calendar.

Third Reading of Senate Bill No. 256, as amended, entitled: "An Act relating to the fuel tax and amending Section 5404 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Okino, seconded by Senator Ansai, and carried, action on the bill was deferred until tomorrow.

Third Reading of Senate Bill No. 476, as amended, entitled: "An Act relating to the Molokai water project, and amending chapter 317 of the Revised Laws of Hawaii 1945":

Senator Nobriga offered the following amendment to the bill:

"1. Delete the last three lines of Section 12960 and insert in lieu thereof the following:

'the project at an estimated cost of $2,500,000.'"

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the amendment was adopted.

Upon motion by Senator Nobriga, seconded by Senator Duarte, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 571, as amended, entitled: "An Act relating to taxation, providing for the appraisal of all taxable real property within the Territory and the assessment thereof, and making an appropriation":

Senator Heen offered the following amendment to the bill:

"Amend Senate Bill No. 571, SD 1, as follows:

Insert the words 'for the purposes of this Act,' between the word 'Territory' and the word 'to', in line 3 of Section 1 of the Bill."

Upon motion by Senator Heen, seconded by Senator Hill, and carried, the amendment was adopted.

Upon motion by Senator Hill, seconded by Senator Nobriga, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Aguiar. Total, 1.

Third Reading of Senate Bill No. 577, as amended, entitled: "An Act for the relief of farmers at Waimanalo, Kailua, and Kaneohe, Oahu; authorizing the Farm Loan Board of Hawaii to make loans not exceeding one thousand dollars to such farmers":

Upon motion by Senator Ansai, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Joint Resolution No. 15, as amended, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to public lands", deferred from yesterday:

Senator Aguiar offered the following amendment to the joint resolution:

(Insert amendment)

Upon motion by Senator Nobriga, seconded by Senator Lee, and carried, action on the amendment and the joint resolution was deferred until later on the calendar.

Third Reading of Senate Joint Resolution No. 39, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to prohibit granting of public lands to alien corporations":

Upon motion by Senator Nobriga, seconded by Senator Duarte, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 11, as amended, entitled: "An Act to amend Chapter 77 of the Revised Laws of Hawaii 1945, as amended, relating to workmen's compensation":

Upon motion by Senator Duarte, seconded by Senator Crockett, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Under suspension of the Rules, Senators Nobriga, Aguiar, Crockett, Fernandes, Tsukiyama, Capellas, Dillingham, Okino, Duarte, Heen, Robinson, Harrison and Lee offered a Concurrent Resolution (S. Con. Res. No. 49), requesting the Governor of Hawaii to extend the Twenty-Sixth Session of the Legislature of the Territory of Hawaii to May 9, 1951, which was read as follows:

(S. Con. Res. No. 49)

At the request of the President, action on the Concurrent Resolution was deferred until tomorrow.

Under suspension of the Rules, Senator Dillingham moved that the Senate reconsider its action in referring House Joint Resolution No. 59 to the Select Committee of Oahu. Senators. Seconded by Senator Lee, and carried.

Senator Dillingham thereupon moved that House Joint Reso-

lution No. 59 be referred to the Committee on Ways and Means. Seconded by Senator Lee, and carried. House Joint Resolution No. 59 was thereupon returned to the Clerk's desk and so referred.

At 12:10 o'clock p.m., upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the Senate stood in recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:52 o'clock p.m., with the President in the Chair, and all Senators being present.

Under suspension of the Rules, Senator Hill moved that the Senate reconsider its action taken this morning in deferring action on Senate Bill No. 256 on the calendar for Third Reading today until tomorrow. Seconded by Senator Harrison, and carried.

Senator Hill thereupon moved that the Senate at this time take up the consideration, on Third Reading, of Senate Bill No. 256, as amended, Seconded by Senator Harrison, and carried:

Third Reading of Senate Bill No. 256, as amended, entitled: "An Act relating to the fuel tax and amending Section 5404 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Hill, seconded by Senator Harrison, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Nobriga, Robinson and Mr. President. Total, 12.

Noes: Senators Ansai, Lee and Okino. Total, 3.

The Senate at this time resumed the Third Reading on the calendar for today, in which it was engaged at the time of the recess.

Third Reading of House Bill No. 12, as amended, entitled: "An Act to amend Chapter 77 of the Revised Laws of Hawaii 1945, as amended, relating to workmen's compensation":

Upon motion by Senator Duarte, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 25, as amended, entitled: "An Act relating to fuel taxes and the disposition thereof; amending Sections 5260, as amended, and 5404, as amended, of the Revised Laws of Hawaii 1945, Act 196 of the Session Laws of Hawaii 1947, as amended, and Act 373 of the Session Laws of Hawaii 1949":

Upon motion by Senator Dillingham, seconded by Senator Harrison, and carried, action on the bill was deferred until tomorrow.

Third Reading of House Bill No. 72, as amended, entitled: "An Act relating to the prevention and control of fire hazards and fires in the County of Kauai; creating the Kauai Fire Department; defining offenses and providing penalties":

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga,

Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 100, entitled: "An Act making available an appropriation from the general revenues of the Territory for the claim of Lawrence W. Campos for the loss of certain hogs":

The President announced that Senator Lee would be excused from voting on this bill.

Upon motion by Senator Fernandes, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Lee. Total, 1.

Third Reading of House Bill No. 124, as amended, entitled: "An Act relating to the Hawaii Fire Department and amending Act 174 (Series B-114) of the Session Laws of Hawaii 1947":

Upon motion by Senator Okino, seconded by Senator Lee, and carried, action on the bill was deferred until tomorrow.

Third Reading of House Bill No. 181, as amended, entitled: "An Act to make an appropriation to pay the claim of Harold Yamayoshi":

Senator Hill moved to pass the bill on Third Reading. Seconded by Senator Okino.

Senator Robinson moved that the bill be tabled. Seconded by Senator Duarte.

A Roll Call being demanded, the motion to table the bill was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Crockett, Duarte, Harrison, Heen, Lee, Robinson and Mr. President. Total, 8.

Noes: Senators Ansai, Capellas, Dillingham, Fernandes, Hill, Nobriga and Okino. Total, 7.

Senator Heen then moved that all further consideration of House Bill No. 181 be indefinitely postponed. Seconded by Senator Aguiar.

A Roll Call being demanded, the motion to indefinitely postpone all further consideration of House Bill No. 181 was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Robinson and Mr. President. Total, 9.

Noes: Senators Ansai, Capellas, Fernandes, Hill, Nobriga and Okino. Total, 6.

Third Reading of House Bill No. 229, as amended, entitled: "An Act relating to the operation of fish traps, providing for licenses and penalties, amending Chapter 19 and repealing Sections 7071 and 7072 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Ansai, seconded by Senator Crockett, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 250, as amended, entitled: "An Act for the relief of certain persons, firms and corporations on account of overpayment of taxes and other claims against the Territory, and providing appropriations therefor":

Upon motion by Senator Hill, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 293, as amended, entitled: "An Act to regulate dealers in farm produce, amending Act 114 of the Regular Session Laws of Hawaii 1949":

Upon motion by Senator Ansai, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 644, as amended, entitled: "An Act creating a new Council on Veterans' Affairs, defining its functions, powers and duties, abolishing the Territorial Council on Veterans' Affairs, repealing Act 150 of the Session Laws of Hawaii 1945":

Upon motion by Senator Aguiar, seconded by Senator Crockett, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Third Reading of House Bill No. 900, as amended, entitled: "An Act relating to the sale and use of 2,4-D and related weed control substances having plant hormone characteristics; adding thereto a legislative declaration; amending Sections 3 and 5 of Act 357, Session Laws of Hawaii 1949; adding thereto a new section requiring a permit to use such substances; and adding thereto a new section providing a procedure of appeal":

Upon motion by Senator Aguiar, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Hill. Total, 1.

Third Reading of House Bill No. 922, as amended, entitled: "An Act authorizing the Board of Supervisors of the County of Kauai to negotiate with the Commissioner of Public Lands of the Territory of Hawaii for the acquisition of a site at Lihue, Kauai, for a public cemtery":

Upon motion by Senator Heen, seconded by Senator Dillingham, and carried, action on the bill was deferred until tomorrow.

Third Reading of House Bill No. 951, as amended, entitled: "An Act to authorize the Board of Supervisors of the County of Maui to regulate motor vehicle common carriers of passengers in the county":

Upon motion by Senator Ansai, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 1059, entitled: "An Act relating to fuel taxes and the disposition thereof in the County of Kauai and amending Chapter 100 and Section 5260 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Dillingham, seconded by Senator Harrison, and carried, action on the bill was deferred until tomorrow.

Third Reading of House Bill No.1115, entitled: "An Act relating to public assistance to aged persons, and amending Section 4847 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Hill, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Joint Resolution No. 42, entitled: "Joint Resolution exempting from taxation the gross income of and the privilege of engaging in the business of the transportation of property only by air within the Territory of Hawaii, and exempting such business from airport landing fees and rentals":

Upon motion by Senator Hill, seconded by Senator Dillingham, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Aguiar. Total, 1.

At this time, Senator Nobriga moved that the Senate take up the consideration of Senate Joint Resolution No. 15, with the pending amendment offered this morning, deferred from earlier on the calendar. Seconded by Senator Hill, and carried.

Consideration, on Third Reading, of Senate Joint Resolution No. 15, as amended, entitled: "Joint Resolution requesting Con-

gress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to public lands", with pending amendment offered by Senator Aguiar this morning:

Upon motion by Senator Nobriga, seconded by Senator Okino, and carried, action on the joint resolution and the amendment offered by Senator Aguiar was deferred until tomorrow.

Senator Aguiar moved that the Rules be suspended and that Senate at this time take up the consideration of House Bill No. 401, on Second Reading on the calendar for today. Seconded by Senator Hill, and carried:

Consideration, on Second Reading, of House Bill No. 401:

Senator Hill moved that the Rules be suspended and that House Bill No. 401 be read throughout on Second Reading. Seconded by Senator Aguiar, and carried; and the bill was thereupon read throughout.

Senator Aguiar offered the following amendments to the bill:

"Amend House Bill No. 401, HD 1, as follows:

1. Amend the title to read as follows:

'AN ACT

MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF IMPROVEMENTS ON AND THE DEVELOPMENT OF PUBLIC LANDS FORMERLY KNOWN AS "KAPAA SWAMP", KAPAA, KAUAI.'

2. Amend Section 1 to read as follows:

'SECTION 1. The sum of $150,000.00 or so much thereof as may be necessary is hereby appropriated from the general revenues of the Territory not otherwise appropriated for the purpose of surveying the public lands formerly known as "Kapaa Swamp", Kapaa, Kauai, for subdivision and sale and also for engineering work in connection therewith, and also for the construction of roads, water lines, bridges and other improvements necessary to place said lands in condition for subdivision and sale for such purposes as the land commissioner and the board of public lands may decide.'".

Upon motion by Senator Aguiar, seconded by Senator Hill, the amendments were adopted.

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the bill, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Fernandes moved that the Senate take up the consideration of Senate Bill No. 211, on the calendar for Third Reading today, action on which had been deferred until later on the calendar. Seconded by Senator Dillingham, and carried.

Consideration, on Third Reading of Senate Bill No. 211, entitled: "An Act providing for public improvements to and through the public lands formerly known as Kapaa Swamps, County of Kauai, and making an appropriation therefor, by way of advancement, from the general fund of the Territory", deferred from earlier on the calendar:

Upon motion by Senator Fernandes, seconded by Senator Dillingham, and carried, the bill was placed on file.

At 4:10 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

At 4:25 o'clock p.m., the Senate reconvened.

COMMUNICATIONS FROM THE HOUSE OF REPRESENTATIVES:

A communication from the House (H. Com. No. 574), returning, upon further consideration, Senate Bill No. 78, was read as follows:

(H. Com. No. 574)

The communication was received and placed on file.

The following communications from the House of Representatives, returning Senate Bills and a joint resolution, which had passed Third Reading in the House of Representatives on May 2, 1951, were read, received and placed on file:

H. Com. No. 575, returning Senate Bill No. 136;

H. Com. No. 576, returning Senate Bill No. 281;

H. Com. No. 577, returning Senate Bill No. 282;

H. Com. No. 578, returning Senate Bill No. 335;

H. Com. No. 579, returning Senate Bill No. 337;

H. Com. No. 580, returning Senate Bill No. 338;

H. Com. No. 581, returning Senate Bill No. 388;

H. Com. No. 582, returning Senate Bill No. 428;

H. Com. No. 583, returning Senate Bill No. 463;

H. Com. No. 584, returning Senate Bill No. 502;

H. Com. No. 585, returning Senate Bill No. 542;

H. Com. No. 586, returning Senate Bill No. 549;

H. Com. No. 587, returning Senate Joint Resolution No. 32.

A communication from the House (H. Com. No. 588), returning Senate Bill No. 515, with certain amendments, was read as follows:

(H. Com. No. 588)

The communication was received and placed on file.

Senator Ansai moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Duarte, and carried; and Senate Bill No. 515, as thus amended, entitled: "An Act relating to public parks, playgrounds and recreation in the County of Maui, and repealing all laws, ordinances, rules and regulations in conflict with this Act", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Nobriga. Total, 1.

A communication from the House (H. Com. No. 589), returning Senate Concurrent Resolution No. 48, which was adopted by the House of Representatives on May 2, 1951, was read, received and placed on file.

A communication from the House (H. Com. No. 590), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Concurrent Resolution No. 61, and that said Concurrent Resolution, as thus amended, had been finally adopted by the House, was read as follows:

(H. Com. No. 590)

The communication was received and placed on file.

A communication from the House (H. Com. No. 591), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 157; had requested a conference on the subject matter thereof and had appointed Representatives Lydgate, Garcia and Otsuka as Managers on the part of the House for the consideration of said amendments, was read as follows:

(H. Com. No. 591)

The communication was received and placed on file.

The President thereupon appointed Senators Hill, Dillingham and Duarte as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 592), transmitting House Concurrent Resolution No. 70, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 70, "congratulating those concerned for the excellence of the movie story of the 442nd Regimental Combat Team entitled 'Go For Broke'"; as follows:

(H. Con. Res. No. 70)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the Concurrent Resolution was adopted.

MISCELLANEOUS COMMUNICATION:

A communication from Helen R. Kluegel (Misc. Com. No. 49), expressing appreciation for the Resolution adopted by the Senate expressing regret on the death of her late husband, Harry A. Kluegel, was read as follows:

(Misc. Com. No. 49)

The communication was received and placed on file.

PETITIONS:

A Petition from 70 residents and citizens of Hamakua, Hawaii, (S. Pet. No. 19), urging the passage of Senate Bill No. 562, was read as follows:

(S. Pet. No. 19)

The Petition was received and referred to the Committee on Ways and Means.

A Petition (S. Pet. No. 20) from 47 of the personnel of the R. L. Stevenson Intermediate School, Honolulu, requesting that Mr. James R. McDonough, Executive Secretary of the HEA., and Mr. Charles R. Kendall, Executive Director of the HGEA., be granted a hearing before the Committee on Ways and Means of the Senate, was read as follows:

(S. Pet. No. 20)

The Petition was received and referred to the Committee on Ways and Means.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 305), reporting that all matters referred to it had been mimeographed and were ready for distribution, was read, received and placed on file.

SECOND READING OF SENATE BILL:

Second Reading of Senate Bill No. 580:

Senator Hill moved that the Rules be suspended, and that the bill be read throughout on Second Reading. Seconded by Senator Fernandes, and carried. Senate Bill No. 580 was thereupon read throughout on Second Reading.

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 306), recommending the passage of House Joint Resolution No. 51, which was read as follows:

(Stand. Com. Rep. No. 306)

Upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, the report of the Committee was adopted. House Joint Resolution No. 51 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 307), recommending the passage of House Bill No. 946, which was read as follows:

(Stand. Com. Rep. No. 307)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 946 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 308) recommending the passage of Senate Bill No. 471, with an amendment, which was

read as follows:

(Stand. Com. Rep. No. 308)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 471, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 309), recommending the passage of Senate Bill No. 391, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 309)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 391 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 310), recommending the passage of House Bill No. 899, which was read as follows:

(Stand. Com. Rep. No. 310)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted. House Bill No. 899 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 311), recommending the passage of House Bill No. 454, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 311)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 454 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 312), recommending the passage, on Third Reading, of Senate Bill No. 134, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 312)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted.

Third Reading of Senate Bill No. 134, as amended, entitled: "An Act relating to public utilities and amending Section 5674 of the Revised Laws of Hawaii 1945, relating to determination of tax rate":

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, action on the bill was deferred until tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 313), recommending that House Bill No. 168 be referred to the Committee on Ways and Means for favorable action, which was read as follows:

(Stand. Com. Rep. No. 313)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted, and House Bill No. 168 was thereupon referred to the Committee on Ways and Means.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 314), recommending the passage of House Joint Resolution No. 35, which was read as follows:

(Stand. Com. Rep. No. 314)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Joint Resolution No. 35 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, to which House Joint Resolution No. 9, SD-1 was referred on Third Reading, presented a report (Stand. Com. Rep. No. 315), recommending the passage of the said joint resolution, as previously recommended by the Committee on Public Health in Standing Committee Report No. 207, recommending passage with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 315)

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the report of the Committee was adopted.

Consideration, on Third Reading, of House Joint Resolution No. 9, as amended, entitled: "Joint Resolution creating a Commission on Nursing Education and Nursing Services, and making an appropriation therefor":

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, action on the joint resolution was deferred until tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 316), recommending that the Senate concur in the amendments proposed by the House to Senate Bill No. 529, which was read as follows:

(Stand. Com. Rep. No. 316)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted; and Senate Bill No. 529, as amended, entitled: "An Act relating to the powers of Regents of the University of Hawaii and amending Section 1943, as amended, of the Revised Laws of Hawaii 1945", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: Senators Ansai and Nobriga. Total, 2.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 317), recommending the passage of Senate Bill No. 475, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 317)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 475 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 318), recommending the passage of Senate Bill No. 154, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 318)

Upon motion by Senator Robinson, seconded by Senator Capellas, and carried, the report of the Committee was adopted. Senate Bill No. 154 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 319), recommending the passage of House Bill No. 1034, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 319)

Upon motion by Senator Lee, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 1034 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 320), recommending the passage of House Joint Resolution No. 59, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 320)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Joint Resolution No. 59 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Military, presented a report (Stand. Com. Rep. No. 321),recommending the filing of House Bill No. 823 for the reasons set forth therein, which was read as follows:

(Stand. Com. Rep. No. 321)

Upon motion by Senator Crockett, seconded by Senator Ansai, and carried, the report of the Committee was adopted; and House Bill No. 823 was thereupon placed on file.

Senator Crockett, for the Committee on Military, presented a report (Stand. Com. Rep. No. 322), recommending that House Joint Resolution No. 62 be placed on file, for the reason set forth in the report, which was read as follows:

(Stand. Com. Rep. No. 322)

Upon motion by Senator Crockett, seconded by Senator Ansai, and carried, the report of the Committee was adopted; and House Joint Resolution No. 62 was thereupon placed on file.

Senator Fernandes, for the Select Committee of Kauai Senators, presented a report (Spec. Com. Rep. No. 122), recommending the passage of House Bill No. 167, which was read as follows:

(Spec. Com. Rep. No. 122)

Upon motion by Senator Fernandes, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. House Bill No. 167 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Fernandes, for the Select Committee of Kauai Senators, presented a report (Spec. Com. Rep. No. 123), recommending the passage of House Bill No. 986, with certain amendments, which was read as follows:

(Spec. Com. Rep. No. 123)

Upon motion by Senator Fernandes, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. House Bill No. 986 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Fernandes, for the Select Committee of Kauai Senators, presented a report (Spec. Com. Rep. No. 124), recommending the passage of House Bill No. 577, with certain amendments, which was read as follows:

(Spec. Com. Rep. No. 124)

Upon motion by Senator Fernandes, seconded by Senator Aguiar, and carried, the report of the Committee was adopted. House Bill No. 577, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 125), recommending the passage of House Bill No. 985, with certain amendments, which was read as follows:

(Spec. Com. Rep. No. 125)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 985, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 126), recommending the passage of House Bill No. 1077, which was read as follows:

(Spec. Com. Rep. No. 126)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 1077 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 127), recommending the passage of House Bill No. 1096, which was read by the Clerk as follows:

(Spec. Com. Rep. No. 127)

Upon motion by Senator Capellas, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. House Bill No. 1096 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 128), recommending the passage of House Bill No. 1132, which was read as follows:

(Spec. Com. Rep. No. 128)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 1132 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 129), recommending the passage of Senate Joint Resolution No. 60, which was read as follows:

(Spec. Com. Rep. No. 129)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. Senate Joint

Resolution No. 60 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 130), recommending the passage of House Bill No. 692, which was read as follows:

(Spec. Com. Rep. No. 130)

Upon motion by Senator Capellas, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. House Bill No. 692 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

SECOND READING OF HOUSE BILLS AND HOUSE JOINT RESOLUTIONS:

H. B. No. 1: The bill was referred to the Committee on Ways and Means.

H. B. No. 7: The bill was referred to the Committee on Ways and Means.

H. B. No. 108: The bill was referred to the Committee on Judiciary.

H. B. No. 135: The bill was referred to the Committee on Judiciary.

H. B. No. 182: The bill was referred to the Committee on Education.

H. B. No. 251: The bill was referred to the Committee on Ways and Means.

H. B. No. 264: The bill was referred to the Committee on Judiciary.

H. B. No. 279: The bill was referred to the Committee on Judiciary.

H. B. No. 311: The bill was referred to the Committee on Judiciary.

H. B. No. 321: The bill was referred to the Committee on Ways and Means.

H. B. No. 338: The bill was referred to the Committee on Judiciary.

H. B. No. 342: The bill was referred to the Committee on Judiciary.

H. B. No. 345: The bill was referred to the Committee on Judiciary.

H. B. No. 348: The bill was referred to the Committee on Judiciary.

H. B. No. 419: The bill was referred to the Committee on Judiciary.

H. B. No. 445: The bill was referred to the Committee on Judiciary.

H. B. No. 508: The bill was referred to the Committee on Judiciary.

H. B. No. 530: The bill was referred to the Committee on Judiciary.

H. B. No. 561: The bill was referred to the Committee on Judiciary.

H. B. No. 565: The bill to lie on the Clerk's desk for action at a later date, it being identical with Senate Bill No. 111 which passed Third Reading in the Senate on May 1st, and House Bill No. 565 having passed Third Reading in the House on May 1st.

H. B. No. 632: The bill was referred to the Committee on Ways and Means.

H. B. No. 637: The bill was referred to the Committee on Judiciary.

H. B. No. 655: The bill was referred to the Committee on Judiciary.

H. B. No. 671: The bill was referred to the Committee on Ways and Means.

H. B. No. 675: The bill was referred to the Committee on Judiciary.

H. B. No. 677: The bill was referred to the Committee on Judiciary.

H. B. No. 678: The bill was referred to the Committee on Ways and Means.

H. B. No. 679: The bill was referred to the Committee on Ways and Means.

H. B. No. 691: The bill was referred to the Committee of the Whole on Pensions, with Senator Aguiar as Chairman.

H. B. No. 715: The bill was referred to the Committee on Ways and Means.

H. B. No. 723: The bill was referred to the Committee on Judiciary.

H. B. No. 741: The bill was referred to the Committee on Judiciary.

H. B. No. 742: The bill was referred to the Committee on Judiciary.

H. B. No. 743: The bill was referred to the Committee on Public Lands.

H. B. No. 744: The bill was referred to the Committee on Judiciary.

H. B. No. 752: The bill was referred to the Committee on Public Health.

H. B. No. 762: The bill was referred to the Committee on Ways and Means.

H. B. No. 793: The bill was referred to the Committee on Judiciary.

H. B. No. 811: The bill was referred to the Committee on Judiciary.

H. B. No. 848: The bill was referred to the Committee on Ways and Means.

H. B. No. 904: The bill was referred to the Committee on Judiciary.

H. B. No. 918: The bill was referred to the Committee on Ways and Means.

H. B. No. 920: The bill was referred to the Committee on Ways and Means.

H. B. No. 926: The bill was referred to the Committee on Ways and Means.

H. B. No. 938: The bill was referred to the Committee on Judiciary.

H. B. No. 947: The bill was referred to the Committee on Judiciary.

H. B. No. 948: The bill was referred to the Committee on Ways and Means.

H. B. No. 970: The bill was referred to the Committee on Judiciary.

H. B. No. 1014: The bill was referred to the Committee on Judiciary.

H. B. No. 1024: The bill was referred to the Committee on Judiciary.

H. B. No. 1025: The bill was referred to the Committee on Judiciary.

H. B. No. 1026: The bill was referred to the Committee on Judiciary.

H. B. No. 1027: The bill was referred to the Committee on Judiciary.

H. B. No. 1029: The bill was referred to the Committee on Judiciary.

H. B. No. 1054: The bill was referred to the Committee on Judiciary.

H. B. No. 1072: The bill was referred to the Committee on Ways and Means.

H. B. No. 1080: The bill was referred to the Committee on Judiciary.

H. B. No. 1081: The bill was referred to the Committee on Judiciary.

H. B. No. 1107: The bill was referred to the Committee on Ways and Means.

H. B. No. 1127: The bill was referred to the Committee on Judiciary.

H. J. Res. No. 30: The joint resolution was referred to the Committee on Ways and Means.

H. J. Res. No. 65: The joint resolution was referred to the Committee on Ways and Means.

CONCURRENT RESOLUTION

At this time, Senator Nobriga moved that the Senate reconsider its action taken in deferring action on Senate Concurrent Resolution No. 49 until tomorrow. Seconded by Senator Lee, and carried.

Senator Nobriga then moved that the Senate take up the consideration of Senate Concurrent Resolution No. 49 at this time. Seconded by Senator Lee, and carried:

Considerqtion of Senate Concurrent Resolution No. 49, requesting the Governor to extend the session of the Twenty-Sixth Legislature to May 9, 1951:

Upon motion by Senator Nobriga, seconded by Senator Lee, and carried, the Concurrent Resolution was adopted.

At this time, Senator Heen moved that the Senate reconsider its action taken in passing Senate Joint Resolution No. 39 on Third Reading. Seconded by Senator Fernandes, and carried.

At 5:00 o'clock p.m., upon motion by Senator Lee, seconded by Senator Nobriga, and carried, the Senate adjourned until 10:00 o'clock a.m., on Thursday, May 3, 1951.

Ellen D. Smythe

Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

FIFTY-NINTH Day

THURSDAY, MAY 3, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

FIFTY-NINTH DAY

Thursday, May 3, 1951.

The Senate convened at 10:18 o'clock a.m., with President Tsukiyama presiding.

After Prayer by the Chaplain, the Roll was called, showing Senators Aguiar, Duarte, Okino, Nobriga and Mr. President, present; and Senators Ansai, Capellas, Crockett, Dillingham, Fernandes, Harrison, Heen, Hill, Lee and Robinson temporarily excused. The President announced that the Senators so excused were attending Senate Committee meetings and would be in attendance later in the morning.

Due to the lack of a quorum for the transaction of business, the Senate stood in recess at 10:21 o'clock a.m., upon motion by Senator Okino, seconded by Senator Nobriga, and carried, until 11:30 o'clock a.m.

The Senate reconvened at 11:30 o'clock a.m.

The Roll was then called, showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Eighth Day.

DEPARTMENTAL COMMUNICATIONS:

A communication from the Secretary of Hawaii (Dept. Com No. 83), informing the Senate that the Acting Governor had signed Senate Joint Resolution No. 43, as Joint Resolution 7; Senate Bill No. 69, as Act 11; Senate Bill No. 540, as Act 12; House Bill No. 221, as Act 13; House Bill No. 224, as Act 14; House Bill No. 405, as Act 15; House Bill No. 780, as Act 16;

House Joint Resolution No. 32 as Joint Resolution 8, was read as follows:

(Dept. Com. No. 83)

The communication was received and placed on file.

A communication from the Secretary of Hawaii (Dept. Com. No. 84), informing the Senate that the Acting Governor had signed House Bill No. 96, as Act 17; House Bill No. 476, as Act 18; and House Bill No. 481, as Act 19, was read as follows:

(Dept. Com. No. 84)

The communication was received and placed on file.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 593), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 229, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 593)

The communication was received and placed on file.

A communication from the House (H. Com. No. 594), returning Senate Concurrent Resolution No. 38 in an amended form, was read as follows:

(H. Com. No. 594)

The communication was received and placed on file.

Upon motion by Senator Hill, seconded by Senator Capellas, and carried, action on the Concurrent Resolution in the amended form was deferred until tomorrow.

A communication from the House (H. Com. No. 595), returning Senate Bill No. 292 for the further consideration of the Senate, in accordance with the request of the Senate, was read as follows:

(H. Com. No. 595)

The communication was received and placed on file.

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on the bill was deferred until the end of the calendar.

CONCURRENT RESOLUTION OFFERED:

Senators Ansai, Crockett, Duarte, Harrison, Dillingham, Robinson, Heen, Lee, Tsukiyama, Fernandes, Aguiar, Nobriga, Okino, Capellas, and Hill offered a Concurrent Resolution (S. Con. Res. No. 50), requesting the Secretary of the Army to consider recalling the personnel of the Fifth Regimental Combat Team to Hawaii for rest and recuperation under any rotation scheme that may be enforced or developed by the Army, which was read as follows:

(S. Con. Res. No. 50)

Upon motion by Senator Ansai, seconded by Senator Harrison, the Concurrent Resolution was unanimously adopted.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 323) reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

REPORTS OF COMMITTEES:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 324), recommending the passage of House Bill No. 580, which was read as follows:

(Stand. Com. Rep. No. 324)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 580 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 325), recommending the passage of House Bill No. 581, which was read as follows:

(Stand. Com. Rep. No. 325)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 581 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 326), recommending the passage of House Bill No. 582, which was read as follows:

(Stand. Com. Rep. No. 326)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 582 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 327), recommending the passage of House Bill No. 583, which was read as follows:

(Stand. Com. Rep. No. 327)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 583 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 328), recommending the passage of House Bill No. 584, which was read as follows:

(Stand. Com. Rep. No. 328)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House

Bill No. 584 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 329), recommending the passage of House Bill No. 585, which was read as follows:

(Stand. Com. Rep. No. 329)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 585 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 330), recommending the passage of House Bill No. 680, which was read as follows:

(Stand. Com. Rep. No. 330)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 680 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 331), recommending the passage of House Bill No. 681, which was read as follows:

(Stand. Com. Rep. No. 331)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 681 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 332), recommending the passage of House Bill No. 682, which was read as follows:

(Stand. Com. Rep. No. 332)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 682 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 333), recommending the passage of House Bill No. 676, which was read as follows:

(Stand. Com. Rep. No. 333)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 676 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 334), recommending the passage of House Bill No. 723, which was read as follows:

(Stand. Com. Rep. No. 334)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 723 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 335) recommending the passage of House Bill No. 677, which was read as follows:

(Stand. Com. Rep. No. 335)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 677 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 336), recommending the passage of House Bill No. 675, which was read as follows:

(Stand. Com. Rep. No. 336)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 675 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 337), recommending the passage of House Bill No. 1010, which was read as follows:

(Stand. Com. Rep. No. 337)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 1010 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 338), recommending the passage of House Bill No. 1011, which was read as follows:

(Stand. Com. Rep. No. 338)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 1011 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 339), recommending the passage of House Bill No. 975, which was read as follows:

(Stand. Com. Rep. No. 339)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 975 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 340), recommending the passage of House Bill No. 1094, which was read as follows:

(Stand. Com. Rep. No. 340)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 1094 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 341), recommending the passage of Senate Bill No. 2, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 341)

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the report of the Committee was adopted. Senate Bill No. 2, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 342), recommending that House Bill No. 482 be referred to the Committee on Ways and Means, which was read as follows:

(Stand. Com. Rep. No. 342)

Upon motion by Senator Robinson, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and House Bill No. 482 was thereupon referred to the Committee on Ways and Means.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 343), recommending that House Bill No. 147 be placed on file, and that a Concurrent Resolution be adopted in lieu thereof, and submitting the said Concurrent Resolution for introduction, which was read as follows:

(Stand. Com. Rep. No. 343)

Upon motion by Senator Nobriga, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 147 was thereupon placed on file.

CONCURRENT RESOLUTION OFFERED:

Senator Nobriga offered a Concurrent Resolution (S. Con. Res. No. 51), requesting the Commissioner of Public Lands to acquire by purchase or exchange for the purposes of a public park, those certain lands in the City of Hilo at the corner of Hualalai and Kinoole Streets, which was read as follows:

(S. Con. Res. No. 51)

Upon motion by Senator Nobriga, seconded by Senator Hill, and carried, the Concurrent Resolution was adopted.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 131), recommending the passage of House Bill No. 1063, which was read as follows:

(Spec. Com. Rep. No. 131)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 1063 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

THIRD READINGS:

Third Reading of Senate Bill No. 134, as amended, entitled: "An Act relating to public utilities and amending Section 5674 of the Revised Laws of Hawaii 1945, relating to determination of tax rate", deferred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Robinson, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 1.

Noes: Senator Aguiar. Total, 1.

Third Reading of Senate Bill No. 154, as amended, entitled: "An Act to amend Section 1943 of the Revised Laws of Hawaii 1945, as amended, relating to the University of Hawaii and the powers of the Board of Regents thereof":

Senator Dillingham moved that the bill be placed on file, inasmuch as House Bill No. 182, on the same subject matter has already passed Third Reading in the House and is now before the Committee on Education of the Senate. Seconded by Senator Robinson, and carried.

Third Reading of Senate Bill No. 391, as amended, entitled: "An Act making an appropriation for the survey and opening up public lands for lease or for sale and providing for the disposition of the proceeds of such lease or sale":

Senator Crockett offered the following amendments to the bill:

"Amend Senate Bill No. 391 as follows:

1. Delete the second sentence of SECTION 2.

2. Amend SECTION 3 to read as follows:

'SECTION 3. The said appropriation shall be expended upon warrants drawn by the territorial auditor or the treasurer, based upon vouchers approved by the commissioner of public lands and shall be repaid and reimbursed to the general fund of the Territory from the proceeds of sale of public lands within such county wherein the same have been expended.'

3. Re-number the present 'SECTION 3' as 'SECTION 4'".

Senator Aguiar moved for the adoption of the amendments. Seconded by Senator Crockett.

Senator Nobriga moved that action on the amendments and the bill be deferred until later on the calendar. Seconded by Senator Okino, and carried.

Third Reading of Senate Bill No. 471, entitled: "An Act relating to powers of insurance commissioner, providing for research and report with reference to protection of residents in use of government property, reduction of governmental exposure to property loss and measures to be adopted to accomplish same, and making appropriations for such purpose":

Upon motion by Senator Dillingham, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 475, as amended, entitled: "An Act relating to deductions and exemptions for income tax purposes":

Senator Crockett offered the following amendment to the bill:

"Amend Senate Bill No. 475 as follows:

Insert the following between the words 'Act' and 'shall' in line 1 of Section 5:

'shall take effect upon its approval and'".

Upon motion by Senator Crockett, seconded by Senator Heen, and carried, the amendment was adopted.

Upon motion by Senator Crockett, seconded by Senator Heen, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Nobriga. Total, 1.

Third Reading of Senate Bill No. 580, entitled: "An Act making an appropriation for the repair, reconstruction and reconditioning of Washington Place":

Upon motion by Senator Hill, seconded by Senator Harrison, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Joint Resolution No. 15, as amended, entitled: "Joint Resolution requesting the Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to the Commissioner of Public Lands", with pending amendment offered by Senator Aguiar on April 20th, deferred from yesterday:

Senator Aguiar moved for the adoption of the amendment offered by him. Seconded by Senator Fernandes.

Senator Hill moved that action on the pending amendments and on the joint resolution, as amended, be deferred until tomorrow. Seconded by Senator Aguiar, and carried.

At this time, under suspension of the Rules, President Tsukiyama called Mr. Dwight Ward, who was present in the Chamber, to the dais and presented him to the Senate, stating that Mr. Ward, owner of "Readers Digest" is on his way to Tokyo for the dedication of that Magazine's new building there.

At 12:23 o'clock p.m., upon motion by Senator Lee, seconded by Senator Duarte, and carried, the Senate stood in recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:45 o'clock p.m., with the President in the Chair and all members being present.

Under suspension of the Rules, the President at this time presented to the Senate two former members of the Territorial Senate, who were seated on the dais -- Judge James L. Coke, former Chief Justice of the Supreme Court of the Territory of Hawaii, and Judge Delbert E. Metzger, Judge of the United States District Court in Hawaii. On behalf of the Senate he welcomed these two former Senators to the Senate and expressed the appreciation of the Senate for their informal calls during each session of the Legislature.

Each of these two Judges, and former Senators, addressed the Senate informally and wished the members good luck during the remaining days of the Session. They thereupon left the Chamber.

The Senate thereupon proceeded with the regular order of business.

THIRD READINGS:

At this time, Senator Nobriga moved that the Senate reconsider its action taken earlier in the calendar in deferring Senate Bill No. 391, on Third Reading, until the end of the calendar. Seconded by Senator Duarte, and carried.

Senator Nobriga thereupon moved that the Senate take up at this time consideration, on Third Reading, of Senate Bill No. 391. Seconded by Senator Duarte, and carried.

Third Reading of Senate Bill No. 391, as amended, entitled: "An Act making an appropriation for the survey and opening up public lands for lease or for sale and providing for the disposition of the proceeds of such lease or sale":

Senator Hill moved for the adoption of the amendments offered by Senator Crockett this morning. Seconded by Senator Crockett, and carried.

Upon motion by Senator Dillingham, seconded by Senator Hill, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Joint Resolution No. 39, entitled: "Joint Resolution requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act to prohibit granting of public lands to alien corporations"; deferred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Dillingham, and carried, the joint resolution was recommitted to the Committee on Public Lands.

Third Reading of Senate Joint Resolution No. 60, entitled: "Joint Resolution refunding certain fees":

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 25, as amended, entitled: "An Act relating to fuel taxes and the disposition thereof; amending Sections 5260, as amended, and 5404, as amended, of the Revised Laws of Hawaii 1945, Act 196 of the Session Laws of Hawaii 1947, as amended, and Act 373 of the Session Laws of Hawaii 1949", deferred from yesterday:

Senator Dillingham offered the following amendments to the amended bill:

(Insert amendments)

Senator Dillingham moved that the amendments be printed, and that action on the amendments and the bill, as amended, by deferred until tomorrow. Seconded by Senator Aguiar, and carried.

At this time, Senator Dillingham moved that action on Senate Bill No. 292, recalled from the House for further consideration, action on which was deferred until the end of the calendar, and on House Bills Nos. 1059 and 1077 on the calendar for Third Reading today, be deferred until tomorrow, inasmuch as the provisions of these three bills have been incorporated into House Bill No. 25 as amended by the amendments he has offered to this bill. The motion was seconded by Senator Harrison, and carried; and action on Senate Bill No. 292, and House Bills 1059 and 1077 was deferred until tomorrow.

Third Reading of House Bill No. 124, as amended, entitled: "An Act relating to the Hawaii Fire Department and amending Act 174 (Series B-114) of the Session Laws of Hawaii 1947", deferred from yesterday:

Senator Capellas offered the following amendments to the bill as amended:

"Amend Section 1 of the bill in the following particulars:

1. Amend the first line of subsection (b) of quoted section 6402 to read as follows:

   '(b) Chief engineer and first assistant engineer'.

2. Substitute for the words 'one or more assistant engineers' in the fourth and fifth lines of said subsection (b), the words 'the first assistant engineer'.

3. Amend subsection (c) of said quoted section by substituting for the words 'all assistant engineers' in the second line thereof, the words 'the first assistant engineer' and by deleting all of the first full sentence of said subsection following the word 'appointments' in the fifth and sixth lines of said subsection.

4. Substitute for the words 'assistant engineers' as they appear in lines 1-2, and in line 8 of subsection (e), and in lines 1-2 of subsection (f), the words 'first assistant engineer', inserting a 'period' after the word 'engineer' in said line 8 of subsection (e) and deleting the balance of the sentence.

5. Substitute for the word 'them' in the third line of subsection (e) the word 'him'".

Upon motion by Senator Capellas, seconded by Senator Dillingham, and carried, the amendments were adopted.

Upon motion by Senator Heen, seconded by Senator Okino, and carried, action on the amended bill was further deferred until tomorrow.

At this time, Senator Nobriga asked to be excused for the balance of the afternoon session, as he was leaving for his home on Hawaii; and he was so excused.

Third Reading of House Bill No. 167, entitled: "An Act providing for the establishment of the Kauai Veterans Memorial Hospital at Waimea, Kauai":

Upon motion by Senator Aguiar, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Okino, Robinson, and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senator Nobriga. Total, 1.

Absent at Roll Call: Senator Hill. Total, 1.

Under suspension of the Rules, Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 344), recommending the passage of Senate Bill No. 487, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 344)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 487, in the amended form, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

At 3:50 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

At 4:30 o'clock p.m., the Senate reconvened, and continued with the Third Readings.

Third Reading of House Bill No. 401, as amended, entitled:

"An Act making an appropriation for the construction of improvements on and the development of public lands formerly known as 'Kapaa Swamp', Kapaa, Kauai":

Upon motion by Senator Aguiar, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Absent at Roll Call: Senator Dillingham. Total, 1.

Excused and not voting: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 454, as amended, entitled: "An Act appropriating twenty-five thousand dollars for expenditure during the years 1951 and 1952 by the Kamehameha Day Celebration Commission":

Upon motion by Senator Hill, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Absent at Roll Call: Senator Dillingham. Total, 1.

Excused and not voting: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 577, as amended, entitled: "An Act to provide for the acquisition, construction, establishment and improvement of certain highway improvements, and drainage, sanitary sewerage, light and water systems, and other public improvements, by special assessment, in the County of Kauai and to provide for financing the same by the issuance of improvement district bonds and other means":

Upon motion by Senator Aguiar, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 692, entitled: "An Act ratifying and approving an agreement between the County of Hawaii and the Hawaii Aeronautics Commission":

Upon motion by Senator Duarte, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 899, entitled: "An Act to amend Section 2015 of the Revised Laws of Hawaii 1945, as amended by Act 116 (A-42) of the Session Laws 1945 and Act 71 (A-59) of the Session Laws 1949, relating to the authority of the Board of Health to make regulations for the public health and safety":

Upon motion by Senator Duarte, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Rob-

inson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 922, entitled: "An Act authorizing the Board of Supervisors of the County of Kauai to negotiate with the Commissioner of Public Lands of the Territory of Hawaii for the acquisition of a site at Lihue, Kauai, for a public cemetery", deferred from yesterday:

Senator Aguiar moved that the bill be recommitted to the Select Committee of Kauai Senators. Seconded by Senator Lee, and carried.

Third Reading of House Bill No. 946, entitled: "An Act to amend Chapter 121, as amended, of the Revised Laws of Hawaii 1945, relating to pensions":

Upon motion by Senator Aguiar, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 985, as amended, entitled: "An Act relating to the Maui County Waterworks Board and Act 289 (Series B-194) of the Session Laws of Hawaii 1949":

Senator Crockett offered the following amendment to the bill:

"Amend the title by placing a 'period' after the word 'Board' and deleting all that follows".

Upon motion by Senator Crockett, seconded by Senator Ansai, the amendment was adopted.

Senator Ansai then moved that the bill, as amended, be

deferred until tomorrow. Seconded by Senator Aguiar, and carried.

Third Reading of House Bill No. 986, as amended, entitled: "An Act establishing the Kauai County Waterworks Board and defining its powers and duties and amending Chapter 125 and Section 6081 of the Revised Laws of Hawaii 1945, as amended":

Senator Aguiar offered the following amendments to the bill, as amended:

"Amend House Bill No. 986, H.D. 1, S.D. 1, in the following respects:

1. Amend the title to read as follows:

'AN ACT
ESTABLISHING THE KAUAI COUNTY WATERWORKS BOARD AND DEFINING ITS POWERS AND DUTIES, AMENDING CHAPTER 125 AND SECTION 6081 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, AND PROVIDING FOR THE FINANCING THEREOF.'

2. Amend Section 5 thereof to read as follows:

'SECTION 5. The board of supervisors of the county of Kauai shall appropriate the sum of $20,000 each year for the next two years, for the purpose of defraying the expenses of the Kauai county waterworks board.'

3. Add a new section to be numbered 6 to read as follows:

'SECTION 6. This Act shall take effect on July 1, 1951, except that section 2 hereof shall take effect upon the approval thereof by the Congress of the United States of America.'".

Senator Aguiar moved for the adoption of the amendments. Seconded by Senator Fernandes, and carried.

Upon motion by Senator Aguiar, seconded by Senator Fernandes, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 1034, as amended, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to issue general obligation bonds in the sum of three million dollars ($3,000,000.00) for the construction of the Kalihi Tunnel and its approach roads":

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on the bill was deferred until tomorrow.

Third Reading of House Bill No. 1096, entitled: "An Act relating to governmental office buildings in the county of Hawaii and providing for the construction and financing thereof":

Upon motion by Senator Aguiar, seconded by Senator Lee, and carried, action on the bill was deferred until tomorrow.

Third Reading of House Bill No. 1132, entitled: "An Act relating to the franchise of the Hilo Electric Light Company, Limited, and amending Act 101, as amended, of the Session Laws of Hawaii 1921":

Senator Hill asked to be excused from voting on this bill, which request was granted.

Upon motion by Senators Duarte, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Hill and Nobriga. Total, 2.

Third Reading of House Joint Resolution No. 9, as amended, entitled: "Joint Resolution Creating a Commission on Nursing Education and nursing services, and making an appropriation therefor, deferred from yesterday:

Upon motion by Senator Hill, seconded by Senator Duarte, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Nobriga. Total, 1.

Third Reading of House Joint Resolution No. 35, entitled: "Joint Resolution requesting the Congress of the United States to amend the Organic Act so as to permit Territorial Legislators to be eligible for appointment to judicial offices and office of Attorney General":

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Nobriga. Total, 1.

Third Reading of House Joint Resolution No. 51, entitled: "Joint Resolution requesting Congress of the United States of America to pass legislation enabling the Hawaiian Homes Commission to exchange available lands as designated by the Hawaiian Homes Commission Act, 1920, for public or private lands":

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Nobriga. Total, 1.

Third Reading of House Joint Resolution No. 59, as amended, entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm Act ___ of the Session Laws of Hawaii 1951, authorizing the Board of Supervisors of the City and County of Honolulu to issue general obligation bonds in the sum of three million dollars ($3,000,000.00) for the construction of the Kalihi Tunnel and its approach roads":

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on the joint resolution, as amended, was deferred until tomorrow.

At this time, Senator Dillingham moved that the Senate reconsider its action in passing House Bill No. 577 on Third Reading. Seconded by Senator Fernandes, and carried.

Senator Dillingham then moved that action on the bill be deferred until tomorrow. Seconded by Senator Fernandes, and carried.

The Bill having already been transmitted to the House of Representatives, the Clerk was instructed to request the House to return it to the Senate for further consideration.

COMMUNICATIONS FROM THE HOUSE OF REPRESENTATIVES:

A communication from the House (H. Com. No. 596), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 293 had been agreed to, and that the said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 596)

The communication was received and placed on file.

A communication from the House (H. Com. No. 597), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 661, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 597)

The communication was received and placed on file.

A communication from the House (H. Com. No. 598), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 644, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 598)

The communication was received and placed on file.

A communication from the House (H. Com. No. 599), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 900, was read as follows:

(H. Com. No. 599)

The communication was received and placed on file.

The following communications from the House of Representatives, returning Senate Bills and a Senate joint resolution which had passed Third Reading in the House of Representatives on May 3, 1951, were read, received and placed on file:

H. Com. No. 600, returning Senate Bill No. 100;

H. Com. No. 601, returning Senate Bill No. 435;

H. Com. No. 602, returning Senate Joint Resolution No. 49.

A communication from the House (H. Com. No. 603), returning Senate Bill No. 193 in an amended form, was read as follows:

(H. Com. No. 603)

The communication was received and placed on file.

Upon motion by Senator Hill, seconded by Senator Harrison, and carried, action on the bill in the amended form was deferred until tomorrow.

A communication from the House (H. Com. No. 604), returning Senate Bill No. 527 in an amended form, was read as follows:

(H. Com. No. 604)

The communication was received and placed on file.

Senator Hill moved that the Senate do not concur in the amendments proposed by the House, and that a Conference Committee of three Senators be appointed by the President for the consideration of the said amendments. Seconded by Senator Fernandes, and carried.

The President thereupon appointed Senators Hill, Robinson and Harrison as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 605), returning Senate Bill No. 418 in an amended form, was read as follows:

(H. Com. No. 605)

The communication was received and placed on file.

Senator Crockett moved that the Senate concur in the amendments proposed by the House to Senate Bill No. 418. Seconded by Senator Capellas, and carried; and Senate Bill No. 418, in the amended form, entitled: "An Act relating to rights and remedies granted to an employee by the workmen's compensation law; amending chapter 77 of the Revised Laws of Hawaii 1945", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Nobriga. Total, 1.

COMMITTEE REPORTS:

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 345), recommending the adoption of House Concurrent Resolution No. 65, which was read as follows:

(Stand. Com. Rep. No. 345)

Upon motion by Senator Harrison, seconded by Senator Okino, and carried, the report of the Committee was adopted; and House Concurrent Resolution No. 65 was thereby adopted.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 346), recommending the passage of House Bill No. 1105, which was read as follows:

(Stand. Com. Rep. No. 346)

Upon motion by Senator Harrison, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 1105 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 347), recommending the passage of House Joint Resolution No. 37, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 347)

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the joint resolution, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 348), recommending the passage of House Joint Resolution No. 33, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 348)

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Joint Resolution No. 33 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 349), recommending the passage of House Bill No. 1040, which was read as follows:

(Stand. Com. Rep. No. 349)

Upon motion by Senator Harrison, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 1040 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 350), recommending the passage of House Bill No. 1041, which was read as follows:

(Stand. Com. Rep. No. 350)

Upon motion by Senator Harrison, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 1041 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 132), recommending the passage of House Bill No. 769, which was read as follows:

(Spec. Com. Rep. No. 132)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 769 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 133), recommending the passage of House Bill No. 987, with certain amendments, which was read as follows:

(Spec. Com. Rep. No. 133)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 987, as amended, passed Second Reading, and was placed on the calendar for Third Reading tomorrow.

At this time, the President reported orally, informing the Senate that he had carried out the provisions of Senate Resolution No. 73, adopted by the Senate yesterday, which provided that the President advise the Speaker of the House of Representatives that the Senate was ready to confer with the House upon all measures upon which the two Houses might be in disagreement; that a copy of the Resolution had been transmitted to the Speaker, and that he had also written him to this effect.

The President asked that his oral report be adopted, and that he be discharged as a Committee of One to carry out the instructions of the Resolution.

Upon motion by Senator Duarte, seconded by Senator Lee, and carried, the report of the President was adopted; and he was thereupon discharged, his mission having been completed in connection with Resolution No. 73.

Senator Hill informed the Senate that he had received a call from the Chairman of the Committee on Finance of the House of Representatives, informing him that his Committee was ready to go into conference on House Bill No. 48 - the General Appropriations Bill - and that arrangements were being made to set the time for such conference.

At 5:12 o'clock p.m., upon motion by Senator Lee, seconded by Senator Duarte, and carried, the Senate adjourned until 10:00 o'clock a.m., on Friday, May 4, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

SIXTIETH Day

FRIDAY, MAY 4, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SIXTIETH DAY

Friday, May 4, 1951.

The Senate convened at 11:07 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Ninth Day.

At this time a group of musicians, known as Vancouver's Policemen's Bagpipe Band, entered the Chamber in full regalia, playing their bagpipes and drum, and took their places in the center of the Chamber, where they finished the playing of their entrance selection.

Under suspension of the Rules, the President welcomed the band, who are in Honolulu as a part of the entertainment at the 49th State Fair which opens tonight under the sponsorship of the Honolulu Junior Chamber of Commerce. He thereupon presented to the Senate Miss Jean Hobbs, who was instrumental in bringing these bandsmen to Hawaii through the medium of the Honolulu Junior Chamber of Commerce.

Miss Hobbs stated that this was a very proud day for her to bring this group of her countrymen - Canadians - to Hawaii because she wanted them to know the things that she had known in the years she had made Hawaii her home; and she knew that they would take back to Canada a version, a vision

and a picture of the wonderful things that Hawaii has done in distinguishing herself throughout the world.

Miss Hobbs thereupon presented Mr. Oren Wilson, the leader of the group, who, in responding to the presentation, said:

> "This is a very happy day for the delegation, which is on a good will mission to Hawaii, and the delegation brings with it the greetings and best wishes of the Mayor and the members of the Council of the City of Vancouver. When we return to our city we will have been benefitted a great deal from the lessons we have learned during this visit to Hawaii - the harmony and peace with which the peoples of your islands work are an inspiration in a war-torn world.
>
> "May we be the forerunners of other Canadians who will visit your beautiful Islands, who will enjoy the hospitality of your people as we have enjoyed it; and may we extend to you and the people of Hawaii a hearty invitation to come to Canada in order that we may know each other better and in order that we may work for the benefit of Canada and the Territory of Hawaii.
>
> "We consider it a privilege and an honor to have been asked to be present here today, and it is a great privilege and a pleasure, and we will go away from your beautiful city and your beautiful islands with fond memories of the people and the manner in which we have been received. Thank you."

The President, in replying, said:

> "On behalf of the Territorial Senate, Mr. Wilson, may I extend to you our deep appreciation, not only for coming here this morning, but for your very inspiring remarks. Please be assured that we fully reciprocate the sentiments expressed by you. Canada and this country are lying side by side - when I say 'this country' I mean the United States of America, of which we are an integral part. I am sure that the people of Hawaii appreciate the visit made by your group today. I understand that Mr. Wilson is a representative of the Mayor of Vancouver. Thank you very much for coming, and I hope that you will remain with us as long as you wish.

The band thereupon made its exit, marching out, single file, playing as they went.

The Senate then resumed the regular order of business.

DEPARTMENTAL COMMUNICATION:

A communication from the Secretary of Hawaii (Dept. Com. No. 85), informing the Senate that the Acting Governor had signed House Bill No. 160, as Act 20, was read as follows:

(Dept. Com. No. 85)

The communication was received and placed on file.

COMMUNICATIONS FROM THE HOUSE OF REPRESENTATIVES:

A communication from the House (H. Com. No. 606), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 48, had requested a conference on the subject matter thereof, and that the Speaker had appointed Representative Sakakihara, Fukushima, Yamauchi, Yates, Paschoal, St. Sure, Noda, McGuire, King, Otsuka Porteus and Fong as Managers on the part of the house at such conference, was read as follows:

(H. Com. No. 606)

The communication was received and placed on file.

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, action on the appointment of Conferees on the part of the Senate for the consideration of the amendments, to which the House had disagreed, was deferred until later on the calendar.

A communication from the House (H. Com. No. 607), informing the Senate that the Speaker had appointed Representatives Sakakihara, McGuire and Fukushima as Managers on the part of the House, for the consideration of the amendments proposed by the House to Senate Bill No. 527, to which the Senate had disagreed, was read as follows:

(H. Com. No. 607)

The communication was received and placed on file.

A communication from the House (H. Com. No. 608), returning to the Senate House Bill No. 577, for further consideration by the Senate, was read as follows:

(H. Com. No. 608)

The communication was received and placed on file.

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on House Bill No. 577, was deferred until later on the calendar.

PETITION

A communication, in the form of a Petition (S. Pet. No. 21), signed by 73 employees of the Circuit Court, First Judicial Circuit, Territory of Hawaii, opposing the passage of that part of House Bill No. 573, Section 10, "freezing" the retirement contributions of employees, was read as follows:

(S. Pet. No. 21)

The Petition was received and referred to the Committee on Ways and Means.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 351), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

REPORTS OF COMMITTEES:

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 352), recommending the adoption of Senate Resolution No. 66, with certain amendments,

which was read as follows:

(Stand. Com. Rep. No. 352)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted, thereby adopting Senate Resolution No. 66, as amended.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 353), recommending the passage of House Bill No. 4, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 353)

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 4 passed Second Reading in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 354), recommending the passage of House Bill No. 825, which was read as follows:

(Stand. Com. Rep. No. 354)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 825 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 355), recommending the passage of House Bill No. 5, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 355)

Upon motion by Seantor Hill, seconded by Senator Harrison, and carried, the report of the Committee was adopted. House Bill No. 5 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 134), recommending the passage of House Bill No. 1030, which was read as follows:

(Spec. Com. Rep. No. 134)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 1030 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

MATTERS ON SPECIAL ORDER:

Consideration of Senate Concurrent Resolution No. 38, returned by the House, in an amended form, action on which was deferred yesterday:

Senator Okino moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Duarte, and carried; and Senate Concurrent Resolution No. 38, in the amended form, was thereby finally adopted.

Consideration of Senate Bill No. 193, returned by the House, in an amended form, action on which was deferred yesterday:

Upon motion by Senator Okino, seconded by Senator Lee, and carried, action on the bill in the amended form was further deferred until tomorrow.

Consideration of Senate Bill No. 292, returned by the House, pursuant to the request of the Senate, upon reconsideration of its action in passing it on Third Reading, deferred from yesterday:

Upon motion by Senator Okino, seconded by Senator Dillingham, and carried, action on the bill was further deferred until later on the calendar.

THIRD READINGS:

Third Reading of Senate Bill No. 2, as amended, entitled: "An Act to promote rehabilitation and development of the taro and rice growing industries and making an appropriation therefor:

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 487, entitled: "An Act to create a Hawaii School Building Authority; to authorize the Authority to acquire, construct, improve, alter, repair, operate and maintain, self-liquidating projects embracing buildings and facilities intended for use as school buildings, classrooms, laboratories, libraries, instructional, administrative and recreational facilities for students, faculty and employees of any institution under the control of the Department of Public Instruction, and all structures, electric, gas, steam and water utilities and facilities deemed by the Authority necessary or convenient for the operation of any unit forming a part of the public school system of this Territory; to confer powers and impose duties on the Authority; to provide for the appointment of members of the Authority; to authorize the Authority and the various county Boards of Supervisors to execute leases and contracts pertaining to such accommodations and facilities; to authorize the issuance of revenue bonds of the Authority payable from the revenues, rents and earnings or other funds of the Authority; to pay the cost of such projects and authorize the collection and pledging of revenues and other charges for

the payment of such bonds and for the cost of maintaining, operating and repairing of projects; to authorize the execution of trust indentures to secure the payment of such bonds, and to define the rights of the holders of such bonds; to provide that no debt of the Territory shall be incurred in the exercise of any of the powers granted by this Act; to make bonds of the Authority legal investments and also exempt from taxation; to provide for the Authority to condemn property of every kind and character; to authorize the issuance of revenue refunding bonds; to withhold and make payment direct to the Authority of funds under certain conditions and to provide for notice in writing to the Department of Public Instruction and the Territorial Treasurer in the event of default in the performance of any contract between the Authority and any county, to provide that such bonds be validated; to provide express authority for the Department of Public Instruction and the county Boards of Supervisors to sell, lease, transfer, and convey property for the purposes of this Act; to authorize the Territory and the several counties to lease or convey title to any property owned for the purposes of this Act, for reasonable compensation to be determined by three appraisers, and to prescribe the manner of appointment of such appraisers; and to provide for the repealing of all laws, or parts of laws in conflict with provisions of this Act"; as amended:

Senator Dillingham offered the following amendments to the bill, in the form of an amended bill:

(Insert amendments)

Senator Dillingham moved for the adoption of the amendments. Seconded by Senator Lee, and carried.

Senator Dillingham then moved for the passage of Senate Bill

No. 487, in the amended form. Seconded by Senator Harrison; and Senate Bill No. 487, as thus amended, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to issue bonds for acquisition of real property for public school purposes, for construction and replacement of buildings for public school purposes and for equipment of same", passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At 11:55 o'clock a.m., upon motion by Senator Hill, seconded by Senator Lee, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:15 o'clock p.m., with the President in the Chair, and all Senators being present, with the exception of Senators Lee and Nobriga, temporarily excused.

At this time, Senator Aguiar moved that the Senate take up the consideration of House Bill No. 577, recalled from the House for further consideration, on which action was deferred this morning until later on the calendar. Seconded by Senator Dillingham, and carried:

Consideration, on Third Reading, upon recall, of House Bill No. 577, as amended, entitled: "An Act to provide for the acquisition, construction, establishment and improvement of certain highway improvements, and drainage, sanitary sewerage, light and water systems, and other public improvements, by special assess-

ment, in the County of Kauai and to provide for financing the same by the issuance of improvement district bonds and other means":

Senator Aguiar offered the following amendment to the bill, as amended:

"Amend H. B. 577, H.D.1, S.D. 1 by amending the last paragraph of Section 24 thereof to read as follows:

'Bonds so issued shall be sold to the highest bidder or bidders therefor, after public advertisement for tenders for at least once each week for not less than two consecutive weeks in a suitable newspaper of general circulation in the county, provided, however, that in the event only part of the issue so advertised be bid for, thereafter, the board may authorize the treasurer, by resolution, requiring only one reading for adoption, to sell the whole or any part of the remainder of such issue at the highest bid so received to any person at private sale. In the event no purchaser is found, the county may be the purchaser of any such bonds, using any funds available and unspent. The proceeds from the sale of such bonds shall be used by the board to pay wholly or in part the contract price of any improvement made as aforesaid.'"

Senator aguiar moved for the adoption of the amendment. Seconded by Senator Fernandes, and carried.

Upon motion by Senator Aguiar, seconded by Senator Fernandes, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Lee and Nobriga. Total, 2.

Third Reading of Senate Joint Resolution No. 15, as amended, entitled: "Joint Resolution requesting the Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to the Commissioner of Public Lands", with pending amend-

ments offered by Senator Aguiar on April 20th, deferred from yesterday:

After a lengthy discussion of the joint resolution and the pending amendments, during the course of which several amendments were made, none of which was put to a vote, Senator Heen moved that action on the joint resolution as amended, and on the pending amendment offered by Senator Aguiar, be deferred until tomorrow. Seconded by Senator Dillingham, and carried.

Third Reading of House Bill No. 25, as amended, entitled: "An Act relating to fuel taxes and the disposition thereof; amending Sections 5260, as amended, and 5404, as amended, of the Revised Laws of Hawaii 1945, Act 196 of the Session Laws of Hawaii 1947, as amended, and Act 373 of the Session Laws of Hawaii 1949", with pending amendments offered by Senator Dillingham, deferred from yesterday:

Senator Dillingham moved to further defer the amendments offered by him yesterday and the bill, as amended, until tomorrow. Seconded by Senator Okino, and carried.

Third Reading of House Bill No. 124, as amended, entitled: "An Act relating to the Hawaii Fire Department and amending Act 174 (Series B-114) of the Session Laws of Hawaii 1947", deferred from yesterday:

Upon motion by Senator Harrison, seconded by Senator Okino, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 580, entitled: "An Act amending Section 8228 of the Revised Laws of Hawaii 1945, relating to restrictions on loan of building and loan associations":

Upon motion by Senator Crockett, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Hill. Total, 1.

Third Reading of House Bill No. 581, entitled: "An Act amending Section 8193 of the Revised Laws of Hawaii 1945, relating to notaries public connected with building and loan associations":

Upon motion by Senator Crockett, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Absent at Roll Call: Senators Hill and Nobriga. Total, 2.

Third Reading of House Bill No. 582, entitled: "An Act amending Section 8222 of the Revised Laws of Hawaii 1945, relating to real estate loans of building and loan associations":

Upon motion by Senator Crockett, seconded by Senator Aguiar, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Absent at Roll Call: Senators Hill and Nobriga. Total, 2.

Third Reading of House Bill No. 583, entitled: "An Act amending Section 8225 of the Revised Laws of Hawaii 1945, relating to loans of surplus funds of building and loan associations":

Upon motion by Senator Duarte, seconded by Senator Aguiar, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Absent at Roll Call: Senators Hill and Nobriga. Total, 2.

Third Reading of House Bill No. 584, entitled: "An Act amending Section 8227 of the Revised Laws of Hawaii 1945, relating to funds of foreign building and loan associations":

Upon motion by Senator Duarte, seconded by Senator Crockett, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Absent at Roll Call: Senators Hill and Nobriga. Total, 2.

Third Reading of House Bill No. 585, entitled: "An Act to amend Section 8218 of the Revised Laws of Hawaii 1945, relating to withdrawals from Building and Loan Associations":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Hill. Total, 1.

Third Reading of House Bill No. 675, entitled: "An Act relating to refunds by industrial loan companies":

Upon motion by Senator Duarte, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Hill. Total, 1.

Third Reading of House Bill No. 676, entitled: "An Act amending Section 8084 of the Revised Laws of Hawaii 1945, relating to the investments authorized for bank savings departments":

Upon motion by Senator Duarte, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Hill. Total, 1.

Third Reading of House Bill No. 677, entitled: "An Act amending Chapter 170 of the Revised Laws of Hawaii 1945, by adding thereto a new section related to the suspension, revocation or surrender of licenses of industrial loan companies":

Upon motion by Senator Duarte, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Hill. Total, 1.

Third Reading of House Bill No. 680, entitled: "An Act amending Section 8207 of the Revised Laws of Hawaii 1945, relating to the capital stock of building and loan associations":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Absent at Roll Call: Senators Dillingham and Hill. Total, 2.

Third Reading of House Bill No. 681, entitled: "An Act amending Section 8215 of the Revised Laws of Hawaii 1945, relating to cash reserves of building and loan associations":

Upon motion by Senator Crockett, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes. None.

Absent at Roll Call: Senators Dillingham and Hill. Total, 2.

Third Reading of House Bill No. 682, entitled: "An Act amending Sections 8171, 8212 and 8216 of Chapter 153 of the Revised Laws of Hawaii, as amended, relating to building and loan associations";

Upon motion by Senator Crockett, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Hill. Total, 1.

Third Reading of House Bill No. 723, entitled: "An Act to amend Chapter 111 of the Revised Laws of Hawaii 1945, relating to the Territorial Bank Examiner and providing penalties for violations of said chapter":

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison,Heen, Lee, Nobriga, Okino, Robinson, and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Hill. Total, 1.

Third Reading of House Bill No. 769, entitled: "An Act amending Item 42 (County of Hawaii), of subsection (a) of Section 2 of Act 401 of the Session Laws of Hawaii 1949, relating to

Honokaa Hospital":

Upon motion by Senator Capellas, seconded by Senator Nobriga, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Absent at Roll Call: Senators Heen and Hill. Total, 2.

Third Reading of House Bill No. 975, entitled: "An Act transferring regulation of the manufacturing, sale, possession, and use of explosives and the appropriation for and the personnel engaged in such regulation from the Department of Public Works to the Department of Labor and Industrial Relations; amending chapter 76A of the Revised Laws of Hawaii 1945, as enacted by Act 64 of the Session Laws of Hawaii 1947, as amended, and Chapter 88 of the Revised Laws of Hawaii 1945, to accomplish such purpose; and making an appropriation":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Heen. Total, 1.

At 3:10 o'clock p.m., Senator Aguiar was excused from attendance at the balance of this afternoon's session, at his request.

Third Reading of House Bill No. 985, as amended, entitled: "An Act relating to the Maui County Waterworks Board", deferred from yesterday:

Senator Ansai offered the following further amendment to the bill:

"Amend item (2) in Section 1 of House Bill No. 985, S.D. 1, to read as follows:

'(2) By amending section 14 thereof by deleting the last paragraph thereof and inserting in lieu thereof the following:

"On or before the 15th day of November in each of the years 1951 and 1952 the board shall certify to the chairman of the board of supervisors the amount of appropriation necessary to pay the expenses and fixed charges of the board (over and above the board's other income and other available funds) for the year next following, and the chairman of the board of supervisors shall submit the same to the board of supervisors, and the board of supervisors shall appropriate such amount, provided that no such appropriation shall exceed the sum of $125,000.00 for any one year."'".

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the amendment was adopted.

Upon motion by Senator Ansai, seconded by Senator Lee, and carried, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Absent at Roll Call: Senator Heen. Total, 1.

Third Reading of House Bill No. 987, as amended, entitled: "An Act relating to the Board of Water Supply of the County of Hawaii, and amending Act 86 (Series B-185) of the Session Laws

of Hawaii 1949 and Section 6081 of the Revised Laws of Hawaii 1945, deferred from yesterday:

Upon motion by Senator Capellas, seconded by Senator Okino, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Absent at Roll Call: Senator Hill. Total, 1.

Third Reading of House Bill No. 1010, entitled: "An Act relating to banks, trust companies or savings and loan associations and authorizing destruction of records and files afteraprescribed period of time and relating to the effect of the destruction of such records":

Upon motion by Senator Crockett, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Absent at Roll Call: Senator Hill. Total, 1.

Third Reading of House Bill No. 1011, entitled: "An Act to provide for the admission in evidence of photographic reproductions of business and public records and to make uniform the law with reference thereto":

Upon motion by Senator Crockett, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Eyes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Absent at Roll Call: Senators Hill and Nobriga. Total, 2.

At 3:20 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

The Senate reconvened at 3:50 o'clock p.m.

A communication from the House (H. Com. No. 609), returning Senate Concurrent No. 49, with certain amendments, was read as follows:

(H. Com. No. 609)

The communication was received and placed on file.

Senator Hill moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Harrison; and carried; and Senate Concurrent Resolution No. 49, as thus amended, was finally adopted.

At this time, under suspension of the Rules, Senator Crockett moved that the Senate reconsider its action in referring House Bill No. 68 to the Committee on Judiciary. Seconded by Senator Fernandes, and carried.

Senator Crockett moved that House Bill No. 68 be referred to the Committee of the Whole, with Senator Nobriga as Chairman. Seconded by Senator Fernandes, and carried.

House Bill No. 68 was thereupon returned to the Clerk's desk and so referred.

THIRD READINGS RESUMED:

Third Reading of House Bill No. 1034, as amended, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to issue general obligation bonds in the sum of six million dollars ($6,000,000.00) for for the construction of the Kalihi Tunnel and its approach roads", deferred from yesterday:

Senator Dillingham offered the following amendments to the bill, as amended:

"Amend House Bill No. 1034, HD 1, SD 1, as follows:

Delete the words and figure 'three million dollars ($3,000,000.00)' appearing in lines 3 and 4 of Section 1 of said bill, and insert in lieu thereof the following:

'six million dollars ($6,000,000.00)'.

"Amend the title to conform."

Senator Dillingham moved for the adoption of the amendments. Seconded by Senator Robinson, and carried.

Upon motion by Senator Dillingham, seconded by Senator Robinson, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of House Bill No. 1040, entitled: "An Act relating to licenses to sell poisonous drugs and amending Sections 7105 and 7106 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Harrison, seconded by Senator Nobriga, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of House Bill No. 1041, entitled: "An Act relating to the practice of pharmacy and amending Section 2901 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Duarte, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of House Bill No. 1059, entitled: "An Act relating to fuel taxes and the disposition thereof in the County of Kauai and amending Chapter 100 and Section 5260 of the Revised Laws of Hawaii 1945, as amended", deferred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, action on the bill was further deferred until tomorrow.

Third Reading of House Bill No. 1063, entitled: "An Act relating to jails and places of confinement in the County of Maui":

Upon motion by Senator Duarte, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of House Bill No. 1077, entitled: "An Act relating to fuel taxes and the disposition thereof in the County of Hawaii and amending Chapter 100 and Section 5260 of the Revised Laws of Hawaii 1945, as amended", deferred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, action on the bill was further deferred until tomorrow.

Third Reading of House Bill No. 1094, entitled: "An Act adding to the Revised Laws of Hawaii 1945 a new chapter providing for the licensing and regulation of emigrant agents, prescribing penalties for violations thereof or of regulations promulgated thereunder, and repealing Sections 7054 to and including 7062 of said Revised Laws":

Upon motion by Senator Duarte, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of House Bill No. 1096, entitled: "An Act relating to governmental office buildings in the county of Hawaii and providing for the construction and financing thereof", deferred from yesterday:

Upon motion by Senator Lee, seconded by Senator Fernandes, and carried, action on the bill was further deferred until tomorrow.

Third Reading of House Bill No. 1105, entitled: "An Act requiring preemployment health examination of applicants for Territorial positions and periodic health examinations of Territorial employees and creating medical advisory board to the Territorial Civil Service Commission":

Senator Harrison moved that the Senate reconsider its action taken yesterday in adopting Standing Committee Report No. 346, recommending the passage of House Bill No. 1105 and in passing the bill on Second Reading. Seconded by Senator Lee, and carried.

Senator Harrison then moved that Standing Committee Report No. 346 recommending the passage of House Bill No. 1105, and House Bill No. 1105 be recommitted to the Committee on Public Health. Seconded by Senator Lee, and carried; and the said Standing Committee Report and the said Bill were thereupon so recommitted.

Under suspension of the Rules, Senator Crockett moved that the Senate at this time take up the consideration of House Bill No. 565, on Second Reading, which bill had been laid on the table on May 2nd, it being identical with Senate Bill No. 111 which had passed Third Reading in the Senate on May 1st, the same day on which House Bill No. 565 had passed Third Reading in the House. Seconded by Senator Duarte, and carried:

Second Reading of House Bill No. 565: Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the Rules were suspended and the bill was read throughout on Second Reading.

Senator Crockett thereupon moved that the bill pass Second Reading and be placed on the calendar for Third Reading tomorrow. Seconded by Senator Duarte, and carried.

At this time, Senator Okino moved that the Senate reconsider its action taken earlier on the calendar in deferring action of Senate Bill No. 193, returned from the House in an amended form, until tomorrow. Seconded by Senator Heen, and carried.

Senator Okino thereupon moved that the Senate do not concur in the amendments proposed by the House to Senate Bill No. 193, and that a Conference Committee be appointed by the President for the consideration of the said amendments. Seconded by Senator Fernandes, and carried.

The President thereupon appointed Senators Harrison, Okino and Heen as Conferees on the part of the Senate for the consideration of the said amendments.

The President at this time asked to be excused, as his presence was required in the Chambers of the Acting Governor, from voting on the remainder of the Third Readings on the calendar for today, should he not be able to return to the Senate Chamber while the balance of the Third Readings were in progress. He was so excused; and left the Chamber, the Vice-President, Senator Harrison assuming the Chair at this time.

Third Reading of House Joint Resolution No. 33, as amended, entitled: "Joint Resolution requesting the Congress of the

United States to amend Sections 213 (b), 213 (c) and 215 of Title II of the Hawaiian Homes Commission Act, 1920, as amended":

Senator Nobriga moved to pass the Joint Resolution, as amended, on Third Reading. Seconded by Senator Ansai.

During the discussion of this joint resolution, the President returned to the Senate Chamber and thereupon resumed the Chair at 4:12 o'clock p.m., and the Vice President retired and took her seat on the floor of the Senate.

The President then put the motion to pass the joint resolution on Third Reading, which was carried on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of House Joint Resolution No. 37, as amended, entitled: "Joint Resolution requesting the Congress of the United States to amend the Hawaiian Homes Commission Act, 1920, as amended, by amending the first sentence of Section 202 (a) thereof, relating to membership on the Hawaiian Homes Commission and by amending Section 209, relating to successors to lessees":

Upon motion by Senator Nobriga, seconded by Senator Ansai, the joint resolution, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of House Joint Resolution No. 59, as amended, entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm Act ___ of the Session Laws of Hawaii 1951, authorizing the Board of Supervisors of the City and County of Honolulu to issue general obligation bonds in the sum of three million dollars ($3,000,000.00) for the construction of the Kalihi Tunnel and its approach roads", deferred from yesterday:

Senator Dillingham offered the following amendments to the joint resolution:

"Amend House Joint Resolution No. 59, SD 1, as follows:

Delete the words and figure 'three million dollars ($3,000,000.00)' appearing in lines 5 and 6 of Section 1 and insert in lieu thereof the following:

'Six million dollars ($6,000,000.00)'.

Amend the title to conform."

Senator Dillingham moved for the adoption of the amendments. Seconded by Senator Robinson, and carried.

Upon motion by Senator Dillingham, seconded by Senator Duarte, the joint resolution, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

CONFERENCE COMMITTEE REPORT:

Senator Hill, for the Committee on Conference, on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 527, presented a report (Conf. Com. Rep. No. 6), recommending the final passage of the bill as

passed by the House, with further amendments, which was read as follows:

(Conf. Com. Rep. No. 6)

Upon motion by Senator Hill, seconded by Senator Fernandes, the report of the Committee was adopted; and Senate Bill No. 527, entitled: "An Act providing for the repair of and purchase of equipment, furniture and fixtures for Washington Place, and making an appropriation therefor", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Consideration of Senate Bill No. 292, returned by the House, upon reconsideration by the Senate in passing the bill on Third Reading and transmitting it to the House, deferred until later on the calendar:

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on the bill was further deferred until tomorrow.

DEPARTMENTAL COMMUNICATION:

A communication from the Secretary of Hawaii (Dept. Com. No. 86), informing the Senate that the Governor had signed Senate Joint Resolution No. 1, as Joint Resolution 9; House Joint Resolution No. 16, as Joint Resolution 10; Senate Bill No. 78, as Act 21; Senate Bill No. 8, as Act 22; Senate Bill No. 60, as Act 23; Senate Bill No. 171, as Act 24; Senate

Bill No. 252, as Act 25; Senate Bill No. 517, as Act 26; House Bill No. 127, as Act 27; House Bill No. 154, as Act 28; House Bill No. 169, as Act 29; Senate Bill No. 232, as Act 30; Senate Bill No. 238, as Act 31; Senate Bill No. 284, as Act 32; Senate Bill No. 481, as Act 33; House Bill No. 125, as Act 34; House Bill No. 268, as Act 35; House Bill No. 409, as Act 36; House Bill No. 566, as Act 37; House Bill No. 734, as Act 38; House Bill No. 747, as Act 39; House Bill No. 829, as Act 40; and House Bill No. 315, as Act 41, was read as follows:

(Dept. Com. No. 86)

The communication was received and placed on file.

RESOLUTION OFFERED:

Senator Hill offered a Resolution (S. Res. No. 75), requesting the House of Representatives to return to the Senate, House Bill No. 250, for the purpose of making certain corrections therein, which was read as follows:

(S. Res. No. 75)

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the Resolution was adopted.

COMMUNICATIONS FROM THE HOUSE OF REPRESENTATIVES:

The following communications from the House of Representatives transmitting House Bills which had passed Third Reading in the House on May 4, 1951, were read, received and placed on file:

H. Com. No. 610, transmitting House Bill No. 558;

H. Com. No. 611, transmitting House Bill No. 858.

FIRST READING OF HOUSE BILLS:

H. B. No. 558, entitled: "An Act relating to the compensation of the Chief Justice and Associate Justices of the Supreme Court and of the Judges of the Circuit Courts of Hawaii, and making an appropriation therefor":

H. B. No. 858, entitled: "An Act relating to pre-trial procedure in courts of record".

Upon motion by Senator Nobriga, seconded by Senator Okino, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading tomorrow.

The following communications from the House, returning Senate Bills which had passed Third Reading in the House of Representatives on May 4, 1951, were read, received and placed on file:

H. Com. No. 612, returning Senate Bill No. 90;

H. Com. No. 613, returning Senate Bill No. 141;

H. Com. No. 614, returning Senate Bill No. 225;

H. Com. No. 615, returning Senate Bill No. 289;

H. Com. No. 616, returning Senate Bill No. 307;

H. Com. No. 617, returning Senate Bill No. 308;

H. Com. No. 618, transmitting House Concurrent Resolution No. 71.

Consideration of House Concurrent Resolution No. 71, requesting the Governor to return to the Senate, House Bill No. 562 for the purpose of making certain corrections therein, as follows:

(H. Con. Res. No. 71)

Upon motion by Senator Hill, seconded by Senator Robinson, and carried, the Concurrent Resolution was adopted.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 356), recommending the passage of House Bill No. 9, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 356)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House

Bill No. 9, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 357), recommending the passage of House Bill No. 176, which was read as follows:

(Stand. Com. Rep. No. 357)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 176 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 358), recommending the passage of House Bill No. 264, which was read as follows:

(Stand. Com. Rep. No. 358)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 264 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 359), recommending the passage of House Bill No. 359, which was read as follows:

(Stand. Com. Rep. No. 359)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 359 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 360), recommending the passage of House Bill No. 545, which was read as follows:

(Stand. Com. Rep. No. 360)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 545 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 361), recommending the passage of House Bill No. 754, which was read as follows:

(Stand. Com. Rep. No. 361)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 754 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 362), recommending the passage of House Bill No. 785, which was read as follows:

(Stand. Com. Rep. No. 362)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 785 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 363), recommending the passage of House Bill No. 809, which was read by the Clerk as follows:

(Stand. Com. Rep. No. 363)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 809 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 364), recommending the passage of House Bill No. 808, which was read as follows:

(Stand. Com. Rep. No. 364)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 808 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 365), recommending the passage of House Bill No. 811, which was read as follows:

(Stand. Com. Rep. No. 365)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 811 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 366), recommending the passage of House Bill No. 819, which was read as follows:

(Stand. Com. Rep. No. 366)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 819 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 367), recommending the passage of House Bill No. 833, which was read as follows:

(Stand. Com. Rep. No. 367)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House

Bill No. 833 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 368), recommending the passage of House Bill No. 849, which was read as follows:

(Stand. Com. Rep. No. 368)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 849 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 369), recommending the passage of House Bill No. 855, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 369)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 855 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 370), recommending the passage of House Bill No. 881, which was read as follows:

(Stand. Com. Rep. No. 370)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 881 passed Second Reading and was placed on the calen- for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 371), recommending the passage of House Bill No. 945, with an amendment, which was read as

follows:

(Stand. Com. Rep. No. 371)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 945, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 372), recommending the passage of House Bill No. 1112, which was read as follows:

(Stand. Com. Rep. No. 372)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 1112 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 373), recommending the passage of House Bill No. 1113, which was read as follows:

(Stand. Com. Rep. No. 373)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 1113 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 374), recommending the passage of House Bill No. 1136, which was read as follows:

(Stand. Com. Rep. No. 374)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 1136 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 375), recommending the passage of House Bill No. 678, which was read as follows:

(Stand. Com. Rep. No. 375)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 678 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 376), recommending the passage of House Bill No. 827, which was read as follows:

(Stand. Com. Rep. No. 376)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 827 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 377), recommending the passage of House Bill No. 406, which was read as follows:

(Stand. Com. Rep. No. 377)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 406 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

APPOINTMENT OF CONFEREES ON HOUSE BILL NO. 48:

At this time, the President announced that he had appointed the members of the Committee on Ways and Means - Senators Hill, Ansai, Dillingham, Harrison, Robinson, Fernandes, Nobriga, Capellas and Crockett - as Conferees on the part of the Senate for the consideration of the amendments proposed by the Senate to House Bill No. 48, to which the House had dis-

agreed.

MESSAGE FROM THE ACTING GOVERNOR:

A Message from the Acting Governor (Gov. Message No. 23), informing the Senate that in accordance with Senate Concurrent Resolution No. 49, adopted by the Twenty-Sixth Legislature, he had this day, by Executive Order, a copy of which was attached, extended the regular session of this Legislature for a period up to and including Wednesday, May 9, 1951, was read as follows:

(Gov. Message No. 23)
(Executive Order )

The Message was received and placed on file.

RECONSIDERATION OF ADOPTION OF SENATE CONCURRENT RESOLUTION NO. 51:

Senator Nobriga moved that the Senate reconsider its action taken yesterday in adopting Senate Concurrent Resolution No. 51 which requested the Commissioner of Public Lands to acquire certain land in Hilo, Hawaii, for the purposes of a public park. Seconded by Senator Okino, and carried.

Senator Nobriga thereupon moved that the House of Representatives be requested to return Senate Concurrent Resolution No. 51 to the Senate for the purpose of making certain amendments thereto. Seconded by Senator Okino, and carried.

At 4:35 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Dillingham, and carried, the Senate adjourned until 11:00 o'clock a.m., on Saturday, May 5, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

S I X T Y - F I R S T Day

SATURDAY, MAY 5, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SIXTY-FIRST DAY

Saturday, May 5, 1951.

The Senate convened at 11:23 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called, showing all Senators present, with the exception of Senator Aguiar, excused.

The President announced that he had read and approved the Journal of the Sixtieth Day.

DEPARTMENTAL COMMUNICATIONS:

A communication from the Mayor of the City and County of Honolulu (Dept. Com. No. 87), protesting against the provisions of Senate Bill No. 487 and House Bill No. 973, was was read as follows:

(Dept. Com. No. 87)

The communication was received and referred to the Select Committee of Oahu Senators, for information.

A communication from the Deputy Bank Examiner of the Territory (Dept. Com. No. 88), reporting on his audit of the books and records of the Senate of the Regular and First and Second Special Sessions of 1949, was read, received and placed on file.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 619), returning House Bill No. 250 to the Senate for further consideration, pursuant to Senate Resolution No. 75, was read as follows:

(H. Com. No. 619)

The communication was received and placed on file.

Senator Hill moved that the Senate reconsider its action in passing House Bill No. 250, as amended, on Third Reading. Seconded by Senator Robinson, and carried.

Consideration, on Third Reading, of House Bill No. 250, as amended, entitled: "An Act for the relief of certain persons, firms and corporations on account of overpayment of taxes and other claims against the Territory, and providing appropriation therefor":

Senator Hill offered the following amendment:

"Amend the bill by adding at the end of Section 1 thereof the following item:

'Hilo General Contractors (For uncashed territorial check) $330.00'".

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the amendment was adopted.

Upon motion by Senator Hill, seconded by Senator Fernandes, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

A communication from the House (H. Com. No. 620), informing the Senate that the House had adopted the report of the Committee on Conference on Senate Bill No. 527, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 620)

The communication was received and placed on file.

A communication from the House (H. Com. No. 621), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 401, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 621)

The communication was received and placed on file.

A communication from the House (H. Com. No. 622), informing the Senate that the House had agreed to the amendment proposed by the Senator to House Bill No. 985, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 622)

The communication was received and placed on file.

A communication from the House (H. Com. No. 623), informing the Senate that the amendments proposed by the Senate to House Joint Resolution No. 33 had been agreed to, and that said Joint Resolution, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 623)

The communication was received and placed on file.

A communication from the House (H. Com. No. 624), informing the Senate that the Speaker had appointed Representatives Paschoal

King and Fukushima as Managers on the part of the House at the conference on the amendments proposed by the House to Senate Bill No. 193, to which the Senate had disagreed, was read as follows:

(H. Com. No. 624)

The communication was received and placed on file.

A communication from the House (H. Com. No. 625), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 454, had requested a conference on the subject matter thereof, and had appointed Representatives Pakele, Yates and Yamauchi as Managers on the part of the House at such conference, was read as follows:

(H. Com. No. 625)

The communication was received and placed on file.

The President thereupon appointed Senators Hill, Ansai and Robinson as Conferees on the part of the Senate for the consideration of said amendments.

A communication from the House (H. Com. No. 626), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Joint Resolution No. 37, had requested a conference on the subject matter thereof, and had appointed Representatives Hind, Kido and Porteus as Managers on the part of the House at such conference, was read as follows:

(H. Com. No. 626)

The communication was received and placed on file.

The President thereupon appointed Senators Nobriga, Dillingham and Duarte as Conferees on the part of the Senate for the consideration of said amendments.

The following communications from the House of Representatives, transmitting House Bills which passed Third Reading in the House on May 4, 1951, were read, received and placed on file:

H. Com. No. 627, transmitting House Bill No. 876;

H. Com. No. 628, transmitting House Bill No. 547.

FIRST READING OF HOUSE BILLS:

H. B. No. 876, entitled: "An Act amending Section 4825 of the Revised Laws of Hawaii 1945, relating to the protection of records and confidential information of public welfare cases";

H. B. No. 547, entitled: "An Act relating to the salaries of teachers, principals and other employees in the Department of Public Instruction and amending Chapter 28 of the Revised Laws of Hawaii 1945, as amended".

Upon motion by Senator Duarte, seconded by Senator Crockett, and carried, the bills passed First Reading by title and were placed on the calendar for Second Reading on Monday, May 7th.

A communication from the House (H. Com. No. 629), returning Senate Concurrent Resolution No. 50, which was adopted by the House of Representatives on May 4th, was read, received and placed on file.

A communication from the House (H. Com. No. 630), returning Senate Bill No. 536 (recalled from the Governor, which had passed Third Reading in the House of Representatives in an amended form, was read as follows:

(H. Com. No. 630)

Upon motion by Senator Hill, seconded by Senator Crockett, and carried, action on the bill in the amended form was deferred until later on the calendar, in order that the Chairman of the Committee on Judiciary might examine the amended bill.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 378), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

REPORTS OF COMMITTEES:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 379), recommending the passage of House Bill No. 380, which was read as follows:

(Stand. Com. Rep. No. 379)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 380 passed Second Reading and was placed on the calendar for Third Reading on Monday, April 7th.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 380), recommending the passage of House Bill No. 413, which was read as follows:

(Stand. Com. Rep. No. 380)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 413 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 381), recommending the passage of House Bill No. 430, which was read as follows:

(Stand. Com. Rep. No. 381)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 430 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 382), recommending the passage of House Bill No. 494, which was read as follows:

(Stand. Com. Rep. No 382)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 494 passed Second Reding and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 383), recommending the passage of House Bill No. 816, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 383)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 816, as amended, passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

CONCURRENT RESOLUTION OFFERED:

Senators Harrison, Lee and Ansai offered a Concurrent Resolution (S. Con. Res. No. 52), "memorializing Congress to amend the Social Security Act to permit a higher ratio of matching of public assistance payments in the Territory of Hawaii by virtue of a higher cost of living in that jurisdiction", which was read as follows:

(S. Con. Res. No. 52)

Upon motion by Senator Harrison, seconded by Senator Lee, and carried, the Concurrent Resolution was adopted.

Consideration of Senate Bill No. 292, recalled from the House for further consideration, on special order:

Senator Dillingham moved that action on this bill be deferred until House Bill No. 25, as amended, on the calendar for Third Reading, has been disposed of. Seconded by Senator Fernandes, and carried.

ACTION RECONSIDERED ON HOUSE BILL NO. 751:

At this time, Senator Crockett moved that the Rules be suspended, and that the Senate reconsider its action in referring House Bill No. 751, on Second Reading, to the Committee on Judiciary. Seconded by Senator Dillingham, and carried:

Second Reading of House Bill No. 751:

Senator Crockett moved that the bill be referred to the Committee on Ways and Means. Seconded by Senator Hill, and carried. House Bill No. 751 was thereupon returned to the Clerk's desk and so thereupon referred.

SECOND READING OF HOUSE BILLS:

H. B. No. 558: The bill was referred to the Committee on Ways and Means.

H. B. No. 858: The bill was referred to the Committee on Judiciary.

THIRD READINGS:

Third Reading of Senate Joint Resolution No. 15, as amended, entitled: "Joint Resolution requesting the Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to the Commissioner of Public Lands", deferred with pending amendment by Senator Aguiar, from yesterday:

Upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, action on the Joint Resolution was further deferred until Monday, May 7th.

Third Reading of House Bill No. 4, as amended, entitled: "An Act providing a monthly twenty-five dollar bonus for pensioners, and appropriating funds for payment thereof"

Upon motion by Senator Hill, seconded by Senator Duarte, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes. None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of House Bill No. 5, as amended, entitled: "An Act providing a bonus to public employees and making an appropriation therefor":

Upon motion by Senator Hill, seconded by Senator Duarte, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of House Bill No. 9, as amended, entitled: "An Act relating to the rights and privileges of officers and employees of the Territory of Hawaii or of any county or political subdivision thereof on active duty with the Armed Forces of the United States":

Upon motion by Senator Dillingham, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

At this juncture, Senator Hill asked the Senate to excuse him from voting on the Third Readings on which the Roll would be called while he answered a call to call upon

the Acting Governor; and he was so excused by the Senate.

Third Reading of House Bill No. 25, as amended, entitled: "An Act relating to fuel taxes and the disposition thereof; amending Sections 5260, as amended, and 5404, as amended, of the Revised Laws of Hawaii 1945, Act 196 of the Session Laws of Hawaii 1947, as amended, and Act 373 of the Session Laws of Hawaii 1949", with pending amendments offered by Senator Dillingham previously, deferred from yesterday:

Senator Dillingham moved for the adoption of the amendments offered by him previously. Seconded by Senator Duarte, and carried.

Senators Okino, Nobriga and Hill offered the following further amendment to the amended bill:

"Amend H. B. No. 25, HD 1, SD 2, as follows:

By amending renumbered Section 5 by adding to the quoted section 4.01 in said Section 5, the following:

'The county of Hawaii special tax shall be paid by the tax commissioner over into the territorial treasury, and shall, by the territorial treasurer, be paid over to the treasurer of the county of Hawaii for deposit in the road fund of said county, to be expended for resurfacing of roads in the following ratio: sixty per cent for roads in the 1st representative district and forty per cent for roads in the 2nd representative district.'".

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the amendment was adopted.

Upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Hill. Total, 2.

At this time Senator Dillingham moved that Senate Bill No. 292, returned by the House for further consideration by the Senate, deferred from earlier on the calendar, and House Bills Nos. 1059 and 1077 on the calendar for Third Reading today, be placed on file. Seconded by Senator Lee, and carried.

Third Reading of House Bill No. 176, entitled: "An Act to amend Chapter 15 of the Revised Laws of Hawaii 1945, relating to the Employees' Retirement System of the Territory of Hawaii":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Hill. Total, 2.

Third Reading of House Bill No. 264, entitled: "An Act to amend Chapter 150 of the Revised Laws of Hawaii 1945 relating to real estate brokers and salesmen":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Hill. Total, 2.

Third Reading of House Bill No. 359, entitled: "An Act amending Section 351 of the Revised Laws of Hawaii 1945, relating to qualifications of bidders on public contracts":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Hill. Total, 2.

Third Reading of House Bill No. 406, entitled: "An Act to amend Section 8351 of Chapter 155 of the Revised Laws of Hawaii 1945, relating to corporations":

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Hill. Total, 2.

Third Reading of House Bill No. 545, entitled: "An Act amending Act 327 of the Session Laws of Hawaii 1949, requiring the furnishing of statistics in connection with divorces and annulments of marriage and the filing thereof in the Bureau of Vital Statistics":

Upon motion by Senator Dillingham, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: Senator Fernandes. Total, 1.

Excused and not voting: Senators Aguiar and Hill. Total, 2.

Senator Hill returned to the Chamber at this time.

Third Reading of House Bill No. 565, entitled: "An Act to amend Chapter 320 of the Revised Laws of Hawaii 1945, as amended, relating to the National Guard and the unorganized militia of the Territory of Hawaii":

Upon motion by Senator Crockett, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of House Bill No. 678, entitled: "An Act to provide for an annual license fee for industrial loan companies":

Upon motion by Senator Crockett, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

Third Reading of House Bill No. 754, entitled: "An Act to amend Chapter 139, Revised Laws of Hawaii 1945, as amended, providing for the regulation of licenses to dealers and salesmen of motor vehicles, to repose the function of licensing in a motor vehicle dealers' and salesmen's licensing board, to provide rules regulating the licensing and renewals of licenses to motor vehicle dealers and salesmen and motor vehicle retail installment contracts, and to provide penalties for violations thereof":

Upon motion by Senator Crockett, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

At 12:16 o'clock p.m., the Senate stood in recess until 2:00 o'clock this afternoon, upon motion by Senator Hill, seconded by Senator Lee, and carried.

AFTERNOON SESSION

The Senate reconvened at 2:33 o'clock p.m., with the President in the Chair, and all Senators being present, with the exception of Senator Aguiar excused, and Senators Harrison and Robinson temporarily excused.

The Senate resumed the Third Readings in which it was engaged at the time of the recess.

Third Reading of House Bill No. 785, entitled: "An Act relating to corporations and amending Section 8305 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Dillingham, seconded by Senator Crockett, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Aguiar, Harrison and Robinson. Total, 3.

Third Reading of House Bill No. 808, entitled: "An Act relating to eleemosynary corporations and amending Sections 8311 and 8312 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Aguiar, Harrison and Robinson. Total, 3.

Third Reading of House Bill No. 809, entitled: "An Act relating to corporations and enacting a new section of the Revised Laws of Hawaii 1945, regarding corporations involuntarily dissolved":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Aguiar, Harrison and Robinson. Total, 3.

Third Reading of House Bill No. 811, entitled: "An Act relating to corporations and amending Section 8308 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Aguiar, Harrison and Robinson. Total, 3.

Third Reading of House Bill No. 819, entitled: "An Act to amend Section 3651 of the Revised Laws of Hawaii 1945, relating to government aid for housing projects":

Upon motion by Senator Crockett, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Aguiar, Harrison and Robinson. Total, 3.

Third Reading of House Bill No. 825, entitled: "An Act to amend Chapter 61 of the Revised Laws of Hawaii 1945, as amended, relating to the Hawaii Housing Authority, by amending Sections 3503, 3507, 3515, 3530, 3532, 3536 and 3537 thereof and by repealing Sections 3533, 3534 and 3535 thereof":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Aguiar, Harrison and Robinson. Total, 3.

Third Reading of House Bill No. 827, entitled: "An Act to amend Section 4259 of the Revised Laws of Hawaii 1945, relating to penalty for delinquency in payment of unemployment compensation contributions":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Aguiar, Harrison and Robinson. Total, 3.

Third Reading of House Bill No. 833, entitled: "An Act relating to the registration and protection of trade marks, prints and labels, and amending Section 9288 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Aguiar, Harrison and Robinson. Total, 3.

Senator Harrison came into the session at this time.

Third Reading of House Bill No. 849, entitled: "An Act relating to foreign corporations and amending Section 8395 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Robinson. Total, 2.

Third Reading of House Bill No. 855, as amended, entitled: "An Act relating to foreign corporations and amending Section 8391 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Duarte,

the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Robinson. Total, 2.

Third Reading of House Bill No. 881, entitled: "An Act relating to the Employees' Retirement System of the Territory of Hawaii and amending Section 708 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Robinson. Total, 2.

Third Reading of House Bill No. 945, as amended, entitled: "An Act amending Section 351 of the Revised Laws of Hawaii 1945, as amended, relating to the expenditure of public money":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Robinson. Total, 2.

Third Reading of House Bill No. 1030, entitled: "An Act relating to the Board of Water Supply of the County of Hawaii":

Senator Okino offered the following amendment:

"Amend House Bill No. 1030 in the following respects:

Delete the two quoted subparagraphs of said Bill and insert in lieu thereof the following:

'The manager shall be subject to the provisions of chapter 3.

The manager shall appoint such subordinates, assistants and employees as may be necessary for the proper conduct of the business of the board and such subordinates, assistants and employees shall be subject to the provisions of chapters 2 and 3.'"

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the amendment was adopted.

Upon motion by Senator Okino, seconded by Senator Nobriga, the bill, as amended, passed Third Reading in the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Robinson. Total, 2.

Third Reading of House Bill No. 1096, entitled: "An Act relating to governmental office buildings in the county of Hawaii and providing for the construction and financing thereof":

deferred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on the bill was further deferred until Monday, May 7th.

Third Reading of House Bill No. 1112, entitled: "An Act amending Section 4839 of the Revised Laws of Hawaii 1945, as amended, relating to fraudulent or improper obtaining of public assistance":

Upon motion by Senator Crockett, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Robinson. Total, 2.

Third Reading of House Bill No.1113, entitled: "An Act amending Section 4843 of the Revised Laws of Hawaii 1945, relating to penalties for frauds in connection with public assistance":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Robinson. Total, 2.

Third Reading of House Bill No. 1136, entitled: "An Act amending Section 359 of the Revised Laws of Hawaii 1945, relating to hours of labor and computation of wages on public work of the Territory or any political subdivision thereof":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Robinson. Total, 2.

RECONSIDERATION OF REFERENCE OF HOUSE BILL NO. 206:

Under suspension of the Rules, Senator Crockett moved that the Senate reconsider its action in referring House Bill No. 206 to the Committee on Judiciary. Seconded by Senator Lee, and carried.

SECOND READING OF HOUSE BILL NO. 206:

Second Reading of House Bill No. 206:

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the bill was referred to the Committee on Ways and Means.

MESSAGE FROM THE GOVERNOR:

A Message from the Acting Governor (Gov. Message No. 24), returning House Bill No. 562 to the Senate for the purpose of making certain corrections therein, pursuant to House Concurrent Resolution No. 71, was read as follows:

(Gov. Message No. 24)

The Message was received and placed on file.

HOUSE BILL NO. 562 PASSES FINAL READING:

Consideration of House Bill No. 562, entitled: "An Act

relating to the availability for inspection and extract of books and records of offices and departments of the counties of Hawaii, Kauai, and Maui", recalled from the Governor for the purpose of making certain corrections therein:

Senator Ansai offered the following amendments to the bill:

> "Amend House Bill No. 562 by adding a new section to be numbered Section 2 to read as follows:
>
> 'SECTION 2. Nothing in this Act shall be construed to authorize or permit the inspection or copying of any books or records or papers relating to applicants or recipients of public assistance, or records in any county hospital or county health department which were based upon information pertaining to applicants for or recipients of public assistance.'
>
> Re-number Section 2 so that the same shall be 'SECTION 3'".

Upon motion by Senator Ansai, seconded by Senator Fernandes, and carried, the amendments were adopted.

Upon motion by Senator Ansai, seconded by Senator Fernandes, the bill, as amended, passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Robinson. Total, 2.

COMMUNICATION FROM THE HOUSE:

A communication from the House (H. Com. No. 631), transmitting House Bill No. 750, which passed Third Reading in the House of Representatives of May 5, 1951, was read, received and placed on file.

FIRST READING OF HOUSE BILL:

H. B. No. 750, entitled: "An Act to amend the penalty for violations of Chapter 262 of the Revised Laws of Hawaii 1945, relating to gambling and lotteries":

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the bill passed First Reading by title and was placed on the calendar for Second Reading on Monday, May 7th.

HOUSE COMMUNICATIONS RETURNING SENATE BILLS AND JOINT RESOLUTIONS:

The following communications from the House of Representatives, returning Senate Bills and Senate Joint Resolutions which had passed Third Reading in the House of Representatives on May 5, 1951, were read, received and placed on file:

H. Com. No. 632, returning Senate Bill No. 458;

H. Com. No. 633, returning Senate Bill No. 495;

H. Com. No. 634, returning Senate Bill No. 521;

H. Com. No. 635, returning Senate Bill No. 533;

H. Com. No. 636, returning Senate Bill No. 558;

H. Com. No. 637, returning Senate Bill No. 544;

H. Com. No. 638, returning Senate Bill No. 572;

H. Com. No. 639, returning Senate Bill No. 576;

H. Com. No. 640, returning Senate Bill No. 577;

H. Com. No. 641, returning Senate Joint Resolution No. 13;

H. Com. No. 642, returning Senate Joint Resolution No. 41.

HOUSE COMMUNICATIONS RETURNING SENATE CONCURRENT RESOLUTIONS:

The following communications from the House, returning Senate Concurrent Resolutions adopted by the House of Representatives on May 5, 1951, were read, received and placed on file:

H. Com. No. 643, returning Senate Concurrent Resolution No. 17;

H. Com. No. 644, returning Senate Concurrent Resolution No. 21.

HOUSE COMMUNICATIONS RETURNING SENATE BILLS AND JOINT RESOLUTIONS, AMENDED.

A communication from the House (H. Com. No. 645), returning

Senate Bill No. 31, in an amended form, was read as follows:

(H. Com. No. 645)

The communication was received and placed on file.

Senator Capellas moved that action on the bill in the amended form be deferred until Monday, May 7th. Seconded by Senator Ansai, and carried.

A communication from the House (H. Com. No. 646), returning Senate Bill No. 444 in an amended form, was read as follows:

(H. Com. No. 646)

The communication was received and placed on file.

Senator Dillingham moved that the Senate do not concur in the amendments proposed by the House, and that a Conference Committee be appointed for the consideration of said amendments. Seconded by Senator Fernandes and carried.

The President thereupon appointed Senators Dillingham, Heen and Lee as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 647), returning Senate Bill No. 491, in an amended form, was read as follows:

(H. Com. No. 647)

The communication was received and placed on file.

Senator Ansai moved that the Senate do not concur in the amendments proposed by the House, and that a Conference Committee be appointed for the consideration of said amendments. Seconded by Senator Fernandes, and carried.

The President thereupon appointed Senators Ansai, Nobriga and Fernandes as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 648), returning Senate Bill No. 420, in an amended form, was read as follows:

(H. Com. No. 648)

The communication was received and placed on file.

Senator Crockett moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Lee, and carried; and Senate Bill No. 420, in the amended form, entitled: "An Act to amend Chapter 74 of the Revised Laws of Hawaii 1945, as amended, relating to employment security", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Robinson. Total, 2.

A communication from the House (H. Com. No. 649), returning Senate Bill No. 407, in an amended form, was read as follows:

(H. Com. No. 649)

The communication was received and placed on file.

Senator Dillingham moved that the Senate do not concur in the amendments proposed by the House and that a Conference Committee be appointed for the consideration of the said amendments. Seconded by Senator Lee, and carried.

The President thereupon appointed Senators Dillingham, Heen and Robinson as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No.650), returning Senate Bill No. 519, with an amendment, was read as follows:

(H. Com. No. 650)

The communication was received and placed on file.

Senator Crockett moved that the Senate concur in the amendment proposed by the House. Seconded by Senator Dillingham, and carried; and Senate Bill No. 519, as amended, entitled: "An Act to provide for the preservation and promotion of the public health, safety and welfare in the event of Territorial emergencies resulting from disruptions of service in the stevedoring industry (herein defined to include terminal and other related services), providing for the seizure and operation of the plant and facilities, including related facilities, of stevedoring companies by the government during such emergencies, making appropriations and providing other funds for such government operations, prohibiting interference with government operations and providing penalties and remedies therefor, and repealing Acts 2, 3 and 62 of the Special Session Laws of Hawaii 1949", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Aguiar and Robinson. Total, 2.

At 3:00 o'clock p.m., Senator Robinson came into the session.

A communication from the House (H. Com. No. 651), returning Senate Bill No. 534 in an amended form, was read as follows:

(H. Com. No. 651)

The communication was received and placed on file.

Senator Dillingham moved that the Senate do not agree with the amendments proposed by the House, and that a Conference Committee be appointed by the President for the consideration of said amendments. Seconded by Senator Lee, and carried.

The President thereupon appointed Senators Dillingham, Harrison and Capellas as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 652), returning Senate Joint Resolution No. 8, with an amendment, was read as follows:

(H. Com. No. 652)

The communication was received and placed on file.

Senator Crockett moved that the Senate concur in the amendment proposed by the House. Seconded by Senator Heen, and carried; and Senate Joint Resolution No. 8, as amended, passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

RESOLUTION OFFERED:

Senator Lee offered a Resolution (S. Res. No. 76), extending the hearty congratulations of the Senate to the Honorable Oren E. Long, on his appointment as Governor of Hawaii,

wishing him happiness and success in his administration of the Territory; and expressing the pleasure of the members of the Senate in being able to attend the inaugural ceremonies on May 8th, marking the formal beginning of his service as Governor of Hawaii, which was read as follows:

(S. Res. No. 76)

Upon motion by Senator Lee, seconded by Senator Heen, and carried, the Resolution was unanimously adopted.

REPORTS OF COMMITTEES:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 384), recommending the passage of House Bill No. 898, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 384)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 898, as amended, passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. No. 385), recommending the passage of House joint Resolution No. 53, which was read as follows:

(Stand. Com. Rep. No. 385)

Upon motion by Senator Nobriga, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Joint Resolution No. 53 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Nobriga, for the Committee on Public Lands, presented a report ( Stand. Com. Rep. No. 386), recommending the passage of House Joint Resolution No. 18, which was read as follows:

(Stand. Com. Rep. No. 386)

Upon motion by Senator Nobriga, seconded by Senator Lee, the report of the Committee was adopted. House Joint Reso-

lution No. 18 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 387), recommending the passage of House Bill No. 924, which was read as follows:

(Stand. Com. Rep. No. 387)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 924 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 388), recommending the passage of House Bill No. 743, which was read as follows:

(Stand. Com. Rep. No. 388)

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 743 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 389), recommending the adoption of House Concurrent Resolution No. 17 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 389)

Upon motion by Senator Lee, seconded by Senator Ansai, and carried, action on the Concurrent Resolution as amended was deferred until Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 390), recommending the passage of House Bill No. 2, which was read as follows:

(Stand. Com. Rep. No. 390)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 2 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 391), recommending the passage of House Bill No. 948, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 391)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 948 passed Second Reading in the amended form and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 392), recommending the passage of Senate Joint Resolution No. 62 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 392)

Upon motion by Senator Hill, seconded by Senator Capellas, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 62 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 393), recommending the passage of House Bill No. 731, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 393)

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 731 passed Second Reading, as amended, and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 394), recommending the passage of House Bill No. 729, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 394)

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 729 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 395), recommending the passage of House Bill No. 61, which was read as follows:

(Stand. Com. Rep. No. 395)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 61 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 396), recommending the passage of House Bill No. 524, which was read as follows:

(Stand. Com. Rep. No. 396)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 524 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 397), recommending the passage of House Bill No. 7, which was read as follows:

(Stand. Com. Rep. No. 397)

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. House

Bill No. 7 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 398), recommending the passage of House Joint Resolution No. 55, which was read as follows:

(Stand. Com. Rep. No. 398)

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. House Joint Resolution No. 55 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 399), recommending the passage of House Bill No. 725, which was read as follows:

(Stand. Com. Rep. No. 399)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 725 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 400), recommending the passage of House Bill No. 728, which was read as follows:

(Stand. Com. Rep. No. 400)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 728 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 401) recommending the passage of

House Bill No. 597, and the filing of Senate Bill No. 302 on the same subject matter, which was read as follows:

(Stand. Com. Rep. No. 401)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 597 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th, and Senate Bill No. 302 was placed on file.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 402), recommending the passage of House Bill No. 287, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 402)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 287 passed Second Reading in the amended form and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 403), recommending the passage of House Bill No. 873, which was read as follows:

(Stand. Com. Rep. No. 403)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 873 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 404), recommending the passage of House Bill No. 872, which was read as follows:

(Stand. Com. Rep. No. 404)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 872 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Sematpr Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 405), recommending the passage of House Bill No. 875, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 405)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 875 passed Second Reading, as amended, and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 406), recommending the passage of House Bill No. 679, which was read as follows:

(Stand. Com. Rep. No. 406)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 679 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 407), recommending the passage of House Bill No. 1125, which was read as follows:

(Stand. Com. Rep. No. 407)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 1125 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 408), recommending the passage of

House Bill No. 592, and the filing of Senate Bill No. 299, on the same subject matter, which was read as follows:

(Stand. Com. Rep. No. 408)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 592 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th; and Senate Bill No. 299 was placed on file.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 409), recommending the passage of House Bill No. 251, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 409)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 251 passed Second Reading in the amended form and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 410), recommending the passage of House Bill No. 1066, which was read as follows:

(Stand. Com. Rep. No. 410)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 1066 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 411), recommending the passage of House Bill No. 610, and the filing of Senate Bill No. 296 on the same subject matter, which was read as follows:

(Stand. Com. Rep. No. 411)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 610 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th, and Senate Bill No. 296 was placed on file.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 412), recommending the passage of House Bill No. 74, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 412)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 74 passed Second Reading, as amended, and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 413), recommending the passage of House Bill No. 594 and the filing of Senate Bill No. 301, on the same subject matter, which was read as follows:

(Stand. Com. Rep. No. 413)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 594 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th, and Senate Bill No. 301 was placed on file.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 414), recommending the passage of House Bill No. 727, which was read as follows:

(Stand. Com. Rep. No. 414)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 727 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 415), recommending the passage of House Bill No. 53, with certain amendments, which was read by the Clerk as follows:

(Stand. Com. Rep. No. 415)

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. House Bill No. 53 passed Second Reading, as amended, and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 416), recommending the passage of House Bill No. 733, which was read as follows:

(Stand. Com. Rep. No. 416)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 733 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 417), recommending the passage of House Bill No. 707, which was read as follows:

(Stand. Com. Rep. No. 417)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 707 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 418), recommending the passage of House Bill No. 99, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 418)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 99 passed Second Reading, as amended, and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 419), recommending the passage of House Bill No. 214, which was read as follows:

(Stand. Com. Rep. No. 419)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 214 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 420), recommending the passage of House Bill No. 26, which was read as follows:

(Stand. Com. Rep. No. 420)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 26 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 421), recommending the passage of House Bill No. 732, with certain amendments, which was read by the Clerk as follows:

(Stand. Com. Rep. No. 421)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 732 passed Second Reading, as amended, and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 422), recommending the passage of House Bill No. 535, which was read as follows:

(Stand. Com. Rep. No. 422)

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. House Bill No. 535 passed Second Reading and was placed on the calendar for Third Reading on Monday, May 7th.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 135), recommending the passage of Senate Bill No. 294, in an amended form, which was read as follows:

(Spec. Com. Rep. No. 135)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted. Senate Bill No. 294 passed Second Reading in the amended form, and was placed on the calendar for Third Reading on Monday, May 7th.

RECONSIDERATION OF REFERENCE OF HOUSE BILL NO. 558:

Under suspension of the Rules, Senator Nobriga moved that the Senate reconsider its action taken this morning, in referring House Bill No. 558 to the Committee on Ways and Means. Seconded by Senator Duarte, and carried.

Second Reading of House Bill No. 558:

Senator Nobriga thereupon moved that under suspension of the Rules, the bill be read throughout on Second Reading. Seconded by Senator Duarte, and carried.

The bill having been read throughout on Second Reading, Senator Nobriga moved that it pass Second Reading and thereafter be referred to the Committee on Ways and Means. Seconded by Senator Duarte, and carried.

Consideration of Senate Bill No. 536, recalled from the Governor, returned by the House in an amended form, action on which was deferred earlier on the calendar:

Senator Crockett moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Lee, and carried; and Senate Bill No. 536, as amended, entitled: "An Act relating to desertion and failure, neglect, or refusal to provide for support of wife or children; amending Section 12251 of the Revised Laws of Hawaii 1945", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Aguiar. Total, 1.

RECONSIDERATION OF ACTION IN REQUESTING THE RETURN OF SENATE CONCURRENT RESOLUTION NO. 51 FOR FURTHER CONSIDERATION:

Senator Nobriga moved that the Senate reconsider its action taken yesterday in requesting the House of Representatives to return Senate Concurrent Resolution No. 51 to the Senate for further consideration. Seconded by Senator Okino, and carried. The Clerk was instructed to inform the House of Representatives of the reconsideration of the action of the Senate.

At 3:48 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Dillingham, and carried, the Senate adjourned until 9:00 o'clock a.m., on Monday, May 7, 1951.

Ellen L. Forsythe
Clerk of the Senate.

Approved:

Wilfred Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

SIXTY-SECOND Day

MONDAY, MAY 7, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SIXTY-SECOND DAY

Monday, May 7, 1951.

The Senate convened at 9:48 o'clock a.m., with President Tsukiyama presiding.

After Prayer by Chaplain Keala, the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Sixty-First Day.

DEPARTMENTAL COMMUNICATION:

A communication from the Secretary of Hawaii (Dept. Com. No. 89), informing the Senate that the Acting Governor had signed House Joint Resolution No. 64 as Joint Resolution 11, House Bill No. 437 as Act 42, House Bill No. 748 as Act 43, House Bill No. 804 as Act 44, House Bill No. 845 as Act 45, and House Bill No. 874 as Act 46, was read as follows:

(Dept. Com. No. 89)

The communication was received and placed on file.

REPORTS OF COMMITTEES:

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 423), reporting that all matters referred to it had been mimeographed and were ready for distribution, was read, received and placed on file.

Senator Capellas, for the Committee on Accounts and Public Expenditures, presented a report (Stand. Com. Rep. No. 424), reporting on the Accounts of the Senate as of this date, which was read as follows:

(Stand. Com. Rep. No. 424)

Upon motion by Senator Capellas, seconded by Senator Fernandes, and carried, the report of the Committee was adopted.

Senator Crockett, for the Committee on Military, presented a report (Stand. Com. Rep. No. 425), recommending the adoption of Senate Concurrent Resolution No. 37, which was read as follows:

(Stand. Com. Rep. No. 425)

Upon motion by Senator Crockett, seconded by Senator Ansai, and carried, the report of the Committee was adopted, thereby adopting Senate Concurrent Resolution No. 37, urging the Congress of the United States to adopt House Concurrent Resolution 64 now pending before said Congress, relating to the foreign policy of the United States.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand. Com. Rep. No. 426), recommending the passage of House Joint Resolution No. 36 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 426)

Upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, the report of the Committee was adopted. House Joint Resolution No. 36 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

AMENDMENTS TO SENATE BILL NO. 31 AGREED TO:

Consideration of amendments proposed by the House to Senate Bill No. 31, deferred from May 5th - on special order:

Senator Capellas moved that the Senate concur in the amendments proposed by the House to Senate Bill No. 31. Seconded by Senator Ansai, and carried; and Senate Bill No. 31, as amended, entitled: "An Act relating to Police Departments, Counties of Hawaii, Maui and Kauai, and amending Chapter 122A of the Revised Laws of Hawaii 1945, and Act 212 (Series B-106) of the Session Laws of Hawaii 1947", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

HOUSE CONCURRENT RESOLUTION NO. 17 ADOPTED:

Consideration of Standing Committee Report No. 389, from the Committee on Public Lands, recommending the adoption of House Concurrent Resolution No. 17 in an amended form, deferred from May 5th - on special order:

Upon motion by Senator Nobriga, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and House Concurrent Resolution No. 17, in the amended form, was adopted.

SECOND READING OF HOUSE BILLS:

Second Reading of House Bill No. 547: The bill was referred to the Committee on Ways and Means.

Second Reading of House Bill No. 750: The bill was referred to the Committee on Judiciary.

Second Reading of House Bill No. 876: The bill was referred to the Committee on Judiciary.

THIRD READINGS:

Third Reading of Senate Bill No. 294, as amended, entitled: "An Act amending Chapter 129 of the Revised Laws of Hawaii 1945, as amended, by amending Sections 6704, 6705, 6712 and 6724, relating to highways and improvement by assessment":

Upon motion by Senator Dillingham, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Joint Resolution No. 15, as amended, entitled: "Joint Resolution requesting the Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act, relating to the Commissioner of Public Lands", with pending amendment offered by Senator Aguiar on April 20th, deferred from May 5th:

Upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, the Joint Resolution, together with the pending amendment, were recommitted to the Committee on Public Lands.

Third Reading of Senate Joint Resolution No. 62, as amended, entitled: "Joint Resolution relating to the Pacific War Memorial Commission, and making an appropriation":

Upon motion by Senator Dillingham, seconded by Senator Lee, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 2, entitled: "An Act making an appropriation for the purposes of Act 365 of the Session Laws of 1949, relating to Statehood for Hawaii":

Upon motion by Senator Ansai, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Hill. Total, 1.

Third Reading of House Bill No. 7, entitled: "An Act amending Joint Resolution 5, Special Session Laws of Hawaii 1949, relating to the Commission on Subversive Activities, and making an appropriation":

Upon motion by Senator Hill, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 26, entitled: "An Act to amend Act 73 of the Session Laws of Hawaii 1947 relating to Federal Aid Highways in the County of Hawaii and making appropriations therefor":

Upon motion by Senator Hill, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 53, as amended, entitled: "An Act to amend Title 14 of the Revised Laws of Hawaii 1945, as amended, by amending Sections 5475 and 5385 of the Revised Laws of Hawaii 1945, and by adding thereto two new sections to be designated Sections 5360 and 5542, all relating to the creation of a lien on land for unpaid taxes, penalties and interest":

Upon motion by Senator Dillingham, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 61, entitled: "An Act to amend Section 12728 of the Revised Laws of Hawaii 1945, as amended, relating to the fees of the Bureau of Conveyances":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 74, as amended, entitled: "An Act relating to public improvements and amending Act 401 (Series E-325) of the Session Laws of Hawaii 1949":

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, action on the bill was deferred until tomorrow.

Third Reading of House Bill No. 99, as amended, entitled: "An Act making available an appropriation from the general revenues of the Territory for the claim of Emil Carreira and Dolinda Carreira, parents of Robert Carreira, deceased, or his personal representative, for the death of said Robert Carreira":

Upon motion by Senator Dillingham, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 214, entitled: "An Act making an appropriation for the rehabilitation of the Nene (Hawaiian Goose)":

Upon motion by Senator Ansai, seconded by Senator Robinson, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 251, as amended, entitled: "An Act to amend Chapter 108 of the Revised Laws of Hawaii 1945, relating to the vehicle weight tax, by amending Sections 5704, 5706 and 5707 thereof":

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 287, as amended, entitled: "An Act to amend Section 5146 of the Revised Laws of Hawaii 1945, as amended, by Act 79 of the Session Laws of Hawaii 1945, relating to the records of assessed valuations of real property":

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Senator Heen, having voted to pass the bill on Third Reading, moved that the Senate reconsider its action in passing House Bill No. 287, as amended, on Third Reading. Seconded by Senator Fernandes, and carried.

Consideration, on Third Reading, of House Bill No. 287, as amended, entitled: "An Act to amend Section 5146 of the Revised Laws of Hawaii 1945, as amended, by Act 79 of the Session Laws of Hawaii 1945, relating to the records of assessed valuations of real property", upon reconsideration:

Senator Heen offered the following amendment to the bill:

"Amend House Bill No. 287 SD 1, as follows:

Delete the 'comma' following the word 'amended" in line 2 of the title".

Senator Heen moved for the adoption of the amendment. Seconded by Senator Fernandes, and carried;

Senator Heen then moved that the amended bill, as further amended, pass Third Reading. Seconded by Senator Fernandes;

and House Bill No. 287, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 380, entitled: "An Act amending Section 552, Revised Laws of Hawaii 1945, relating to sick leaves and providing that the administration thereof shall be on a calendar year basis":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 413, entitled: "An Act relating to the retirement system and amending Section 708 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Dillingham, seconded by Senator Crockett, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 430, entitled: "An Act to amend Chapter 135, Revised Laws of Hawaii 1945, relating to firearms and the possession, transfer and registration thereof, and providing penalties":

Senator Crockett moved for the passage of the Bill on Third Reading. Seconded by Senator Dillingham.

Senator Capellas moved that action on the bill be deferred until tomorrow. Seconded by Senator Aguiar.

Senator Hill moved that the motion to defer action on the bill until tomorrow be tabled. Seconded by Senator Lee.

A Roll Call being demanded, the motion to table the motion to defer action on the bill until tomorrow, was put, and lost, on the following showing of Ayes and Noes:

Ayes: Senators Crockett, Dillingham, Heen, Hill and Lee. Total, 5.

Noes: Senators Aguiar, Ansai, Capellas, Duarte, Fernandes, Harrison, Nobriga, Okino, Robinson and Mr. President. Total, 10.

Senator Fernandes then renewed the motion to defer action on the bill until tomorrow. Seconded by Senator Capellas, and carried.

Third Reading of House Bill No. 494, entitled: "An Act relating to certificates of Hawaiian birth and amending Section 12910 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Dillingham, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 524, entitled: "An Act to amend Section 3906 of the Revised Laws of Hawaii 1945, as amended, relating to the duties of jailors":

Upon motion by Senator Duarte, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 535, entitled: "An Act relating to fees for license to drive certain licensed vehicles and amending Section 7131 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Duarte, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 592, entitled: "An Act to amend Section 7079 of the Revised Laws of Hawaii 1945, relating to licensing fee for restaurant":

Senator Heen moved that the bill be referred to the Committee on Judiciary. Seconded by Senator Hill, and carried.

Third Reading of House Bill No. 594, entitled: "An Act to amend Sections 7073 and 7074 of the Revised Laws of Hawaii 1945, relating to county licenses for the manufacture or preparation of food products intended for sale and for human consumption":

Upon motion by Senator Hill, seconded by Senator Aguiar, and carried, the bill was referred to the Committee on Judiciary.

Third Reading of House Bill No. 597, entitled: "An Act to amend Section 7085 of the Revised Laws of Hawaii 1945, relating to county licenses for producing, processing or otherwise preparing milk intended for sale and for human consumption":

Upon motion by Senator Ansai, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Duarte. Total, 1.

Third Reading of House Bill No. 610, entitled: "An Act to amend Sections 7117 and 7119 of the Revised Laws of Hawaii 1945, relating to county licenses for solicitors":

Upon motion by Senator Hill, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 679, entitled: "An Act amending Section 8661 of the Revised Laws of Hawaii 1945, as amended, relating to investments of trust companies":

Upon motion by Senator Heen, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 707, entitled: "An Act making an appropriation for the Department of Institutions":

Upon motion by Senator Hill, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 725, entitled: "An Act amending Sections 5141, 5154, as amended, and 5166, of the Revised Laws of Hawaii 1945, relating to taxation of real property":

Upon motion by Senator Duarte, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 727, entitled: "An Act relating to taxation, amending Chapters 94 and 95 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Duarte, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 728, entitled: "An Act relating to disputed Territorial claims, including disputed taxes and other moneys representing claims in favor of the Territory, amending Sections 1575, 5219, 5535, and 10482 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Hill, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 729, as amended, entitled: "An Act to amend Chapter 101 of the Revised Laws of Hawaii 1945, relating to the general excise tax, by amending Sections 5449, 5451, 5455.02, 5461 and 5478, and by adding two new sections 5451.01 and 5476.01 further relating to the administration and collection of the tax":

Upon motion by Senator Hill, seconded by Senator Fernandes, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 731, as amended, entitled: "An Act relating to taxation, making amendments of Sections 5371, 5372, 5376, 5378 and 5387 of Chapter 99, also further amendments of said Chapter 99 to provide for the collection of the consumption tax by sellers, the duties and liabilities of sellers, and penal offenses connected therewith":

Upon motion by Senator Hill, seconded by Senator Ansai, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 732, as amended, entitled: "An Act to amend Chapter 102 of the Revised Laws of Hawaii 1945, as amended, relating to income taxes, by amending Sections 5501, 5502, 5506, 5508, 5511, 5516, and 5524 thereof":

Senator Hill offered the following amendment to the bill:

> "Amend the clause reading 'owned by the taxpayer in this Territory on connection with such trade or business', in paragraph (a) of subsection (4) of the quoted 'Sec. 5511', in Section 5 of the bill, to read as follows:
>
> 'owned by the taxpayer in this Territory on the last day of the taxable year in connection with such trade or business'".

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the amendment was adopted.

Upon motion by Senator Hill, seconded by Senator Ansai, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 733, entitled: "An Act to amend Chapter 98 of the Revised Laws of Hawaii 1945, relating to the compensation and dividends tax":

Upon motion by Senator Aguiar, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 743, entitled: "An Act relating to fences":

Senator Lee moved that action on the bill be deferred until tomorrow. Seconded by Senator Nobriga, and carried.

Third Reading of House Bill No. 816, as amended, entitled: "An Act to amend Chapter 138 of the Revised Laws of Hawaii 1945, as amended, relating to the registration of vehicles":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 872, entitled: "An Act relating to public assistance to the blind, and amending Sections 4821, 4848, and 4850, as amended, of the Revised Laws of Hawaii 1945":

Upon motion by Senator Hill, seconded by Senator Harrison, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 873, entitled: "An Act amending Part II of Chapter 85 of the Revised Laws of Hawaii 1945, as amended, and relating to aid to the permanently and totally disabled":

Upon motion by Senator Aguiar, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 875, as amended, entitled: "An Act relating to public assistance to the blind, and amending Section 4834 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Duarte, seconded by Senator Fernandes, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 898, as amended, entitled: "An Act to amend Section 9757 of the Revised Laws of Hawaii 1945, as amended, relating to fees and expenses of executors, administrators, trustees and guardians":

Senator Crockett offered the following further amendment to the bill, as amended:

"Delete from the next to the last line of subparagraph (a) of Section 1 of the bill, following the word 'but', the words 'said rate of seven per centum to be applied'".

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the amendment was adopted.

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: Senators Aguiar and Fernandes. Total, 2.

Third Reading of House Bill No. 924, entitled: "An Act amending the third paragraph of Section 4517 of the Revised Laws of Hawaii 1945, relating to public lands and fees for consents to assign, sublet, mortgage or transfer interests in the same":

Upon motion by Senator Nobriga, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 948, as amended, entitled: "An Act relating to taxation and amending Title 14 of the Revised Laws of Hawaii 1945, as amended, by adding thereto a new chapter, to be known as the invoice tax law, by repealing Chapter 98.01, and by amending Chapters 96, 99 and 101":

Upon motion by Senator Hill, seconded by Senator Ansai, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Robinson and Mr. President. Total, 11.

Noes: Senators Aguiar, Lee, Nobriga and Okino. Total, 4.

Third Reading of House Bill No. 1066, entitled: "An Act relating to taxation and amending Chapter 100 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 1096, entitled: "An Act relating to governmental office buildings in the county of Hawaii and providing for the construction and financing thereof", deferred from May 5th:

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, action on the bill was further deferred until tomorrow.

Third Reading of House Bill No. 1125, entitled: "An Act relating to the inheritance tax and amending Section 5574 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Crockett, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Joint Resolution No. 18, entitled: "Joint Resolution requesting the Congress of the United States of America to amend the Hawaiian Organic Act to permit sale of lands to farmers qualified for Bankhead-Jones Act loans":

Upon motion by Senator Duarte, seconded by Senator Capellas, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Joint Resolution No. 53, entitled: "Joint Resolution authorizing the conveyance to the United States of America of a portion of the lands of the campus of the University of Hawaii":

Upon motion by Senator Duarte, seconded by Senator Ansai, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Joint Resolution No. 55, entitled: "Joint Resolution memorializing Congress to authorize the issuance of public improvement bonds by the county of Maui without regard to the limitations imposed by the Hawaiian Organic Act":

Upon motion by Senator Lee, seconded by Senator Okino, and carried, action on the joint resolution was deferred until tomorrow.

REPORTS OF COMMITTEES:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 427), recommending the passage of House Bill No. 561, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 427)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 561 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 428), recommending the passage of House Bill No. 1025, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 428)

Upon motion by Senator Dillingham, seconded by Senator Heen, and carried, the report of the Committee was adopted.

House Bill No. 1025, as amended, passed Second Reading, and was placed on the calendar for Third Reading tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 429), recommending the filing of House Bill No. 339 for the reasons set forth in the report, which was read as follows:

(Stand. Com. Rep. No. 429)

Upon motion by Senator Robinson, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and House Bill No. 339 was thereupon placed on file.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 430), recommending the amendment of House Bill No. 1024 in certain respects and submitting the bill in an amended form, with the recommendation that it be referred to the Committee on Ways and Means, which was read as follows:

(Stand. Com. Rep. No. 430)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 1024, as amended by the amended form, was referred to the Committee on Ways and Means.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 431), recommending the passage of House Bill No. 58, which was read as follows:

(Stand. Com. Rep. No. 431)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 58 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 432), recommending the passage of House Bill No. 59, which was read as follows:

(Stand. Com. Rep. No. 432)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 59 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 433), recommending the passage of House Bill No. 342, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 433)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 342 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 434), recommending the passage of House Bill No. 528, which was read as follows:

(Stand. Com. Rep. No. 434)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 528 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 435), recommending the passage of House Bill No. 542, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 435)

Senator Crockett, moved for the adoption of the report. Seconded by Senator Lee, and carried; and House Bill No. 542, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 436), recommending the filing of House Bill No. 549, which was read as follows:

(Stand. Com. Rep. No. 436)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 549 was thereupon placed on file.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 437), recommending the passage of House Bill No. 763, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 437)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 763, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 438), recommending the passage of House Bill No. 1026, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 438)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 1026 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 439), recommending the passage of House Bill No. 1054, with certain amendments, and further recommending that the said bill, as amended, be then referred to the Committee on Ways and Means, which was read as follows:

(Stand. Com. Rep. No. 439)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 1054 passed Second Reading, as amended, and thereupon referred to the Committee on Ways and Means for further consideration.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 440), recommending the passage of House Bill No. 1056, which was read as follows:

(Stand. Com. Rep. No. 440)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 1056 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 441), recommending the passage of House Bill No. 1057, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 441)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 1057 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 442), recommending the passage of House Bill No. 259, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 442)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 259 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 443), recommending the adoption of House Concurrent Resolution No. 37, which was read as follows:

(Stand. Com. Rep. No. 443)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted; and House Concurrent Resolution No. 37 was thereupon adopted.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 444), recommending the filing of House Bill No. 182, which was read as follows:

(Stand. Com. Rep. No. 444)

Upon motion by Senator Robinson, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and House Bill No. 182 was thereupon placed on file.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 445), recommending the amendment of House Bill No. 1027, and submitting the bill in an amended form, with the recommendation that it be referred to the Committee on Ways and Means, which was read as follows:

(Stand. Com. Rep. No. 445)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 1027, in the amended form, was thereupon referred to the Committee on Ways and Means.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 446), recommending the passage of House Bill No. 560, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 446)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 560 passed Second Reading in the amended form, and was placed on the calendar for Third Reading tomorrow.

At 11:07 o'clock a.m., the Senate stood in recess, subject to the call of the Chair.

At 11:35 o'clock a.m., the Senate reconvened.

At this time, Senator Lee was excused for the balance of this morning's session.

RECONSIDERATION OF ACTION ON HOUSE JOINT RESOLUTION NO. 55:

At this time, Senator Ansai moved that the Senate reconsider its action taken earlier today in deferring action on House Joint Resolution No. 55 until tomorrow. Seconded by Senator Crockett, and carried.

Consideration of House Joint Resolution No. 55, entitled: "Joint Resolution memorializing Congress to authorize the issuance of public improvement bonds by the County of Maui without regard to the limitations imposed by the Hawaiian Organic Act":

Upon motion by Senator Ansai, seconded by Senator Fernandes, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison Heen, Hill, Okino, Robinson and Mr. President. Total, 13.

Noes: Senators Lee and Nobriga. Total, 2.

Senator Dillingham, having voted with the majority to pass the joint resolution on Third Reading, at this time moved that the Senate reconsider its action in passing it on Third Reading. Seconded by Senator Harrison, and carried.

Senator Dillingham then moved that action on the joint Resolution be deferred until later on the calendar. Seconded by Senator Fernandes, and carried.

At 11:50 o'clock a.m., upon motion by Senator Aguiar, seconded by Senator Hill, and carried, the Senate stood in recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 1:50 o'clock p.m., with the President in the Chair, and all Senators being present.

COMMUNICATION FROM THE HOUSE:

A communication from the House (H. Com. No. 653), transmitting House Concurrent Resolution No. 72, adopted by the House of Representatives on May 7th, was read, received and placed on file.

HOUSE CONCURRENT RESOLUTION NO. 72 ADOPTED:

Consideration of House Concurrent Resolution No. 72, providing for a joint session of the two Houses of the Legislature to listen to an address by the Honorable Dale E. Doty, Assistant Secretary of the Interior and by the Honorable Emil Sady, Chief, Pacific Division, Office of Territories, Department of the Interior, on May 8, 1951, at 2:00 o'clock in the afternoon, in the Assembly Hall of the House of Representatives, which was read as follows:

(H. Con. Res. No. 72)

Upon motion by Senator Aguiar, seconded by Senator Capellas, and carried, the Concurrent Resolution was adopted.

CONCURRENT RESOLUTION OFFERED:

Senator Aguiar offered a Concurrent Resolution (S. Con. Res. No. 53), "requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act relating to leases of pastoral and waste lands":

Upon motion by Senator Aguiar, seconded by Senator Nobriga, and carried, the Concurrent Resolution was ordered printed and action thereon deferred until tomorrow.

COMMITTEE OF THE WHOLE MEETINGS AND REPORTS:

At this time, Senator Aguiar moved that the Senate resolve itself into a Committee of the Whole, in Executive Session, for the consideration of Senate Bills Nos. 176, 352, 359, 389, 451, 474, 483, 484, 499 and 504, and House Bills Nos. 102, 130, 159, 184, 207, 257, 316, 351, 402, 422, 461, 487, 571, 596, 638, 691, 705, 718, 719, 720, 767, 774, 847, 886, 887, 902, 910, 939, 959, 993, 1003 and

1086, relating to pensions. Seconded by Senator Fernandes, and carried; and at 1:53 o'clock p.m., the Senate resolved itself into a Committee of the Whole, in Executive Session, for such purpose, with Senator Aguiar as Chairman.

At 2:25 o'clock p.m., the Committee rose and the Senate reconvened.

Senator Aguiar, for the Committee of the Whole, having under consideration, all measures pending in the Senate relating to pensions, as above enumerated, reported orally, recommending the filing of the said bills.

Upon motion by Senator Aguiar, seconded by Senator Heen, and carried, the oral report of the Committee was adopted, a written report to be filed later; and the following bills were thereupon placed on file: Senate Bills Nos. 176, 352, 359, 389, 451, 474, 483, 484, 499 and 504, and House Bills Nos. 102, 130, 159, 184, 207, 257, 316, 351, 402, 422, 461, 487, 571, 596, 638, 691, 705, 718, 719, 720, 767, 774, 847, 886, 887, 902, 910, 939, 959, 993, 1003 and 1086.

At 2:28 o'clock p.m., upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the Senate resolved itself into a Committee of the Whole for the further consideration of the subject matter of Senate Resolution No. 41 relating to the sales and leases of public lands on the islands of Hawaii and Oahu, Senate Resolution No. 54, setting the time for the meeting on the subject matter of Senate Resolution No. 41, and Senate Resolution No. 58, requesting the Land Commissioner to map 1,000 acres of land at Lalamilo, Waimea, Hawaii in lots of not more than 20 acres each, with Senator Okino as Chairman.

At 3:05 o'clock p.m., the Committee rose and the Senate reconvened.

Senator Okino, for the Committee of the Whole, having under consideration the subject matter of Senate Resolutions Nos. 41, 54 and 58, relating to certain public lands in the Territory, orally reported progress and asked leave to file a written report tomorrow, at which time he would ask that the Committee of the Whole be discharged.

Upon motion by Senator Okino, seconded by Senator Dillingham, and carried, the oral report of the Committee was adopted, the written report to be filed tomorrow.

At this time, Senator Nobriga moved that the Senate reconsider its action in referring House Bill No. 918 to the Committee on Ways and Means. Seconded by Senator Okino, and carried.

Second Reading of House Bill No. 918, upon reconsideration:

Senator Nobriga moved that this bill be referred to the Committee of the Whole, of which he is Chairman, considering other measures relating to the same subject matter - the salaries of county officers, etc. Seconded by Senator Okino, and carried.

At 3:20 O'clock p.m., upon motion by Senator Nobriga, seconded by Senator Okino, and carried, the Senate resolved itself into a Committee of the Whole for the consideration of Senate Bills Nos. 44, 228, 315, 440 and 479, and House Bills Nos. 68, 109, 646, 690, 895, 918 and 1002, all relating to the salaries of county officers, etc., with himself as Chairman.

At 3:45 o'clock p.m., the Committee rose and the Senate reconvened.

Senator Nobriga, for the Committee of the Whole, having under consideration the above enumerated bills, relating to the salaries of county officers, etc., reported orally, rec-

ommending the filing of Senate Bills Nos. 44, 228, 315, 440 and 479; and further recommending that House Bill No. 895 be referred to the Committee on Ways and Means.

Upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, the oral report of the Committee was adopted. Senate Bills Nos. 44, 228, 315, 440 and 479 were thereupon placed on file, and House Bill No. 895 was referred to the Committee on Ways and Means.

Senator Nobriga, for the Committee of the Whole, presented as the report of the Committee of the Whole a report of the Subcommittee of said Committee of the Whole (Com. Whole Rep. No. 15), recommending that House Bill No. 109 in the amended form attached and House Bill No. 1008 in the amended form attached, pass Second Reading; and that House Bills Nos. 646 and 690 be placed on file, which was read as follows:

(Com. Whole Rep. No. 15)

Upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, the report of the Committee was adopted. House Bill No. 109 in the amended form, and House Bill No. 1008 in the amended form passed Second Reading and were placed on the calendar for Third Reading tomorrow; and House Bills Nos. 646 and 690 were thereupon placed on file.

Senator Nobriga, for the Committee of the Whole, presented as the report of the Committee of the Whole, the report of the Subcommittee of the Committee of the Whole (Com. Whole Rep. No. 16), recommending that House Bill No. 918 pass Second Reading in the amended form attached, which was read as follows:

(Com. Whole Rep. No. 16)

Upon motion by Senator Nobriga, seconded by Senator Fernandes,

and carried, the report of the Committee was adopted. House Bill No. 918 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga, for the Committee of the Whole, presented as the report of the Committee of the Whole, the report of the Subcommittee of the Committee of the Whole (Com. Whole Rep. No. 17), recommending the passage of House Bill No. 68 in the amended form attached, which was read as follows:

(Com. Whole Rep. No. 17)

Upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, the report of the Committee was adopted. House Bill No. 68 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

RECONSIDERATION OF REFERENCE OF HOUSE BILL NO. 212:

Under suspension of the Rules, Senator Crockett moved that the Senate reconsider its action in referring House Bill No. 212 to the Committee on Judiciary. Seconded by Senator Lee, and carried.

Senator Crockett thereupon moved that House Bill No. 212 be referred to the Committee on Ways and Means. Seconded by Senator Lee, and carried. House Bill No. 212 was returned to the Clerk's desk and so referred.

COMMITTEE REPORTS:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 447), recommending the passage of House Bill No. 509, which was read as follows:

(Stand. Com. Rep. No. 447)

Upon motion by Senator Crockett, seconded by Senator Hill, and carried, the report of the Committee was adopted. House Bill No. 509 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 448), recommending that House Joint Resolution No. 52 be referred to the Committee on Ways and Means for favorable consideration, which was read as follows:

(Stand. Com. Rep. No. 448)

Upon motion by Senator Robinson, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and House Joint Resolution No. 52 was thereupon referred to the Committee on Ways and Means.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 449), recommending the passage of House Bill No. 673, which was read as follows:

(Stand. Com. Rep. No. 449)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 673 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 450), recommending the passage of House Bill No. 179, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 450)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 179 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 136), recommending the passage of House Bill No. 1007 in an amended form, which was read as follows:

(Spec.. Com. Rep. No. 136)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 1007 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 55, DEFERRED:

Consideration of House Joint Resolution No. 55, as amended, on Third Reading, entitled: "Joint Resolution memorializing Congress to authorize the issuance of public improvement bonds by the County of Maui without regard to the limitations imposed by the Hawaiian Organic Act", deferred from earlier on the calendar:

Senator Ansai offered the following amendments to the joint resolution:

"Amend House Joint Resolution No. 55 in the following particulars:

1. Substitute for the word 'and' at the end of the penultimate recital, the words and punctuation 'now, therefore,'.

2. Delete the last recital.

3. Delete Sections 1, 2 and 3 and substitute the following sections:

'SECTION 1. The board of supervisors of the county of Maui is hereby empowered and authorized to issue bonds in the sum of one million five hundred thousand dollars ($1,500,000.00), provided, however, that the limitations and requirements in the Organic Act and chapter 117 of the Revised Laws of Hawaii 1945, as to the total bond indebtedness which may be incurred at any time or in any one year shall be waived as to bonds issued under this joint resolution. Said bonds shall be issued in accordance with the provisions of said chapter 117, except as above provided, and shall be serial bonds maturing in substantially equal annual installments, the first installment to mature not later than five (5) years from the date of the issue of such series, and the last installment not later than thirty (3) years from the date of such issue.

'SECTION 2. The moneys realized from such bond issue shall be expended as follows:

| | |
|---|---|
| Construction of new public school buildings | $1,000,000.00 |
| Flood control of Iao stream | 500,000.00 |

'SECTION 3. This joint resolution shall take effect immediately upon the enactment of legilsation by the Congress of the United States of America ratifying this joint resolution and authorizing such bond issue, notwithstanding the limitations of section 55 of the Organic Act of the Territory of Hawaii or any other law to the contrary.'".

Senator Ansai moved for the adoption of the amendments. Seconded by Senator Dillingham, and carried.

Upon motion by Senator Ansai, seconded by Senator Dillingham, the joint resolution, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Heen. Total, 1.

At 3:55 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

At 4:00 o'clock p.m., the Senate reconvened and thereupon, adjourned until 9:30 o'clock a.m., on Tuesday, May 8, 1951, upon motion by Senator Lee, seconded by Senator Fernandes, and carried.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

SIXTY-THIRD Day

TUESDAY, MAY 8, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SIXTY-THIRD DAY

Tuesday, May 8, 1951.

The Senate convened at 9:42 o'clock a.m., with the President presiding.

After Prayer by the Chaplain, the Roll was called showing all Senators present, with the exception of Senator Nobriga, temporarily excused.

The President announced that he had read and approved the Journal of the Sixty-Second Day.

DEPARTMENTAL COMMUNICATION:

A communication from the City and County Clerk, City and County of Honolulu (Dept. Com. No. 90), transmitting a certified copy of Resolution No. 225 adopted by the Board of Supervisors of said City and County, relating to the Employees Retirement System, was read, received and referred to the Committee on Ways and Means.

A communication from Honorable Joseph R. Farrington, Delegate to Congress from Hawaii (Misc. Com. No. 50), acknowledging receipt of Senate Concurrent Resolution No. 30, urging Congress to include in the current River and Harbor Development Appropriation Bill an item providing for a second entrace to Honolulu Harbor, was read, received and placed on file.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives, returning a Senate Bill and a Senate Joint Resolution which had passed Third Reading in the House of Representatives on May 7th, were read, received and placed on file:

H. Com. No. 654, returning Senate Bill No. 4;

H. Com. No. 655, returning Senate Joint Resolution No. 48.

A communication from the House (H. Com. No. 656), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 9, and that the bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 656)

The communication was received and placed on file.

A communication from the House (H. Com. No. 657), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 53, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 657)

The communication was received and placed on file.

A communication from the House (H. Com. No. 658), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 99, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 658)

The communication was received and placed on file.

A communication from the House (H. Com. No. 659), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 12[illegible], and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 659)

The communication was received and placed on file.

A communication from the House (H. Com. No. 660), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 251, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 660)

The communication was received and placed on file.

A communication from the House (H. Com. No. 661), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 287, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 661)

The communication was received and placed on file.

A communication from the House (H. Com. No. 662), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 577, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 662)

The communication was received and placed on file.

A communication from the House (H. Com. No. 663), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 816, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 663)

The communication was received and placed on file.

A communication from the House (H. Com. No. 664), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 855, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 664)

The communication was received and placed on file.

A communication from the House (H. Com. No. 665), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 898, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 665)

The communication was received and placed on file.

A communication from the House (H. Com. No. 666), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 986, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 666)

The communication was received and placed on file.

A communication from the House (H. Com. No. 667), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1030, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 667)

The communication was received and placed on file.

A communication from the House (H. Com. No. 668), informing the Senate that the House had adopted the report of the Committee on Conference on House Bill No. 454, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 668)

The communication was received and placed on file.

Senator Hill, for the Committee on Conference, on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 454, presented a report (Conf. Com. Rep. No. 7), recommending the Final passage of the bill as passed by the House, which was read as follows:

(Conf. Com. Rep. No. 7)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted, and House Bill No. 454, entitled: "An Act relating to the Kamehameha Day Celebration Commission and making an appropriation", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Nobriga. Total, 1.

A communication from the House (H. Com. No. 669), informing the Senate that the House had appointed Representatives Miyake, Porteus and Lydgate as Manager on the part of the House for the consideration of the amendments proposed by the House to Senate Bill No. 407, to which the Senate has disagreed, was read as follows:

(H. Com. No. 669)

The communication was received and placed on file.

A communication from the House (H. Com. No. 670), informing the Senate that the House had appointed Representatives Miyake, Porteus and Lydgate as Managers on the part of the House for the consideration of the amendments proposed by the House to Senate Bill No. 444, to which the Senate has disagreed, was read as follows:

(H. Com. No. 670)

The communication was received and placed on file.

A communication from the House (H. Com. No. 671), informing the Senate that the House had appointed Representatives Miyake, Porteus and Lydgate as Managers on the part of the House for the consideration of the amendments proposed by the House to Senate Bill No. 491, to which the Senate has disagreed, was read as follows:

(H. Com. No. 671)

The communication was received and placed on file.

A communication from the House (H. Com. No. 672), informing the Senate that the House had appointed Representatives Fukushima, Garcia and Henriques as Managers on the part of the House for the consideration of the amendments proposed by the House to Senate Bill No. 534, was read as follows:

(H. Com. No. 672)

The communication was received and placed on file.

REPORTS OF COMMITTEES:

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 451), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

Senator Aguiar, for the Committee of the Whole on Pensions, presented a report (Com. Whole Rep. No. 18), recommending the filing of Senate Bills Nos. 176, 352, 359, 389, 451, 474, 483, 484, 499, and 504; and House Bills Nos. 102, 130, 159, 184, 207, 257, 316, 351, 402, 422, 461, 487, 571, 596, 638, 691, 705, 718, 719, 720, 767, 774, 847, 886, 887, 902, 910, 939, 959, 993, 1003, and 1086; and House Joint Resolution No. 15, together with Resolutions Nos. 93 and 136 adopted by the Board of Supervisors of the City and County of Honolulu, and Resolution No. 142 adopted by said Board, all relating to pensions, which was read as follows:

(Com. Whole Rep. No. 18)

The report was received and placed on file, the oral report of the Committee having been adopted previously.

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 452), recommending the passage of House Bill No. 752, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 452)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted. House Bill No. 752 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Nobriga came into the session at this time.

RESOLUTION OFFERED:

Senator Hill, for the Committee on Ways and Means, offered a Resolution (S. Res. No. 77), requesting the House of Representatives to return House Bill No. 5 to the Senate for further consideration, which was read as follows:

(S. Res. No. 77)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the Resolution was adopted.

SENATE CONCURRENT RESOLUTION NO. 53 ADOPTED:

Consideration of Senate Concurrent Resolution No. 53, "requesting Congress of the United States of America to amend Section 73 of the Hawaiian Organic Act relating to leases of pastoral and waste lands", deferred from yesterday, on special order:

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the Concurrent Resolution was adopted.

RECESS DECLARED:

The hour of 10:00 o'clock approaching, which was the hour set for the ceremonies attendant upon the inauguration of the Honorable Oren E. Long as Governor of Hawaii, Senator Lee moved that the Senate stand in recess until 1:30 o'clock this afternoon, in order that the Senate might repair in a body to the platform constructed in front of the steps on the King Street side of Iolani Palace, where the members were to be seated with other dignitaries, including high-ranking Army, Navy and Marine Corps Officers, officials of the Territorial and City and County governments and other invited guests. The motion to recess was seconded by Senator Fernandes, and carried, and at 9:50 o'clock a.m., the Senate so stood in recess.

AFTERNOON SESSION

The Senate reconvened at 1:50 o'clock p.m., with the President in the Chair, and all members being present.

COMMUNICATIONS FROM THE HOUSE:

The following communications from the House of Representatives, returning a Senate Joint Resolution and Senate Bills which had passed Third Reading in the House on May 8th, were read, received and placed on file:

H. Com. No. 673, returning Senate Joint Resolution No. 54;

H. Com. No. 674, returning Senate Bill No. 77;

H. Com. No. 675, returning Senate Bill No. 101;

H. Com. No. 676, returning Senate Bill No. 202;

H. Com. No. 677, returning Senate Bill No. 203;

H. Com. No. 678, returning Senate Bill No. 260;

H. Com. No. 679, returning Senate Bill No. 343;

H. Com. No. 680, returning Senate Bill No. 423;

H. Com. No. 681, returning Senate Bill No. 434;

H. Com. No. 682, returning Senate Bill No. 448;

H. Com. No. 683, returning Senate Bill No. 457;

H. Com. No. 684, returning Senate Bill No. 462;

H. Com. No. 685, returning Senate Bill No. 514;

H. Com. No. 686, returning Senate Bill No. 530;

H. Com. No. 687, returning Senate Bill No. 566;

H. Com. No. 688, returning Senate Bill No. 578.

A communication from the House (H. Com. No. 689), returning Senate Bill No. 25 in an amended for, was read as follows:

(H. Com. No. 689)

The communication was received and placed on file.

Upon motion by Senator Duarte, seconded by Senator Hill, and carried, action on the amended bill was deferred until later on the calendar.

A communication from the House (H. Com. No. 690), returning Senate Bill No. 209, with an amendment, was read as follows:

(H. Com. No. 690)

The communication was received and placed on file.

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, action on the amended bill was deferred until later on the calendar.

A communication from the House (H. Com. No. 691), returning Senate Bill No. 229 with certain amendments, was read as follows:

(H. Com. No. 691)

The communication was received and placed on file.

Senator Aguiar moved that action on the amended bill be deferred until later on the calendar. Seconded by Senator Duarte, and carried.

A communication from the House (H. Com. No. 692), returning Senate Bill No. 450, in an amended form, was read as follows:

(H. Com. No. 692)

The communication was received and placed on file.

Senator Heen moved that the Senate do not concur in the amendments proposed by the House to Senate Bill No. 450; and that a Conference Committee be appointed by the President for the consideration of the amendments. Seconded by Senator Dillingham, and carried.

The President thereupon appointed Senators Harrison, Okino and Heen as Conferees on the part of the Senate at such conference.

RESOLUTION OFFERED:

Senators Crockett, Robinson, Fernandes, Dillingham, Aguiar, Hill, Okino, Heen, Ansai, Duarte, Capellas, Harrison, Nobriga, Tsukiyama and Lee offered a Resolution (S. Res. No. 78), expressing to the Mayor of Vancouver the deep appreciation of the Senate for the appearance here of the Vancouver Police Kilty Band and the Mayor's representative - Alderman Halford Wilson - and for their contribution to the success of the 49th State Fair, and extending thanks to Miss Jean Fortune Hobbs, of Honolulu, for her efforts culminating in this significant contribution to the common interests and good will existing between Canada and this country, which was read as follows:

(S. Res. No. 78)

Upon motion by Senator Aguiar, seconded by Senator Crockett, the Resolution was unanimously adopted.

The President at this time appointed Senators Harrison, Robinson and Capellas as a Committee of three to wait upon the Governor and the Honorable Dale E. Doty, Assistant Secretary of the Interior, and the Hon. Emil Sady, Chief, Pacific Division, Department of the Interior, to joint with a like Committee from the House (should such a committee be appointed by the House), to escort them from the Governor's Chambers to the Joint Session.

At 1:55 o'clock p.m., the Senate stood in recess, subject to the call of the Chair, and the Senate repaired in a body to the Hall of the House of Representatives there to sit in joint session with the members of the House of Representatives, pursuant to House Concurrent Resolution No. 72, to listen to an address by Honorable Dale E. Doty, Assistant Secretary of the Interior.

JOINT SESSION:

The Joint Session was called to order by Speaker Fong at 2:05 o'clock p.m.

Representative Porteus moved that the Joint Session resolve itself into a Committee of the Whole to hear an address by the Honorable Dale E. Doty, Assistant Secretary of the Interior; and further moved that the Speaker appoint a Committee of three Representatives to join with a like Committee of the Senate to wait upon the Governor of Hawaii and the Honorable Dale E. Doty, and the Honorable Emil Sady, Chief, Pacific Division, Department of the Interior, to escort them to the joint session. Seconded by Representative McGuire, and carried; and the Joint Session at this time resolved itself into a Committee of the Whole for the purpose for which the same was called.

The Speaker thereupon appointed Representatives Hayes, DuPonte and Richardson as the Committee of three House members of the joint committee of the Senate and House to wait upon the Governor and the two distinguished guests.

The Joint Committee hereupon left the Assembly Hall to carry out its mission.

At 2:07 o'clock p.m., the Committee of the Whole, in Joint Session, stood in recess.

At 2:12 o'clock p.m., the Committee of the Whole, in joint session, reconvened; and the Sergeant-at-Arms of the House of Representatives announced the arrival of His Excellency, Oren E. Long, Governor of Hawaii, accompanied by the Honorable Dale E. Doty and the Honorable Emil Sady, who were escorted to the dais by the joint committee and presented to the President of the Senate and the Speaker of the House, whereupon they were seated on the dais.

Speaker Fong presented to the assembly the Honorable Emil Sady, Chief, Pacific Division, Department of the Interior, who thereupon presented to the joint session the Honorable Dale E. Doty, Assistant Secretary of the Interior.

Prefacing his prepared speech, which he read, Mr. Doty said that it was a great honor for him to have the pleasure of addressing the Territorial Legislature, and that he deeply appreciated the opportunity to do so. He stated that he had long awaited the opportunity to visit Hawaii, and was particularly pleased that the inauguration of Oren Long as Governor had made this opportunity possible. He expressed the high regard in which the Department of the Interior holds Governor long by saying:

> "We have, for many years, respected Oren Long's ability and qualities, and leadership, and are confident that he will make an outstanding record as Governor."

Continuing, he said that he had never enjoyed and experience as much as he had these last few days in Hawaii. The friendliness of the people had been a marvelous experience, he said, and the biggest regret for him was that he would have to go back to Washington within a few days, and he would like to say here long enough to know the problems here, and to go to the other Islands of the Territory. He realized that the people of Hawaii were all trying to make him feel as one of them, but that it was not possible to feel as one until one became a part of the community and knew the problems that the community was facing. Again, he expressed his appreciation for the wonderful experience, which he characterized as "the most wonderful experience of my life".

Mr. Doty thereupon addressed the joint session formally, in which he emphasized the friendly feeling of the Department of the Interior for Hawaii, and dwelt at length on the fact that Hawaii was in every way qualified to take her place in the Union of States; and stated that he was confident that before long Hawaii would attain her goal, to which she was rightfully entitled and which should not be withheld from her longer.

At the conclusion of the address, Speaker Fong thanked Mr. Doty, on behalf of the members of the Senate and the House of Representatives, for his very kind remarks and thanked him for his kind analysis of Hawaii's achievements; and for his very encouraging remarks in connection with the Territory's aspirations for Statehood. He expressed the hope that Mr. Doty would enjoy his stay here, and that he would take back to his Secretary and to the President of the United States the deep appreciation of the people of Hawaii for the very strong fight - the continuing fight - which they had made for Hawaii's aspirations for Statehood.

The Speaker then stated that he thought this was a very opportune time to listen to a few words from the newly-inauguraged Governor of the Territory of Hawaii; and, he said: "At this time it is my pleasure to give you "The Man of the Hour" - Governor Oren E. Long, Governor of Hawaii.

In informally acknowledging the presentation, Governor Long said:

"Hawaii is always the land of surprises, isn't it? And this is just another 'surprise'. I thought I had done my share of talking this morning, and yet, in a little more intimate way I would like to say to you, ladies and gentlemen of the Twenty-Sixth Session of the Territorial Legislature, - Aloha! And to assure you of my great desire to work with you cooperatively. Life would be pretty 'hum-drum', now, wouldn't it, if forty-five men and women and the Governor and the department heads always thought alike and felt just alike and agreed on everything; but you know there is a certain satisfaction in the family when the members 'fall out' and then 'make up', so I trust that any differences that may develop during the very few hours (I hope they will be very few) remaining in the Twenty-Sixth biennial legislative session, we will forget about a few hours later as we plan together on the basis of the work that you have done, and on the basis of the experience of the Executive staff, the head of each department and the working staff of that department, and will lay the basis for progress where possible.
.....
So, again, I say to you, Aloha".

The Speaker thereupon declared the joint session, sitting as a Committee of the Whole, ended, at 2:30 o'clock p.m., and asked the members to come to the dais to personally meet the distinguished guests and the newly-inaugurated Governor.

The joint session being ended, the Senate reconvened at 2:40 o'clock p.m., and proceeded with the regular order of business before it.

The President announced that Senator Dillingham had been temporarily excused.

THIRD READINGS:

Third Reading of House Bill No. 58, entitled: "An Act to amend Section 12729 of the Revised Laws of Hawaii 1945, relating to the duties of the Registrar of Conveyances":

Upon motion by Senator Lee, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Dillingham. Total, 1.

Third Reading of House Bill No. 59, entitled: "An Act relating to mortgagee's and lessee's duplicate certificates of title, providing for the surrender and cancellation thereof, and amending Sections 12660, 12661, 12662, 12663, 12684 and 12695 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Dillingham. Total, 1.

Third Reading of House Bill No. 68, as amended, entitled: "An Act to amend Title 17 of the Revised Laws of Hawaii 1945, as amended, relating to the governments of the counties of Hawaii, Kauai, and Maui, by amending Section 6235 with respect to adver-

tisements of bills and resolutions, and the amendments of ordinances; and by adding thereto a new section to be designated 6272.1 prohibiting private practice by County Attorneys and their deputies":

Upon motion by Senator Aguiar, seconded by Senator Lee, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Dillingham. Total, 1.

Third Reading of House Bill No. 74, as amended, entitled: "An Act relating to public improvements and amending Act 401 (Series E-325) of the Session Laws of Hawaii 1949", deferred from yesterday:

Upon motion by Senator Capellas, seconded by Senator Fernandes, and carried, the bill was recommitted to the Select Committee of Hawaii Senators.

Third Reading of House Bill No. 109, as amended, entitled: "An Act to amend Sections 6352, 6411 and 6451 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of the officers of the counties of Hawaii, Kauai and Maui; and to provide for fixing of salaries of appointive heads of departments and salaries of deputies and assistants of departments whose heads are elected or appointed in said counties":

Upon motion by Senator Heen, seconded by Senator Lee, and carried, action on the bill was deferred until later on the calendar.

Third Reading of House Bill No. 179, as amended, entitled: "An Act relating to public officers and employees, and amending Chapters 2, 3 and 11 of the Revised Laws of Hawaii 1945, as amended, concerning civil service, classification, compensation, qualifications and organizations of such personnel":

Senator Crockett offered the following amendment to the bill:

"Amend House Bill No. 179, HD 2, SD 1 by adding to Section 87 an additional paragraph after the 6th paragraph, to read as follows:

'Except as expressly prohibited herein, the right of an employee to engage in political activity shall not in any manner be abridged or curtailed.'"

Senator Duarte offered the following further amendments to the bill:

(Insert amendments)

Senator Lee moved that action on the amendments and on the amended bill be deferred until later on the calendar. Seconded by Senator Robinson, and carried.

Third Reading of House Bill No. 259, as amended, entitled: "An Act to amend Chapter 22 of the Revised Laws of Hawaii 1945, by adding thereto a new section relating to the powers of the Attorney General":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Dillingham. Total, 1.

Third Reading of House Bill No. 342, as amended, entitled: "An Act relating to fraudulent commercial paper and amending Section 11322 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Dillingham. Total, 1.

Senator Dillingham came into the session at this time.

Third Reading of House Bill No. 430, entitled: "An Act to amend Chapter 135, Revised Laws of Hawaii 1945, relating to firearms and the possession, transfer and registration thereof, and providing penalties", deferred from yesterday:

Senator Heen offered the following amendment to the bill:

"In line 14 of quoted section 7183.01, SECTION 2, delete the 'semi-colon' appearing at the end of that line, and substitute therefor a 'comma'. Following the 'comma' insert the following words 'upon such form as shall be prescribed by the chief of police of the county concerned'."

Senator Heen moved for the adoption of the amendment. Seconded by Senator Lee.

Senator Ansai moved that action on the amendment and on the bill be deferred until later on the calendar. Seconded by Senator Nobriga, and carried.

Third Reading of House Bill No. 509, entitled: "An Act relating to District Magistrates; amending Section 9671 of the Revised Laws of Hawaii 1945":

Senator Duarte moved to table the bill. Seconded by Senator Okino.

A Roll Call being demanded, the motion to table the bill was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson. Total, 12.

Noes: Senators Crockett, Dillingham and Mr. President. Total, 3.

Third Reading of House Bill No. 528, entitled: "An Act defining the crime of providing minors with habit-forming drugs and setting forth the penalty therefor":

Upon motion by Senator Crockett, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 542, as amended, entitled: "An Act relating to the crime of larceny":

Upon motion by Senator Duarte, seconded by Senator Crockett, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 560, as amended, entitled: "An Act amending Chapter 137 of the Revised Laws of Hawaii 1945, as amended, relating to intoxicating liquor":

Upon motion by Senator Duarte, seconded by Senator Crockett, and carried, action on the bill, as amended, was deferred until later on the calendar.

Third Reading of House Bill No. 561, as amended, entitled: "An Act relating to records of convictions of traffic violations and amending Section 7322 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 673, entitled: "An Act to repeal Sections 3 and 4 of Joint Resolution 14 of the Session Laws of Hawaii 1935, relating to the appointment of a Commission to present to the Congress of the United States of America a resolution respecting the issuance of certificates of citizenship and the appropriation provided therefor":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 743, entitled: "An Act relating to fences":

Upon motion by Senator Nobriga, seconded by Senator Hill, and carried, the bill was recommitted to the Committee on Public Lands.

Third Reading of House Bill No. 763, as amended, entitled: "An Act relating to attorneys' fees in probate proceedings":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Hill, Lee, Okino, Robinson and Mr. President. Total, 12.

Noes: Senators Aguiar and Heen. Total, 2.

Absent at Roll Call: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 918, as amended, entitled: "An Act relating to classification and salaries of positions of first assistants or deputies, which are either classified under Chapter 3 of the Revised Laws of Hawaii 1945, as amended, or unclassified":

Upon motion by Senator Dillingham, seconded by Senator Okino, and carried, action on the bill, as amended, was deferred until tomorrow.

Third Reading of House Bill No. 1007, as amended, entitled: "An Act to amend Section 6552 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of officers and members of the Honolulu Fire Department":

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on the bill was deferred until tomorrow.

Third Reading of House Bill No. 1008, as amended, entitled: "An Act to amend Section 6548 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of certain officers of the City and County of Honolulu":

Upon motion by Senator Duarte, seconded by Senator Hill, and carried, action on the bill was deferred until tomorrow.

Third Reading of House Bill No. 1025, as amended, entitled: "An Act amending Chapter 161 of the Revised Laws of Hawaii 1945, as amended, relating to insurance":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 1026, as amended, entitled: "An Act amending Chapter 161 of the Revised Laws of Hawaii 1945, as amended, relating to insurance":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 1056, entitled: "An Act amending Chapter 13 of the Revised Laws of Hawaii 1945, as amended, relating to the loyalty oath of government officers and employees":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senators Capellas. Total, 1.

Third Reading of House Bill No. 1057, as amended, entitled: "An Act providing for vacating the office of any public officer and terminating the employment of any public employee who refuses to give testimony concerning certain matters":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 1096, entitled: "An Act relating to governmental office buildings in the county of Hawaii and providing for the construction and financing thereof", deferred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on the bill was further deferred until tomorrow.

Third Reading of House Joint Resolution No. 36, as amended, entitled: "Joint Resolution requesting Congress to amend the Organic Act with respect to leases of public lands":

Senator Nobriga moved that the joint resolution pass Third Reading. Seconded by Senator Fernandes.

Senator Hill moved to table the joint resolution. Seconded by Senator Dillingham.

A Roll Call being demanded, the motion to table the joint resolution was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Hill, Okino and Robinson. Total, 8.

Noes: Senators Duarte, Fernandes, Harrison, Heen, Lee, Nobriga and Mr. President. Total, 7.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 491 ADOPTED:

Senator Ansai, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 491, presented a report (Conf. Com. Rep. No. 8), recommending the Final Passage of the bill as passed by the House, which was read as follows:

(Conf. Com. Rep. No. 8)

Upon motion by Senator Ansai, seconded by Senator Fernandes, the report of the Committee was adopted; and Senate Bill No. 491, entitled: "An Act relating to the salaries of employees of the Fire Departments of the Counties of Hawaii, Maui and Kauai", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

RECONSIDERATION OF ADOPTION OF STANDING COMMITTEE REPORT 444 ON HOUSE BILL NO. 182:

Senator Okino moved that the Senate reconsider its action in adopting Standing Committee Report No. 444, recommending the filing of House Bill No. 182. Seconded by Senator Robinson, and carried.

Consideration of Standing Committee Report No. 444, recommending the filing of House Bill No. 182:

Upon motion by Senator Okino, seconded by Senator Robinson, and carried, the report of the Committee was placed on file.

Consideration, on Second Reading, of House Bill No. 182:

Senator Okino moved that the Rules be suspended and that

the bill be read throughout on Second Reading. Seconded by Senator Harrison, and carried; and the bill was thereupon read throughout on Second Reading.

Upon motion by Senator Okino, seconded by Senator Ansai, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

At 3:48 o'clock p.m., upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the Senate stood in recess until 7:30 o'clock tonight.

EVENING SESSION

The Senate reconvened at 8:05 o'clock with the President in the Chair, and all Senators being present, with the exception of Senators Harrison and Nobriga, temporarily excused.

CONSIDERATION OF S. B. NO. 25, RETURNED BY HOUSE IN AN AMENDED FORM:

Consideration of Senate Bill No. 25, returned by the House in an amended form, action on which was deferred earlier on the calendar:

Senator Crockett moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Hill, and carried; and Senate Bill No. 25, as thus amended, entitled: "An Act to amend Act 146 of the Session Laws of Hawaii 1949, relating to labor disputes in public utilities", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Fernandes, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 12.

Noes: Senator Duarte. Total, 1.

Excused and not voting: Senators Harrison and Nobriga. Total, 2.

Consideration of House Bill No. 179, as amended, on Third Reading, entitled: "An Act relating to public officers and employees, and amending Chapters 2, 3 and 11 of the Revised Laws of Hawaii 1945, as amended, concerning civil service, classification, compensation, qualifications and organizations of such personnel", with pending amendments offered by Senator Duarte and an amendment offered by Senator Crockett, deferred from earlier on the calendar:

Senator Heen offered the following further amendments to the bill:

(Insert amendments)

Upon motion by Senator Heen, seconded by Senator Fernandes, and carried the amendments offered by him were adopted.

Senator Robinson thereupon offered the following further amendments to the amended bill:

(Insert amendments)

Senator Harrison moved that House Bill No. 179, as amended, with the pending amendments offered by Senator Crockett and Senator Duarte and by Senator Robinson, be referred to the Committee of the Whole Senate. Seconded by Senator Lee, and carried.

The President thereupon appointed Senator Lee as Chairman of the said Committee of the Whole.

At this time, Senator Harrison moved that the Senate resolve itself into a Committee of the Whole for the consideration of House Bill No. 179, together with the pending amendments. Seconded by Senator Lee, and carried; and at 8:40 o'clock p.m., the Senate resolved itself into a Committee of the Whole for such purpose, with Senator Lee as Chairman.

REPORT OF COMMITTEE OF THE WHOLE ON H. B. NO. 179, AS AMENDED:

The Committee rose at 10:37 o'clock p.m., and the Senate reconvened.

Senator Lee, for the Committee of the Whole, having under consideration House Bill No. 179, as amended, on Third Reading, reported orally, recommending that the bill be amended in the following respects:

1. That the bill be amended so that the Director of Civil Service will be appointed by the Governor and confirmed by the Senate;

2. That the members of the Civil Service Commission be appointed by the Governor and also confirmed by the Senate;

3. That the membership of the Civil Service Commission be increased from three to five;

4. That the functions of the Director and the Civil Service Commission, as contained in the original bill recommended by the Holdover Committee of 1949 be retained in that form.

Senator Lee moved for the adoption of the oral report of the Committee, a written report to be filed later. Seconded by Senator Dillingham, and carried.

Senator Lee further moved that the Clerk be instructed to request the Attorney General, through his Assistant, Mr. Watanabe, to prepare the bill in accordance with the amendments adopted; and further that consideration of the bill, in the amended form, be deferred until tomorrow. Seconded by Senator Dillingham, and carried.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 693), transmitting House Concurrent Resolution No. 74, which was adopted by the House of Representatives on May 7th, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 74, requesting the National Production Authority to grant to the Maui Hospital Managing Committee sufficient priorities for furniture, furnishings and equipment for the Central Maui

Memorial Hospital, as follows:

(H. Con. Res. No. 74)

Upon motion by Senator Duarte, seconded by Senator Ansai, and carried, the Concurrent Resolution was adopted.

A communication from the House (H. Com. No. 694), returning Senate Joint Resolution No. 60, which passed Third Reading in the House of Representatives on May 7th, was read, received and placed on file.

A communication from the House (H. Com. No. 695), returning Senate Joint Resolution No. 10, in an amended form, was read as follows:

(H. Com. No. 695)

The communication was received and placed on file.

Senator Nobriga moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Duarte; and Senate Joint Resolution No. 10, as thus amended, entitled: "Joint Resolution suspending the laws and ordinances relating to the construction and maintenance of certain structures within Iolani Palace grounds", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

The following communications from the House, returning Senate Bills and Senate Joint Resolutions, which had passed Third Reading in the House of Representatives on May 8th, were read, received and placed on file:

H. Com. No. 696, returning Senate Bill No. 68;

H. Com. No. 697, returning Senate Bill No. 196;

H. Com. No. 698, returning Senate Bill No. 405;

H. Com. No. 699, returning Senate Bill No. 492;

H. Com. No. 700, returning Senate Bill No. 538;

H. Com. No. 701, returning Senate Bill No. 579;

H. Com. No. 702, returning Senate Joint Resolution No. 7;

H. Com. No. 703, returning Senate Joint Resolution No. 18;

H. Com. No. 704, returning Senate Joint Resolution No. 37;

H. Com. No. 705, returning Senate Joint Resolution No. 47.

A communication from the House (H. Com. No. 706), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 4, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 706)

The communication was received and placed on file.

A communication from the House (H. Com. No. 707), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 259, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 707)

The communication was received and placed on file.

A communication from the House (H. Com. No. 708), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 561, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 708)

The communication was received and placed on file.

A communication from the House (H. Com. No. 709), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 732, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 709)

The communication was received and placed on file.

A communication from the House (H. Com. No. 710), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 763, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 710)

The communication was received and placed on file.

A communication from the House (H. Com. No. 711), informing the Senate that the House had agreed to the amendment proposed by the Senate to House bill No. 875, and that the said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 711)

The communication was received and placed on file.

A communication from the House (H. Com. No. 712), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 987, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 712)

The communication was received and placed on file.

A communication from the House (H. Com. No. 713), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 1025, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 713)

The communication was received and placed on file.

A communication from the House (H. Com. No. 714), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1057, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 714)

The communication was received and placed on file.

A communication from the House (H. Com. No. 715), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 166, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 715)

The communication was received and placed on file.

A communication from the House (H. Com. No. 716), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 729, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 716)

The communication was received and placed on file.

A communication from the House (H. Com. No. 717), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Joint Resolution No. 9, and that said joint resolution, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 717)

The communication was received and placed on file.

A communication from the House (H. Com. No. 718), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Joint Resolution No. 55, and that said joint resolution, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 718)

The communication was received and placed on file.

A communication from the House (H. Com. No. 719), informing the Senate that the House had adopted the report of the Committee on Conference on Senate Bill No. 491, and that Senate Bill No. 491 had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 719)

The communication was received and placed on file.

A communication from the House (H. Com. No. 720), returning Senate Bill No. 382, in an amended form, was read as follows:

(H. Com. No. 720)

The communication was received and placed on file.

Senator Hill moved that the Senate concur in the amendments proposed by the House to Senate Bill No. 382. Seconded by Senator Robinson, and carried; and Senate Bill No. 382, as thus amended, entitled: "An Act relating to the contributions payable by the Territory of Hawaii to the Employees' Retirement

System", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 721), returning Senate Bill No. 535, with an amendment, was read as follows:

(H. Com. No. 721)

The communication was received and placed on file.

Senator Aguiar moved that the Senate concur in the amendment proposed by the House. Seconded by Senator Hill, and carried; and Senate Bill No. 535, as amended, entitled: "An Act to increase the compensation of members of the Public Utilities Commission", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 722), returning Senate Bill No. 239 in an amended form, was read as follows:

(H. Com. No. 722)

The communication was received and placed on file.

Senator Dillingham moved that the Senate concur in the amendments proposed by the House to Senate Bill No. 239. Seconded by Senator Hill, and carried; and Senate Bill No. 239, in the amended form, entitled: "An Act to amend Chapter 100 of the Revised Laws of Hawaii 1945, relating to fuel taxes", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 723), returning Senate Concurrent Resolution No. 27, adopted by the House of Representatives on May 8th, was read, received and placed on file.

A communication from the House (H. Com. No. 724), returning Senate Concurrent Resolution No. 51 in an amended form, was read as follows:

(H. Com. No. 724)

The communication was received and placed on file.

Senator Nobriga moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Okino, and carried; and Senate Concurrent Resolution No. 51, requesting the Commissioner of Public Lands to acquire certain parcels of land in Hilo, Hawaii for use as a public park and playground, was finally adopted, as thus amended.

A communication from the House (H. Com. No. 725), returning Senate Concurrent Resolution No. 52, adopted by the House of Representatives on May 8th, was read, received and placed on file.

A communication from the House (H. Com. No. 726), returning Senate Bill No. 70, in an amended form, was read as follows:

(H. Com. No. 726)

The communication was received and placed on file.

Senator Dillingham moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Robinson; and Senate Bill No. 70, in the amended form, entitled:

"An Act relating to the organization of certain executive agencies of the Territory of Hawaii; creating a Department of Finance; creating an Audit Department; defining their powers and duties; abolishing certain agencies; transferring certain powers and duties, and amending Title 4, Revised Laws of Hawaii 1945", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 727), return-Senate Bill No. 71, with an amendment, was read as follows:

(H. Com. No. 727)

The communication was received and placed on file.

Senator Dillingham moved that the Senate concur in the amendment proposed by the House. Seconded by Senator Robinson; and Senate Bill No. 71, as thus amended, entitled: "An Act relating to the organization of certain executive agencies of the Territory of Hawaii, creating a Department of Treasury and Commerce, and transferring certain powers and duties", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 728), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 25, had requested a conference on the subject matter thereof, and had appointed Representatives Sakakihara, Porteus and Miyake as Managers

on the part of the House at such conference, was read as follows:

(H. Com. No. 728)

The communication was received and placed on file.

The President thereupon appointed Senators Hill, Dillingham and Fernandes as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 729), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 68, had requested a conference thereon, and had appointed Representatives Otsuka, St. Sure and Richardson as Managers on the part of the House for the consideration of said amendments, was read as follows:

(H. Com. No. 729)

The communication was received and placed on file.

The President thereupon appointed Senators Nobriga, Ansai and Heen as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 730), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 342, had requested a conference on the subject matter thereof, and had appointed Representatives Shimamura, Hind and Lydgate as Managers on the part of the House for the consideration of said amendments, was read as follows:

(H. Com. No. 730)

The communication was received and placed on file.

The President thereupon appointed Senators Crockett, Heen and Lee as conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 731), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 542, had requested a conference on the subject matter thereof, and had appointed Representatives Shimamura, Starr and Lydgate as Managers on the part of the House for the consideration of said amendments, was read as follows:

(H. Com. No. 731)

The communication was received and placed on file.

The President thereupon appointed Senators Crockett, Heen and Lee as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 732), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 731, had requested a conference on the subject matter thereof, and had appointed Representatives Sakakihara, St. Sure and Fukushima as Managers on the part of the House for the consideration of said amendments, was read as follows:

(H. Com. No. 732)

The communication was received and placed on file.

The President thereupon appointed Senators Hill, Ansai and Fernandes as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 733), informing the Senate that the House had disagreed to the amendment proposed by the Senate to House Bill No. 945, had requested a conference on the subject matter thereof, and had appointed Representatives Sakakihara, Yamauchi and Yates as Managers on the part of the House for the consideration of said amendment,

was read as follows:

(H. Com. No. 733)

The communication was received and placed on file.

The President thereupon appointed Senators Crockett, Lee and Dillingham as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 734), informing the Senate that the House had disagreed to the amendment proposed by the Senate to House Bill No. 1034, had requested a conference thereon, and had appointed Representatives Miyake, Fukushima and Porteus as Managers on the part of the House for the consideration of said amendment, was read as follows:

(H. Com. No. 734)

The communication was received and placed on file.

The President thereupon appointed Senators Dillingham, Harrison and Robinson as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 735), informing the Senate that the Speaker had appointed Representatives Paschoal, Fukushima and King as Managers on the part of the House at the conference on the subject matter of the amendments proposed by the House to Senate Bill No. 450, to which the Senate had disagreed, was read as follows:

(H. Com. No. 735)

The communication was received and placed on file.

A communication from the House (H. Com. No. 736), returning Senate Bill No. 114 in an amended form, was read as follows:

(H. Com. No. 736)

The communication was received and placed on file.

Senator Dillingham moved that the Senate do not concur in the amendments proposed by the House, and that a Conference Committee be appointed for the consideration of the said amendments. Seconded by Senator Fernandes, and carried.

The President thereupon appointed Senators Dillingham, Fernandes and Lee as Conferees on the part of the Senate for the consideration of said amendments.

A communication from the House (H. Com. No. 737), returning Senate Bill No. 280, in an amended form, was read as follows:

(H. Com. No. 737)

The communication was received and placed on file.

Senator Hill moved that the Senate concur in the amendments proposed by the House to Senate Bill No. 280. Seconded by Senator Ansai; and Senate Bill No. 280, in the amended form, entitled: "An Act to amend Act 8 of the Session Laws of Hawaii 1945, relating to reimbursement of the general fund of the Territory on account of interest and sinking fund charges on cancelled term bonds", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 738), returning Senate Bill No. 551, in an amended form, was read as follows:

(H. Com. No. 738)

The communication was received and placed on file.

Senator Dillingham moved that action on the amended bill be deferred until tomorrow. Seconded by Senator Fernandes, and carried.

A communication from the House (H. Com. No. 739), transmitting House Concurrent Resolution No. 75 adopted by the House of Representatives on May 8th, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 75, stating that it was the consensus of this Legislature, due to the extension of the regular session of 1951, that the various county Auditors be permitted

to submit their respective budgets to the Treasurer of the Territory not later than June 1, 1951, as follows:

(H. Con. Res. No. 75)

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the Resolution was adopted.

Consideration, on Third Reading, of House Bill No. 109, as amended, entitled: "An Act to amend Sections 6352, 6411 and 6451 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of the officers of the counties of Hawaii, Kauai and Maui; and to provide for fixing of salaries of appointive heads of departments and salaries of deputies and assistants of departments whose heads are elected or appointed in said counties", deferred from earlier on the calendar:

Upon motion by Senator Heen, seconded by Senator Fernandes, and carried, action on the bill was further deferred until tomorrow.

Consideration of the amendments proposed by the House to Senate Bill No. 209, deferred from earlier on the calendar:

Senator Crockett moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Nobriga; and Senate Bill No. 209, as amended, entitled: "An Act to amend Section 7417 of the Revised Laws of Hawaii 1945, relating to proof of financial responsibility required when operator's license becomes subject to revocation or suspension", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Consideration of the amendments proposed by the House to Senate Bill No. 229, deferred from earlier on the calendar:

Senator Heen moved that the amendments proposed by the House be concurred in. Seconded by Senator Lee, and carried; and Senate Bill No. 229, as thus amended, entitled: "An Act to amend Section 7031 of the Revised Laws of Hawaii 1945, relating to auctioneer's charges", passed Final Reading on the following showing of Agyes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Aguiar. Total, 1.

Consideration of House Bill No. 430, on Third Reading, entitled: "An Act to amend Chapter 135, Revised Laws of Hawaii 1945, relating to firearms and the possession, transfer and registration thereof, and providing penalties", deferred from earlier on the calendar:

Senator Ansai moved that action on the bill be further deferred until tomorrow. Seconded by Senator Dillingham, and carried.

Consideration, on Third Reading, of House Bill No. 560, as amended, entitled: "An Act amending Chapter 137 of the Revised Laws of Hawaii 1945, as amended, relating to intoxicating liquor", deferred from earlier on the calendar:

Senator Heen offered the following amendments to the bill:

"(1) Amend the first paragraph of Section 7245.01 as set forth in subparagraph 6 of Section 1 of the printed bill by deleting the word 'retail' appearing in the last line thereof.

(2) Amend the second sentence of the second paragraph of Section 7245.01 as set forth in subparagraph 6 of Section 1 of the printed bill to read as follows:

'Any licensee can meet competitive prices or discounts, on similar liquor, by amending his effective price schedule to lower his price or prices, or to increase his discounts, to not less than the price filed in any price schedule filed or in effect for such similar items, and such amended competitive prices shall become effective the same time the competitive prices for similar items shall become effective, or immediately, if such competitive price schedule is already in effect.'

(3) Amend the title of subsection (b) of Section 7245.01 as set forth in subparagraph 6 of Section 1 of the printed bill to read as follows:

'(b) Selling at other than posted price.'"

Upon motion by Senator Heen, seconded by Senator Lee, and carried, the amendments were adopted.

Upon motion by Senator Heen, seconded by Senator Lee, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: Senator Aguiar. Total 1.

Absent at Roll Call: Senator Hill. Total, 1.

REPORTS OF COMMITTEES:

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 453), recommending the passage of House Bill No. 1067, which was read as follows:

(Stand. Com. Rep. No. 453)

Upon motion by Senator Harrison, seconded by Senator Capellas, and carried, the report of the Committee was adopted. House Bill No. 1067 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 454), recommending the passage of House Bill No. 50, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 454)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 50 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 455), recommending the passage of House Bill No. 522, which was read as follows:

(Stand. Com. Rep. No. 455)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 522 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 456), recommending the passage of House Bill No. 1078, which was read as follows:

(Stand. Com. Rep. No. 456)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 1078 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 457), recommending the passage of House Bill No. 777, which was read as follows:

(Stand. Com. Rep. No. 457)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 777 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 458), recommending the passage of House Bill No. 977, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 458)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 977 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 459), recommending the passage of House Bill No. 1054, which was read as follows:

(Stand. Com. Rep. No. 459)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 1054 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 460), recommending the passage of House Joint Resolution No. 65, which was read as follows:

(Stand. Com. Rep. No. 460)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Joint Resolution No. 65 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 461), recommending the passage of House Bill No. 185 and the filing of Senate Bill No. 93 on the same subject matter, which was read as follows:

(Stand. Com. Rep. No. 461)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 185 passed Second Reading and was placed on the calendar for Third Reading tomorrow, and Senate Bill No. 93 was placed on file.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 462), recommending the passage of House Bill No. 8, which was read as follows:

(Stand. Com. Rep. No. 462)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 8 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 463), recommending the passage of House Joint Resolution No. 30, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 463)

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. House Joint Resolution No. 30 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 464), recommending the passage of House Bill No. 1097, which was read as follows:

(Stand. Com. Rep. No. 464)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 1097 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 465), recommending the passage of House Bill No. 206, which was read as follows:

(Stand Com. Rep. No. 465)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 206 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 466), recommending the passage of House Bill No. 482, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 466)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 482, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 467), recommending the passage of House Bill No. 168, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 467)

Upon motion by Senator Hill, seconded by Senator Ansai, and

carried, the report of the Committee was adopted. House Bill No. 168, in the amended form, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 468), recommending the passage of House Bill No. 1027, with an amendment, as amended by the Committee on Judiciary in Standing Committee Report No. 445, which was read as follows:

(Stand. Com. Rep. No. 468)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 1027 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 469), recommending the passage of House Bill No. 1024, with certain amendments, as recommended by the Committee on Judiciary in Standing Committee Report No. 430, which was read as follows:

(Stand. Com. Rep. No. 469)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 1024 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 137), recommending the passage of House Bill No. 1004, which was read as follows:

(Spec. Com. Rep. No. 137)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 1004 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 138), recommending the passage of House Bill No. 1005, which was read as follows:

(Spec. Com. Rep. No. 138)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 1005 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Ansai, for the Joint Committee of Hawaii, Maui and Kauai Senators, presented a report (Spec. Com. Rep. No. 139), recommending the passage of House Bill No. 798, which was read as follows:

(Spec. Com. Rep. No. 139)

Upon motion by Senator Ansai, seconded by Senator Capellas, and carried, the report of the Committee was adopted. House Bill No. 798 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 470), recommending the passage of House Bill No. 876, which was read as follows:

(Stand. Com. Rep. No. 470)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 876 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 471), recommending the passage of House Joint Resolution No. 60, in an amended form, which was read as follows:

(Stand. Com Re. No. 471)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Joint Resolution No. 60, in the amended form, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 472), recommending the passage of House Bill No. 518, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 472)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 518, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 473), recommending the passage of House Bill No. 971, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 473)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 971 passed Second Reading in the amended form and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 474), recommending the passage of House Joint Resolution No. 45, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 474)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Joint Resolution No. 45, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 475), recommending the passage of House Bill No. 222 in an amended form, which was read as follows:

(Stand. Com. Rep. No. 475)

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the report of the Committee was adopted. House Bill No. 222 passed Second Reading in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 476), recommending the passage of House Bill No. 177, which was read as follows:

(Stand. Com. Rep. No. 476)

Upon motion by Senator Crockett, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 177 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

At 11:18 o'clock p.m., upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the Senate stood in recess, subject to the call of the Chair.

At 11:33 o'clock p.m., the Senate reconvened; and upon motion by Senator Duarte, seconded by Senator Dillingham, and carried, the Senate adjourned until 11:00 o'clock a.m., on Wednesday, May 9, 1951.

Ellen D Smythe

Clerk of the Senate.

Approved:

Wilfred D Sukeyama

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

SIXTY-FOURTH Day

WEDNESDAY, MAY 9, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SIXTY-FOURTH DAY

Wednesday, May 9, 1951.

The Senate convened at 11:20 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by the Chaplain, after which the Roll was called, showing all Senators present, with the exception of Senators Harrison and Nobriga, temporarily excused.

The President announced that he had read and approved the Journal of the Sixty-Third Day.

Consideration of Senate Bill No. 551, returned in an amended form by the House of Representatives, deferred from yesterday, on special order:

Senator Dillingham moved that action on the amended form of the bill be deferred until later on the calendar. Seconded by Senator Lee, and carried.

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 477), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

THIRD READINGS:

Third Reading of House Bill No. 8, entitled: "An Act relating to the powers and functions of the Industrial Research Advisory Council, amending Act 122 (Series A-43) of the Session Laws of Hawaii 1949, and making an appropriation

Ayes: Senators Ansai, Capellas, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: Senators Aguiar and Crockett. Total, 2.

Third Reading of House Bill No. 168, as amended, entitled: "An Act creating a Division of Hospitals and Medical Care in the Department of Health, defining its powers, duties and functions, providing for a Territorial Advisory Commission and County Advisory Health Committees, providing for the medical care of indigents and medically indigents, and making an appropriation":

Senator Hill offered the following amendments to the amended bill:

"(1) Amend the last four words of the title to read as follows:

'AMENDING SECTIONS 6233 AND 6521 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, AND MAKING AN APPROPRIATION.'

(2) Renumber Section 15 as SECTION 16.

(3) Insert a new Section 15 to read as follows:

'SECTION 15. (a) Section 6233, Revised Laws of Hawaii 1945, as amended, is hereby further amended by deleting and repealing Sections 15 and 16 thereof.

(b) Section 6521 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended by deleting and repealing Sections 40 and 41 thereof.'".

Senator Harrison moved for the adoption of the amendments. Seconded by Senator Hill.

Senator Dillingham moved that action on the amended bill and the pending amendments be deferred until later on the calendar. Seconded by Senator Lee, and carried.

Third Reading of House Bill No. 177, entitled: "An Act

therefor":

Upon motion by Senator Lee, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Harrison and Nobriga. Total, 2.

Third Reading of House Bill No. 50, as amended, entitled: "An Act amending Act 232 (Series A-16) of the Session Laws of Hawaii 1949 relating to the office hours and hours of work of officers and employees of the Territory of Hawaii, the several counties and the boards and commissions thereof":

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on the bill was deferred until later on the calendar.

At 11:25 o'clock a.m., Senators Harrison and Nobriga came into the session.

Third Reading of House Bill No. 109, as amended, entitled: "An Act to amend Sections 6352, 6411 and 6451 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of the officers of the counties of Hawaii, Kauai and Maui; and to provide for fixing of salaries of appointive heads of departments and salaries of deputies and assistants of departments whose heads are elected or appointed in said counties", deferred from yesterday:

Upon motion by Senator Heen, seconded by Senator Fernandes, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

to amend Section 550, Revised Laws of Hawaii 1945, relating to vacations of public officers and employees":

Senator Dillingham moved that action on the bill be deferred until later on the calendar. Seconded by Senator Lee, and carried.

Third Reading of House Bill No. 179, as amended, entitled: "An Act relating to public officers and employees, and amending Chapters 2, 3 and 11 of the Revised Laws of Hawaii 1945, as amended, concerning civil service, classification, compensation, qualifications and organizations of such personnel", deferred from yesterday:

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, action on the bill, as amended, was deferred until later on the calendar.

Third Reading of House Bill No. 182, entitled: "An Act to amend Section 1943 of the Revised Laws of Hawaii 1945, as amended, relating to the University of Hawaii and the powers of the Board of Regents thereof":

Upon motion by Senator Robinson, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 185, entitled: "An Act to provide for the establishment and improvement of veterans' cemeteries":

Upon motion by Senator Ansai, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 206, entitled: "An Act appropriating $3,000.00 from the Territorial general fund for the relief of Mrs. Edith K. De Matta":

Upon motion by Senator Dillingham, seconded by Senator Ansai, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 222, as amended, entitled: "An Act relating to motor vehicles":

Upon motion by Senator Crockett, seconded by Senator Ansai, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 430, entitled: "An Act to amend Chapter 135, Revised Laws of Hawaii 1945, relating to firearms and the possession, transfer and registration thereof, and providing penalties", deferred from yesterday:

Senator Crockett moved to pass the bill on Third Reading. Seconded by Senator Dillingham.

Senator Ansai moved that the bill be tabled. Seconded by Senator Nobriga.

A Roll Call being demanded, the motion to table the bill was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Duarte, Harrison, Nobriga, Okino, Robinson and Mr. President. Total, 9.

Noes: Senators Crockett, Dillingham, Fernandes, Heen, Hill and Lee. Total, 6.

Third Reading of House Bill No. 482, as amended, entitled: "An Act establishing a School of Nursing at the University of Hawaii, defining its functions, and making an appropriation therefor":

Upon motion by Senator Robinson, seconded by Senator Harrison, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Dillingham. Total, 1.

Third Reading of House Bill No. 518, as amended, entitled: "An Act authorizing issuance of bonds for flood control projects":

Upon motion by Senator Duarte, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 522, entitled: "An Act amending Chapter 127 of the Revised Laws of Hawaii 1945, as amended, relating to the City and County of Honolulu, by inserting therein a new section to be numbered 6590.01, authorizing the Board of Supervisors to make temporary transfers or loans of moneys in excess of the amounts necessary for immediate requirements to a bond loan fund; which fund is hereby created":

Upon motion by Senator Dillingham, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 752, as amended, entitled: "An Act authorizing the President of the Board of Health to appoint field Nutritionist for Rural Oahu":

Upon motion by Senator Lee, seconded by Senator Harrison, and carried, action on the bill was deferred until the end of the calendar.

Third Reading of House Bill No. 777, as amended, entitled: "An Act making an appropriation for an oil portrait of Governor Ingram M. Stainback":

Upon motion by Senator Hill, seconded by Senator Lee, and carried, action on the bill was deferred until the end of the calendar.

Third Reading of House Bill No. 798, entitled: "An Act to amend Chapter 122 of the Revised Laws of Hawaii 1945, as amended, by amending Section 6233 thereof, and by adding thereto a new subtitle and eleven new sections to be numbered 6233.02 to 6233.12, inclusive, and amending Sections 12644 and 12720 of the Revised Laws of Hawaii 1945, as amended, relating to the control of subdivisions of land within the counties of Hawaii, Kauai, and Maui, including land court certificates and subdivision maps of registered lands, and filing plans and surveys, all with relation thereto":

Senator Nobriga offered the following amendments to the bill:

(Insert amendments)

Senator Crockett offered the following further amendments to the bill:

"1. Amend the title by substituting for the 'comma' at the end of the eighth line thereof, the word 'and' and by deleting from the ninth line thereof the words and punctuation 'AND MAUI,'.

2. Amend Section 2 in the following particulars:

By sbustituting for the 'comma' following the word 'Hawaii' in the first line of the subtitle and in the third line of the quoted section 6233.02 the word 'and' and by deleting from said subtitle and from the fourth line of said quoted section ', and Maui'.

3. Amend Section 4 by substituting for the 'comma' following the word 'hawaii' in the second line of the quoted paragraph, the word 'or' and by deleting in the second and third lines of said quoted paragraph the following 'or the county of Maui,'".

Senator Nobriga moved that action on the amendments offered by Senator Crockett and himself and on the bill, be deferred until later on the calendar. Seconded by Senator Dillingham, and carried.

At 12:00 o'clock noon, upon motion by Senator Hill, seconded by Senator Okino, and carried, the Senate stood in recess until 1:30 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 1:58 o'clock p.m., with the President in the Chair, and all Senators being present.

At this time, Senator Hill, Chairman of the Conference Committee on the part of the Senate, appointed to confer with the Managers on the part of the House, on the amendments proposed by the Senate to House Bill No. 48 - the General Appropriations Bill - to which the House had disagreed, informed the Senate that the Managers on the part of the House were ready to go into conference on this bill; and he thereupon moved that the Senate stand in recess until 8:00 o'clock tonight. Seconded by Senator Lee, and carried; and at 2:05 o'clock p.m., the Senate so stood in recess until 8:00 o'clock tonight.

EVENING SESSION

The Senate reconvened at 8:15 o'clock p.m., with the President in the Chair and all members being present, with the exception of Senators Dillingham, Harrison and Nobriga, temporarily excused.

DEPARTMENTAL COMMUNICATIONS:

A communication from the Mayor of the City and County of Honolulu (Dept. Com. No. 91), requesting favorable action by the Senate on Senate Bill No. 261, relating to the disaster program for the City and County of Honolulu, was read as follows:

(Dept. Com. No. 91)

The communication was received and referred to the Select Committee of Oahu Senators.

A communication from the Mayor of the City and County of Honolulu (Dept. Com. No. 92), approving the passage of Senate Bills Nos. 166, 167, 168, 173 and 178, was read as follows:

(Dept. Com. No. 92)

The communication was received and referred to the Select Committee of Oahu Senators.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 740), informing the Senate that the House had appointed Representatives McGuire, Fukushima and Otsuka as Managers on the part of the House for the consideration of the amendments proposed by the House to Senate Bill No. 114, to which the Senate had disagreed, was read as follows:

(H. Com. No. 740)

The communication was received and placed on file.

A communication from the House (H. Com. No. 741), informing the Senate that the House had adopted the Conference Committee report on House Bill No. 157, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 741)

The communication was received and placed on file.

Senator Hill, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 157, presented a report (Conf. Com. Rep. No. 9), recommending the final passage of the bill in an amended form, which was read as follows:

(Conf. Com. Rep. No. 9)

Upon motion by Senator Hill, seconded by Senator Duarte, the report of the Committee was adopted; and House Bill No. 157, entitled: "An Act amending Section 4863 of the Revised Laws of Hawaii 1945, requiring recipients of general assistance to register for county employment as a condition of receiving aid", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 12.

Noes: None.

Excused and not voting: Senators Dillingham, Harrison and Nobriga. Total, 3.

Senator Dillingham came into the session at this time.

A communication from the House (H. Com. No. 742), transmitting House Concurrent Resolution No. 76, adopted by the House of Representatives on May 8th, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 76, memorializing the Congress of the United States to enact S. 1124 introduced into the United States Senate, amending the Federal Civil Defense Act of 1950 to reimburse states and territories which had already acted at their own cost in connection with disaster emergencies, as follows:

(H. Con. Res. No. 76)

Upon motion by Senator Capellas, seconded by Senator Duarte, and carried, the Concurrent Resolution was adopted.

CONFERENCE COMMITTEE REPORT ON S.B. NO. 450:

Senator Okino, for Senator Harrison, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 450, presented a report (Conf. Com. Rep. No. 10), recommending the final passage of Senate Bill No. 450, as passed by the Senate, with an amendment, which was read as follows:

(Conf. Com. Rep. No. 10)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted; and Senate Bill No. 450, entitled: "An Act relating to the practice of osteopathy in the Territory and the powers and duties of the Board of Osteopathic Examiners, and amending Chapter 54 of the Revised Laws of Hawaii 1945, as amended, relating to Osteopathy", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Harrison and Nobriga. Total, 2.

Senator Okino, for Senator Harrison, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 193, presented a report (Conf. Com. Rep. No. 11), recommending the final passage of the bill as passed by the Senate, which was read as follows:

(Conf. Com. Rep. No. 11)

Upon motion by Senator Hill, seconded by Senator Robinson, the report of the Committee was adopted; and Senate Bill No. 193, entitled: "An Act to amend Section 2015 of the Revised Laws of Hawaii 1945, relating to the authority of the Board of Health to make regulations for the public health and safety", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Harrison and Nobriga. Total, 2.

Third Reading of House Bill No. 876, entitled: "An Act amending Section 4825 of the Revised Laws of Hawaii 1945, relating to the protection of records and confidential information of public welfare cases":

Upon motion by Senator Hill, seconded by Senator Robinson, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Harrison and Nobriga. Total, 2.

Third Reading of House Bill No. 918, as amended, entitled: "An Act relating to classification and salaries of positions of first assistants or deputies, which are either classified

under Chapter 3 of the Revised Laws of Hawaii 1945, as amended, or unclassified", deferred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, action on the bill was further deferred until the end of the calendar.

Third Reading of House Bill No. 971, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to issue bonds in the sum of one million eight hundred thousand dollars ($1,800,000.00) for the acquisition, construction and development of certain park areas in the City and County of Honolulu", as amended:

Senator Lee offered the following amendments to the bill, as amended:

"1. Amend the title to read as follows:

'AN ACT

AUTHORIZING THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF HONOLULU TO ISSUE BONDS IN THE SUM OF ONE MILLION SIX HUNDRED THOUSAND DOLLARS ($1,600,000.00) FOR THE COMPLETION OF, THE IMPROVEMENTS TO, AND THE DEVELOPMENT OF CERTAIN EXISTING PUBLIC PARKS AND PLAYGROUNDS, AND FOR THE ACQUISITION, CONSTRUCTION AND IMPROVEMENT OF NEW PUBLIC PARKS AND PLAYGROUNDS IN THE CITY AND COUNTY OF HONOLULU.'

"2. In Section 1, substitute for the words and figures 'one million eight hundred thousand dollars ($1,800,000.00)' the words and figures 'one million six hundred thousand dollars ($1,600,000.00)'.

"3. In Section 2, substitute for subsection (a) thereof, the following:

'(a) The sum of one million dollars ($1,000,000.00) of the moneys realized from such bond issue shall be expended for the completion of, the improvements to, and the development of certain existing public parks and playgrounds, and for the acquisition of new public parks and playgrounds in the city and county of Honolulu.'"

Upon motion by Senator Lee, seconded by Senator Heen, and carried, the amendments were adopted.

Upon motion by Senator Lee, seconded by Senator Heen, the bill as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 12.

Noes: Senator Dillingham. Total, 1.

Excused and not voting: Senators Harrison and Nobriga. Total, 2.

Third Reading of House Bill No. 977, as amended, entitled: "An Act relating to the operation and maintenance of fire boats":

Upon motion by Senator Crockett, seconded by Senator Fernandes, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Harrison and Nobriga. Total, 2.

Third Reading of House Bill No. 1004, entitled: "An Act creating the position of a Second Assistant Engineer for the County of Hawaii":

Upon motion by Senator Capellas, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Harrison and Nobriga.

Total, 2.

Third Reading of House Bill No. 1005, entitled: "An Act relating to the Department of Public Works, County of Hawaii":

Upon motion by Senator Capellas, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Harrison and Nobriga. Total, 2.

Third Reading of House Bill No. 1007, as amended, entitled: "An Act to amend Section 6552 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of officers and members of the Honolulu Fire Department", deferred from yesterday:

Senator Heen offered the following amendment to the bill:

"Amend SECTION 1 to read as follows:

'SECTION 1. Subsections (a) and (b) of section 6552 of the Revised Laws of Hawaii 1945, as amended, are hereby further amended to read as follows:'".

Senator Aguiar offered the following further amendments to the bill as amended:

"1. Amend the title to read:

'AN ACT

RELATING TO THE COMPENSATION OF PUBLIC EMPLOYEES, AMENDING SECTION 6552 OF THE REVISED LAWS OF HAWAII 1945, AND MAKING AN APPROPRIATION.'

2. Re-number sections 1 to 5 inclusive, 2 to 6 inclusive.

3. Insert a new section in said bill to be numbered 'SECTION 1' and to read as follows:

'SECTION 1. The monthly compensation of all employees of the Territory of Hawaii and of the counties of the Territory, who are not department heads or the first deputies or assistants of such department heads, and who do not receive any other increase in compensation by an Act of the Regular Session of the Twenty-Sixth Legislature of the Territory of Hawaii, any other provisions of law to the contrary notwithstanding, is hereby increased by a straight 20 per cent of such compensation. The auditors of the Territory or of the several counties as the case may be, are hereby authorized and directed to draw warrants on the treasurer of the Territory or of the several counties, as the case may be, for such increase in compensation and the treasurers of the Territory or of the several counties, as the case may be, are hereby authorized and directed to pay such warrants. Sufficient monies are hereby appropriated from the general revenues of the Territory of Hawaii to meet the cost of the increase in compensation herein granted to the employees of the Territory.'"

Upon motion by Senator Dillingham, seconded by Senator Robinson, and carried, action on the bill as amended, and the pending amendments, was deferred until the end of the calendar.

Third Reading of House Bill No. 1008, as amended, entitled: "An Act to amend Section 6548 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of certain officers of the City and County of Honolulu", deferred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Capellas, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 12.

Noes: Senator Aguiar. Total, 1.

Excused and not voting: Senators Harrison and Nobriga. Total, 2.

Third Reading of House Bill No. 1024, as amended, entitled: "An Act amending Chapter 161 of the Revised Laws of Hawaii 1945, as amended, by adding a new section thereto defining uniform individual accident and sickness policy provisions":

Upon motion by Senator Dillingham, seconded by Senator Lee, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Harrison and Nobriga. Total, 2.

Third Reading of House Bill No. 1027, entitled: "An Act relating to unfair methods of competition and unfair and deceptive acts and practices in the business of insurance", as amended:

Senator Heen offered the following amendment to the bill as amended:

"Amend House Bill No. 1027, SD 1, as follows:

"Amend the first three lines of SECTION 1 of the Bill to read as follows:

'SECTION 1. That Chapter 161 of the Revised Laws of Hawaii 1945, as amended, is further amended by adding thereto the following new sections:'".

Upon motion by Senator Heen, seconded by Senator Lee, and carried, the amendment was adopted.

Upon motion by Senator Lee, seconded by Senator Fernandes, the bill as amended passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Harrison and Nobriga. Total, 2.

At 8:35 o'clock p.m., Senator Nobriga came into the session.

Third Reading of House Bill No. 1054, as amended, entitled: "An Act relating to the loyalty of public officers, public employees and persons deriving any compensation out of public funds, creating the Territorial Loyalty Board and defining its powers, duties and functions, conferring and imposing further powers, functions and duties on the Commission on Subversive Activities and on the Civil Service Commission, prescribing offenses, providing penalties, and making an appropriation":

Upon motion by Senator Dillingham, seconded by Senator Okino, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of House Bill No. 1067, entitled: "An Act relating to the practice of optometry and amending Chapter 53 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of House Bill No. 1078, entitled: "An Act relating to improvements by assessment in the City and County of Honolulu and exempting the property of the Lin Yee Chung Society from certain assessments therefor":

Senator Dillingham offered the following amendments to the Bill:

"1. Amend the title to read as follows:

'AN ACT

RELATING TO HIGHWAY IMPROVEMENT ASSESSMENT AND REAL PROPERTY TAX EXEMPTIONS, AND AMENDING SECTION 5151, AS AMENDED, OF THE REVISED LAWS OF HAWAII 1945.'

"2. Amend SECTION 3 to read as follows:

'SECTION 3. Sections 1 and 2 of this Act shall apply to any improvement by assessment heretofore or hereafter provided for, but nothing in this Act shall be construed as authorizing any refund of any such assessments heretofore paid.'

"3. Insert two new sections to be numbered 4 and 5, respectively, which shall read as follows:

'SECTION 4. Section 5151, subsection (a), as amended, of the Revised Laws of Hawaii 1945 is hereby amended by amending paragraph 54 thereof to read as follows:

"54. All real and personal property owned or used exclusively by the American Legion, Club 100, and 442nd Veterans Club, in the Territory."'.

'SECTION 5. This Act shall take effect upon its approval but shall be retroactive to January 1, 1951.'".

Upon motion by Senator Dillingham, seconded by Senator Okino, and carried, the amendments were adopted.

Upon motion by Senator Lee, seconded by Senator Capellas, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of House Bill No. 1096, entitled: "An Act relating to governmental office buildings in the County of Hawaii and providing for the construction and financing thereof", deferred from yesterday:

Upon motion by Senator Lee, seconded by Senator Duarte, and carried, the bill was recommitted to the Select Committee of Hawaii Senators.

Third Reading of House Bill No. 1097, entitled: "An Act making available an appropriation from the general revenues of the Territory for the claim of E. L. Wung and others relating to the parcel of land described in L. C. A. 9249-C.R. P. 7098 to Kuapalahalaha":

Upon motion by Senator Hill, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of House Joint Resolution No. 30, as amended, entitled: "Joint Resolution providing for the improvement of the water supply system at Kihei, Maui, and making an appropri-

ation therefor by way of advancement from the general fund of the Territory to be repaid out of the proceeds of sales of public lands":

Upon motion by Senator Crockett, seconded by Senator Okino, the joint resolution, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of House Joint Resolution No. 45, as amended, entitled: "Joint Resolution requesting the Congress of the United States to ratify and confirm Act ___ of the Session Laws of Hawaii 1951 authorizing the issuance of bonds for flood control projects":

Upon motion by Senator Dillingham, seconded by Senator Lee, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson, and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

Third Reading of House Joint Resolution No. 60, as amended, entitled: "Joint Resolution requesting the Congress of the United States of America to enact a Bill enabling the Legislature of the Territory of Hawaii to authorize the Board of Supervisors of the

City and County of Honolulu to issue bonds for the acquisition, construction and development of certain public park areas in the City and County of Honolulu":

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, action on the joint resolution was deferred until later on the calendar.

Third Reading of House Joint Resolution No. 65, entitled: "Joint Resolution making an appropriation for the establishment of facilities for units of the Reserve Officers' Training Corps (Junior Division) in high schools in the Counties of Hawaii, Kauai and Maui, and authorizing and directing the Commissioners of Public Instruction to apply for establishment of such units":

Upon motion by Senator Robinson, seconded by Senator Okino, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Harrison. Total, 1.

REPORTS OF COMMITTEES:

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 478), recommending the filing of Senate Concurrent Resolution No. 24, for the reasons set forth in the report, which was read as follows:

(Stand. Com. Rep. No. 478)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted; and Senate Concurrent Resolution No. 24 was thereupon placed on file.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 479), recommending the filing of House Bill No. 52 and Senate Bill No. 273, relating to the same subject matter, which was read as follows:

(Stand. Com. Rep. No. 479)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted; and House Bill No. 52 and Senate Bill No. 273, were thereupon placed on file.

At 8:45 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

At 10:30 o'clock p.m., the Senate reconvened.

Senator Harrison who had been temporarily excused, was now present in the Senate.

REPORTS OF COMMITTEES:

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 480), recommending the passage of House Bill No. 547, with certain amendments to the salary schedule, which was read as follows:

(Stand. Com. Rep. No. 480)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 547, as amended, passed Second Reading and were placed on the calendar for Third Reading on Wednesday, May 16th.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 481), recommending the passage of House Bill No. 151, which was read as follows:

(Stand. Com. Rep. No. 481)

Upon motion by Senator Dillingham, seconded by Senator Lee,

and carried, the report of the Committee was adopted. House Bill No. 151 passed Second Reading and was placed on the calendar for Third Reading on Wednesday, May 16th.

Senator Hill, for the Committee on Ways and Means, to which House Bill No. 558 was referred on Third Reading, presented a report (Stand. Com. Rep. No. 482), returning said House Bill No. 558 to the Senate for consideration by the Senate as a whole because of its importance, and for further action by the Senate, which was read as follows:

(Stand. Com. Rep. No. 482)

Senator Hill moved for the adoption of the report. Seconded by Senator Heen, and carried.

Third Reading of House Bill No. 558, entitled: "An Act relating to the compensation of the Chief Justice and Associate Justices of the Supreme Court and of the judges of the Circuit Courts of Hawaii, and making an appropriation therefor":

Senator Heen moved that the bill pass Third Reading. Seconded by Senator Lee.

Senator Aguiar moved that the bill be tabled. Seconded by Senator Hill.

A Roll Call being demanded, the motion to table the bill was put, and lost, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar and Hill. Total, 2.

Noes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Senator Heen thereupon renewed his motion to pass the bill on Third Reading. Seconded by Senator Lee; and House Bill No. 558 passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: Senators Aguiar and Hill. Total, 2.

Senator Nobriga, for the Committee on Rules, presented a report (Stand. Com. Rep. No. 483), recommending the adoption of the Temporary Rules of the Senate, Regular Session of 1951 as the permanent Rules of the Senate, Regular Session of 1951, with certain amendments; and further recommending that the Clerk of the Senate be directed to arrange for the printing of the Rules of the Senate, Regular Session of 1951, as amended, in pamphlet form, and that copies thereof be furnished the members of the Senate, which was read as follows:

(Stand. Com. Rep. No. 483)

Upon motion by Senator Nobriga, seconded by Senator Crockett, and carried, the report of the Committee was adopted; and the Temporary Rules of the Senate, Regular Session of 1951, as amended, were adopted as the permanent Rules of the Senate, Regular Session of 1951; and the Clerk was instructed to carry out the provision relative to the printing and distribution of the printed copies of the said Rules.

MESSAGE FROM THE GOVERNOR:

A Message from the Governor (Gov. Message No. 25), extending the regular session of the Twenty-Sixth Legislature, by Executive Order, to and including the 19th day of May, 1951, which Executive Order superceded the previous Order issued by him this day, was read as follows:

(Governor's Message No. 25)
(Executive Order )

The Message and Executive Order were received and placed on file.

CONCURRENT RESOLUTION OFFERED:

Senator Hill offered a Concurrent Resolution (S. Con. Res. No. 54), providing for the adjournment of the Legislature from the hour of adjournment on May 9th until 10:00 o'clock a.m., on Wednesday, May 16, 1951, which was read as follows:

(S. Con. Res. No. 54)

Upon motion by Senator Hill, seconded by Senator Capellas, and carried, the Concurrent Resolution was adopted.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 743), informing the Senate that the House had adopted the Conference Committee Report on House Bill No. 731, and that said bill had passed Final Reading in accordance therewith, was read as follows:

(H. Com. No. 743)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 12 ON HOUSE BILL NO. 731:

Senator Hill, for the Committee on Conference, on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 731, presented a report (Conf. Com. Rep. No. 12), recommending the final passage of the bill as passed by the Senate, with certain amendments, which was read as follows:

(Conf. Com. Rep. No. 12)

Upon motion by Senator Hill, seconded by Senator Dillingham, the report of the Committee was adopted; and House Bill No. 731, as amended, entitled: "An Act relating to taxation, making amendments of Sections 5371, 5372, 5378 and 5387 of Chapter 99, also further amendments of said Chapter 99 to provide for the collection of the consumption tax by sellers, the duties and liabilities of sellers, and penal offenses connected therewith", passed Final Reading on the following showing

of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

CONFERENCE COMMITTEE REPORT NO. 13 ON SENATE BILL NO. 534:

Senator Dillingham, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 534, presented a report (Conf. Com. Rep. No. 13), recommending the final passage of the bill as passed by the House, with a further amendment, which was read as follows:

(Conf. Com. Rep. No. 13)

Upon motion by Senator Dillingham, seconded by Senator Harrison, the report of the Committee was adopted; and Senate Bill No. 534, entitled: "An Act amending Section 3842 of the Revised Laws of Hawaii 1945, relating to industrial and reformatory schools", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

CONFERENCE COMMITTEE REPORT NO. 14 ON SENATE BILL NO. 444:

Senator Dillingham, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 444, presented a report (Conf. Com. Rep. No. 14), recommending the final passage of the bill as passed by the House, with further amendments, which was read as follows:

(Conf. Com. Rep. No. 14)

Upon motion by Senator Dillingham, seconded by Senator Harrison, the report of the Committee was adopted; and Senate Bill No. 444, entitled: "An Act relating to the Honolulu Police Department and amending Section 6550 of the Revised Laws of Hawaii 1945, as amended", passed Final Reading in accordance therewith on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 744), informing the Senate that the House had adopted the Conference Committee Report on House Bill No. 945, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 744)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 15 ON HOUSE BILL NO. 945:

Senator Crockett, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 945, presented a report (Conf. Com. Rep. No. 15), recommending the final passage of the bill as passed by the House, which was read as follows:

(Conf. Com. Rep. No. 15)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted; and House Bill No. 945 passed Final Reading in accordance therewith, entitled: "An Act amending Section 351 of the Revised Laws of Hawaii 1945, as amended, relating to the expenditure of public money", on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 745), informing the Senate that the House had adopted the Conference Committee Report on Senate Bill No. 193, and that said bill had passed Final Reading in accordance therewith, was read as follows:

(H. Com. No. 745)

The communication was received and placed on file.

A communication from the House (H. Com. No. 746), informing the Senate that the House had adopted the Conference Committee Report on Senate Bill No. 450, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 746)

The communication was received and placed on file.

A communication from the House (H. Com. No. 747), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 482, and that as thus amended, the said bill had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 747)

The communication was received and placed on file.

A communication from the House (H. Com. No. 748), informing the Senate that the House had adopted the Conference Committee Report on House Joint Resolution No. 37, and that said joint resolution had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 748)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 16 ON HOUSE JOINT RESOLUTION NO. 37:

Senator Nobriga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Joint Resolution No. 37, presented a report (Conf. Com. Rep. No. 16), recommending the final passage of the joint resolution as passed by the House, which was read as follows:

(Conf. Com. Rep. No. 16)

Upon motion by Senator Nobriga, seconded by Senator Dillingham, the report of the Committee was adopted; and House Joint Resolution No. 37, entitled: "Joint Resolution requesting the Congress of the United States to amend the Hawaiian Homes Commission Act, 1920, as amended, by amending the first sentence of Section 202 (a) thereof, relating to membership on the Hawaiian Homes Commission", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Aguiar. Total, 1.

A communication from the House (H. Com. No. 749), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 222, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 749)

The communication was received and placed on file.

A communication from the House (H. Com. No. 750), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 109, had requested a con-

ference on the subject matter thereof, and had appointed Representatives Miyake, Lydgate and Hind as Managers on the part of the House for the consideration of said amendments, was read as follows:

(H. Com. No. 750)

The communication was received and placed on file.

The President thereupon appointed Senators Nobriga, Fernandes and Heen as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 751), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 1008, had requested a conference on the subject matter thereof, and had appointed Representatives Miyake, Lydgate and Hind as Managers on the part of the House for the consideration of said amendments, was read as follows:

(H. Com. No. 751)

The communication was received and placed on file.

The President thereupon appointed Senators Nobriga, Heen and Okino as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 752), informing the Senate that the House had disagreed to the amendment proposed by the Senate to House Joint Resolution No. 30, had requested a conference on the subject matter thereof, and had appointed Representatives Paschoal, Lydgate and Seong as Managers on the part of the House for the consideration of said amendment, was read as follows:

(H. Com. No. 752)

The communication was received and placed on file.

The President thereupon appointed Senators Ansai, Harrison and Fernandes as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 753), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 560, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 753)

The communication was received and placed on file.

A communication from the House (H. Com. No. 754), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 518, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 754)

The communication was received and placed on file.

A communication from the House (H. Com. No. 755), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 977, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 755)

The communication was received and placed on file.

A communication from the House (H. Com. No. 756), informing the Senate that the House had adopted the Conference Committee Report on House Bill No. 68, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 756)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 17 ON HOUSE BILL NO. 68:

Senator Nobriga, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 68, presented a report (Conf. Com. Rep. No. 17), recommending the final passage of the bill as passed by the Senate with further amendments, which was read as follows:

(Conf. Com. Rep. No. 17)

Upon motion by Senator Nobriga, seconded by Senator Ansai, the report of the Committee was adopted; and House Bill No. 68 entitled: "An Act to amend Title 17 of the Revised Laws of Hawaii 1945, as amended, relating to the governments of the counties of Hawaii, Kauai, and Maui, by amending Section 6235 with respect to advertisments of bills and resolutions, and the amendments of ordinances; and by adding thereto a new section to be designated 6272.1 prohibiting private practice by County Attorneys and their deputies during office Hours", passed Final Reading in accordance therewith on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 11.

Noes: Senators Aguiar, Dillingham, Duarte and Fernandes. Total, 4.

A communication from the House (H. Com. No. 757), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1024, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 757)

The communication was received and placed on file.

A communication from the House (H. Com. No. 758), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1054, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 758)

The communication was received and placed on file.

At this time, Senator Dillingham moved that the Senate take up the consideration, on Third Reading, of House Bill No. 168, as amended, with pending amendments offered by Senator Hill, action on which was deferred this morning. Seconded by Senator Lee, and carried.

Consideration, on Third Reading, of House Bill No. 168, as amended, entitled: "An Act creating a Division of Hospitals and Medical Care in the Department of Health, defining its powers, duties and functions, providing for a Territorial Advisory Commission and County Advisory Health Committees, providing for the medical care of indigents and medically indigents, and making an appropriation", with pending amendments, deferred from earlier on the calendar:

Senator Hill withdrew the amendments he had offered this morning and substituted therefor the following amendments to the amended bill:

(Insert amendments)

Senator Harrison moved for the adoption of the amendments. Seconded by Senator Hill, and carried.

Senator Dillingham then offered the following further amendments to the bill, as amended:

(Insert amendments)

Upon motion by Senator Dillingham, seconded by Senator Harrison, action on the amendments he had offered, and on the amended bill, as further amended, was deferred until Wednesday, May 16th.

Senator Lee moved that the Senate at this time take up the consideration of House Bill No. 179, as amended, deferred from earlier on the calendar. Seconded by Senator Crockett, and carried.

Consideration, on Third Reading of House Bill No. 179, as amended, entitled: "An Act relating to public officers and employees, and amending Chapters 2, 3 and 11 of the Revised Laws of Hawaii 1945, as amended, concerning civil service, classification, compensation, qualifications and organizations of such personnel", deferred from earlier on the calendar:

Upon motion by Senator Lee, seconded by Senator Crockett, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: Senators Aguiar and Fernandes. Total, 2.

Senator Nobriga moved that the Senate at this time take up the consideration of House Bill No. 798, with pending amendments, action on which had been deferred earlier on the calendar. Seconded by Senator Okino, and carried.

Consideration, on Third Reading of House Bill No. 798, entitled: "An Act to amend Chapter 122 of the Revised Laws of Hawaii 1945, as amended, by amending Section 6233 thereof, and by adding thereto a new subtitle and eleven new sections to be numbered 6233.02 to 6233.12, inclusive, and amending Sec-

tions 12644 and 12720 of the Revised Laws of Hawaii 1945, as amended, relating to the control of subdivisions of land within the Counties of Hawaii, Kauai, and Maui, including Land Court certificates and subdivision maps of registered lands, and filing plans and surveys, all with relation thereto", with pending amendments offered by Senator Nobriga and by Senator Crockett, deferred from earlier on the calendar:

Senator Okino offered the following further amendments to the bill, as amended:

"Amend House Bill No. 798 as follows:

1. Delete the following 'HAWAII,' in line 8 of the title;

2. In Section 2, line 10, delete the word 'HAWAII'; and

3. In Section 4, line 6, delete the word 'Hawaii'."

Senator Dillingham moved that all the amendments offered to the bill be printed, and that action on the pending amendments and the bill as amended, be deferred until Wednesday, May 16th. Seconded by Senator Lee, and carried.

Senator Crockett moved that the Senate at this time take up the consideration, on Third Reading, of House Bill No. 777, as amended, deferred earlier on the calendar. Seconded by Senator Lee, and carried.

Consideration, on Third Reading of House Bill No. 777, as amended, entitled: "An Act making an appropriation for an oil portrait of Governor Ingram M. Stainback", deferred from earlier on the calendar:

Senator Crockett offer the following amendment to the bill as amended:

"Amend House Bill No. 777, as amended, entitled: 'An Act making an appropriation for an Oil Portrait of Governor Ingram M. Stainback',

to read as follows:

'AN ACT

MAKING AN APPROPRIATION FOR AN OIL PORTRAIT OF THE HONORABLE INGRAM M. STAINBACK.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The sum of $3,500.00, or so much thereof as may be necessary, is hereby appropriated from the general revenues of the Territory not otherwise appropriated, for an oil portrait of the Honorable Ingram M. Stainback, former governor of the Territory of Hawaii.

SECTION 2. The governor of the Territory of Hawaii is hereby authorized to contract with an artist selected by him subject to the approval of the Honorable Ingram M. Stainback, for the painting of such portrait.

SECTION 3. The sum herein appropriated shall be expended upon warrants issued by the auditor upon vouchers approved by the governor of the Territory of Hawaii, provided however that the artist selected shall be a citizen of the United States and a resident of the Territory of Hawaii for at least three years prior to the date hereof, unless it is not reasonably practicable to obtain a competent person with the foregoing qualifications, in which case the services of a person without such qualifications may be obtained.

SECTION 4. This Act shall take effect upon its approval.'"

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, the amendment was adopted.

Upon motion by Senator Crockett, seconded by Senator Lee, the amended bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Senator Lee moved that the Senate at this time take up the consideration of House Joint Resolution No. 60, as amended, with pending amendments, action on which was deferred earlier on the calendar:

Third Reading of House Joint Resolution No. 60, as amended, entitled: "Joint Resolution requesting the Congress of the United States of America to enact a bill enabling the Legislature of the Territory of Hawaii to authorize the Board of Supervisors of the City and County of Honolulu to issue bonds for the acquisition, construction and development of certain public park areas in the City and County of Honolulu", with pending amendments offered by Senator Lee, deferred from earlier on the calendar:

Senator Lee moved for the adoption of the amendments offered by him. Seconded by Senator Dillingham, and carried.

Upon motion by Senator Lee, seconded by Senator Dillingham, the joint resolution, as amended, entitled: "Joint Resolution requesting the Congress of the United States to enact a bill enabling the Legislature of the Territory of Hawaii to authorize the Board of Supervisors of the City and County of Honolulu to issue bonds for the completion of, the improvements to, and the development of certain existing public parks and playgrounds and for the acquisition, construction and improvement of new public parks and playgrounds in the City and County of Honolulu", passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 13.

Noes: Senators Dillingham and Robinson. Total, 2.

Senator Dillingham then moved that action on the following bills, remaining undisposed of on today's calendar, be deferred until Wednesday, May 16th:

Consideration of amendments proposed by the House to Senate Bill No. 551;

Consideration, on Third Reading, of House Bill No. 50, as amended;

Consideration, on Third Reading, of House Bill No. 752, as amended;

Consideration, on Third Reading, of House Bill No. 918, as amended;

Consideration, on Third Reading, of House Bill No. 1007, as amended, with pending further amendments offered by Senator Heen and by Senator Aguiar. The motion was seconded by Senator Lee, and carried.

At this time, Senator Okino, for the Committee of the Whole having under consideration House Bill No. 179, presented a report (Com. Whole Rep. No. 19), recommending the passage of House Bill No. 179, in an amended form, which was read as follows:

(Com. Whole Rep. No. 19)

The report was received and placed on file, the oral report of the Committee having been previously adopted.

Senator Okino hereupon moved that the Senate resolve itself into a Committee of the Whole for the purpose of completing its findings and approving a report on the subject matter of Senate Resolutions Nos. 41 and 58. Seconded by Senator Nobriga, and carried; and at 11:40 o'clock p.m., the Senate resolved itself into a Committee of the Whole for such purpose, with Senator Okino as Chairman.

At 11:45 o'clock p.m., the Committee rose and the Senate reconvened.

Senator Okino, for the Committee of the Whole, having under consideration the subject matter of Senate Resolutions Nos. 41 and 58, presented a report (Com. Whole Rep. No. 20), recommending the adoption of Resolution No. 58 in the amended form attached; submitting, for adoption a Resolution requesting the Board of Agriculture and Forestry to transfer to the Land Commissioner the Panaewa Forest Reserve, and other public lands designated, for farming; and a Resolution

rquesting the Committee on Ways and Means of the Senate to make appropriation for the purpose of re-activating the Territorial Planning Board, which was read as follows:

(Com. Whole Rep. No. 20)

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the report of the Committee was adopted. Senate Resolution No. 58, in the amended form, was thereby adopted; and the attached Resolutions were offered for adoption.

Senator Okino, for the Committee of the Whole, offered a Resolution (S. Res. No. 79), requesting the Committee on Ways and Means to make appropriation for the purpose of re-activating the Territorial Planning Board, which was read as follows:

(S. Res. No. 79)

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the Resolution was adopted.

Senator Okino, for the Committee of the Whole, offered a Resolution (S. Res. No. 80), "requesting the Board of Agriculture and Forestry to transfer to the Land Commissioner the Panaewa Forest Reserve and any other public lands under forest reserve which are not classified as essential water sheds, for farming", which was read as follows:

(S. Res. No. 80)

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, the Resolution was adopted.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 759), informing the Senate that the report of the Committee on Conference on Senate Bill No. 534 had been adopted by the House; and that said bill had this day passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 759)

The communication was received and placed on file.

A communication from the House (H. Com. No. 760), informing the Senate that the House had adopted the Conference Committee report on Senate Bill No. 44, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 760)

The communication was received and placed on file.

A communication from the House (H. Com. No. 761), returning Senate Concurrent Resolution No. 54, adopted by the House of Representatives on May 9th, was read, received and placed on file.

A communication from the House (H. Com. No. 762), informing the Senate that the House had reconsidered its action in disagreeing to the amendments proposed by the Senate to House Bill No. 1008; had agreed thereto, and that House Bill No. 1008, as thus amended, had passed Final Reading in the House of Representatives, and that the conferees on the part of the House had been discharged, was read as follows:

(H. Com. No. 762)

The communication was received and placed on file.

The President thereupon discharged the Conferees on the part of the Senate for the consideration of said amendments.

A communication from the House (H. Com. No. 763), informing the Senate that the House had reconsidered its action in disagreeing to the amendments proposed by the Senate to House Bill No. 109, had agreed thereto, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, and that the Conferees on the part of the House had been discharged, was read as follows:

(H. Com. No. 763)

The President thereupon discharged the Conferees on the part of the Senate for the consideration of the amendments to House Bill No. 109.

EXECUTIVE SESSION:

At 11:50 o'clock p.m., at the request of the President, the Senate went into Executive Session.

At 11:55 o'clock p.m., the Executive Session being ended, the Senate reconvened.

COMMUNICATION FROM THE HOUSE:

A communication from the House of Representatives (H. Com. No. 764), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1078, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 764)

The communication was received and placed on file.

ADJOURNMENT TO MAY 16, 1951:

At 11:59 o'clock p.m., upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the Senate adjourned until 10:00 o'clock a.m., on Wednesday, May 16, 1951, pursuant to Senate Concurrent Resolution No. 54.

Ellen D. Knudtsen
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 195* 1

SIXTY-FIFTH Day

THURSDAY, MAY 10, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SIXTY-FIFTH DAY

Thursday, May 10, 1951.

N O  S E S S I O N

Ellen D. Templeton
Clerk of the Senate.

Approved:

Wilfred N. Nakagawa
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 195* 1

SIXTY-SIXTH Day

FRIDAY, MAY 11, 19 51

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SIXTY-SIXTH DAY

Friday, May 11, 1951.

N O  S E S S I O N

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred Oshikiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 195* 1

SIXTY-SEVENTH Day

SATURDAY, MAY 12, 19 51

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SIXTY-SEVENTH DAY

Saturday, May 12, 1951.

N O  S E S S I O N

Ellen D. Smeltzer
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 195*1

SIXTY-EIGHTH Day

MONDAY, MAY 14, 19 51

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SIXTY-EIGHTH DAY

Monday, May 14, 1951.

N O  S E S S I O N

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred Tsukiyama
President of the Senate.

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 195* 1

SIXTY-NINTH Day

TUESDAY, MAY 15, 19 51

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SIXTY-NINTH DAY

Tuesday, May 15, 1951.

N O  S E S S I O N

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred J. Tuckey Aina
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

SEVENTIETH Day

WEDNESDAY, MAY 16, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SEVENTIETH DAY

Wednesday, May 16, 1951.

The Senate convened at 10:32 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called, showing all Senators present.

The President announced that he had read and approved the Journal of the Sixty-Fourth, Sixty-Fifth, Sixty-Sixth, Sixty-Seventh, Sixty-Eighth and Sixty-Ninth Days.

SENATE BILL INTRODUCED:

Under suspension of the Rules, and by unanimous consent, Senator Crocket introduced a bill (S. B. No. 581), entitled: "An Act to amend Section 2 of the Revised Laws of Hawaii 1945, relating to the promulgation of laws enacted by the Legislature".

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the bill passed First Reading by title and was placed on the calendar, on special order, for Second Reading tomorrow.

DEPARTMENTAL COMMUNICATIONS:

A communication from the office of the Secretary of Hawaii (Dept. Com. No. 93), informing the Senate that the Governor has signed House Joint Resolution No. 35 as Joint Resolution 12, House Joint Resolution No. 42 as Joint Resolution 13, House Joint Resolution No. 51 as Joint Resolution 14, Senate Bill No. 73 as Act 47, Senate Bill No.

234 as Act 48, House Bill No. 11 as Act 49, House Bill No. 12 as Act 50, House Bill No. 72 as Act 51, House Bill No. 100 as Act 52, House Bill No. 229 as Act 53, House Bill No. 799 as Act 54, House Bill No. 951 as Act 55, Senate Bill No. 281 as Act 56, Senate Bill No. 282 as Act 57, Senate Bill No. 289 as Act 58, Senate Bill No. 335 as Act 59, Senate Bill No. 338 as Act 60, Senate Bill No. 529 as Act 61, House Bill No. 545 as Act 62, House Bill No. 692 as Act 63, House Bill No. 899 as Act 64, House Bill No. 946 as Act 65 and House Bill No. 1132, as Act 66, was read as follows:

(Dept. Com. No. 93)

The communication was received and placed on file.

A communication from the office of the Secretary of Hawaii (Dept. Com. No. 94), informing the Senate that the Governor had signed House Bill No. 23 as Act 67, was read as follows:

(Dept. Com. No. 94)

The communication was received and placed on file.

A communication from the office of the Secretary of Hawaii (Dept. Com. No. 95), informing the Senate that the Governor had signed House Bill No. 214 as Act 68 and House Bill No. 1125 as Act 69, was read as follows:

(Dept. Com. No. 95)

The communication was received and placed on file.

MISCELLANEOUS COMMUNICATION:

A communication from the Honorable Oscar L. Chapman, Secretary of the Interior (Misc. Com. No. 51), expressing appreciation for the invitation extended to him in Senate Concurrent Resolution No. 45 to address a joint session of the Legislature on the occasion of the inauguration of Oren E. Long as Governor of Hawaii, and expressing his regret at being unable to be present on that occasion, and stating that Assistant Secretary Dale E. Doty and Mr. Emil J. Sady, Chief of the Pacific Division of the

Office of Territories would represent the Department, was read as follows:

(Misc. Com. No. 51)

The communication was received and placed on file.

RESOLUTIONS OFFERED:

Senator Capellas offered a Resolution (S. Res. No. 81), amending Senate Resolution No. 42 relating to the printing, binding and sewing of the Journal of the Senate, Regular Session of 1951, which was read as follows:

(S. Res. No. 81)

Upon motion by Senator Capellas, seconded by Senator Harrison, and carried, the Resolution was adopted.

Senator Capellas offered a Resolution (S. Res. No. 82), requesting the Superintendent of Public Works not to remove the two white buildings on the grounds of Iolani Palace, now being used by the Senate, and requesting that he retain them for the storage of furniture and equipment of the Senate during the coming biennium, which was read as follows:

(S. Res. No. 82)

Upon motion by Senator Capellas, seconded by Senator Robinson, and carried the Resolution was adopted.

COMMITTEE REPORTS:

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 484), reporting that all matters referred to it had been mimeographed and were ready for distribution, was read, received and placed on file.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 485), recommending the passage of House Bill No. 27, which was read as follows:

(Stand. Com. Rep. No. 485)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 27 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 486), recommending the passage of House Bill No. 485, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 486)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 485 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 487), recommending the passage of Senate Bill No. 426, which was read as follows:

(Stand. Com. Rep. No. 487)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. Senate Bill No. 426 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 488), recommending the passage of House Bill No. 372, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 488)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 372 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

RECONSIDERATION IN ADOPTING CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 444:

Senator Dillingham moved that the Rules be suspended, and that the Senate reconsider its action taken on May 9th in adopting the

report of the Committee on Conference on Senate Bill No. 444, and in passing the said Bill on Final Reading in accordance therewith. Seconded by Senator Heen, and carried.

Senator Dillingham then moved that the report and the bill be recommitted to the Committee on Conference; and that the same Conferees on the part of the Senate act as Conferees for the further consideration of the amendments proposed by the House to Senate Bill No. 444 to which the Senate has disagreed. Seconded by Senator Lee, and carried.

The President thereupon reappointed Senators Dillingham, Heen and Lee as Conferees on the part of the Senate for the consideration of the said amendments; and the Clerk was instructed to notify the House of the action of the Senate in reconsidering its action in the adoption of the report of the Committee on Conference on the bill and passing it on Final Reading in accordance therewith, and to inform them of the reappointment of the Senate Conferees.

SENATE RECONSIDERS ACTION IN PASSING HOUSE JOINT RESOLUTION NO. 60 ON THIRD READING:

Under suspension of the Rules, Senator Harrison moved that the Senate reconsider its action taken in passing House Joint Resolution No. 60, as amended, on Third Reading on May 9th. Seconded by Senator Dillingham, and carried;

Consideration, on Third Reading, of House Joint Resolution No. 60, as amended, entitled: "Joint Resolution requesting the Congress of the United States of America to enact a bill enabling the Legislature of the Territory of Hawaii to authorize the Board of Supervisors of the City and County of Honolulu to issue bonds for the acquisition, construction and development of certain public park areas in the City and County of Honolulu", upon reconsideration:

Senator Harrison offered the following amendments to the Joint Resolution as amended:

"Amend House Joint Resolution No. 60, SD 2 in the following respects, all references being to the typewritten bill:

1. Insert after the title of the quoted bill, on page 3, the following:

   'Be It Enacted by the Senate and House of Representatives of the United States of America in Congress Assembled:'

2. Re-number 'Section 2' as 'Section 1'.

3. Re-Number'Section 3' as 'Section 2'".

Upon motion by Senator Harrison, seconded by Senator Lee, and carried, the amendments were adopted.

Upon motion by Senator Harrison, seconded by Senator Lee, the Joint Resolution, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Consideration of the amendments proposed by the House to Senate Bill No. 551, deferred from May 9th, on special order:

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, action on the amendments was further deferred until later on the calendar.

THIRD READINGS:

Third Reading of House Bill No. 50, as amended, entitled: "An Act amending Act 232 (Series A-16) of the Session Laws of Hawaii 1949 relating to the office hours and hours of work of officers and employees of the Territory of Hawaii, the several counties and the boards and commissions thereof, deferred from May 9th:

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, action on the bill was further deferred until tomorrow.

Third Reading of House Bill No. 151, entitled: "An Act relating to the classification, compensation, recruitment, appointment, employment, efficiency ratings and appeals of public employees, amending Chapter 3 of the Revised Laws of Hawaii 1945, as amended:

Upon motion by Senator Hill, seconded by Senator Nobriga, and carried, action on the bill was deferred until tomorrow.

Third Reading of House Bill No. 168, as amended, entitled: "An Act creating a Division of Hospitals and Medical care in the Department of Health, defining its powers, duties and functions, providing for a Territorial Advisory Commission and County Advisory Health Committees, providing for the medical care of indigents and the medically indigent, amending Sections 6233 and 6521 of the Revised Laws of Hawaii 1945, as amended, and making an appropriation", with pending amendment offered by Senator Dillingham, deferred from May 9th:

Senator Dillingham moved that he be permitted to withdraw the amendment offered by him on May 9th. Seconded by Senator Lee, and carried; and the amendments were thereupon withdrawn.

Senator Dillingham thereupon offered the following amendments in lieu thereof:

(Insert amendments)

Upon motion by Senator Dillingham, seconded by Senator Harrison, and carried, the amendments were adopted.

Upon motion by Senator Lee, seconded by Senator Okino, action on the bill, as amended, was deferred until tomorrow.

Third Reading of House Bill No. 177, entitled: "An Act to amend Section 550, Revised Laws of Hawaii 1945, relating to vacations of public officers and employees", deferred from May 9th:

Upon motion by Senator Dillingham, seconded by Senator Crockett, and carried, action on the bill, as amended, was further deferred until tomorrow.

Third Reading of House Bill No. 547, as amended, entitled: "An Act relating to the salaries of teachers, principals and other employees in the Department of Public Instruction and amending Chapter 28 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Hill, seconded by Senator Duarte, and carried, action on the bill was deferred until tomorrow.

Third Reading of House Bill No. 752, as amended, entitled: "An Act authorizing the President of the Board of Health to appoint field nutritionist for rural Oahu", deferred from May 9th:

Upon motion by Senator Harrison, seconded by Senator Nobriga, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 798, entitled: "An Act to amend Chapter 122 of the Revised Laws of Hawaii 1945, as amended, by amending Section 6233 thereof, and by adding thereto a new subtitle and eleven new sections to be numbered 6233.02 to 6233.12, inclusive, and amending Sections 12644 and 12720 of the Revised Laws of Hawaii 1945, as amended, relating to the control of subdivisions of land within the counties of Hawaii, Kauai, and Maui, including Land Court certificates

and subdivision maps of registered lands, and filing plans and surveys, all with relation thereto", together with pending amendments offered by Senators Nobriga, Crockett and Okino, deferred from May 9th:

Upon motion by Senator Nobriga, seconded by Senator Hill, and carried, action on the amendments and the bill was deferred until tomorrow.

Third Reading of House Bill No. 918, as amended, entitled: "An Act relating to classification and salaries of positions of first assistants or deputies, which are either classified under Chapter 3 of the Revised Laws of Hawaii 1945, as amended, or unclassified", deferred from May 9th:

Upon motion by Senator Dillingham, seconded by Senator Heen, and carried, action on the bill was further deferred until tomorrow.

Third Reading of House Bill No. 1007, as amended, entitled: "An Act to amend Section 6552 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of officers and members of the Honolulu Fire Department", with pending amendment offered by Senator Heen and amendments offered by Senator Aguiar, deferred from May 9th:

Senator Heen moved that the amendment offered by him on May 9th be adopted. Seconded by Senator Dillingham, and carried.

Senator Hill moved that the amendments offered by Senator Aguiar be referred to the Committee on Ways and Means to be considered in connection with House Bill No. 151. Seconded by Senator Harrison, and carried.

Senator Nobriga offered the following further amendments to the bill, as amended:

(Insert amendments)

Senator Dillingham moved that the amendments be referred to the Committee on Ways and Means in connection with House Bill No. 151. The motion was seconded by Senator Robinson.

Senator Aguiar moved that the motion to refer the amendments to the Committee on Ways and Means be tabled. Seconded by Senator Nobriga.

A Roll Call being demanded, the motion to table the motion to refer the amendments to the Committee on Ways and Means was put, and lost, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Crockett, Duarte, Fernandes, and Nobriga. Total, 6.

Noes: Senators Capellas, Dillingham, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 9.

Senator Dillingham thereupon renewed his motion to refer Senator Nobriga's amendments to the Committee on Ways and Means. Seconded by Senator Fernandes, and carried.

Senator Dillingham then offered the following further amendments to the bill:

"Amend Section 2 to read as follows:

'SECTION 2. Section 6553 of the Revised Laws of Hawaii 1945, as amended is hereby repealed. Any officer or employee who is assigned a compensation under Section 4 higher than the minimum rate for his position shall be deemed to have served in such position for the number of years necessary to attain such rate.'"

Upon motion by Senator Dillingham, seconded by Senator Harrison, and carried, the amendment was adopted.

Upon motion by Senator Dillingham, seconded by Senator Harrison, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Nobriga. Total, 1.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 765), transmitting House Concurrent Resolution No. 77, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 77, requesting the Governor to return to the Senate, for the purpose of making certain corrections therein, House Bill No. 661, as follows:

(H. Con. Res. No. 77)

Upon motion by Senator Harrison, seconded by Senator Robinson, and carried, the Concurrent Resolution was adopted.

A communication from the House (H. Com. No. 766), transmitting House Concurrent Resolution No. 78, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 78 requesting the Governor to return House Bill No. 728 to the Senate for the purpose of making certain corrections therein, as follows:

(H. Con. Res. No. 78)

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the Concurrent Resolution was adopted.

A communication from the House (H. Com. No. 767), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 777, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 767)

The communication was received and placed on file.

RECESS DECLARED:

At 12:00 o'clock noon, upon motion by Senator Duarte, seconded by Senator Dillingham, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:52 o'clock p.m., with the President in the Chair, and all Senators being present.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 768), transmitting House Concurrent Resolution No. 79, was read, received and placed on file:

Consideration of House Concurrent Resolution No. 79, requesting the Governor to return House Bill No. 584 to the Senate for the purpose of making certain corrections therein, as follows:

(H. Con. Res. No. 79)

Upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, the Concurrent Resolution was adopted.

A communication from the House (H. Com. No. 769), transmitting House Concurrent Resolution No. 80, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 80, requesting the Governor to return House Bill No. 682 to the Senate for the purpose of making certain corrections therein, as follows:

(H. Con. Res. No. 80)

Upon motion by Senator Dillingham, seconded by Senator

Crockett, and carried, the Concurrent Resolution was adopted.

PETITION NO. 22:

A Petition (S. Pet. No. 22) signed by 1800 students, faculty, parents and other members and friends of the University community, requesting the Senate to reconsider the proposed budget cut of the University of Hawaii (House Bill No. 48), submitted by the President of the Associated Students of the University of Hawaii Council, a body representing 4,000 students, and unanimously endorsed by said Association, was read as follows:

(S. Pet. No. 22)

The Petition was received and referred to the Committee on Ways and Means.

REPORTS OF COMMITTEES:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 489), recommending the passage of House Bill No. 530, which was read as follows:

(Stand. Com. Rep. No. 489)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 530 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 490), recommending the passage of House Bill No. 541, which was read as follows:

(Stand. Com. Rep. No. 490)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 541 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 491), recommending the passage of House

Bill No. 1014, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 491)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 1014 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 492), recommending the passage of House Bill No. 956, and further recommending the filing of Senate Bill No. 478, identically entitled, which was read as follows:

(Stand. Com. Rep. No. 492)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 956 passed Second Reading and was placed on the calendar for Third Reading tomorrow; and Senate Bill No. 478 was placed on file.

Under suspension of the Rules, Senator Crockett moved that the Senate reconsider its action in referring House Bill No. 658 to the Committee on Judiciary. Seconded by Senator Duarte, and carried:

Second Reading of House Bill No. 658: Senator Crockett moved that the bill be referred to the Committee on Agriculture, Forestry and Conservation. Seconded by Senator Okino, and carried.

Under suspension of the Rules, Senator Crockett moved that the Senate reconsider its action in referring House Bill No. 186 to the Committee on Judiciary. Seconded by Senator Duarte, and carried.

Second Reading of House Bill No. 186: Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the bill was referred to the Committee on Education.

THIRD READING OF SENATE BILL NO. 267:

Under suspension of the Rules, Senator Crockett moved that the Senate reconsider its action in referring Senate Bill No. 267, as amended, to the Committee on Judiciary on Third Reading. Seconded by Senator Duarte, and carried.

Consideration, on Third Reading, of Senate Bill No. 267, as amended, entitled: "An Act relating to demotion, dismissal and suspension of police officers; amending Sections 6299 and 6811 of the Revised Laws of Hawaii 1945":

Senator Crockett thereupon offered the following amendments to the bill:

"Amend Senate Bill No. 267, SD 1 in the following respects:

By deleting the last sentence of subparagraph (3), Section 6299.

By adding a new paragraph to said Section 6299, to be numbered (4), and to read as follows:

'4. An appeal may be taken by any police office or employee from any order or decision of the commission dismissing, demoting, or suspending such officer or employee, to the circuit judge at chambers of the circuit within which such police department is located, by filing his appeal in such court within 10 days of the order of dismissal, demotion or suspension, provided, however, that the appeal shall not operate as a stay to the order or decision of the commission appealed from. The appeal shall be subject to such procedure and rules as may be prescribed by the court and the decision of the judge shall be final.'

Renumber the present paragraph '4' as '5'."

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the amendments were adopted.

Upon motion by Senator Crockett, seconded by Senator Duarte, the amended bill, as further amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

RECONSIDERATION OF ACTION IN PASSING HOUSE BILL NO. 577, SD 2 ON THIRD READING:

Senator Aguiar, having voted with the majority in passing House Bill No. 577, as amended, on Third Reading, moved that the Senate reconsider its action in passing the said bill on Third Reading. Seconded by Senator Fernandes, and carried.

Senator Aguiar moved that the House of Representatives be requested to return House Bill No. 577, as amended, to the Senate for further consideration. Seconded by Senator Fernandes, and carried.

CONSIDERATION OF AMENDMENTS PROPOSED BY THE HOUSE TO SENATE BILL NO. 551, DEFERRED:

Consideration of the amendments proposed by the House to Senate Bill No. 551, deferred from earlier on the calendar:

Senator Dillingham moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Lee; and Senate Bill No. 551, as thus amended, entitled: "An Act to amend the Hawaii Employment Relations Act as enacted by Act 250 of the Session Laws of Hawaii 1945", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heeh, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At 3:07 o'clock p.m., upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the Senate stood in recess, subject to the call of the Chair.

At 3:58 o'clock p.m., the Senate reconvened.

RECONSIDERATION OF ACTION IN PASSING SENATE BILL NO. 267, AS AMENDED, ON THIRD READING:

Senator Crockett, having voted with the majority in passing Senate Bill No. 267, as amended, on Third Reading earlier on the calendar today, moved that the Senate reconsider its action in passing the said bill on Third Reading. Seconded by Senator Duarte, and carried.

Consideration, on Third Reading of Senate Bill No. 267, as amended, entitled: "An Act relating to demotion, dismissal and suspension of police officers; amending Sections 6299 and 6811 of the Revised Laws of Hawaii 1945":

Senator Crockett offered the following further amendments to the bill as amended:

"Amend Senate Bill No. 267, SD 2 in the following respects:

Delete the second sentence of Section 6811, reading as follows:

'The decision of the commission refusing to entertain an appeal, or its order upon any appeal allowed, shall be final.' ;

and insert in lieu thereof the following:

'An appeal may be taken by any police officer or employee from any order or decision of the commission dismissing, demoting, or suspending such officer or employee, to the circuit judge at chambers of the first circuit, by filing his appeal in such court within 10 days of the order of dismissal, demotion or suspension, provided, however, that the appeal shall not operate as a stay to the order or decision of the commission appealed from. The appeal shall be subject to such procedure and rules as may be prescribed by the court and the decision of the judge shall be final.'"

Senator Crockett moved for the adoption of the amendments. Seconded by Senator Dillingham, and carried.

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the bill passed Third Reading, as amended, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Duarte. Total, 1.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 770), informing the Senate, that in accordance with the action taken by the Senate in reconsidering its action in adopting the Conference Committee report on Senate Bill No. 444 and in passing the said bill on Final Reading in accordance therewith, the House had appointed Representatives Miyake, Porteus and Lydgate as Managers on the part of the House for the consideration of the amendments proposed by the House to the said bill, was read as follows:

(H. Com. No. 770)

The communication was received and placed on file.

A communication from the House (H. Com. No. 771), transmitting House Concurrent Resolution No. 81, was read, received and placed on file.

HOUSE CONCURRENT RESOLUTION NO. 81 ADOPTED:

Consideration of House Concurrent Resolution No. 81, requesting the Governor to return House Bill No. 9 to the Senate for the purpose of making certain corrections therein, as follows:

(H. Con. Res. No. 81)

Upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, the Concurrent Resolution was adopted.

REPORTS OF COMMITTEES:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 493), recommending the passage of

Senate Joint Resolution No. 33, which was read as follows:

(Stand. Com. Rep. No. 493)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Joint Resolution No. 33 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 494), recommending the passage of Senate Bills Nos. 166, 167, 168, 173 and 178, which was read as follows:

(Stand. Com. Rep. No. 494)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. Senate Bills Nos. 166, 167, 168, 173 and 178 passed Second Reading and were placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 495), recommending the passage of House Bill No. 947, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 495)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 947 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 496), recommending the passage of House Bill No. 766, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 496)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House

Bill No. 766 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 497), recommending the passage of House Bill No. 348, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 497)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 348 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 498), recommending the passage of House Bill No. 655, which was read as follows:

(Stand. Com. Rep. No. 498)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 655 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 499), recommending the passage of Senate Bill No. 139, in an amended form, which was read as follows:

(Stand. Com. Rep. No. 499)

Upon motion by Senator Nobriga, seconded by Senator Capellas, and carried, the report of the Committee was adopted. Senate Bill No. 139 passed Second Reading, in the amended form, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 500), recommending the passage of House Bill No. 1080, with an amendment, which was read as follows:

(Stand. Com. Rep. No. 500)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 1080 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

RESOLUTION NO. 83 ADOPTED:

Senator Capellas offered a Resolution (S. Res. No. 83), setting the salaries of certain employees of the Senate after the 9th day of May, 1951 until the conclusion of the extended session, which was read as follows:

(S. Res. No. 83)

Upon motion by Senator Capellas, seconded by Senator Dillingham, and carried, the Resolution was adopted.

CONCURRENT RESOLUTION NO. 55 ADOPTED:

Senators Ansai, Crockett and Duarte offered a Concurrent Resolution (S. Con. Res. No. 55), requesting the Hawaii Aeronautics Commission to turn over the waterworks installations at the Puunene Airport to the Maui County Waterworks Board, upon the said Board entering into an agreement with the said Commission to do certain things, which was read as follows:

(S. Con. Res. No. 55)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the Concurrent Resolution was adopted.

SENATE RECONSIDERS ITS ACTION IN FILING HOUSE BILL NO. 430:

Senator Robinson, having voted with the majority of the Senate in voting to place House Bill No. 430, HD 1 on file, moved that the Senate reconsider its action in placing the bill on file. Seconded by Senator Fernandes, and carried.

Consideration of House Bill No. 430, entitled: "An Act to amend Chapter 135, Revised Laws of Hawaii 1945, relating to firearms and the possession, transfer and registration thereof, and providing penalties", on Third Reading, upon reconsideration:

Senator Heen offered the following amendments to the bill:

(Insert amendments)

Senator Heen moved that action on the amendments and the bill be deferred until tomorrow; and that the amendments be printed and distributed to the members. Seconded by Senator Robinson, and carried.

At 4:20 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Dillingham, and carried, the Senate adjourned until 11:00 o'clock a.m., on Thursday, May 17, 1951.

Ellen L. Smythe

Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

SEVENTY-FIRST Day

THURSDAY, MAY 17, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SEVENTY-FIRST DAY

Thursday, May 17, 1951.

The Senate convened at 11:25 o'clock a.m., with the President presiding.

After Prayer by the Chaplain, the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Seventieth Day.

DEPARTMENTAL COMMUNICATION:

A communication from the office of the Secretary of Hawaii (Dept. Com. No. 96), informing the Senate that the Governor had signed House Bill No. 2 as Act 70, House Bill No.1115 as Act 71 and House Bill No. 558 as Act 72, was read as follows:

(Dept. Com. No. 96)

The communication was received and placed on file.

RESOLUTION NO. 84 OFFERED:

Under suspension of the Rules, Senators Heen, Tsukiyama, Hill, Ansai, Robinson, Okino, Harrison, Dillingham, Fernandes, Lee, Crockett, Nobriga, Duarte and Aguiar offered a Resolution (S. Res. No. 84), requesting the House of Representatives to reconsider its action in passing House Bill No. 1054 on Final Reading; and further requesting the House to return the said bill to the Senate in order that it may be re-examined and further amendments be made thereto as may be necessary, which was read as follows:

(S. Res. No. 84)

Upon motion by Senator Heen, seconded by Senator Lee,

and carried, the Resolution was adopted.

THIRD READING OF SENATE BILLS AND JOINT RESOLUTION:

Senator Dillingham moved that the Rules be suspended and that the Senate at this time take up the Third Reading of Senate measures on the calendar for Third Reading today. Seconded by Senator Lee, and carried.

Third Reading of Senate Bill No. 139, as amended, entitled: "An Act to preserve and extend the functions of the Territorial Planning Board; making an appropriation therefor; authorizing the creation of County Planning Agencies, and amending Chapter 93 of the Revised Laws of Hawaii 1945":

Senator Harrison moved that action on the bill be deferred until later on the calendar. Seconded by Senator Lee, and carried.

Third Reading of Senate Bill No. 166, entitled: "An Act appropriating money to reimburse the City and County of Honolulu for the cost of sewer improvements in Improvement District No. 63 (Kaimuki-West Sewerage, Section 1) and in Improvement District No. 73 (Kaimuki-West Sewerage Section 2)":

Upon motion by Senator Dillingham, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 167, entitled: "An Act appropriating the sum of two thousand nine hundred sixteen dollars and eighty-four cents ($2,916.84) to reimburse the City and County of Honolulu for moneys expended for the extension of secondary sewer facilities to the grounds of the University of Hawaii in Honolulu":

Upon motion by Senator Dillingham, seconded by Senator Robinson, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 168, entitled: "An Act appropriating the sum of forty thousand three hundred seventy-nine dollars and thirty-two cents ($40,379.32) to reimburse the City and County of Honolulu for the cost of improvements in frontage improvement No. 75 -- Ala Wai Blvd., Kalakaua Ave. to Ala Moana, in Kalia, Waikiki, Job No. 24-50, in Honolulu":

Upon motion by Senator Dillingham, seconded by Senator Harrison, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Crockett. Total, 1.

Third Reading of Senate Bill No. 173, entitled: "An Act appropriating the sum of fourteen thousand five hundred ninety-nine dollars and fifty-nine cents ($14,599.59) to reimburse the City and County of Honolulu for the cost of constructing improvements in Improvement District No. 71, Leahi Farms in Honolulu":

Upon motion by Senator Dillingham, seconded by Senator Robinson, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of Senate Bill No. 178, entitled: "An Act appropriating the sum of twenty-seven thousand two hundred one dollars and sixty-eight cents ($27,201.68) to reimburse the City and County of Honolulu for the cost of sewerage improvements in Improvement District No. 67 (Date-Kapahulu Sewerage, Sec. No. 1):

Upon motion by Senator Dillingham, seconded by Senator Robinson, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Crockett. Total, 1.

Senator Ansai was excused at this time from the balance of this morning's session.

Third Reading of Senate Bill No. 426, entitled: "An Act making an appropriation for the purchase and installation of a six inch water main from Kamuela, Waimea, to Kawaihae, in the County of Hawaii":

Upon motion by Senator Aguiar, seconded by Senator Crockett, and carried, action on the bill was deferred until later on the calendar.

Senator Capellas was excused at this time for the balance of this morning's session.

Third Reading of Senate Joint Resolution No. 33, entitled: "Joint Resolution to authorize litigation for the determination of the merits of the claim of E. A. K. Williams for land used for Kamehameha Highway, Kaaawa, Oahu, and making an appropriation for the payment of any final judgment that may be entered therefor":

Upon motion by Senator Dillingham, seconded by Senator Robinson, the joint resolution passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Ansai and Capellas. Total, 2.

SECOND READING OF SENATE BILL NO. 581:

At this time, under suspension of the Rules, the Senate took up the consideration of Senate Bill No. 581 on Second Reading, on special order:

Second Reading of Senate Bill No. 581: Under suspension of the Rules, and upon motion by Senator Dillingham, seconded by Senator Crockett, and carried, the bill was read throughout on Second Reading.

Upon motion by Senator Dillingham, seconded by Senator Crockett, and carried, the bill passed Second Reading and was placed on the calendar for Third Reading tomorrow.

THIRD READING OF HOUSE BILLS:

Third Reading of House Bill No. 27, entitled: "An Act relating to the disposition of funds received from the rental of government property purchased by moneys from the Territorial Highway Fund":

Upon motion by Senator Hill, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Ansai and Capellas. Total, 2.

Third Reading of House Bill No. 50, as amended, entitled: "An Act amending Act 232 (Series A-16) of the Session Laws of Hawaii 1949 relating to the office hours and hours of work of officers and employees of the Territory of Hawaii, the several counties and the boards and commissions thereof", deferred from yesterday:

Senator Dillingham offered the following amendments to the bill:

"Amend the mimeographed bill as follows:

1. Amend the quoted section of Section 1 by deleting the 'period' at the end of the first sentence thereof, and adding the following:

   ', provided further that if serious public inconvenience will not result thereby, and with the approval of the governor as to the territorial offices, or the mayor or the board of supervisors as to offices of the political subdivisions, or the chairman of any independent board or commission as to the office of such board or commission, offices may be closed on Saturdays, in which case they shall remain open until 4:30 in the afternoon on each week day.'

2. By deleting Section 3 and substituting in lieu thereof the following:

   'SECTION 3. All laws or parts of laws inconsistent with the provisions of this Act are to the extent of such inconsistency, amended or repealed, provided however that nothing herein contained shall be construed to prevent the Territory or any political subdivision thereof from altering the normal work hours of its employees as

may be necessary to furnish inspectional service for public works, and from paying such employees for all hours worked in excess of 8 hours per day and 40 hours in any one week, or on a territorial holiday.'"

In the discussion which ensued in connection with this bill, Senator Harrison made the following statement, which she requested be made a part of the Journal of the Senate:

"We have on the books presently a law that requires that everybody, as of July 1, 1951, go on a 5-day week, and to my satisfaction there has been no provision whatsoever as to how they shall be paid, and how the additional personnel that must be taken on in order to make this five-day week possible for all departments in the government shall be paid - there has been no provision so far by either the House or the Senate for payment of this additional personnel. This is the situation so let's not delude anybody".

Senator Lee moved that the amendments offered by Senator Dillingham and the bill be deferred for action until the end of the calendar. Seconded by Senator Duarte, and carried.

RECESS:

At 12:10 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Okino, and carried, the Senate stood in recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:13 o'clock p.m., with the President in the Chair, and all Senators being present with the exception of Senator Ansai excused from this afternoon's session on account of illness, and Senator Harrison temporarily excused.

Senator Crockett moved that the Senate at this time take up the consideration of Senate Bill No. 426 on Third Reading, action on which was deferred this morning. Seconded by Senator Aguiar and

carried.

THIRD READING OF SENATE BILL NO. 426:

Consideration, on Third Reading of Senate Bill No. 426, entitled: "An Act making an appropriation for the purchase and installation of a six inch water main from Kamuela, Waimea, to Kawaihae, in the County of Hawaii", deferred from earlier on the calendar:

Senator Crockett offered the following amendment to the bill:

"Amend SECTION 2 to read as follows:

'SECTION 2. The sum herein appropriated shall be expended upon warrants drawn by the territorial auditor or the treasurer, based upon vouchers approved by the superintendent of public works and shall be repaid and reimbursed to the general fund of the Territory from the proceeds of sale or rental of public lands within the county of Hawaii.'"

Senator Crockett moved for the adoption of the amendment. Seconded by Senator Dillingham, and carried.

Senator Aguiar offered the following further amendment to the bill as amended:

"Amend Senate Bill No. 426 as follows:

Delete the words 'six inch' wherever the same appear in said Bill."

Upon motion by Senator Aguiar, seconded by Senator Capellas, and carried, the amendment was adopted.

Upon motion by Senator Aguiar, seconded by Senator Crockett, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senators Ansai and Harrison. Total, 2.

GOVERNOR'S MESSAGES:

A Message from the Governor (Gov. Message No. 26), returning House Bill No. 661 to the Senate for the purpose of making certain corrections therein, pursuant to House Concurrent Resolution No. 77, was read as follows:

(Gov. Message No. 26)

The Message was received and placed on file.

Consideration of House Bill No. 661, entitled: "An Act relating to the Board of Health and amending Section 2001 of the Revised Laws of Hawaii 1945, as amended", recalled from the Governor:

Action on the bill was deferred until later on the calendar.

A Message from the Governor (Gov. Message No. 27), returning House Bill No. 9 to the Senate for the purpose of making certain corrections therein, pursuant to House Concurrent Resolution No. 81, was read as follows:

(Gov. Message No. 27)

The Message was received and placed on file.

Consideration of House Bill No. 9, entitled: "An Act relating to the rights and privileges of officers and employees of the Territory of Hawaii or of any county or political subdivision thereof on active duty with the Armed Forces of the United States", recalled from the Governor:

Action on the bill was deferred until later on the calendar.

A Message from the Governor (Gov. Message No. 28), returning House Bill No. 584 to the Senate for the purpose of making certain corrections therein, pursuant to House Concurrent Resolution No. 79, was read as follows:

(Gov. Message No. 28)

The Message was received and placed on file.

Consideration of House Bill No. 584, recalled from the Governor, entitled: "An Act amending Section 8227 of the Revised Laws of Hawaii 1945, relating to funds of foreign Building and Loan Associations":

Action on the bill was deferred until later on the calendar.

A Message from the Governor (Gov. Message No. 29), returning House Bill No. 682 to the Senate for the purpose of making certain corrections therein, pursuant to House Concurrent Resolution No. 80, was read as follows:

(Gov. Message No. 29)

The Message was received and placed on file.

Consideration of House Bill No. 682, entitled: "An Act amending Sections 8171, 8212 and 8216 of Chapter 153 of the Revised Laws of Hawaii 1945, as amended, relating to Building and Loan Associations", recalled from the Governor:

Action on the bill was deferred until later on the calendar.

Senator Harrison came into the session at this time.

A Message from the Governor (Gov. Message No. 30), returning House Bill No. 728, to the Senate for the purpose of making certain corrections therein, pursuant to House Concurrent Resolution No. 78, was read as follows:

(Gov. Message No. 30)

The Message was received and placed on file.

Consideration of House Bill No. 728, entitled: "An Act relating to disputed Territorial claims, including disputes taxes and other moneys representing claims in favor of the Territory, amending Sections 1575, 5219, 5535, and 10482 of the Revised Laws of Hawaii 1945", recalled from the Governor:

Senator Hill offered the following amendments to the bill:

"1. Amend the quoted section 1575 set forth in SECTION 1 of the bill by deleting from the third paragraph of said quoted section 1575 the word 'payment' which follows the word 'subsequent', and by inserting in lieu thereof the word 'payments'.

2. Amend the quoted section 5219 set forth in SECTION 2 of the bill by deleting from the second paragraph of said quoted section the word 'before' which follows the words 'the amount of the tax paid', and by inserting in lieu thereof the word 'upon'."

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the amendments were adopted.

Upon motion by Senator Hill, seconded by Senator Dillingham, the bill, as amended, upon recall, passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 772), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 179, had requested a conference on the subject matter thereof, and had appointed Representatives King, Sakakihara and Yates as Managers on the part of the House for the consideration of said amendments, was read as follows:

(H. Com. No. 772)

The communication was received and placed on file.

The President thereupon appointed Senators Lee, Dillingham and Heen as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 773), returning House Bill No. 577 to the Senate for further consideration, pursuant to the request of the Senate, upon reconsideration in passing the bill on Third Reading, was read as follows:

(H. Com. No. 773)

The communication was received and placed on file.

Consideration, on Third Reading of House Bill No. 577, as amended, entitled: "An Act to provide for the acquisition, construction, establishment and improvement of certain highway improvements, and drainage, sanitary sewerage, light and water systems, and other public improvements, by special assessment, in the County of Kauai and to provide for financing the same by the issuance of improvement district bonds and other means", recalled from the House:

Senator Aguiar offered the following amendment to the bill recalled from the House:

"Amend House Bill No. 577, HD 1, SD 2, as follows:

In line 22 of SECTION 11 of the printed bill, following the word 'resolution', add the following:

'further direct the county engineer to prepare a corrected'".

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the amendment was adopted.

Upon motion by Senator Aguiar, seconded by Senator Fernandes, the bill, as amended upon recall, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

A communication from the House (H. Com. No. 774), informing the Senate that the House had adopted the report of the Conference Committee on House Joint Resolution No. 30, and that said joint resolution had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 774)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 18
ON HOUSE JOINT RESOLUTION NO. 30 ADOPTED:

Senator Fernandes, for Senator Ansai, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Joint Resolution No. 30, presented a report (Conf. Com. Rep. No. 18), recommending the final passage of the bill as passed by the Senate with a further amendment, which was read as follows:

(Conf. Com. Rep. No. 18)

Upon motion by Senator Hill, seconded by Senator Crockett, the report of the Committee was adopted; and House Joint Resolution No. 30, entitled: "Joint Resolution providing for the improvement of the water supply system at Kihei, Maui, and making an appropriation therefor by way of advancement from the general fund of the Territory to be repaid out of the proceeds of sales of public lands", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

A communication from the House (H. Com. No. 775), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Joint Resolution No. 45, and that as thus amended the bill had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 775)

The communication was received and placed on file.

A communication from the House (H. Com. No. 776), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 971, and that said bill,

as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 776)

The communication was received and placed on file.

At this time, Senator Harrison moved that the Senate take up the consideration of House Bill No. 661, recalled from the Governor, action on which was deferred earlier on the calendar. Seconded by Senator Hill, and carried.

Consideration, upon recall from the Governor, of House Bill No. 661, as amended, entitled: "An Act relating to the Board of Health and amending Section 2001 of the Revised Laws of Hawaii 1945, as amended":

Senator Harrison offered the following amendment to the bill:

> "Further amend section 2001 of the Revised Laws of Hawaii 1945 as the same appears in H.B. No. 661, HD 2, SD3, in the following respects:
>
> By amending the first sentence thereof to read as follows:
>
> > 'There shall be a board of health for the Territory (hereinafter referred to as the board) consisting of eleven members (including the president), of whom ten shall be appointive members and one shall be the attorney general of the Territory, ex officio.'"

Senator Harrison moved for the adoption of the amendment. Seconded by Senator Hill, and carried.

Upon motion by Senator Harrison, seconded by Senator Hill, the bill, as amended, passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

THIRD READINGS:

At this time the Senate returned to the Third Reading of Bills in which it was engaged at the time of the recess.

Third Reading of House Bill No. 151, entitled: "An Act relating to the classification, compensation, recruitment, appointment, employment, efficiency ratings and appeals of public employees, amending Chapter 3 of the Revised Laws of Hawaii 1945, as amended":

Senator Hill moved that action on the bill be deferred until tomorrow. Seconded by Senator Harrison, and carried.

Third Reading of House Bill No. 168, as amended, entitled: "An Act creating a Division of Hospitals and Medical Care in the Department of Health, Defining its powers, duties and functions, providing for a Territorial Advisory Commission and County Advisory Health Committees, providing for the Medical Care of Indigents and the medically indigent, amending Sections 6233 and 6521 of the Revised Laws of Hawaii 1945, as amended, and making an appropriation", deferred from yesterday:

Upon motion by Senator Hill, seconded by Senator Harrison, the bill as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Third Reading of House Bill No. 177, entitled: "An Act to amend Section 550, Revised Laws of Hawaii 1945, relating to vacations of public officers and employees", defefred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Aguiar, and carried, action on the bill was further deferred until tomorrow.

Senator Nobriga moved at this time that the Senate take up the consideration, on Third Reading, of Senate Bill No. 139, deferred this morning until later on the calendar. Seconded by Senator Duarte, and carried.

Third Reading of Senate Bill No. 139, as amended, entitled: "An Act to preserve and extend the functions of the Territorial Planning Board; making an appropriation therefor; authorizing the creation of County Planning Agencies, and amending Chapter 93 of the Revised Laws of Hawaii 1945", deferred from earlier on the calendar:

Upon motion by Senator Lee, seconded by Senator Nobriga, and carried, action on the bill was further deferred until later on the calendar, and Senator Nobriga was requested to take up with the Attorney General certain features of the bill.

Third Reading of House Bill No. 348, as amended, entitled: "An Act to amend Section 7313 of the Revised Laws of Hawaii 1945, relating to chauffeur's and operator's licenses":

Upon motion by Senator Crockett, seconded by Senator Dillingham, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Third Reading of House Bill No. 372, as amended, entitled: "An Act relating to Territorial Prisons":

Upon motion by Senator Okino, seconded by Senator Nobriga, and carried, action on the bill was deferred until the end of the calendar.

Third Reading of House Bill No. 430, entitled: "An Act to amend Chapter 135, Revised Laws of Hawaii 1945, relating to firearms and the possession, transfer and registration thereof, and providing penalties", with pending amendments offered by Senator Heen, deferred from yesterday:

Senator Aguiar moved that action on the amendments and the bill be further deferred until tomorrow. Seconded by Senator Dillingham, and carried.

Third Reading of House Bill No. 485, as amended, entitled: "An Act establishing a 'Scholarship Fund for Graduate Nurses', making an appropriation therefor, and prescribing powers and duties of the Board for the Licensing of Nurses":

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Third Reading of House Bill No. 530, entitled: "An Act amending Section 7134 of the Revised Laws of Hawaii 1945, relating to drivers' badges":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham,

Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Absent at Roll Call: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 541, entitled: "An Act relating to the ownership or possession of firearms or ammunition by persons convicted of certain crimes and providing the penalty therefor and amending Section 7186 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Absent at Roll Call: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 547, as amended, entitled: "An Act relating to the salaries of teachers, principals and other employees in the Department of Public Instruction and amending Chapter 28 of the Revised Laws of Hawaii 1945, as amended", deferred from yesterday:

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, action on the bill, as amended, was further deferred until tomorrow.

Third Reading of House Bill No. 655, entitled: "An Act relating to chauffeurs and operators of motor vehicles and amending Section 7305 of the Revised Laws of Hawaii 1945, as amended":

Upon motion by Senator Crockett, seconded by Senator Fernandes, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total,13.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Absent at Roll Call: Senator Nobriga. Total, 1.

Third Reading of House Bill No. 766, as amended, entitled: "An Act amending Section 12179 of the Revised Laws of Hawaii 1945, relating to revocation of wills":

Upon motion by Senator Crockett, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Third Reading of House Bill No. 798, entitled: "An Act to amend Chapter 122 of the Revised Laws of Hawaii 1945, as amended, by amending Section 6233 thereof, and by adding thereto a new subtitle and eleven new sections to be numbered 6233.02 to 6233.12, inclusive, and amending Sections 12644 and 12720 of the Revised Laws of Hawaii 1945, as amended, relating to the control of subdivisions of land within the counties of Hawaii, Kauai, and Maui, including Land Court Certificates and subdivision maps of registered lands, and filing plans and surveys, all with relation thereto, with pending amendments offered by Senator Nobriga, by Senator Crockett and by Senator

Okino, deferred from yesterday:

Senator Nobriga asked to be permitted to withdraw the amendments previously offered by himself, which permission was granted, and the amendments were so thereupon withdrawn.

Senator Crockett moved for the adoption of the amendments offered by him. Seconded by Senator Duarte, and carried.

Senator Okino moved for the adoption of the amendments offered by himself. Seconded by Senator Capellas, and carried.

Senator Heen moved that action on the bill, as amended, be deferred until tomorrow; that the bill be reprinted, and that the Senate Attorney be requested to check the bill to see that it was in proper form, as amended. Seconded by Senator Aguiar, and carried.

At 3:30 o'clock p.m., upon motion by Senator Nobriga, seconded by Senator Okino, and carried, the Senate stood in recess, subject to the call of the Chair.

The Senate reconvened at 4:40 o'clock p.m.

COMMUNICATION FROM THE HOUSE:

A communication from the House (H. Com. No. 777), transmitting House Bill No. 131, which had passed Third Reading in the House of Representatives of May 17th, was read, received and placed on file.

First Reading of House Bill No. 131, entitled: "An Act amending Chapter 28 of the Revised Laws of Hawaii 1945 by adding a new section thereto numbered Section 1755.01, requiring the employment of cafeteria managers and helpers in the Department of Public Instruction to be under Chapter 2 of the Revised Laws of Hawaii 1945 and on a twelve-months basis for each year and pro-rating their present salaries, which are based on the provisions of Chapter 3 of the Revised Laws of Hawaii 1945, into twelve equal monthly installments":

Upon motion by Senator Hill, seconded by Senator Lee, and

carried, the bill passed First Reading by title and was referred to the Committee on Ways and Means.

RECONSIDERATION OF ACTION IN PASSING HOUSE BILL NO. 1007, AS AMENDED:

Senator Dillingham, having voted with the majority in passing House Bill No. 1007, as amended, on Third Reading yesterday, moved that the Senate reconsider its action in passing the bill, as amended, on Third Reading. Seconded by Senator Heen, and carried.

Consideration, on Third Reading of House Bill No. 1007, S.D. 3, entitled: "An Act to amend Section 6552 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of officers and members of the Honolulu Fire Department":

Senator Dillingham offered the following further amendment to the bill as amended:

"Amend Section 3 to read as follows:

'SECTION 3. Any bonus provided by Act 208, Session Laws of Hawaii 1947, as amended, or any general employees' bonus enacted by the regular 1951 session of the legislature, shall be payable to the employees mentioned in section 1 of this Act. In the event of a general base pay increase for government employees, the rates of compensation in section 1 of this Act shall cease to be effective, and, notwithstanding any other law to the contrary, said employees mentioned in said section of this Act shall be governed by the provisions of Chapter 3 of the Revised Laws of Hawaii 1945, as amended, and the rates of the classification schedule applying to said employees, including such base pay increase, shall be effective.'"

Upon motion by Senator Dillingham, seconded by Senator Heen, and carried, the amendment was adopted.

Upon motion by Senator Dillingham, seconded by Senator Heen, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 12.

Noes: Senators Aguiar and Hill. Total, 2.

Excused and not voting: Senator Ansai. Total, 1.

COMMUNICATION FROM THE HOUSE:

A communication from the House (H. Com. No. 778), returning Senate Bill No. 391, with an amendment, was read as follows:

(H. Com. No. 778)

The communication was received and placed on file.

Senator Nobriga moved that the Senate concur in the amendment proposed by the House. Seconded by Senator Okino; and Senate Bill No. 391, as thus amended, entitled: "An Act making an appropriation for the survey and opening up of public lands for lease or for sale and providing for the disposition of the proceeds of such lease or sale", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: Senator Aguiar. Total, 1.

Excused and not voting: Senator Ansai. Total, 1.

A communication from the House(H. Com. No. 779), returning Senate Bill No. 487, with an amendment, was read as follows:

(H. Com. No. 779)

The communication was received and placed on file.

Senator Dillingham moved that the Senate do not concur in the amendment proposed by the House, and that a Conference Committee of three Senators be appointed by the President for the consideration of the said amendment. Seconded by Senator Robinson, and carried.

The President thereupon appointed Senators Dillingham, Robinson and Harrison as Conferees on the part of the Senate for the consideration of the amendment.

A communication from the House (H. Com. No. 780), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 752, had requested a conference thereon, and had appointed Representatives Fukushima, Paschoal and Noda as Managers on the part of the House for the consideration of the said amendments, was read as follows:

(H. Com. No. 780)

The communication was received and placed on file.

The President thereupon appointed Senators Harrison, Crockett and Okino as Conferees on the part of the Senate at such conference.

DEPARTMENTAL COMMUNICATION:

A communication from the Mayor of the City and County of Honolulu (Dept. Com. No. 97), transmitting an itemized list of priorities of the City and County of Honolulu's requirements for consideration by the Legislature, in conformity with the discussion which had taken place at the luncheon meeting yesterday, was read as follows:

(Dept. Com. No. 97)

The communication and list were received and referred to the Select Committee of Oahu Senators.

THIRD READINGS OF HOUSE BILLS RESUMED:

At this juncture, the Senate resumed the Third Readings of bills on the calendar for today.

Third Reading of House Bill No. 918, as amended, entitled: "An Act relating to classification and salaries of positions of first assistants or deputies, which are either classified under Chapter 3 of the Revised Laws of Hawaii 1945, as amended, or unclassified", deferred from yesterday:

Senator Heen offered the following amendment to the bill:

"Amend House Bill No. 918, HD 1, SD 1, as follows:

1. Amend subsections 1 and 2 of SECTION 1 by deleting the proviso clause in both subsections; and by substituting in lieu thereof, the following clause:

'provided, however, this limitation shall not apply to a professional position in any legal department or to any position requiring special or exceptional ability, and provided, further, that no allocation or adjustment or incease of compensation to grades P-8, P-9, CAF-15, CAF-16, or IN-13, or the equivalent thereof, for any position, whether in the territorial or county governments, or any other governmental agency thereof, shall be made without the approval of the governor.'"

Upon motion by Senator Heen, seconded by Senator Nobriga, and carried, the amendment was adopted.

Senator Dillingham moved that action on the bill, as amended, be deferred until tomorrow. Seconded by Senator Harrison, and carried.

Third Reading of House Bill No. 947, as amended, entitled: "An Act relating to the registration of judgments of Federal Courts":

Upon motion by Senator Crockett, seconded by Senator Capellas, the bill as amended passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Absent at Roll Call: Senator Lee. Total, 1.

Third Reading of House Bill No. 956, entitled: "An Act to amend Section 4874 of the Revised Laws of Hawaii 1945, relating to workshops for the blind, by providing for workmen's compensation for blind workmen":

Upon motion by Senator Hill, seconded by Senator Robinson, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Nobriga, Okino, Robinson and Mr. President. Total, 13.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Absent at Roll Call: Senator Lee. Total, 2.

Third Reading of House Bill No.1014, as amended, entitled: "An Act to amend Chapter 76 of the Revised Laws of Hawaii 1945, as amended, relating to payment of wages":

Upon motion by Senator Crockett, seconded by Senator Capellas, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Third Reading of House Bill No. 1080, as amended, entitled: "An Act to amend Section 200.01 of the Revised Laws of Hawaii 1945, as enacted by Act 399 of the Session Laws of Hawaii 1949, relating to voting booths or units":

Upon motion by Senator Hill, seconded by Senator Dillingham, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

CONFERENCE COMMITTEE REPORT NO. 19
ON SENATE BILL NO. 407 ADOPTED:

Senator Dillingham, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 407, presented a report (Conf. Com. Rep. No. 19), recommending the final passage of the bill as passed by the Senate with further amendments, which was read as follows:

(Conf. Com. Rep. No. 19)

Upon motion by Senator Dillingham, seconded by Senator Heen, and carried, the report of the Committee was adopted; and Senate Bill No. 407, entitled: "An Act amending Section 6637 of the Revised Laws of Hawaii 1945, relating to the Master Plan of the City and County of Honolulu", passed Final Reading in accordance therewith on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

CONFERENCE COMMITTEE REPORT NO. 20
ON SENATE BILL NO. 444 ADOPTED:

Senator Dillingham, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 444, presented a report (Conf. Com. Rep. No. 20), recommending the final passage of the bill as passed by

the House with further amendments, which was read as follows:

(Conf. Com. Rep. No. 20)

Upon motion by Senator Dillingham, seconded by Senator Robinson, the report of the Committee was adopted; and Senate Bill No. 444, entitled: "An Act relating to the Honolulu Police Department and amending Section 6550 of the Revised Laws of Hawaii 1945, as amended", passed Final Reading in accordance therewith on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

REPORTS OF COMMITTEES:

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 501), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 502), recommending the passage of House Bill No. 1081, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 502)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the report of the Committee was adopted. House Bill No. 1081 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

CONSIDERATION OF HOUSE BILL NO. 9, RECALLED FROM THE GOVERNOR, DEFERRED FROM EARLIER ON THE CALENDAR:

Consideration of House Bill No. 9, recalled from the Governor, entitled: "An Act relating to the rights and privileges of officers and employees of the Territory of Hawaii or of any county or political subdivision thereof on active duty with the Armed Forces of the United States", deferred from earlier on the calendar:

Senator Crockett offered the following amendment to the bill:

"Amend House Bill No. 9 by amending the title to read as follows:

'AN ACT
RELATING TO THE RIGHTS AND PRIVILEGES OF OFFICERS AND EMPLOYEES OF THE TERRITORY OF HAWAII OR OF ANY COUNTY OR POLITICAL SUBDIVISION THEREOF DURING THE PERIOD OF EMERGENCY SET FORTH HEREIN OR WHILE ON ACTIVE DUTY WITH THE ARMED FORCES OF THE UNITED STATES.'"

Senator Crockett moved for the adoption of the amendment. Seconded by Senator Lee, and carried.

Upon motion by Senator Crockett, seconded by Senator Duarte, the bill, as amended, passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Consideration of House Bill No. 584, recalled from the Governor, entitled: "An Act amending Section 8227 of the Revised Laws of Hawaii 1945, relating to funds of foreign Building and Loan Associations"; deferred from earlier on the calendar:

Senator Crockett offered the following amendment to the bill:

"Amend Section 1 of said House Bill to read as follows:

'SECTION 1. Section 8227 of the Revised Laws of Hawaii 1945, as amended by Act 181 of the Session Laws of Hawaii 1947, is hereby further amended by adding thereto a new paragraph to read as follows:

"'All moneys, funds, securities, and other assets of foreign associations doing business in the Territory representing investments of payments or investments by members or investors in accounts with the territorial office of such foreign associations, including mortgages on real estate located without the Territory and the moneys in-

vested therein pursuant to section 8225, shall, in the event of liquidation of any such association, and after payment of preferred claims adjudged to be preferred by the court having jurisdiction of any liquidation proceedings, be used first for repayments in full of payments or investments by members or investors maintaining accounts with the territorial office of such foreign association.'".

Senator Crockett moved for the adoption of the amendment. Seconded by Senator Capellas, and carried.

Upon motion by Senator Crockett, seconded by Senator Capellas, the bill, as amended, passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Consideration of House Bill No. 682, recalled from the Governor, entitled: "An Act amending Sections 8171, 8212 and 8216 of Chapter 153 of the Revised Laws of Hawaii 1945, as amended, relating to Building and Loan Associations", deferred from earlier on the calendar:

Senator Crockett offered the following amendments to the bill:

"(1) Amend Section 1 of said bill to read as follows:

'SECTION 1. Section 8171 of chapter 153 of the Revised Laws of Hawaii 1945 is hereby amended by amending the first paragraph thereof to read as follows:

"'The term 'building and loan association', savings and loan association', 'building and loan company', or 'savings and loan company' shall mean and include any corporation organized for any one or more of the following purposes:'"

Said section 8171 of chapter 153 of the Revised Laws of Hawaii 1945 is hereby further amended by amending the final paragraph thereof to read as follows:

"'For the purposes of this chapter the word 'association' shall denote a 'building

and loan association', a 'savings and loan association' or a 'savings and loan company' and shall import a corportation.'"

"(2) Amend section 4 of said bill so that the word 'amounts' in the third line of said section 4 shall be changed to read 'accounts'."

Upon motion by Senator Crockett, seconded by Senator Robinson, and carried, the amendments were adopted.

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the bill, as amended, passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Ansai. Total, 1.

Third Reading of Senate Bill No. 139, as amended, enritled: "An Act to preserve and extend the functions of the Territorial Planning Board; making an appropriation therefor; authorizing the creation of County Planning Agencies, and amending Chapter 93 of the Revised Laws of Hawaii 1945", deferred from earlier on the calendar:

Inasmuch as the House had adjourned for the day, making it too late for the House to consider the bill before the last day of the extended session, Senator Nobriga moved that the bill be recommitted to the Committee on Public Lands. Seconded by Senator Dillingham, and carried.

Consideration, on Third Reading of House Bill No. 50, as amended, entitled: "An Act amending Act 232 (Series A-16) of the Session Laws of Hawaii 1949 relating to the office hours and hours of work of officers and employees of the Territory of Hawaii, the several counties and the boards and commissions thereof", deferred earlier on the calendar:

Senator Dillingham asked to be permitted to withdraw the amendments he had offered this morning; and he was so permitted, and thereupon withdrew the said amendments.

Senator Dillingham thereupon offered the following amendments to the bill:

"Amend the mimeographed bill as follows:

1. Amend the quoted section of SECTION 1 by deleting the 'period' at the end of the first stence thereof, and adding the following:

   'provided further, that if public inconvenience will not result thereby, and with the approval of the governor as to territorial offices, or the mayor or the chairman of the board of supervisors as to offices of the political subdivisions, or the chairman of any independent board or commission as to the office of such board or commission, offices may be closed on Saturdays, in which case they shall remain open until 4:30 in the afternoon, Mondays through Fridays of each week.'

2. Delete paragraphs 2, 3, 4, 5, 6, 7 and 8 from the quoted section of SECTION 1.

3. By deleting SECTION 2.

4. By deleting SECTION 3 and substituting in lieu thereof the following:

   'SECTION 2. All laws or parts of laws inconsistent with the provisions of this Act are to the extent of such inconsistency, amended or repealed, provided, however, that nothing herein contained shall be construed to prevent the Territory, or any political subdivision thereof or the independent boards or commissions or both, from altering the normal work hours of its employees as may be nec-

essary to furnish inspectional service for public works, and from paying such employees for all hours worked in excess of 8 hours per day and 40 hours in any one week, or on a territorial holiday.'

5. By renumbering SECTION 4 as 'SECTION 3'".

Upon motion by Senator Dillingham, seconded by Senator Hill, the amendments were adopted.

Senator Dillingham moved that action on the bill, as amended, be deferred tomorrow, and that the amended bill be reprinted. Seconded by Senator Lee, and carried.

Consideration, on Third Reading, of House Bill No. 372, as amended, entitled: "An Act relating to Territorial Prisons", deferred from earlier on the calendar:

Upon motion by Senator Hill, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson, and Mr. President. Total, 13.

Noes: Senator Aguiar. Total, 1.

Excused and not voting: Senator Ansai. Total, 1.

ADJOURNMENT:

At 5:27 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Dillingham, and carried, the Senate adjourned until 11:00 o'clock a.m., on Friday, May 18, 1951.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 195*

SEVENTY-SECOND Day

FRIDAY, MAY 18, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SEVENTY-SECOND DAY

Friday, May 18, 1951.

The Senate convened at 11:25 o'clock a.m., with the President presiding.

After Prayer by the Chaplain, the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Seventy-First Day.

DEPARTMENTAL COMMUNICATION:

A communication from the office of the Secretary of Hawaii (Dept. Com. No. 98), informing the Senate that the Governor had signed House Bill No. 167 as Act 73, House Bill No. 293 as Act 74, House Bill No. 644 as Act 75, and House Bill No. 900 as Act 76, was read as follows:

(Dept. Com. No. 98)

The communication was received and placed on file.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 780), informing the Senate that the House had reconsidered its action in adopting the report of the Conference Committee on House Bill No. 157 and in passing the same on Final Reading in accordance therewith; and that the same Managers, Representatives Lydgate, Garcia and Otsuka would serve as Managers on the part of the House for the consideration of the amendments to said bill, to which the House had disagreed, was read as follows:

(H. Com. No. 780)

The communication was received and placed on file.

SENATE RECONSIDERS ITS ACTION IN ADOPTING CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 157:

Senator Dillingham moved that the Senate reconsider its action in adopting the report of the Committee on Conference on House Bill No. 157 and in passing the said bill on Final Reading in accordance therewith. Seconded by Senator Duarte, and carried.

The President thereupon reappointed Senators Hill, Dillingham and Duarte as Conferees on the part of the Senate for the further consideration of the amendments to which the House had disagreed.

A communication from the House (H. Com. No. 781), returning Senate Concurrent Resolution No. 55, which had been adopted by the House of Representatives on May 17th, was read, received and placed on file.

MISCELLANEOUS COMMUNICATION:

A communications from Messrs. Robert W. Clopton, Thomas D. Murphy and Allan F. Saunders, of the University of Hawaii (Misc. Com. No. 52), requesting that, should the House reconsider its action in passing House Bill No. 1054 on Final Reading, representatives of the petitioning members of the University faculty be given an opportunity to appear before the appropriate committee to explain the reasons for and the objectives of the amendments proposed thereto, and suggesting others who might also appear with them, was read as follows:

(Misc. Com. No. 52)

The communication was received and laid on the table for consideration with any further action taken on the bill, resulting from the request contained in Senate Resolution No. 84, requesting the return of the said bill to the Senate for further consideration.

COMMITTEE OF THE WHOLE REPORT ON
SUBJECT MATTER OF SENATE RESOLUTION NO. 48:

Senator Okino, for the Committee of the Whole, having under consideration the subject matter of Senate Resolution No. 48, relating to insurance rates in the Territory of Hawaii, presented a report (Com. Whole Rep. No. 21), presenting its findings, and recommending the adoption of a Resolution in the form attached to and made a part of the report (S. Res. No. 56); and further recommending that the Committee on Ways and Means give a full hearing to the office of the Insurance Commissioner as to its financial requirements for the next biennium, which was read as follows:

(Com. Whole Rep. No. 21)

The report was received and placed on file, the oral report of the Committee having previously been adopted.

REPORT OF PRINTING COMMITTEE:

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 503), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

THIRD READINGS:

Third Reading of Senate Bill No. 581, entitled: "An Act to amend Section 2 of the Revised Laws of Hawaii 1945, relating to the promulgation of laws enacted by the Legislature":

Upon motion by Senator Crockett, seconded by Senator Lee, and carried, action on the bill was deferred until later on the calendar.

Third Reading of House Bill No. 50, as amended, entitled: "An Act amending Act 232 (Series A-16) of the Session Laws of Hawaii 1949 relating to the office hours and hours of work of officers and employees of the Territory of Hawaii, the several

counties and the boards and commissions thereof", deferred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Duarte, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 151, entitled: "An Act relating to the classification, compensation, recruitment, appointment, employment, efficiency ratings and appeals of public employees, amending Chapter 3 of the Revised Laws of Hawaii 1945, as amended", deferred from yesterday:

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, action on the bill was further deferred until tomorrow.

Third Reading of House Bill No. 177, entitled: "An Act to amend Section 550, Revised Laws of Hawaii 1945, relating to vacations of public officers and employees", deferred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on the bill was deferred until the end of the calendar.

Third Reading of House Bill No. 430, entitled: "An Act to amend Chapter 135, Revised Laws of Hawaii 1945, relating to firearms and the possession, transfer and registration thereof, and providing penalties", with pending amendments offered by Senator Heen, deferred from yesterday:

Senator Heen moved for the adoption of the amendments offered by him on May 16th. Seconded by Senator Lee, and carried.

Upon motion by Senator Heen, seconded by Senator Lee, the

bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 547, as amended, entitled: "An Act relating to the salaries of teachers, principals and other employees in the Department of Public Instruction and amending Chapter 28 of the Revised Laws of Hawaii 1945, as amended", deferred from yesterday:

Senators Hill, Ansai, Fernandes, Dillingham, Crockett, Harrison, Robinson, Capellas and Nobriga offered the following further amendments to the bill as amended:

(Insert amendments)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the amendments were adopted.

Senator Aguiar moved that action on the bill, as amended, be deferred until later on the calendar. Seconded by Senator Hill, and carried.

Third Reading of House Bill No. 798, entitled: "An Act to amend Chapter 122 of the Revised Laws of Hawaii 1945, as amended, by amending Section 6233 thereof, and by adding thereto a new subtitle and eleven new sections to be numbered 6233.02 to 6233.12, inclusive, and amending Sections 12644 and 12720 of the Revised Laws of Hawaii 1945, as amended, relating to the control of subdivisions of land within the County of Kauai, including Land Court certificates and subdivision maps of registered lands, and filing plans and surveys, all with relation thereto", deferred as amended, from yesterday:

Senator Aguiar offered the following further amendments to the amended bill:

"1. Amend the title to read as follows:

'AN ACT
RELATING TO THE CONTROL OF SUBDIVISIONS OF LAND WITHIN THE COUNTY OF KAUAI, AMENDING SECTIONS 6233, AS AMENDED, 12644, AS AMENDED, AND 12720, AS AMENDED, OF THE REVISED LAWS OF HAWAII 1945, AND AMENDING CHAPTER 125, AS AMENDED, OF SAID REVISED LAWS BY ADDING THERETO A NEW SUBTITLE AND ELEVEN NEW SECTIONS NUMBERED 6417.01 TO 6417.11 INCLUSIVE.'

2. Amend Section to read as follows:

'SECTION 1. The grant of specific power contained in subsection 7 of section 6233, as amended, of the Revised Laws of Hawaii 1945 shall no longer extend to the board of supervisors of the county of Kauai.'

3. Amend the first seven lines of Section 2 to read as follows:

'SECTION 2. Chapter 125, as amended, of said Revised Laws is hereby further amended by the addition of a new subtitle and eleven sections numbered 6417.01 to 6417.11, inclusive, to read as follows:

"SUBDIVISION CONTROL IN THE COUNTY OF KAUAI."'

4. In Section 2, renumber quoted sections '6233.02-6233.06', the figures '6417.01-6417.11' inclusive.

5. In the third and fourth lines of quoted section 6233.02 (renumbered 6417.01)substitute for the words and punctuation 'counties of Hawaii, Kauai, and Maui,' the words and punctuation 'county of Kauai,'.

6. In section 3, substitute for the figures '6233.02-6233.06', the figures '6417.01-6417.05'.

7. In section 4, amend the quoted paragraph to read:

'If the land is situated in the county of Kauai, any plan for the subdivision thereof as defined in section 6417.02 shall, before approval by the surveyor, be subject to approval by the board of supervisors in like manner as subdivisions under sections 6417.01 to 6417.05.'

8. In Section 5, substitute for the word 'subtitle' in the second, fifth and eighth lines thereof, the word 'Act'."

Upon motion by Senator Hill, seconded by Senator Aguiar, and carried, action on the amendments and the bill was deferred until later on the calendar.

CONCURRENT RESOLUTION NO. 56 OFFERED:

Under suspension of the Rules, Senator Lee offered a Concurrent Resolution (S. Con. Res. No. 56), protesting against the display of colonialism through denying island residents federal pay differentials, requesting the House of Representatives of the United States Congress to amend the 1952 agriculture appriation bill, deleting this clause discriminating against territorial residents; and further requesting the United States Congress to defer taking any action to discontinue or modify the pay differentials granted to federal employees of the Territory until such time as the results of the survey of the Bureau of Labor Statistics are available, and then to adjust federal pay differentials accordingly for all federal employees, which was read as follows:

(S. Con. Res. No. 56)

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, the Concurrent Resolution was adopted.

At 12:05 o'clock p.m., upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the Senate stood in recess until 1:30 o'clock p.m.,

AFTERNOON SESSION

The Senate reconvened at 2:13 o'clock p.m., with the President in the Chair and all Senators being present.

MESSAGES FROM THE GOVERNOR:

A Message from the Governor (Gov. Message No. 31), returning House Bill No. 1040 without his approval and commenting on the bill and his reasons for vetoing it, was read as follows:

(Gov. Message No. 31)

The Message was received, and action thereon deferred, pending action by the House of Representatives thereon.

A Message from the Governor (Gov. Message No. 32), returning House Bill No. 1041 without his approval, and commenting on the bill, and giving his reasons for returning it without his approval, was read as follows:

(Gov. Message No. 32)

The Message was received and action thereon deferred, pending action by the House of Representatives thereon.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 782), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 168; and that said bill, as thus amended, had passed Final Reading, was read as follows:

(H. Com. No. 782)

The communication was received and placed on file.

A communication from the House (H. Com. No. 783), informing the Senate that the House had adopted the report of the Committee on Conference on House Bill No. 1034, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 783)

The communication was received and placed on file.

Senator Dillingham, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1034, presented a report (Conf. Com. Rep. No. 21), recommending the final passage of the bill as passed by the Senate with an amendment, which was read as follows:

(Conf. Com. Rep. No. 21)

Upon motion by Senator Dillingham, seconded by Senator Duarte, the report of the Committee was adopted; and House Bill No. 1034 entitled: "An Act authorizing the Board of

Supervisors of the City and County of Honolulu to issue general obligation bonds in the sum of six million dollars ($6,000,000.00) for the construction of the Kalihi Tunnel and its approach roads", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 784), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Joint Resolution No. 60, and that said joint resolution, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 784)

The communication was received and placed on file.

A communication from the House (H. Com. No. 785), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 9 (recalled from the Governor), and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 785)

The communication was received and placed on file.

A communication from the House (H. Com. No. 786), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 661 (recalled from the Governor), and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 786)

The communication was received and placed on file.

A communication from the House (H. Com. No. 787), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 728 (recalled from the Governor), and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 787)

The communication was received and placed on file.

A communication from the House (H. Com. No. 788), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 947, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 788)

The communication was received and placed on file.

A communication from the House (H. Com. No. 789), informing the Senate that the House had appointed Representatives Porteus, King and Fukushima as Managers on the part of the House at the conference on the subject matter of the amendments proposed by the House to Senate Bill No. 487, to which the Senate had disagreed, was read as follows:

(H. Com. No. 789)

The communication was received and placed on file.

A communication from the House (H. Com. No. 790), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Concurrent Resolution No. 17, had requested a conference thereon, and had appointed Representatives Hind, Porteus and Kido as Managers on the part of the House for the consideration of the said amendments, was read as follows:

(H. Com. No. 790)

The communication was received and placed on file.

The President thereupon appointed Senators Nobriga, Duarte and Fernandes as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 791), transmitting House Concurrent Resolution No. 82, adopted by the House of Representatives on May 18th, was read, received and placed on file.

HOUSE CONCURRENT RESOLUTION NO. 82 ADOPTED:

Consideration of House Concurrent Resolution No. 82, requesting the Governor to return House Bill No. 855 to the Senate for the purpose of making certain corrections therein, as follows:

(H. Con. Res. No. 82)

Upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the Concurrent Resolution was adopted.

A communication from the House (H. Com. No. 792), transmitting House Concurrent Resolution No. 83, which was adopted by the House of Representatives on May 18th, was read, received and placed on file.

CONSIDERATION OF HOUSE CONCURRENT RESOLUTION NO. 83:

Consideration of House Concurrent Resolution No. 83, "Memorializing the Congress of the United States of America to maintain a single standard of salaries for Federal employees in the Territory of Hawaii", as follows:

(H. Con. Res. No. 83)

Senator Lee moved that the Concurrent Resolution lie on the table, inasmuch as the Senate had adopted Senate Concurrent Resolution No. 56 on the same subject matter earlier in today's session, and had transmitted it to the House. The motion was seconded by Senator Fernandes, and carried.

A communication from the House (H. Com. No. 793), informing the Senate that the House had adopted the report of the Conference Committee on House Bill No. 25, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 793)

The communication was received and placed on file.

Senator Hill, for the Committee on Conference, on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 25, presented a report (Conf. Com. Rep. No. 22), recommending the final passage of the bill in an amended form attached, which was read as follows:

(Conf. Com. Rep. No. 22)

Senator Lee moved that action on the report be deferred until the end of the calendar. Seconded by Senator Dillingham, and carried.

A communication from the House (H. Com. No. 794), informing the Senate that the House had adopted the Conference Committee on Senate Bill No. 407, and that the said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 794)

The communication was received and placed on file.

A communication from the House (H. Com. No. 795), informing the Senate that the House had adopted the report of the Conference Committee on Senate Bill No. 444, and that said bill had passed Final Reading in accordance therewith, was read as follows:

(H. Com. No. 795)

The communication was received and placed on file.

A communication from the House (H. Com. No. 796), transmitting House Bill No. 1139, was read, received and placed on file.

RESOLUTION NO. 85 OFFERED SUBSTITUTING HOUSE BILL NO. 1139 FOR SENATE BILL NO. 581 IDENTICALLY ENTITLED:

Senator Crockett offered a Resolution (S. Res. No. 85), substituting House Bill No. 1139 which has already passed Three Readings in the House of Representatives, for Senate Bill No. 581, identically entitled, which has passed two readings in the Senate, which was read as follows:

(S. Res. No. 85)

Upon motion by Senator Crockett, seconded by Senator Okino, and carried, the Resolution was adopted.

Third Reading of House Bill No. 1139, entitled: "An Act to amend Section 2 of the Revised Laws of Hawaii 1945, relating to the promulgation of laws enacted by the legislature":

Upon motion by Senator Crockett, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Upon motion by Senator Crockett, seconded by Senator Okino, and carried, Senate Bill No. 581 was placed on file.

Consideration, on Third Reading, of House Bill No. 798, entitled: "An Act to amend Chapter 122 of the Revised Laws of Hawaii 1945, as amended, by amending Section 6233 thereof, and by adding thereto a new subtitle and eleven new sections to be numbered 6233.02 to 6233.12, inclusive, and amending Sections 12644 and 12720 of the Revised Laws of Hawaii 1945, as amended, relating to the control of subdivisions of land within the County

of Kauai, including land court certificates and subdivision maps of registered lands, and filing plans and surveys, all with relation thereto", with pending amendments offered by Senator Aguiar during this morning's session, deferred from earlier on the calendar:

Senator Heen moved that the Senate reconsider its action taken yesterday in adopting the amendments offered by Senator Crockett and the amendments offered by Senator Okino. Seconded by Senator Aguiar, and carried.

Senator Heen then moved that the amendments offered by Senator Crockett and the amendments offered by Senator Okino, be tabled. Seconded by Senator Fernandes, and carried.

Senator Aguiar thereupon moved for the adoption of the amendments offered by him this morning. Seconded by Senator Fernandes, and carried.

Senator Nobriga offered the following further amendments to the bill as amended:

"Amend House Bill No. 798, H.D. 1, S. D. 1, in the following respects:

1. By amending the title thereof to read as follows:

'AN ACT

RELATING TO PLANNING ACTIVITIES IN THE TERRITORY OF HAWAII AND THE CONTROL OF SUBDIVISIONS OF LAND THEREIN; MAKING AN APPROPRIATION IN CONNECTION THEREWITH; AMENDING SECTIONS 6233, AS AMENDED, 12644, AS AMENDED, AND 12720, AS AMENDED, OF THE REVISED LAWS OF HAWAII 1945, AND AMENDING CHAPTER 125, AS AMENDED, OF SAID REVISED LAWS BY ADDING THERETO A NEW SUBTITLE AND ELEVEN NEW SECTIONS NUMBERED 6417.01 TO 6417.11 INCLUSIVE.'

2. By renumbering sections 5 and 6 thereof as Sections 6 and 7, respectively, and inserting a new Section 5 to read as follows:

'SECTION 5. There is hereby appropriated from the general revenues of the territory, not otherwise appropriated, the sum of $65,000 for the territorial planning board created by chapter 93 of the Revised Laws of Hawaii 1945. The moneys herein appropriated shall be expendable

upon vouchers approved by the chairman of the territorial planning board.'"

Senator Nobriga moved for the adoption of the amendments. Seconded by Senator Lee.

Senator Aguiar moved that the amendments be tabled. Seconded by Senator Robinson.

A Roll Call being demanded, the motion to table the amendments was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Fernandes, Harrison, Hill and Robinson. Total, 8.

Noes: Senators Dillingham, Duarte, Heen, Lee, Nobriga, Okino and Mr. President. Total, 7.

Upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 918, as amended, entitled: "An Act relating to classification and salaries of positions of first assistants or deputies, which are either classified under Chapter 3 of the Revised Laws of Hawaii 1945, as amended, or unclassified", deferred from yesterday:

Upon motion by Senator Hill, seconded by Senator Okino, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino and Robinson. Total, 13.

Noes: Senators Dillingham and Mr. President. Total, 2.

Third Reading of House Bill No. 1081, as amended, entitled: "An Act to amend Section 284 of the Revised Laws of Hawaii 1945, relating to elections":

Upon motion by Senator Hill, seconded by Senator Ansai, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

CONCURRENT RESOLUTIONS OFFERED:

Senators Nobriga and Ansai offered a Concurrent Resolution (S. Con. Res. No. 57), requesting the Land Commissioner, in the event Congress shall enact the necessary legislation, to effectuate an exchange of public lands with the Molokai Ranch Company, Limited, which was read as follows:

(S. Con. Res. No. 57)

Upon motion by Senator Aguiar, seconded by Senator Lee, and carried, the Concurrent Resolution was ordered printed and action thereon was deferred until tomorrow.

Senators Nobriga and Ansai offered a Concurrent Resolution (S. Con. Res. No. 58), requesting the Congress of the United States to ehact legislation that will permit the Land Commissioner of the Territory of Hawaii to exchange government lands with the Molokai Ranch Company, Limited, primarily on Molokai, or elsewhere in the Territory, for not less than one thousand acres of land of the said Company in the area to be served by the Molokai irrigation system, which was read as follows:

(S. Con. Res. No. 58)

Upon motion by Senator Nobriga, seconded by Senator Aguiar, and carried, the Concurrent Resolution was ordered printed, and

action thereon was deferred until tomorrow.

RESOLUTION NO. 86 OFFERED:

Senators Crockett, Ansai and Duarte offered a Resolution (S. Res. No. 86), requesting the Board of Trustees of the Employees' Retirement System of the Territory to study the subject matter of Senate Bill No. 85 and report the results of its study to the next session of the Legislature, which was read as follows:

(S. Res. No. 86)

Upon motion by Senator Crockett, seconded by Senator Duarte, and carried, the Resolution was adopted.

Senator Crockett stated that Senate Bill No. 85 had previously been referred to the Holdover Committee for study, but since it appeared that no Holdover Committee would be created by this session of the Legislature, it was felt that the subject matter of this bill was of such importance that it should be studied and reported on to the next session of the Legislature.

REPORTS OF COMMITTEES:

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 504), recommending the passage of House Bill No. 1079, which was read as follows:

(Stand. Com. Rep. No. 504)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 1079 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 505), recommending the passage of House Bill No. 1107, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 505)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 1107 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 506), recommending the passage of House Bill No. 926, which was read as follows:

(Stand. Com. Rep. No. 506)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 926 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 507), recommending the passage of House Bill No. 1, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 507)

Upon motion by Senator Hill, seconded by Senator Ansai, and carrried, the report of the Committee was adopted. House Bill No. 1 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Robinson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 508), recommending the passage of House Bill No. 186 in an amended form, and the reference of the bill, as amended, to the Committee on Ways and Means, which was read as follows:

(Stand. Com. Rep. No. 508)

Upon motion by Senator Robinson, seconded by Senator Capellas, and carried, the report of the Committee was adopted. House Bill No. 186 passed Second Reading, in the amended form, and was thereupon referred to the Committee on Ways and Means.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 509), recommending the passage of House Bill No. 434, which was read as follows:

(Stand. Com. Rep. No. 509)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 434 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 510), recommending the passage of House Bill No. 897, which was read as follows:

(Stand. Com. Rep. No. 510)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 897 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 511), recommending the passage of House Bill No. 818, which was read as follows:

(Stand. Com. Rep. No. 511)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 818 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 512), recommending the passage of House Bill No. 1031, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 512)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 1031 passed Second Reading, as amended, and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 513), recommending the passage of House Bill No. 980, with certain amendments, which was read as follows:

(Stand. Com. Rep. No. 513)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 980, as amended, passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 514), recommending the passage of House Bill No. 914, which was read as follows:

(Stand. Com. Rep. No. 514)

Upon motion by Senator Crockett, seconded by Senator Dillingham, and carried, the report of the Committee was adopted. House Bill No. 914 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 515), recommending the passage of House Bill No. 255, which was read as follows:

(Stand. Com. Rep. No. 515)

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the report of the Committee was adopted. House Bill No. 255 passed Second Reading and was placed on the calendar for Third Reading tomorrow.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 140), recommending the passage of House Bill No. 1096, in an amended form, which was read as follows:

(Spec. Com. Rep. No. 140)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted. House Bill No. 1096 passed Second Reading in the amended form, and was placed on the calendar for Third Reading tomorrow.

CONSIDERATION OF HOUSE BILL NO. 177, ON THIRD READING DEFERRED FROM THIS MORNING:

Consideration, on Third Reading of House Bill No. 177, entitled: "An Act to amend Section 550, Revised Laws of Hawaii 1945, relating to vacations of public officers and employees", deferred from earlier on the calendar:

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on the bill was further deferred until tomorrow.

Consideration, on Third Reading of House Bill No. 547, as amended; entitled: "An Act relating to the salaries of teachers, principals and other officers and employees of the Department of Public Instruction, repealing Sections 1764, as amended, 1765 and 1766, and amending Sections 1755, 1758, 1759, as amended, 1760, as amended, 1761, 1762 and 1763 of the Revised Laws of Hawaii 1945, and Act 263, as amended, of the Session Laws of Hawaii 1945, and making an appropriation", deferred from earlier on the calendar:

Senator Aguiar offered the following further amendments to the bill as amended:

> "Amend Class II and Class III of the salary schedule for teachers within quoted section 1759 in section 2 to read as follows:

| 'CLASS II | CLASS III |
|---|---|
| Collegiate Certificate Monthly Sal. | Professional Certificate Monthly Sal. |
| $235 | $245 |
| 240 | 250 |
| 245 | 255 |
| 250 | 260 |
| 255 | 265 |
| 260 | 270 |
| 265 | 275 |
| 270 | 280 |
| 275 | 285 |
| 280 | 295 |
| 285 | 305 |
| 295 | 315 |
| 305 | 325 |
| 315 | 335 |
| 325 | 345 |
| 335 | 355'". |

Senator Aguiar moved for the adoption of the amendments. Seconded by Senator Fernandes.

Senator Hill moved that the amendments be tabled. Seconded by Senator Dillingham.

A Roll Call being demanded, the motion to table the amendments was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 12.

Noes: Senators Aguiar, Duarte and Nobriga. Total, 3.

Upon motion by Senator Hill, seconded by Senator Ansai, and carried, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At 3:20 o'clock p.m., upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the Senate stood in recess, subject to the call of the Chair.

The Senate reconvened at 4:00 o'clock p.m.

DEPARTMENTAL COMMUNICATION NO. 99:

A communication from the office of the Secretary of Hawaii (Dept. Com. No. 99), informing the Senate that the Governor had signed House Joint Resolution No. 59 as Joint Resolution 15, House Bill No. 264, as Act 77, House Bill No. 359 as Act 78, House Bill No. 401 as Act 79, House Bill No. 406 as Act 80, House Bill No. 580 as Act 81, House Bill No. 581 as Act 82, House Bill No. 582 as Act 83, House Bill No. 583 as Act 84, House Bill No. 585 as Act 85, House Bill No. 676 as Act 86, House Bill No. 677, as Act 87, House Bill No. 678 as Act 88, House Bill No. 681 as Act 89, House Sill No. 754 as Act 90, Senate Bill No. 90 as Act 91, Senate Bill No. 100 as Act 92, Senate Bill No. 388 as Act 93, Senate Bill No. 435 as Act 94, Senate Bill No. 463 as Act 95, Senate Bill No. 542 as Act 96, House Bill No. 675 as Act 97, House Bill No. 680 as Act 98, House Bill No. 723 as Act 99, House Bill No. 769 as Act 100, House Bill No. 975 as Act 101, House Bill No. 985 as Act 102, House Bill No. 1010 as Act 103, House Bill No. 1011 as Act 104, House Bill No. 1063 as Act 105, House Bill No. 1094 as Act 106, Senate Bill No. 307 as Act 107, Senate Bill No. 502 as Act 108, House Bill No. 206 as Act 109, House Bill No. 176 as Act 110 and House Joint Resolution No. 33 as Joint Resolution 16, was read as follows:

(Dept. Com. No. 99)

The communication was received and placed on file.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT NO. 22 ON HOUSE BILL NO. 25:

Consideration of Conference Committee Report No. 22, recommending the final passage of House Bill No. 25 in an amended form, action on which was deferred earlier on the calendar:

Senator Lee moved that the Senate do not adopt the report of the Committee on Conference. Seconded by Senator Dillingham, and carried.

Senator Dillingham then moved that the President appoint a new Conference Committee on the part of the Senate for the further consideration of the amendments; and that the former Senate Conferees be discharged. Seconded by Senator Lee, and carried.

The President thereupon appointed Senators Robinson, Heen and Harrison as new Conferees on the part of the Senate for the further consideration of the amendments proposed by the Senate to House Bill No. 25, to which the House had disagreed; and discharged the Senate Conferees who had served on the first Conference Committee.

ADJOURNMENT:

At 4:16 o'clock p.m., upon motion by Senator Duarte, seconded by Senator Okino, and carried, the Senate adjourned until 11:00 o'clock a.m., on Saturday, May 19, 1951.

Ellen D. Smythe

Clerk of the Senate.

Approved:

Noboru Tsukiyama

President of the Senate.

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## SENATE JOURNAL

*Regular Session 1951*

SEVENTY-THIRD Day

SATURDAY, MAY 19, 1951

ELLEN D. SMYTHE
*Clerk*

JOURNAL OF THE SENATE

SEVENTY-THIRD DAY

Saturday, May 19, 1951.

The Senate convened at 11:28 o'clock a.m., with President Tsukiyama presiding.

The Divine Blessing was invoked by Chaplain Keala, after which the Roll was called, showing all members present.

The President announced that he had read and approved the Journal of the Seventy-Second Day.

RESOLUTION NO. 87 ADOPTED, RECALLING HOUSE BILL NO. 50 FROM THE HOUSE:

Under suspension of the Rules, Senator Dillingham offered a Resolution (S. Res. No. 87), recalling House Bill No. 50 from the House of Representatives for further consideration by the Senate, which was read as follows:

(S. Res. No. 87)

Upon motion by Senator Dillingham, seconded by Senator Fernandes, and carried, the Resolution was adopted.

GOVERNOR'S MESSAGES:

A Message from the Governor (Gov. Message No. 33), submitting appointments for confirmation, was read as follows:

(Gov. Message No. 33)

The Message was received, and upon motion by Senator Lee, seconded by Senator Duarte, and carried, consideration thereof to be in Executive Session.

A Message from the Governor (Gov. Message No. 34), submitting appointments for confirmation, was read as follows:

(Gov. Message No. 34)

The Message was received; and upon motion by Senator Lee, seconded by Senator Duarte, and carried, the Senate went into Executive Session at 11:35 o'clock a.m., for the consideration of the said Message and Message No. 33.

The Executive Session being ended, the Senate reconvened at 12:23 o'clock p.m., and the Clerk was instructed to communicate with the Governor as follows:

(Insert Communication to Governor)

The Senate thereupon stood in recess at 12:24 o'clock until 2:00 o'clock this afternoon.

AFTERNOON SESSION

The Senate reconvened at 2:43 o'clock p.m., with the President in the Chair, and all members being present.

THIRD READINGS:

At this time, under suspension of the Rules, the Senate took up the Third Readings on the calendar for today; and upon motion by Senator Hill, seconded by Senator Fernandes, and carried, the Senate took up the Third Reading of House Bill No. 151 as the first of these.

Third Reading of House Bill No. 151, entitled: "An Act relating to the classification, compensation, recruitment, appointment, employment, efficiency ratings and appeals of public employees, amending Chapter 3 of the Revised Laws of Hawaii 1945, as amended", deferred from yesterday:

Senators Hill, Ansai, Fernandes, Robinson, Capellas, Crockett, Harrison and Dillingham offered the following amendment to the bill, set forth in an amended form of the bill:

(Insert amendments here)

Senator Hill moved for the adoption of the amendments. Seconded by Senator Dillingham, and carried.

Senator Aguiar offered the following further amendment to the bill, as amended:

"Insert a new section in said bill appropriately numbered just prior to the 'effective"section, renumbering the effective section appropriately, which new section shall read as follows:

'SECTION ____. The monthly compensation of all employees of the Territory of Hawaii and of the counties of the Territory, who are not department heads or the first deputies or assistants of such department heads, and who do not receive any other increase in compensation by an Act of the Regular Session of the Twenty-Sixth Legislature of the Territory of Hawaii, any other provisions of law to the contrary notwithstanding, is hereby increased by a straight 20 per cent of such compensation for two years beginning July 1, 1951. The auditors of the Territory or of the several counties, as the case may be, are hereby authorized and directed to draw warrants on the treasurer of the Territory or of the several counties, as the case may be, for such increase in compensation and the treasurers of the Territory or of the several counties, as the case may be, are hereby authorized and directed to pay such warrants. Sufficient monies are hereby appropriated from the general revenues of the Territory of Hawaii to meet the cost of the increase in compensation herein granted to the employees of the Territory.'"

Senator Aguiar moved for the adoption of the amendment. Seconded by Senator Fernandes.

Senator Hill moved that the amendment be tabled. Seconded by Senator Dillingham.

A Roll Call being demanded, the motion to table the amendment was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Crockett, Dillingham, Fernandes, Harrison, Hill, Okino, Robinson and Mr. President. Total, 9.

Noes: Senators Aguiar, Duarte, Heen, Lee and Nobriga. Total, 5.

Excused and not voting: Senator Capellas. Total, 1.

Upon motion by Senator Hill, seconded by Senator Dillingham, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Capellas. Total, 1.

Third Reading of House Bill No. 1, as amended, entitled: "An Act making appropriations for public improvements and providing for the issuance of public improvement bonds":

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on the bill was deferred until later on the calendar.

Third Reading of House Bill No. 177, entitled: "An Act to amend Section 550, Revised Laws of Hawaii 1945, relating to vacations of public officers and employees", deferred from yesterday:

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, action on the bill was deferred until later on the calendar.

Third Reading of House Bill No. 255, entitled: "An Act to amend Section 5151 of the Revised Laws of Hawaii 1945, relating to real property tax exemptions":

Senators Crockett, Ansai and Harrison offered the following amendments to the bill:

"1. Insert in the bill two new sections to read as follows:

'SECTION 2. Section 5151 of the Revised Laws of Hawaii 1945 is hereby amended by adding thereto a new paragraph reading as follows:

"66. All property owned or used exclusively by the Board of Home Missions and Church Extension of the Meth-

odist Church at Kahuku, so long as the same is used only for religious, educational, hospital community, governmental or character-building purposes."

'SECTION 3. Section 5151 of the Revised Laws of Hawaii 1945 is hereby amended by adding thereto a new paragraph reading as follows:

"67. All property owned or used exclusively by the St. Roch's Church at Kahuku, so long as the same is used only for religious, educational, hospital, community, governmental or character-building purposes.'"

2. Renumber Sections 2 and 3 of this bill to become, respectively, Sections 4 and 5."

Upon motion by Senator Harrison, seconded by Senator Dillingham, and carried, the amendments were adopted.

Upon motion by Senator Harrison, seconded by Senator Dillingham, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Capellas. Total, 1.

Third Reading of House Bill No. 434, entitled: "An Act to authorize the Director of Institutions to pay the claims of certain employees of Oahu Prison for overtime work":

Senator Robinson offered the following amendment to the bill:

"Amend House Bill No. 434, H.D. 1, as follows:

Amend the title of said bill to read as follows:

'AN ACT
TO AUTHORIZE THE DIRECTOR OF INSTITUTIONS TO SETTLE THE CLAIMS OF CERTAIN EMPLOYEES OF OAHU PRISON FOR SERVICES RENDERED.'"

Senator Robinson moved for the adoption of the amendment. Seconded by Senator Dillingham, and carried.

Upon motion by Senator Robinson, seconded by Senator Dillingham, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Capellas. Total, 1.

Third Reading of House Bill No. 818, entitled: "An Act relating to remission and refunding or crediting of taxes on real property damaged or destroyed by the flood on the island of Oahu in March 1951":

Senators Okino, Crockett, Ansai, Nobriga, Duarte, Capellas and Hill offered the following amendments to the bill:

(Insert amendments)

Senator Okino moved for the adoption of the amendments. Seconded by Senator Duarte, and carried.

Upon motion by Senator Dillingham, seconded by Senator Okino, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 897, entitled: "An Act for the relief of Kotohira Jinsha, a religious corporation":

Upon motion by Senator Dillingham, seconded by Senator Hill, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 914, entitled: "An Act relating to descent of property and amending paragraphs 2 and 3 of Section 12073 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 926, entitled: "An Act making appropriation by way of advancement from the general fund of the Territory to be repaid out of the proceeds of sales of public lands in the county of Hawaii for the construction and improvement of certain homestead and other roads in the county of Hawaii":

Senator Nobriga offered the following amendments to the bill:

"1. Amend title by inserting after the words 'COUNTY OF HAWAII' in the 3rd line (mimeographed bill) the following:

"FIFTY PER CENTUM OF ALL RENTALS UNDER LEASES OF PUBLIC PASTURE LANDS".

2. Amend SECTION 3 of the mimeographed bill by inserting after the word 'lands' in the fourth line thereof, the words 'and fifty per centum of all rentals under leases of public pasture lands.'"

Senator Ansai moved that the amendments be tabled. Seconded by Senator Robinson, and carried.

Upon motion by Senator Hill, seconded by Senator Okino, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 980, as amended, entitled: "An Act to amend Chapter 145 of the Revised Laws of Hawaii 1945, as amended, regulating boxing contests in the Territory of Hawaii":

Upon motion by Senator Dillingham, seconded by Senator Duarte, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 1031, as amended, entitled: "An Act relating to weights and measures, defining the powers and duties of enforcing officers, increasing the number of deputy sheriffs of the City and County of Honolulu, providing penalties, and amending Chapter 142 and Section 6627 of the Revised Laws of Hawaii 1945":

Upon motion by Senator Crockett, seconded by Senator Lee, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 1079, entitled: "An Act to amend Section 247 of the Revised Laws of Hawaii 1945, as amended, relating to elections":

Upon motion by Senator Lee, seconded by Senator Dillingham, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

Third Reading of House Bill No. 1096, as amended, entitled: "An Act relating to governmental office buildings in the county of Hawaii and providing for the construction and financing thereof":

Upon motion by Senator Nobriga, seconded by Senator Capellas, the bill passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Duarte, Harrison, Heen, Hill, Lee, Nobriga, Okino and Mr. President. Total, 12.

Noes: Senators Aguiar, Fernandes and Robinson. Total, 3.

Third Reading of House Bill No. 1107, as amended, entitled: "An Act to amend Act 115 of the Session Laws of Hawaii 1947, as amended, relating to the Hawaii Statehood Commission":

Upon motion by Senator Dillingham, seconded by Senator Hill, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

MESSAGE FROM THE GOVERNOR RETURNING
HOUSE BILL NO. 855

A Message from the Governor (Gov. Message No. 35), returning House Bill No. 855 to the Senate for the purpose of making certain corrections therein, pursuant to House Concurrent Resolution No. 82, was read as follows:

(Gov. Message No. 35)

The Message was received and placed on file.

Consideration of House Bill No. 855 (recalled from the Governor), entitled: "An Act relating to foreign corporations and amending Section 8391 of the Revised Laws of Hawaii 1945":

Senator Crockett offered the following amendment to the bill:

"H. B. No. 855, S.D. 1 is hereby amended by deleting from line 37 of paragraph 4 of quoted section 8391 the words 'paragraphs 5 and 6 of'".

Upon motion by Senator Crockett, seconded by Senator Ansai, and carried, the amendment was adopted.

Upon motion by Senator Crockett, seconded by Senator Ansai, the bill, as amended, passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

DEPARTMENTAL COMMUNICATION:

A communication from the office of the Secretary of Hawaii (Dept. Com. No. 100), informing the Senate that the Governor has signed House Bill No. 26 as Act 111, House Bill No. 61 as Act 112, House Bill No. 524 as Act 113, House Bill No. 535 as Act 114, House Bill No. 565 as Act 115, House Bill No. 733 as Act 116, House Bill No. 785 as Act 117, House Bill No. 808 as

Act 118, House Bill No. 809 as Act 119, and House Bill No. 811 as Act 120, was read as follows:

(Dept. Com. No. 100)

The communication was received and placed on file.

HOUSE COMMUNICATIONS:

A communication from the House (H. Com. No. 797), informing the Senate that the House had adopted the Conference Committee report on House Bill No. 157, and that said bill had passed Final Reading in accordance therewith, was read as follows:

(H. Com. No. 797)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 23 ON HOUSE BILL NO. 157, ADOPTED:

Senator Hill, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 157, presented a report (Conf. Com. Rep. No. 23), recommending the final passage of the bill in an amended form attached, which was read as follows:

(Conf. Com. Rep. No. 23)

Upon motion by Senator Hill, seconded by Senator Duarte, the report of the Committee was adopted; and House Bill No. 157, entitled: "An Act amending Section 4863 of the Revised Laws of Hawaii 1945, requiring recipients of general assistance to work on public work projects as a condition of receiving aid", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Absent at Roll Call: Senator Lee. Total, 1.

A communication from the House (H. Com. No. 798), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 250, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 798)

The communication was received and placed on file.

A communication from the House (H. Com. No. 799), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 372, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 799)

The communication was received and placed on file.

A communication from the House (H. Com. No. 800), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 485, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 800)

The communication was received and placed on file.

A communication from the House (H. Com. No. 801), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 577 (recalled from the Governor), and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 801)

The communication was received and placed on file.

A communication from the House (H. Com. No. 802), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 584 (recalled from the Governor), and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 802)

The communication was received and placed on file.

A communication from the House (H. Com. No. 803), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 682 (recalled from the Governor), and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 803)

The communication was received and placed on file.

A communication from the House (H. Com. No. 804), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 766, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 804)

The communication was received and placed on file.

A communication from the House (H. Com. No. 805), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 798, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 805)

The communication was received and placed on file.

A communication from the House (H. Com. No. 806), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 918, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 806)

The communication was received and placed on file.

A cpmmunication from the House (H. Com. No. 807), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1027, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 807)

The communication was received and placed on file.

A communication from the House (H. Com. No. 808), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1080, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 808)

The communication was received and placed on file.

A communication from the House (H. Com. No. 809), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1081, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 809)

The communication was received and placed on file.

A communication from the House (H. Com. No. 810), returning Senate Concurrent Resolution No. 56, relating to the salary differential of Federal employees in Hawaii, which had

been adopted by the House of Representatives with an amendment, was read as follows:

(H. Com. No. 810)

The communication was received and placed on file.

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, the Senate concurred in the amendment proposed by the House; and Senate Concurrent Resolution No. 56 was finally adopted as thus amended.

A communication from the House (H. Com. No. 811), transmitting House Concurrent Resolution No. 84, which had been adopted by the House of Representatives on May 19th, was read, received and placed on file.

HOUSE CONCURRENT RESOLUTION NO. 84
LAID ON TABLE INDEFINITELY:

Consideration of House Concurrent Resolution No. 84, "urging the Board of Supervisors of the City and County of Honolulu to proceed immediately with the acquisition of lands for the site of a new Emergency Hospital", as follows:

(H. Con. Res. No. 84)

Senator Dillingham moved that the Concurrent Resolution lay on the table indefinitely. Seconded by Senator Aguiar, and carried.

The following communications from the House of Representatives, returning Senate Bills which had passed Third Reading in the House on May 19th, were read, received and placed on file:

H. Com. No. 812, returning Senate Bill No. 129;

H. Com. No. 813, returning Senate Bill No. 192;

H. Com. No. 814, returning Senate Bill No. 345;

H. Com. No. 815, returning Senate Bill No. 266;

H. Com. No. 816, returning Senate Bill No. 443.

A communication from the House (H. Com. No. 817), returning Senate Bill No. 374, with certain amendments, was read as follows:

(H. Com. No. 817)

The communication was received and placed on file.

Senator Dillingham moved that the Senate do not concur in the amendments proposed by the House, and that a Conference Committee of three be appointed by the President for the consideration of the said amendments. Seconded by Senator Robinson, and carried.

The President thereupon appointed Senators Heen, Dillingham and Ansai as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 818), returning Senate Bill No. 72 in an amended form, was read as follows:

(H. Com. No. 818)

The communication was received and placed on file.

Senator Dillingham moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Okino, and carried; and Senate Bill No. 72, as thus amended, entitled: "An Act relating to the reorganization of certain executive departments of the government; transferring certain tax functions to the Tax Commissioner; and amending Sections 5104, 8487 and 8488 of the Revised Laws of Hawaii 1945", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

MISCELLANEOUS COMMUNICATION:

A communication from the Chairman of the Hawaii Civil Rights Congress (Misc. Com. No. 53), opposing the enactment of the "Loyalty Bills", was read as follows:

(Misc. Com. No. 53)

The communication was received and laid on the table to be considered with other communications on the same matter, if and when the House returns House Bill No. 1054 to the Senate for further consideration as requested by the Senate.

At this time, 3:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

At 4:28 o'clock p.m., the Senate reconvened and thereupon, on motion by Senator Lee, seconded by Senator Hill, and carried, went into Executive Session.

The Executive Session being ended, the Senate reconvened at 5:30 o'clock p.m.

SENATE RECONSIDERS ACTION IN DISAGREEING TO AMENDMENTS PROPOSED BY HOUSE TO S.B. NO. 374:

At this time, Senator Heen moved that the Senate reconsider its action taken in disagreeing to the amendments proposed by the House to Senate Bill No. 374. Seconded by Senator Ansai, and carried.

Senator Heen thereupon moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Ansai, and Senate Bill No. 374, as thus amended, entitled: "An Act relating to the Surveyor of the Territory of Hawaii", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

The President thereupon discharged the Conferees on the part of the Senate.

A communication from the House (H. Com. No. 819), informing the Senate that the House had reconsidered its action in disagreeing to the amendments proposed by the Senate to House Bill No. 752; that upon reconsideration the amendments had been agreed to, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, and that the Managers on the part of the House had been discharged, was read as follows:

(H. Com. No. 819)

The communication was received and placed on file.

The President thereupon discharged the Conferees on the part of the Senate.

A communication from the House (H. Com. No. 820), returning Senate Bill No. 485, with an amendment, was read as follows:

(H. Com. No. 820)

The communication was received and placed on file.

Senator Okino moved that the Senate concur in the amendment proposed by the Senate. Seconded by Senator Hill, and carried; and Senate Bill No. 485, as thus amended, entitled: "An Act amending Chapter 296 of the Revised Laws of Hawaii 1945 relating to annulment, divorce and separation", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 821), returning Senate Bill No. 109, with certain amendments, was read as follows:

(H. Com. No. 821)

The communication was received and placed on file.

Senator Crockett moved that the Senate do not concur in the amendments proposed by the House, and that a Conference Committee be appointed by the President for the consideration thereof. Seconded by Senator Duarte, and carried.

The President thereupon appointed Senators Crockett, Lee and Heen as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 822), informing the Senate that the House had adopted the Conference Committee Report on House Bill No. 342, and that the said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 822)

The communication was received and placed on file.

Senator Crockett, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 342, presented a report (Conf. Com. Rep. No. 24), recommending the final passage of the bill as passed by the House, with an amend,ent, which was read as follows:

(Conf. Com. Rep. No. 24)

Upon motion by Senator Crockett, seconded by Senator Ansai, the report of the Committee was adopted; and House Bill No. 342, entitled: "An Act relating to fraudulent commercial paper, and amending Section 11322 of the Revised Laws of Hawaii 1945", passed

Final Reading in accordance therewith on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 823), informing the Senate that the House had adopted the Conference Committee Report on House Bill No. 542, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 823)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 25 ON HOUSE BILL NO. 542 ADOPTED:

Senator Crockett, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 542, presented a report (Conf. Com. Rep. No. 25), recommending the final passage of the bill as passed by the House with an amendment, which was read as follows:

(Conf. Com. Rep. No. 25)

Upon motion by Senator Crockett, seconded by Senator Okino, the report of the Committee was adopted; and House Bill No. 542, entitled: "An Act defining the crime of larceny from the person and providing the penalty therefor", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 824), informing the Senate that in accordance with the action of the Senate in failing to adopt the report of the Committee on Conference on House Bill No. 25, the Speaker had reappointed Representatives Sakakihara, Porteus and Miyake as Managers on the part of the House at such conference.

A communication from the House (H. Com. No. 825), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 1007, had requested a conference thereon, and had appointed Representatives Miyake, Porteus and Russell as Managers on the part of the House for the consideration of said amendments, was read as follows:

(H. Com. No. 825)

The communication was received and placed on file.

The President thereupon appointed Senators Dillingham, Harrison and Lee as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 826), informing the Senate that the House had disagreed to the amendments, proposed by the Senate to House Bill No. 1014, had requested a conference on the subject matter thereof, and had appointed Representatives Starr, King and Nielsen as Managers on the part of the House for the consideration of said amendments, was read as follows:

(H. Com. No. 826)

The communication was received and placed on file.

The President thereupon appointed Senators Crockett, Heen and Lee as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 827), returning Senate Bill No. 573 in an amended form, was read as follows:

(H. Com. No. 827)

The communication was received and placed on file.

Upon motion by Senator Hill, seconded by Senator Fernandes, the Senate concurred in the amendments proposed by the House; and Senate Bill No. 573, as thus amended, entitled: "An Act relating to the existing national emergency; providing for the public peace, health, safety and welfare and for the common defense during such emergency; providing for preparation for and functioning in respect of attacks (including sabotage or any hostile action) during such emergency, and for other measures having to do with shortages during such emergency and the maintenance of the strength, resources and economic life of the Territory and its inhabitants during such emergency; providing for the emergency organization of government and suspension of laws; providing the duties and powers of the governor and the political subdivisions; providing for certain transactions; authorizing charges to be made; authorizing the governor to exercise certain powers over persons and property, to prescribe rules and regulations, and to delegate powers; prescribing rights and immunities; authorizing cooperation and agreements with the Federal government, state governments and other governments and agencies; providing penalties and other means of enforcement; and making and authorizing appropriations and expenditures", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At 6:05 o'clock p. m., the Senate stood in recess until 8:00 o'clock tonight.

EVENING SESSION

The Senate reconvened at 8:13 o'clock p.m., with the President in the Chair and all Senators being present.

REPORTS OF COMMITTEES:

Senator Dillingham, for the Committee on Enrollment, Revision and Printing, presented a report (Stand. Com. Rep. No. 516), reporting that all matters referred to it had been mimeographed and were ready for distribution, which was read, received and placed on file.

Senator Capellas, for the Committee on Accounts and Public Expenditures, presented a report (Stand. Com. Rep. No. 517), reporting on the accounts of the Senate as of this date, which was read as follows:

(Stand. Com. Rep. No. 517)

Upon motion by Senator Capellas, seconded by Senator Duarte, and carried, the report of the Committee was adopted.

Senator Hill, for the Committee on Ways and Means, to which was referred House Bill No. 186 after the same had passed Second Reading, presented a report (Stand. Com. Rep. No. 518), recommending the passage on Third Reading of the bill in an amended form, which was read as follows:

(Stand. Com. Rep. No. 518)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the report of the Committee was adopted:

Third Reading of House Bill No. 186, entitled: "An Act amend-

ing Chapter 28 of the Revised Laws of Hawaii 1945 by adding a new section thereto numbered Section 1755.01, requiring the employment of cafeteria managers in the Department of Public Instruction to be under Chapter 2 of the Revised Laws of Hawaii 1945 and on a twelve-months basis for each year and prorating their present salaries, which are based on the provisions of Chapter 3 of the Revised Laws of Hawaii 1945, and any bonus, into twelve equal monthly installments", passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 828), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 980, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 828)

The communication was received and placed on file.

A communication from the House (H. Com. No. 829), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 547, had requested a conference on the subject matter thereof, and had appointed Representatives Miyake, Fukushima and Sakakihara as Managers on the part of the House at such conference, was read as follows:

(H. Com. No. 839)

The communication was received and placed on file.

The President thereupon appointed Senators Hill, Dillingham and Robinson as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 830), informing the Senate that the House had appointed Representatives Shimamura, Hind and Lydgate as Managers on the part of the House for the consideration of the amendments proposed by the House to Senate Bill No. 109, to which the Senate had disagreed, was read as follows:

(H. Com. No. 830)

The communication was received and placed on file.

A communication from the House (H. Com. No. 831), informing the Senate that the amendment proposed by the Senate to House Bill No. 434 had been agreed to by the House; and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 831)

The communication was received and placed on file.

A communication from the House (H. Com. No. 832), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 255, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 832)

The communication was received and placed on file.

A communication from the House (H. Com. No. 833), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 818, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 833)

The communication was received and placed on file.

A communication from the House (H. Com. No. 834), informing the Senate that the House had agreed to the amendment proposed by the Senate to House Bill No. 855 (recalled from the Governor), and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 834)

The communication was received and placed on file.

A communication from the House (H. Com. No. 835), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1026, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 835)

The communication was received and placed on file.

A communication from the House (H. Com. No. 836), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 430, had requested a conference on the subject matter thereof, and had appointed Representatives Shimamura, Nielsen and Hind as Managers on the part of the House for the consideration of said amendments, was read as follows:

(H. Com. No. 836)

The communication was received and placed on file.

The President thereupon appointed Senators Heen, Crockett and Okino as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 837), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1107, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 837)

The communication was received and placed on file.

A communication from the House (H. Com. No. 838), returning House Bill No. 50 to the Senate for further consideration, pursuant to Senate Resolution No. 87, was read as follows:

(H. Com. No. 838)

The communication was received and placed on file.

Senator Dillingham moved that the Senate reconsider its action in passing House Bill No. 50, as amended, on Third Reading. Seconded by Senator Hill, and carried.

Consideration, on Third Reading, of House Bill No. 50, as amended, entitled: "An Act amending Act 232 (Series A-16) of the Session Laws of Hawaii 1949 relating to the office hours and hours of work of officers and employees of the Territory of Hawaii, the several counties and the boards and commissions thereof":

Senator Dillingham offered the following amendments to the bill, as amended, set forth in an amended form of the bill, as follows:

(Insert amendments)

Upon motion by Senator Dillingham, seconded by Senator Hill, and carried, the amendments were adopted.

Upon motion by Senator Dillingham, seconded by Senator Hill, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 839), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1031, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 839)

The communication was received and placed on file.

A communication from the House (H. Com. No. 840), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 348, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 840)

The communication was received and placed on file.

A communication from the House (H. Com. No. 841), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 5, had requested a conference on the subject matter thereof, and had appointed Representatives Porteus, Miyake and Sakakihara as Managers on the part of the House for the consideration of the said amendments, was read as follows:

(H. Com. No. 841)

The communication was received and placed on file.

The President thereupon appointed Senators Hill, Harrison and Crockett as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 842), returning Senate Concurrent Resolution No. 37 which had been adopted by the House of Representatives on May 19th, was read, received and placed on file.

SENATE CONCURRENT RESOLUTION NO. 57 ADOPTED:

Consideration of Senate Concurrent Resolution No. 57, requesting the Land Commissioner to effectuate the exchange of public lands with lands of the Molokai Ranch Company, Limited, in connection with the Molokai Irrigation Project, deferred from yesterday, on special order:

Upon motion by Senator Ansai, seconded by Senator Nobriga, and carried, the Concurrent Resolution was adopted.

Consideration of Senate Concurrent Resolution No. 58, requesting Congress to enact legislation to permit the exchange of government land with lands of the Molokai Ranch Company, Limited, in connection with the Molokai Irrigation System, on special order:

Upon motion by Senator Ansai, seconded by Senator Nobriga, and carried, the Concurrent Resolution was adopted.

CONCURRENT RESOLUTION NO. 59 ADOPTED:

Senators Robinson, Harrison, Heen, Capellas, Tsukiyama, Ansai, Hill, Crockett, Fernandes, Lee, Dillingham and Duarte offered a Concurrent Resolution (S. Con. Res. No. 59), commending "IMUA" on its organization, program and activities, and urging the officers and members of the Hawaii Residents' Association, Inc., to continue its valuable work for the betterment of Hawaii, which was read as follows:

(S. Con. Res. No. 59)

Upon motion by Senator Robinson, seconded by Senator Ansai, and carried, the Concurrent Resolution was adopted.

RESOLUTION NO. 88 ADOPTED:

Senator Duarte offered a Resolution (S. Res. No. 88), requesting the Honolulu Police Commission to give thoughtful consideration to the issuance of permits to members of the Merchant Patrol to carry guns, which was read as follows:

(S. Res. No. 88)

Upon motion by Senator Duarte, seconded by Senator Hill, and carried, the Resolution was adopted.

RESOLUTION NO. 89 ADOPTED:

Senators Nobriga, Capellas and Hill offered a Resolution (S. Res. No. 89), requesting the County of Hawaii Planning and Traffic Commission to give thoughtful consideration to permit parking on Kapiolani Street in Hilo, Hawaii, on Sundays during the hours of church services, which was read as follows:

(S. Res. No. 89)

Upon motion by Senator Hill, seconded by Senator Okino, and carried, the Resolution was adopted.

CONSIDERATION OF HOUSE BILL NO. 1, on Third Reading, deferred:

Consideration, on Third Reading of House Bill No. 1, entitled: "An Act making appropriations for public improvements and providing for the issuance of public improvement bonds", deferred from earlier on the calendar:

Senator Dillingham moved that action on the bill be further deferred until later on the calendar. Seconded by Senator Lee, and carried.

Consideration, on Third Reading of House Bill No. 177, entitled: "An Act to amend Section 550, Revised Laws of Hawaii 1945, relating to vacations of public officers and employees", deferred from earlier on the calendar:

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the bill was placed on file, the provisions thereof having been incorporated in House Bill No. 179 now in conference.

At 8:30 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

The Senate reconvened at 8:45 o'clock p.m.

CONFERENCE COMMITTEE REPORT NO. 26
ON SENATE BILL NO. 109 ADOPTED:

Senator Crockett, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 109, presented a report (Conf. Com. Rep. No. 26), recommending the final passage of the bill as passed by the Senate, with certain amendments, which was read as follows:

(Conf. Com. Rep. No. 26)

Upon motion by Senator Crockett, seconded by Senator Lee, the report of the Committee was adopted; and Senate Bill No. 109, entitled: "An Act relating to absentee voters; amending Section 227 of the Revised Laws of Hawaii 1945, as amended", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

RESOLUTIONS OFFERED:

Senator Tsukiyama offered a Resolution (S. Res. No. 90), expressing thanks and appreciation to the Board of Water Supply for the flowers and flower arrangements which have been used in the Senate Chamber during this session, which have been contributed so generously by the said Board, which was read as follows:

(S. Res. No. 90)

Upon motion by Senator Duarte, seconded by Senator Harrison, and carried, the Resolution was adopted.

Senator Capellas offered a Resolution (S. Res. No. 91), providing for retaining the employees of the Senate after ad-

journment sine die of the Senate, and allowing the Chairman of the Committee on Accounts his traveling expenses for his trips to Honolulu in connection with the settling of the accouhts of the Senate, which was read as follows:

(S. Res. No. 91)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the Resolution was adopted.

Senator Dillingham offered a Resolution (S. Res. No. 92), expressing thanks and appreciation to the Mayor and Board of Supervisors of the City and County of Honolulu, and to the Royal Hawaiian Band, and to the Glee Club of the said Band for the music furnished in the grounds of the Capitol Building each week, and the concerts by the Glee Club in the Senate Chamber, which was read as follows:

(S. Res. No. 92)

Upon motion by Senator Dillingham, seconded by Senator Harrison, and carried, the Resolution was adopted.

Senator Dillingham offered a Resolution (S. Res. No. 93), expressing appreciation to the Director of the Department of Institutions for the many courtesies extended to the Members of the Senate during this session of the Legislature, which was read as follows:

(S. Res. No. 93)

Upon motion by Senator Dillingham, seconded by Senator Capellas, and carried, the Resolution was adopted.

Senator Fernandes offered a Resolution (S. Res. No. 94), requesting the Secretary to furnish each member of the Senate with a printed and bound copy of the Journal of the House of Representatives, Regular Session of 1951, which was read as follows:

(S. Res. No. 94)

Upon motion by Senator Fernandes, seconded by Senator Crockett, and carried, the Resolution was adopted.

Senator Robinson offered a Resolution (S. Res. No. 95), extending to Daniel Liu, Chief of Police, City and County of Honolulu, and to the officers serving under him, the sincere appreciation of the members for the many courtesies accorded them, and the officers and employees of the Senate during the present session of the Legislature, which was read as follows:

(S. Res. No. 95)

Upon motion by Senator Robinson, seconded by Senator Okino, and carried, the Resolution was adopted.

Senator Harrison offered a Resolution (S. Res. No. 96), thanking the Hawaiian Pineapple Company, Limited, for the fresh pineapple juice supplied the Senate during the 1951 session, which was read as follows:

(S. Res. No. 96)

Upon motion by Senator Harrison, seconded by Senator Dillingham, and carried, the Resolution was adopted.

Senators Harrison, Hill, Ansai, Okino, Crockett, Tsukiyama, Dillingham, Heen, Aguiar, Capellas, Lee, Duarte, Robinson, Fernandes and Nobriga offered a Resolution (S. Res. No. 97), expressing appreciation to all members of the staff of the Legislative Reference Bureau for their capable and sincere services to the Senate during this session of the Legislature, which was read as follows:

(S. Res. No. 97)

Upon motion by Senator Harrison, seconded by Senator Hill, and carried, the Resolution was adopted.

Senators Harrison, Crockett, Ansai, Okino, Hill, Heen, Lee, Robinson, Capellas, Aguiar, Duarte, Dillingham, Tsukiyama and Fernandes offered a Resolution (S. Res. No. 98), thanking

the representatives of the press and radio stations for the manner in which they have handled the reporting of the daily sessions of the Senate during the regular session of 1951, which was read as follows:

(S. Res. No. 98)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the resolution was adopted.

Senators Tsukiyama, Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino and Robinson offered a Resolution (S. Res. No. 99), requesting the Legislative Reference Bureau to conduct such research as is necessary to obtain full information on all matters referred by the Senate to the proposed Holdover Committee, and on such other subjects as the President may anticipate will be of particular concern to this Senate at future special sessions or at the next regular session of the Legislature, which was read as follows:

(S. Res. No. 99)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the Resolution was adopted.

Senators Aguiar and Ansai offered a Resolution (S. Res. No. 100), providing that Joseph Shikata and Henry Yap be allowed the sum of $50.00 each for the use of their respective private automobiles in connection with Senate business during the extension of the Regular Session of the Twenty-Sixth Legislature, which was read as follows:

(S. Res. No. 100)

Upon motion by Senator Aguiar, seconded by Senator Dillingham, and carried, the Resolution was adopted.

Senators Nobriga, Okino, Capellas and Hill offered a Resolution (S. Res. No. 101), requesting the Department of Institutions to furnish transportation to and from Kulani Prison Camp to employees living in Hilo, which was read as follows:

(S. Res. No. 101)

Upon motion by Senator Nobriga, seconded by Senator Okino, and carried, the Resolution was adopted.

DEPARTMENTAL COMMUNICATIONS:

A communication from the office of the Secretary of Hawaii (Dept. Com. No. 101), informing the Senate that the Governor had signed House Bill No. 380 as Act 121, House Bill No. 819 as Act 122, House Bill No. 827 as Act 123, House Bill No. 849 as Act 124, House Bill No. 872 as Act 125, House Bill No. 873 as Act 126, House Bill No. 881 as Act 127, and House Bill No. 924 as Act 128, was read as follows:

(Dept. Com. No. 101)

The communication was received and placed on file.

A communication from the Chairman and Executive Officer, County of Hawaii (Dept. Com. No. 102), expressing the appreciation of the Board of Supervisors of the County of Hawaii for the careful attention given to the needs and requests of the County of Hawaii, and extending to the members of the Senate warm aloha and thanks, was read as follows:

(Dept. Com. No. 102)

The communication was received and placed on file.

REPORTS OF COMMITTEES:

Senator Harrison, for the Committee on Public Health, presented a report (Stand. Com. Rep. No. 519), returning the following matters referred to the Committee for filing: Senate Bills Nos. 356, 409, and 512; Senate Standing Committee Report No. 346, Senate Petition No. 1,

House Bills Nos. 22 and 1105, which was read as follows:

(Stand. Com. Rep. No. 519)

Upon motion by Senator Harrison, seconded by Senator Crockett, the report of the Committee was adopted; and the bills, report and petition therein listed were placed on file.

Senator Crockett, for the Committee on Military, presented a report (Stand. Com. Rep. No. 520), returning the following measures with the recommendation that they be placed on file: Senate Bills Nos. 363 and 550; Senate Joint Resolution No. 23, Senate Concurrent Resolution No. 12; House Bills Nos. 559 and 1064; and House Concurrent Resolutions Nos. 9, 24, 34, 42 and 47, which was read as follows:

(Stand. Com. Rep. No. 520)

Upon motion by Senator Crockett, seconded by Senator Ansai, and carried, the report of the Committee was adopted; and the bills, joint resolution and Concurrent Resolutions listed therein were placed on file.

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 521), returning for filing the following matters: Senate Bills Nos. 21, 26, 27, 28, 32, 33, 36, 37, 52, 55, 57, 58, 81, 82, 83, 84, 86, 92, 94, 95, 97, 98, 99, 110, 116, 122, 123, 127, 128, 142, 148, 155, 158, 164, 165, 172, 177, 181, 187, 191, 195, 197, 220, 222, 226, 237, 264, 265, 269, 270, 271, 274, 275, 276, 277, 278, 279, 290, 291, 309, 310, 311, 313, 319, 326, 327, 331, 336, 351, 366, 371, 372, 373, 379, 380, 383, 397, 399, 400, 408, 410, 411, 424, 425, 427, 436, 449, 459, 460, 467, 468, 490, 496, 497, 508, 522, 524, 525, 531, 532, 537, 543, 552, 556, 561, 564, 567, 568, 569, 570 and 574; Senate Joint Resolution No. 5, Senate Resolutions Nos. 7, 13, and 30; Senate Petitions Nos. 9 and 12; Special Committee Report No. 7,

Committee of the Whole Report No. 10; House Bills Nos. 75, 108, 133, 134, 135, 136, 138, 139, 156, 174, 279, 311, 338, 341, 344, 345, 370, 373, 419, 445, 457, 483, 490, 508, 521, 533, 550, 555, 592, 594, 637, 663, 667, 722, 741, 742, 744, 750, 751, 778, 781, 782, 791, 793, 805, 856, 858, 878, 879, 884, 896, 904, 915, 921, 938, 955, 961, 962, 970, 989, 991, 1029, 1032, 1095, 1099, 1103, 1127 and 1129; House Joint Resolutions Nos. 39, 40, 47 and 63; and House Concurrent Resolutions Nos. 11 and 27, which was read as follows:

Senator Hill, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 522), returning the following Bills, Resolutions, reports, Petitions and other matters for filing; Senate Bills Nos. 3, 7, 10, 15, 17, 22, 34, 39, 40, 41, 42, 43, 48, 49, 50, 51, 53, 54, 64, 65, 76, 80, 87, 88, 102, 103, 105, 107, 108, 113, 118, 120, 121, 124, 125, 126, 130, 131, 133, 135, 138, 140, 144, 145, 149, 150, 151, 157, 159, 160, 161, 162, 169, 174, 180, 182, 183, 184, 185, 186, 194, 198, 199, 200, 205, 206, 207, 212, 214, 215, 218, 221, 224, 230, 231, 233, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 253, 254, 255, 257, 258, 263, 268, 283, 286, 288, 297, 298, 300, 303, 304, 305, 306, 314, 317, 322, 324, 325, 334, 339, 340, 341, 344, 348, 350, 353, 355, 358, 360, 362, 364, 365, 368, 369, 370, 375, 378, 381, 384, 386, 387, 390, 392, 394, 395, 398, 403, 406, 413, 414, 415, 416, 417, 422, 431, 432, 433, 437, 438, 442, 445, 446, 447, 452, 461, 464, 466, 470, 480, 482, 488, 489, 494, 498, 500, 501, 503, 516, 518, 520, 523, 539, 545, 546, 553, 554, 557, 560, 562 and 563; Standing Committee Reports Nos. 21, 23, 24, 31, 37, 48, 49, 65, 69, 133, 135, 146, 147, 150, 151, 256, 270, 276, 295 and 299; Special Committee Reports Nos. 8, 9, 10, 13, 15, 16, 17, 18, 21, 22, 24, 27, 35, 36, 42, 46,

48, 51, 52, 53, 55, 56, 57, 62, 65, 74, 77, 78, 88, 89, 93, 94, 98, 99, 114 and 115; Committee of the Whole Report No. 10; Senate Resolutions Nos. 13, 17, 18, 19, 20, 21, 22, 32, 39, 40, 44, 48, 51, 59, and 79; Senate Concurrent Resolutions Nos. 1, 13 and 18; Senate Joint Resolutions Nos. 6, 9, 17, 25, 29, 30, 34, 36, 42, 45, 46, 50, 51, 55, 56, 57 and 61; Senate Petitions Nos. 2, 3, 5, 7, 10, 11, 14, 16, 17, 19, 20, 21 and 22; Governor's Message No. 4; Miscellaneous Communications Nos.22, 28, 45 and 48; Departmental Communications Nos. 30, 56, 61, 71, 79, 90 and 92; House Bills Nos. 6, 46, 54, 62, 63, 95, 123, 132, 143, 131, 172, 180, 209, 212, 216, 217, 252, 253, 307, 321, 376, 394, 408, 440, 451, 568, 575, 590, 591, 593, 601, 632, 671, 715, 730, 757, 758, 762, 768, 776, 801, 803, 815, 848, 854, 895, 920, 934, 941, 969, 982, 990, 998, 999, 1018, 1019, 1044, 1058, 1072 and 1102; House Joint Resolution No. 52; House Concurrent Resolution No. 5; Special Committee Reports Nos. 59, 66, 71 and 82; and Standing Committee Reports Nos. 120, 211 and 448, which was read as follows:

(Stand. Com. Rep. No. 522)

Upon motion by Senator Hill, seconded by Senator Dillingham, and carried, the report of the Committee was adopted; and the above enumerated measures were placed on file.

Senator Ansai, for the Committee on Agriculture, Forestry and Conservation, presented a report (Stand. Com. Rep. No. 523), returning for filing Senate Bills Nos. 59, 146, 285 and 473; House Bill No. 658; Senate Resolutions Nos. 13 and 63; and Miscellaneous Communications Nos. 30, 33 and 34, which was read as follows:

(Stand. Com. Rep. No. 523)

Upon motion by Senator Ansai, seconded by Senator Nobriga, and carried, the report of the Committee was adopted; and the above enumerated bills, resolutions and communications were placed on file.

Senator Nobriga, for the Committee on Public Lands, presented a report (Stand Com. Rep. No. 524), returning for filing the following: Senate Bills Nos. 112, 137, 139 and 179; Senate Joint Resolutions Nos. 11, 12, 15, 16, 20, 26, 38, 39, 63 and 65; Senate Concurrent Resolutions Nos. 7 and 10; Senate Petition No. 13, Special Committee Report No. 5; House Bills Nos. 51 and 743; House Joint Resolution No. 5; House Concurrent Resolutions Nos. 16 and 40, which was read as follows:

(Stand. Com. Rep. No. 524)

Upon motion by Senator Nobriga, seconded by Senator Okino, and carried, the report of the Committee was adopted; and the above enumerated bills, joint resolutions concurrent resolutions, petition and Committee report were thereupon placed on file.

Senator Fernandes, for the Select Committee of Kauai Senators, presented a report (Spec. Com. Rep. No. 141), returning Departmental Communication No. 11, with the recommendation that it be placed on file, which was read as follows:

(Spec. Com. Rep. No. 141)

Upon motion by Senator Fernandes, seconded by Senator Aguiar, and carried, the report of the Committee was adopted; and Departmental Communication No. 11 was thereupon placed on file.

Senator Fernandes, for the Select Committee of Kauai Senators, presented a report (Spec. Com. Rep. No. 142), returning for filing the following: House Bills Nos. 229, 244, 443 and 922, and Senate Resolution No. 13, which was read as follows:

(Spec. Com. Rep. No. 142)

Upon motion by Senator Fernandes, seconded by Senator Aguiar, and carried, the report of the Committee was adopted; and the above House Bills and Senate Resolution were placed on file.

Senator Ansai, for the Select Committee of Maui Senators, presented a report (Spec. Com. Rep. No. 143), returning for filing the following: Senate Bills Nos. 19, 23, 24, 46, 143, and 223; Senate Joint Resolutions Nos. 35 and 59; Senate Resolution Nos. 6, 8, 13, 25; Senate Petition No. 15; House Bills Nos. 126 and 410; and House Concurrent Resolution No. 46, and Departmental Communications Nos. 32, 44, 52 and 81, which was read as follows:

(Spec. Com. Rep. No. 143)

Upon motion by Senator Ansai, seconded by Senator Duarte, and carried, the report of the Committee was adopted; and the above enumerated Bills, Resolutions, Joint Resolutions, Petition, Concurrent Resolutions and Departmental Communications, were placed on file.

Senator Ansai, for the Joint Committee of Hawaii, Kauai and Maui Senators, presented a report (Spec. Com. Rep. No. 144), returning House Bill No. 543, with the recommendation that it be placed on file, which was read as follows:

(Spec. Com. Rep. No. 144)

Upon motion by Senator Ansai, seconded by Senator Crockett, and carried, the report of the Committee was adopted; and House Bill No. 543 was placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 145), returning Senate Joint Resolutions Nos. 40 and 52, with the recommendation that they be placed on file, which was read by the Clerk as follows:

(Spec. Com. Rep. No. 145)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and Senate Joint Resolutions Nos. 40 and 52 were placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 146), returning House Concurrent Resolution No. 68, with the recommendation that it be placed on file, which was read as follows:

(Spec. Com. Rep. No. 146)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and House Concurrent Resolution No. 68 was placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 147), returning House Bill No. 1137 with the recommendation that it be placed on file, which was read as follows:

(Spec. Com. Rep. No. 147)

Upon motion by Senator Dillingham, seconded by Senator Robinson, and carried, the report of the Committee was adopted; and House Bill No. 1137 was thereupon placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 148), returning Departmental Communications Nos. 56, 65, 91 and 97, with the recommendation that they be placed on file, which was read as follows:

(Spec. Com. Rep. No. 148)

Upon motion by Senator Dillingham, seconded by Senator Harrison, and carried, the report of the Committee was adopted; and the above enumerated Departmental Communications were placed on file.

Senator Dillingham, for the Select Committee of Oahu Senators, presented a report (Spec. Com. Rep. No. 149), returning

Senate Bills Nos. 163, 175, 259, 262, 354, 361, 472, 511, 526, 541, 547, and 548, with the recommendation that they be placed on file, which was read as follows:

(Spec. Com. Rep. No. 149)

Upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the report of the Committee was adopted; and the above enumerated Senate Bills were placed on file.

Senator Capellas, for the Select Committee of Hawaii Senators, presented a report (Spec. Com. Rep. No. 150), returning Senate Bills Nos. 5, 6, 9, 11, 12, 13, 14, 29, 147, 323, 329, 333, 385, 429, 430 and 505; Senate Concurrent Resolution No. 43; Senate Petitions Nos. 4 and 8; and House Bills Nos. 74, 149, 219, 551, 589, 813 and 1098, with the recommendation that they be placed on file, which was read as follows:

(Spec. Com. Rep. No. 150)

Upon motion by Senator Capellas, seconded by Senator Okino, and carried, the report of the Committee was adopted; and the above enumerated bills, concurrent resolutions and petitions were thereupon placed on file.

At this time, under suspension of the Rules, Senator Dillingham addressed the President as follows:

> "Mr. President, seventy-three days ago it was my privilege and pleasure to nominate you to the high office of President of this Senate. I would like to say that, so far as I am concerned - and I know I speak for the Republic members of this body, and feel confident that the Democratic members will join with me,- that your conduct of that office has been exemplary and above reproach. It has been an honor and a privilege to serve under your direction. We have found you to be fair and tolerant of our shortcomings at all times.

"Tonight, we bring this session to a close with something short of the hopes and aspirations that we held so high seventy-three days ago; but, nevertheless, I think it can be said with all honesty and sincerity, that our esteem for you and our affection for you have been strengthened and heightened during this period.

"We have, somehow, managed to get together enough money, in an unbalanced budget situation, to bring you a little token of our esteem and appreciation; and it is my pleasure at this time to carry this forward to you. I will ask the two lady Senators to accompany me to bestow upon you the accolade which would not be very fitting if bestowed upon you by myself, since we are not Frenchmen. It is with deep appreciation and aloha from us all that this gift is proffered at this time."

Senator Harrison and Senator Robinson accompanied Senator Dillingham to the dais bearing the gift for the President, whereupon they bestowed upon the President the "accolade" in true Hawaiian custom, as they presented him with the gift from the Members of the Senate, consisting of a sterling silver steak set, salad fork and spoon, two serving spoons and a gravy ladle, as additions to the silver service of Senator and Mrs. Tsukiyama.

In accepting these gifts, the President said:

"My dear colleagues from Oahu and from the neighbor islands, this unexpected gracious gesture on your part truly overwhelms me. I hesitate to accept this presentation for fear that such action on my part might seem to indicate that some merit of my own has brought it upon me. I recognize your cordial gesture, however, as an expression of your good will and, shall I say, of your sympathy and commiseration for a colleague - a lonely colleague - who has stood all alone on this dais for 73 days without the opportunity of conversing with a colleague on the right or a colleague on the left, or at times participating in debate.

"I grope in vain, my dear colleagues, to find

words that are sufficiently adequate to convey to you, with emphasis, my present sense of appreciation. I can only resort to our every-day common language by saying to you thank you from the depth of my heart, and mahalo nui loa. God bless you all. Thank you very much."

At this time, Mrs. Ellen D. Smythe, Clerk of the Senate, presented to the President, on behalf of the members of "The Third House" - the staff and employees of the Senate - their gift, in the form of a handsome cow-hide wardrobe suitcase and a complementing toilette case.

In expressing his appreciation for these gifts, President Tsukiyama said:

"I don't know how I can thank all of you. I certainly had not the least expectation of being remembered so cordially by the members of 'The Third House'.

I should like to say to those who may not know - and I am sure that all the Senators will join me - when I say that the staff members and all of the employees of the Senate have had to undergo a great deal of trying circumstances. There was considerable misgiving at the inception of the Legislature as to the amount of the compensation received by the Senate staff and all of the employees. Just as we realized and expected at that time, towards the middle of the session we found these employees working as late as three or four o'clock in the morning. Very often I came back here about 7:30 or 8:30 o'clock at night and found that they had not been able to go home, and some were still typing. I do hope that the citizens of this community will realize what a tremendous amount of work the Legislature has to do. The members of the Legislature, themselves, spend until the wee small hours of the night debating over measures in various committees, and the employees find very little time even to go home. So I should like to say, in behalf of these employees who have been working days and nights, that they have more than earned what little compensation the Territorial Legislature has been able to provide for them. They have done their work well and I say with the greatest of confidence that all the employees are to be complimented for the character of the work that they have produced during this session and during all previous session. As you know, we have extended the period of their stay with the Legislature. We cannot expect the employees to leave immediately upon adjournment. There are hundreds of bills that have to be typed, that have to be printed, and other work must be finished; and for that reason, the Senate is going to retain the employees for awhile. Some will be

required to stay longer than others, but that is the usual course of our legislative business.

I want to say, again, to the members of the Third House that I deeply appreciate their very kind remembrance, and may God bless you, also. Thank you very much."

At 9:15 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

At 9:25 o'clock p.m., the Senate reconvened.

CONFERENCE COMMITTEE REPORT NO. 27
ON SENATE BILL NO. 487:

Senator Dillingham, for the Committee on Conference on the disadgreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 487, presented a report (Conf. Com. Rep. No. 27), recommending the final passage of the bill as passed by the House, with further amendments, which was read as follows:

(Conf. Com. Rep. No. 27)

Senator Dillingham moved for the adoption of the report. Seconded by Senator Harrison.

Senator Heen moved that action on the report be deferred until the end of the calendar. Seconded by Senator Fernandes, and carried.

CONFERENCE COMMITTEE REPORT NO. 28
ON SENATE BILL NO. 114 ADOPTED:

Senator Dillingham, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 114, presented a report (Conf. Com. Rep. No. 28), recommending the final passage of the bill as passed by the Senate, which was read as follows:

(Conf. Com. Rep. No. 28)

Upon motion by Senator Dillingham, seconded by Senator Harrison, the report of the Committee was adopted; and Senate Bill No. 114, entitled: "An Act providing for the payment by

the Territory of Hawaii of the expense of removal, relocation, replacement and reconstruction of certain utilities in connection with with the construction, reconstruction or maintenance of Territorial or Federal Aid Highways", passed Final Reading. on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 843), informing the Senate that the House had adopted the report of the Conference Committee on Senate Bill No. 109, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 843)

The communication was received and placed on file.

A communication from the House (H. Com. No. 844), transmitting House Concurrent Resolution No. 85, which had been adopted by the House of Representatives on May 19th, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 85, commemorating the second anniversary of Armed Forces Day, as follows:

(H. Con. Res. No. 85)

Upon motion by Senator Duarte, seconded by Senator Nobriga, and carried, the Concurrent Resolution was adopted.

A communication from the House (H. Com. No. 845), informing the Senate that the House had agreed to the amendments to

House Bill No. 186 as proposed by the Senate, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 845)

The communication was received and placed on file.

A communication from the House (H. Com. No. 846), informing the Senate that the House had adopted the Conference Committee report on House Bill No. 179, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 846)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 29
ON HOUSE BILL NO. 179 ADOPTED:

Senator Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 179, presented a report (Conf. Com. Rep. No. 29), recommending the final passage of the bill as passed by the Senate, with certain amendments as attached to the report, which was read as follows:

(Conf. Com. Rep. No. 29)

Upon motion by Senator Lee, seconded by Senator Dillingham, and carried, the report of the Committee was adopted, and House Bill No. 179, entitled: "An Act relating to public officers and employees, and amending Chapters 2, 3 and 11 of the Revised Laws of Hawaii 1945, as amended, concerning civil service, classification, compensation, qualifications and organizations of such personnel", passed Final Reading in accordance therewith on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 847), informing the Senate that the House had adopted the report of the Conference Committee on House Bill No. 1007; and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 847)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 30
ON HOUSE BILL NO. 1007 ADOPTED:

Senator Dillingham, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1007, presented a report (Conf. Com. Rep. No. 30), recommending the final passage of the bill as passed by the Senate, with a further amendment, which was read as follows:

(Conf. Com. Rep. No. 30)

Upon motion by Senator Dillingham, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and House Bill No. 1007, entitled: "An Act to amend Section 6552 of the Revised Laws of Hawaii 1945, as amended, relating to salaries of officers and members of the Honolulu Fire Department", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 848), informing the Senate that the House had adopted the Conference Committee Report on House Bill No. 5, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 848)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 31 ON HOUSE BILL NO. 5 ADOPTED:

Senator Hill, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 5, presented a report (Conf. Com. Rep. No. 31), recommending the final passage of the bill in an amended form, attached to the report, which was read as follows:

(Conf. Com. Rep. No. 31)

Upon motion by Senator Hill, seconded by Senator Harrison, the report of the Committee was adopted; and House Bill No. 5, entitled: "An Act relating to the compensation of public officers and employees and making an appropriation therefor", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 849), informing the Senate that the House had adopted the Conference Committee report on House Bill No. 547, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 849)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 32 ON HOUSE BILL NO. 547 ADOPTED:

Senator Hill, for the Committee on Conference, on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 547, presented a report (Conf. Com. Rep. No. 32), recommending the final passage of the bill as passed by the Senate with further amendments, which was read as follows:

(Conf. Com. Rep. No. 32)

Upon motion by Senator Hill, seconded by Senator Dillingham, the report of the Committee was adopted; and House Bill No. 547, entitled: "An Act relating to the salaries of teachers, principals and other officers and employees of the Department of Public Instruction, repealing Sections 1764, as amended, 1765 and 1766, amending Sections 1755, 1758, 1759, as amended, 1760, as amended, 1761, 1762 and 1763 of the Revised Laws of Hawaii 1945, and Act 263, as amended, of the Session Laws of Hawaii 1945, and making an appropriation", passed Final Reading in accordance therewith on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 850), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 151, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 850)

The communication was received and placed on file.

A communication from the House (H. Com. No. 851), informing the Senate that the House had reconsidered its action in disagreeing to the amendments proposed by the Senate to House Bill No. 1014; had agreed thereto, upon reconsideration; and that the said bill, as thus amended, had passed Final Reading in the House of Representatives, and the Conferees on the part of the House had been discharged, was read as follows:

(H. Com. No. 851)

The communication was received and placed on file.

The President thereupon discharged the Conferees on the part of the Senate.

A communication from the House (H. Com. No. 852), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1096, and that said bill, as thus amended, had passed Final Reading in the House, was read as follows:

(H. Com. No. 852)

The communication was received and placed on file.

A communication from the House (H. Com. No. 853), returning Senate Bill No. 367 in an amended form, was read as follows:

(H. Com. No. 853)

The communication was received and placed on file.

Senator Nobriga moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Dillingham, and carried; and Senate Bill No. 367, as amended, entitled: "An Act making an appropriation by way of advancement for the construction of certain homestead roads in the County of Hawaii", passed Final Reading, as thus amended, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 854), returning Senate Bill No. 471 in an amended form, was read as follows:

(H. Com. No. 854)

The communication was received and placed on file.

Senator Dillingham moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Robinson; and Senate Bill No. 471, as thus amended, entitled: "An Act relating to the protection of government property, personnel and operations, providing for a survey of hazards thereto and making an appropriation therefor, providing for insurance and self-insurance and amending provisions respecting the Territorial Insurance Fund and bonds of public officers and employees", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

The following communications from the House of Representatives, returning Senate Bills and Senate Joint Resolution, which had passed Third Reading in the House of Representatives of May 19th, were read, received and placed on file:

H. Com. No. 855, returning Senate Bill No. 166;

H. Com. No. 856, returning Senate Bill No. 167;

H. Com. No. 857, returning Senate Bill No. 168;

H. Com. No. 858, returning Senate Bill No. 173;

H. Com. No. 859, returning Senate Bill No. 178;

H. Com. No. 860, returning Senate Bill No. 216;

H. Com. No. 861, returning Senate Bill No. 426;

H. Com. No. 862, returning Senate Bill No. 510;

H. Com. No. 863, returning Senate Bill No. 401;

H. Com. No. 864, returning Senate Joint Resolution No. 33.

A communication from the House (H. Com. No. 865), returning Senate Bill No. 404 in an amended form, was read as follows:

(H. Com. No. 865)

The communication was received and placed on file.

Senator Harrison moved that the bill be placed on file. Seconded by Senator Dillingham, and carried.

A communication from the House (H. Com. No. 866), returning Senate Bill No. 20, in an amended form, was read as follows:

(H. Com. No. 866)

The communication was received and placed on file.

Senator Ansai moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Duarte, and carried; and Senate Bill No. 20, as thus amended, entitled: "An Act to amend Sections 5252 and 5254 of the Revised Laws of Hawaii 1945, as amended, relating to the County of Maui; including property taxes in the County of Maui and the Maui County Budget, passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 867), returning the Senate Bill No. 63 in an amended form, was read as follows:

(H. Com. No. 867)

The communication was received and placed on file.

Senator Nobriga moved that the Senate disagree to the amendments proposed by the House. Seconded by Senator Fernandes, and carried.

The President thereupon appointed Senators Aguiar, Fernandes and Okino as Conferees on the part of the Senate for the consideration of said amendments.

Consideration of House Bill No. 1, as amended, entitled: "An Act making appropriations for public improvements and providing for the issuance of public improvement bonds", deferred from earlier on the calendar:

Senator Dillingham offered the following amendments to the bill, as amended, in an amended form of the bill:

(Insert amendments)

Upon motion by Senator Dillingham, seconded by Senator Ansai, and carried, the amendments were adopted.

Upon motion by Senator Dillingham, seconded by Senator Fernandes, the bill, as amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

At this time, Senator Nobriga having voted with the majority in moving to place Senate Bill No. 404 on file, moved that the Senate reconsider its action in filing the bill. Seconded by Senator Fernandes, and carried:

Consideration of the amendments proposed by the House to Senate Bill No. 404, upon reconsideration:

Senator Nobriga thereupon moved that the Senate disagree to the amendments proposed by the House to Senate Bill No. 404, and that a Conference Committee be appointed by the President for the consideration of the said amendments. Seconded by Senator Fernandes, and carried.

The President appointed Senators Nobriga, Harrison and Dillingham as Conferees on the part of the Senate for the consideration of said amendments.

A communication from the House (H. Com. No. 868), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 1, had requested a conference on the subject matter thereof, and had appointed Representatives Sakakihara, Fukushima, Yamuchi, Yates, Paschoal, St. Sure, Noda, McGuire, King and Otsuka as Managers on the part of the House for the consideration of the said amendments, was read as follows:

(H. Com. No. 868)

The communication was received and placed on file.

The President thereupon appointed Senators Hill, Ansai, Dillingham, Harrison, Robinson, Fernandes, Nobriga, Capellas, and Crockett as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 869), informing the Senate that the House had disagreed to the amendments proposed by the Senate to House Bill No. 50 (recalled for further consideration); had requested a conference on the subject matter thereof, and had appointed Representatives King, Miyake and Garcia as Managers on the part of the House for the consideration of said amendments, was read as follows:

(H. Com. No. 869)

The communication was received and placed on file.

The President thereupon appointed Senators Dillingham, Robinson and Harrison as Conferees on the part of the Senate at such conference.

A communication from the House (H. Com. No. 870), informing the Senate that the House had appointed Representatives Sakakihara, Fukushima and Paschoal as Managers on the part of the House for the consideration of the amendments proposed by the House to Senate Bill No. 404, to which the Senate had disagreed, was read as follows:

(H. Com. No. 870)

The communication was received and placed on file.

Senator Dillingham at this time moved that the Senate reconsider its action in tabling House Bill No. 177, and that it be considered at this time. Seconded by Senator Duarte, and carried.

Consideration, on Third Reading of House Bill No. 177, as amended, entitled: "An Act to amend Section 550, Revised Laws of Hawaii 1945, relating to vacations of public officers and employees":

Senator Dillingham offered the following further amendments to the amended bill:

> "House Bill No. 177 as amended is amended by deleting the 'period' at the end of section 1 thereof and adding the following:
>
> > 'and by inserting between the next to the last sentence and the last sentence of the first paragraph, a new sentence to read as follows:
> >
> > > "'Vacation shall be charged against accumulated vacation allowance at the rate of five (5) working days per week; holidays shall not be charged as days of vacation.'".

Upon motion by Senator Dillingham, seconded by Senator Duarte, and carried, the amendments were adopted.

Upon motion by Senator Dillingham, seconded by Senator Hill, the amended bill, as further amended, passed Third Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

A communication from the House (H. Com. No. 871), informing the Senate that in accordance with the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 63, and the request for a conference on the subject matter thereof, the Speaker had appointed Representatives Sakakihara, St. Fure and Yamauchi as Managers on the part of the House at such conference, was read as follows:

(H. Com. No. 871)

The communication was received and placed on file.

Senator Aguiar, for the Conferees on the part of the Senate appointed for the consideration of the amendments proposed by the House to Senate Bill No. 63, to which the Senate had disagreed, reported orally that the Senate Conferees and the House Conferees were unable to reach an agreement on this bill, and therefore moved that the bill be placed on file, and the Conferees on the part of the Senate be discharged. Seconded by Senator Fernandes.

A Roll Call being demanded, the motion to table the bill as returned by the House in an amended form was put, and carried, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Dillingham, Duarte, Fernandes, Harrison, Heen and Robinson. Total, 8.

Noes: Senators Capellas, Crockett, Hill, Lee, Nobriga, Okino and Mr. President. Total, 7.

The Conferees on the part of the Senate were hereupon discharged by the President.

Senator Nobriga, for the Conferees on the part of the Senate, for the consideration of the amendments proposed by the House to Senate Bill No. 404, reported orally that the Conferees on the part of the Senate and the Conferees on the part of the House had not been able to reach an agreement on said bill; and therefore moved that the Senate Conferees be discharged.

Senator Hill moved that the bill be tabled. Seconded by Senator Dillingham, and carried.

The Conferees on the part of the Senate were thereupon discharged.

SENATE CONFEREES READY TO CONFER WITH HOUSE CONFEREES ON HOUSE BILL NO. 48:

At this time, Senator Dillingham moved that the President of the Senate notify the House of Representatives that the Conferees on the part of the Senate - the Ways and Means Committee - were prepared to again meet with the Conferees on the part of the House - the Finance Committee of the House - on House Bill No. 48, with the understanding that if, as a result of that conference, the Conferees on the part of the two Houses fail to reach a satisfactory agreement, or any agreement of any kind, the Senate would proceed to adjourn sine die. Seconded by Senator Robinson, and carried.

The Chair at this time left the Chamber to carry out the intent of the motion, and the Senate stood in recess at 9:45 o'clock p.m.

At 9:55 o'clock p.m., the Senate reconvened; and the President informed the Senate that, pursuant to the motion made, he had informed the Speaker and the Vice Speaker and the Chairman of the Finance Committee of the House that the Ways and Means Committee was ready to confer with the House Finance Committee as of this time. The President further informed the Senate

that he had also served verbal notice on the Speaker and Vice Speaker and on the Chairman of the Finance Committee of the House that if the Conferees on the part of the Senate and House failed to reach an agreement at this proposed meeting, the Senate would adjourn sine die immediately.

The Senate thereupon stood in recess at 10:00 o'clock p.m., subject to the call of the Chair while the Senate Conferees repaired to the Conference Room to resume their deliberations, with the Conferees on the part of the House on House Bill No. 48.

Upon reconvening at the call of the Chair, Senator Robinson, who had acted as Chairman of the Senate Conference Committee on House Bill No. 48, orally reported that the Conferees of the two Houses had met, and that the situation looked hopeful, and that they would meet again later when it was hoped that they would have something definite to report.

The Senate thereupon stood in recess, subject to the call of the Chair.

At 10:15 o'clock p.m., the Senate reconvened.

COMMUNICATIONS FROM THE HOUSE:

A communication from the House (H. Com. No. 872), informing the Senate that the House had adopted the Conference Committee Report on House Bill No. 1, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 872)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 33 ON HOUSE BILL NO. 1 ADOPTED:

Senator Hill, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1, presented a report (Conf. Com. Rep.

No. 33), recommending the final passage of the Bill as passed by the House, but in an amended form attached, which was read as follows:

(Conf. Com. Rep. No. 33)

Upon motion by Senator Hill, seconded by Senator Capellas, and carried, the report of the Committee was adopted; and House Bill No. 1, entitled: "An Act making appropriations for public improvements and providing for the issuance of public improvement bonds", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Nobriga. Total, 1.

A communication from the House (H. Com. No. 873), informing the Senate that the House had adopted the Conference Committee Report on Senate Bill No. 114, and that the said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 873)

The communication was received and placed on file.

A communication from the House (H. Com. No. 874), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 177, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, was read as follows:

(H. Com. No. 874)

The communication was received and placed on file.

A communication from the House (H. Com. No. 875), informing the Senate that the House had reconsidered its action in disagreeing to the amendments proposed by the Senate to House Bill No. 430; and upon reconsideration, had agreed thereto, and that said bill, as thus amended, had passed Final Reading in the House of Representatives, and that the Conferees on the part of the House had been discharged, was read as follows:

(H. Com. No. 875)

The communication was received and placed on file.

Upon motion by Senator Heen, seconded by Senator Fernandes, and carried, the Conferees on the part of the Senate on House Bill No. 430 were thereupon discharged.

A communication from the House (H. Com. No. 876), informing the Senate that the House had adopted the Conference Committee Report on House Bill No. 50, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 876)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 34
ON HOUSE BILL NO. 50 ADOPTED:

Senator Dillingham, for the Committee on Conference on the disagreeing vote of the House to the amendment proposed by the Senate to House Bill No. 50, presented a report (Conf. Com. Rep. No. 34), recommending the final passage of the bill as passed by the Senate, with certain amendments, which was read as follows:

(Conf. Com. Rep. No. 34)

Upon motion by Senator Dillingham, seconded by Senator Robinson, the report of the Committee was adopted; and House

Bill No. 50, entitled: "An Act amending Act 232 (Series A-16) of the Session Laws of Hawaii 1949 relating to the office hours and hours of work of officers and employees of the Territory of Hawaii, the several counties and the boards and commissions thereof", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: None.

Excused and not voting: Senator Nobriga. Total, 1.

A communication from the House (H. Com. No. 877), returning Senate Joint Resolution No. 62, which had passed Third Reading in the House of Representatives on May 19th, was read, received and placed on file.

ORAL REPORT ON STATUS OF CONFERENCE ON HOUSE BILL NO. 25:

Senator Aguiar inquired as to the progress being made in connection with the conference on House Bill No. 25, Senator Heen, for the Senate Conferees on said bill, reported orally that the Conferees on the part of the Senate and the House had discussed this bill at lenth and had attempted to reach an agreement, but up to this time had failed to do so. However, time still remained to reach an agreement before adjournment sine die.

At this time, upon motion by Senator Dillingham, seconded by Senator Lee, and carried, the Senate stood in recess, subject to the call of the Chair, in order that the Conferees on the part of the Senate might have an opportunity to meet with the House Conferees on House Bill No. 25.

Upon the call of the Chair, the Senate reconvened.

ORAL REPORT ON CONFERENCE ON HOUSE BILL NO. 25:

Senator Robinson, Chairman of the Senate Conferees on House Bill No. 25 reported orally, that she had verbally spoken to the Chairman of the House Conferees in regard to a further meeting on this bill; and he had replied that there was no use for another meeting. She had immediately addressed a letter to him, under date of May 19th, which she quoted, stating that the Senate Conferees on House Bill No. 25 were desirous of conferring further on said bill and asked that an immediate reply be made to this request. Immediately thereafter the Clerk of the Finance Committee had informed her that the House Conferees were waiting in the Conference Room for a meeting with the Senate Conferees. The Senate Conferees proceeded at once to where the House Conferees were assembled, and had held a second meeting; and again the Conferees of the two Houses were unable to come to an agreement. Thereafter, a report was prepared and signed by the Senate Conferees and submitted to the Chairman of the House Conferees with a communication, also dated May 19th, which Senator Robinson quoted, which communication stated that two sets of the Conference Committee report, duly signed by the Senate Conferees, reporting its disagreement and return of the said House Bill No. 25 without recommendation. It asked that the House Managers sign the same if it were found to be in proper form; and if not, asking them to submit their form of the Conference Committee Report. Senator Robinson stated that the Senate Conferees were now awaiting further action on the part of the House Conferees on this report.

Several Senators took the floor to talk on the status of the Bill and the Committee Report, and procedures to be followed; and it was suggested that while awaiting word of action on this proposed Conference Committee Report, that the Senate act upon other matters on the Clerk's desk.

HOUSE COMMUNICATIONS:

A communication from the House (H. Com. No. 878), informing the Senate that the House had placed Governor's Message No. 2, returning House Bill No 1040 without his approval, on file, was read as follows:

(H. Com. No. 878)

The communication was received and placed on file.

The Senate thereupon placed Governor's Message No. 31, returning House Bill No. 1040 without his approval, on file.

A communication from the House (H. Com. No. 879), informing the Senate that the House had placed on file Governor's Message No. 3, returning House Bill No. 1041 without his approval, was read as follows:

(H. Com. No. 879)

The communication was received and placed on file.

The Senate thereupon placed Governor's Message No. 32 on file, returning House Bill No. 1041 without his approval.

A communication from the House (H. Com. No. 880) returning Senate Bill No. 346, with an amendment, was read as follows:

(H. Com. No. 880)

The communication was received and placed on file.

Upon motion by Senator Duarte, seconded by Senator Dillingham, action on the bill was deferred until later on the calendar.

A communication from the House (H. Com. No. 881), transmitting House Concurrent Resolution No. 86, was read, received and placed on file.

Consideration of House Concurrent Resolution No. 86, requesting the Governor to return House Bill No. 109 to the Senate for further amendments, was read as follows:

(H. Con. Res. No. 86)

Senator Aguiar moved that the Resolution be tabled. Seconded by Senator Nobriga, and carried.

A communication from the House (H. Com. No. 882), transmitting House Bill No. 25, and informing the Senate that the Conferees on said bill had been discharged, and that House Conference Committee Report No. 20 was in full force and effect as it was heretofore adopted by the House, such action never having been reversed or reconsidered, was read as follows:

(H. Com. No. 882)

The communication was received and placed on file.

After considerable discussion as to the status of the bill and the Conference Committee Report on the bill, which had been rejected by the Senate, Senator Heen moved that the bill be returned to the House, by appropriate communication, and that the House be informed that the Senate stands upon its previous action rejecting the first Conference Committee Report that was submitted to the Senate, and that such action is still in full force and effect. The motion was seconded by Senator Harrison, and carried.

CONSIDERATION OF CONFERENCE COMMITTEE
REPORT NO. 27 ON SENATE BILL NO. 487,
DEFERRED FROM EARLIER ON THE CALENDAR:

Consideration of Conference Committee Report No. 27, on Senate Bill No. 487, recommending the final passage of the bill as passed by the House, with further amendments:

At this time, Senator Dillingham rose to a point of personal privilege, and addressed the Senate as follows:

"Mr. President, the other afternoon my respected colleague sitting directly on my right made certain charges against the Republican leadership in this Legislature. So far, those charges have gone unchallenged and perhaps with good reason. There is nothing new about a Democrat charging a Republican with irresponsibility, nor is there anything new about a Republican making similar charges against a Democrat. I am not a spokesman for the Republicn Party, in any official capacity, but the Republican Party, as such, has been amazingly quiet in the last week. And, lest anybody think that some of us Republicans are not mindful of our responsibility here in this Legislature, I feel that it is incumbent upon those of us who feel the way I happen to feel, Mr. President, to make certain charges of our own -- to examine our own conduct and leadership. Because I have taken very much to heart what my able colleague said, I have tried to put down on paper a few thoughts. It is my honest and sincere hope that it will be taken to heart by every man and woman in this Territory who calls himself a Republican."

Senator Dillingham thereupon read a prepared statement as follows:

(Insert prepared statement)

Continuing, Senator Dillingham said:

"Now, Mr. President, we have before us Senate Bill No. 487 - the five million dollar authorization for bonds to be issued by the City and County of Honolulu under general obligation -- and not a red cent appropriated to help the City and County pay for this authorization, when everyone knows full well the financial picture of the City and County of Honolulu! I want everyone to know in this City and County, Mr. President, that the Senate is not trying to fool anybody. When we pass this measure tonight it is the result of the sweat and the blood, and may be the tears, of Representatives Jack King and Ward Russell, and a few other stalwarts in the House, who gathered five million dollars together for this measure. We ought to support it, but not with pride. We support it, Mr. President, as the last hope to provide the people of this community with decent schools in which their children may be educated. Half, less than half - of the

desired amount, but five million dollars more than our city and county can afford. We pass it, not to fool them, not because we are passing the buck or shirking our responsibilities (as we are), but because if we don't we have denied the people of this community the last possible opportunity for providing them with adequate school facilities. So, with my apologies to the Board of Supervisors, of the City and County of Honolulu, to the Mayor and to the people of Honolulu, I move that Conference Committee Report No. 27 be adopted, and that the Bill pass its Final Reading, with full knowledge that we do so in the profound hope that in some way, by some measure, the City and County can find the ways and means of floating these bonds and building these schools."

The motion was seconded by Senator Aguiar; and Senate bill No. 487, entitled: "An Act authorizing the Board of Supervisors of the City and County of Honolulu to issue bonds for acquisition of real property for public school purposes, for construction and replacement of buildings for public school purposes", passed Final Reading on the following showing of Ayes and Noes:

Ayes:: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Robinson and Mr. President. Total, 13.

Noes: Senators Nobriga and Okino. Total, 2.

At this time, upon motion by Senator Aguiar, seconded by Senator Fernandes, and carried, the Senate stood in recess, subject to the call of the Chair.

The Senate reconvened; and proceeded with the business before it as follows:

A communication from the House (H. Com. No. 883), informing the Senate that the House had adopted the report of the Conference Committee on Senate Bill No. 487, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 883)

The communication was received and placed on file.

A communication from the House (H. Com. No. 884), informing the Senate that the Managers on the part of the House for the consideration of the amendments proposed by the Senate to House Concurrent Resolution No. 17, had been discharged, and that the said Concurrent Resolution had been placed on file, was read as follows:

(H. Com. No. 884)

The communication was received and placed on file.

At this time, upon motion by Senator Nobriga, seconded by Senator Fernandes, and carried, the Conferees on the part of the Senate were thereupon discharged.

DEPARTMENTAL COMMUNICATION:

A communication from the Mayor of the City and County of Honolulu (Dept. Com. No. 103), expressing appreciation to the Senate for the courtesies extended to the Board of Supervisors, officials, and taxpayers of the said City and County, and also for the enactment of legislation making possible several projects and improvements for the general welfare of the said city and county, was read as follows:

(Dept. Com. No. 103)

The communication was received and placed on file.

Consideration of the amendments proposed by the House to Senate Bill No. 346, deferred from earlier on the calendar:

Senator Nobriga moved that the Senate concur in the amendments proposed by the House. Seconded by Senator Capellas; and Senate Bill No. 346, as amended, entitled: "An Act relating to the salaries of District Magistrates in the County of Hawaii, and amending Section 9779, as amended,

of the Revised Laws of Hawaii 1945", passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Nobriga, Okino, Robinson and Mr. President. Total, 14.

Noes: Senator Lee. Total, 1.

COMMITTEE REPORT:

Senator Crockett, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 525), returning Departmental Communications Nos. 15, 48, 51, 53, 68, 75 and 78, and Miscellaneous Communications Nos. 21, 25 and 38, with the recommendation that they be placed on file, which was read as follows:

(Stand. Com. Rep. No. 525)

The report was received, and upon motion by Senator Crockett, seconded by Senator Lee, and carried, was adopted.

RECONSIDERATION OF ACTION IN ADOPTING SENATE RESOLUTION 91 - AMENDED AND ADOPTED:

Senator Capellas moved that the Senate reconsider its action in adopting Senate Resolution No. 91 relating to the employment of employees of the Senate after adjournment sine die. Seconded by Senator Fernandes, and carried.

Consideration of Senate Resolution No. 91, retaining employees of the Senate after adjournment of the Senate sine die:

Senator Capellas offered the following amendment to the Resolution:

"Amend Senate Resolution No. 91 as follows:

Delete '23rd' in line 5, and insert in lieu thereof '26th'."

Upon motion by Senator Capellas, seconded by Senator Fernandes, and carried, the amendment was adopted.

Senator Capellas moved for the adoption of the Resolution, as amended. Seconded by Senator Hill, and carried.

HOUSE RECONSIDERS ITS ACTION IN ADOPTING CONFERENCE COMMITTEE REPORT NO. 20 ON HOUSE BILL NO. 25.

A communication from the House (H. Com. No. 885), informing the Senate that the House had reconsidered its action in adopting Conference Committee Report No. 20 on House Bill No. 25, and pursuant to the request of the Senate for further consideration of the bill, had appointed Representatives Sakakihara, Porteus and Miyake as Managers on the part of the House at such conference, was read as follows:

(H. Com. No. 885)

The communication was received and placed on file.

The President announced that the Senate Conferees had been previously appointed and were Senators Robinson, Heen and Harrison.

SENATE RECONSIDERS ITS ACTION IN PLACING SENATE BILL NO. 404 ON FILE:

Under suspension of the Rules, Senator Dillingham moved that the Senate reconsider its action in placing Senate Bill No. 404, returned by the House in an amended form, on file. Seconded by Senator Robinson, and carried:

Consideration of amendments proposed by the House to Senate Bill No. 404:

Senator Dillingham moved that the Senate do not concur in the amendments proposed by the House, and that a Conference Committee be appointed for the consideration thereof. Seconded by Senator Capellas, and carried.

The President thereupon appointed Senators Dillingham, Hill and Fernandes as Conferees on the part of the Senate at such conference.

HOUSE COMMUNICATION:

A communication from the House (H. Com. No. 886), informing the Senate that the House had appointed Representatives Sakakihara, Porteus and Miyake as Managers on the part of the House at the conference on the amendments proposed by the House to Senate Bill No. 404, to which the Senate had disagreed, was read as follows:

(H. Com. No. 886)

The communication was received and placed on file.

SENATE ADOPTS CONFERENCE COMMITTEE REPORT NO. 35 ON SENATE BILL NO. 404:

Senator Dillingham, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 404, presented a report (Conf. Com. Rep. No. 35), recommending the final passage of the bill in an amended form, which was read as follows:

(Conf. Com. Rep. No. 35)

Upon motion by Senator Dillingham, seconded by Senator Hill, the report of the Committee was adopted; and Senate Bill No. 404, entitled: "An Act relating to taxation, providing temporary exemptions from the general excise tax and liquor tax", passed Final Reading in accordance therewith, on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Fernandes, Harrison, Hill, Nobriga, Robinson and Mr. President. Total, 10.

Noes: Senators Aguiar, Duarte, Heen, Lee and Okino. Total, 5.

A communication from the House (H. Com. No. 887), informing the Senate that the House had adopted the Conference Committee report on House Bill No. 48, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 887)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 36 ON HOUSE BILL NO. 48 ADOPTED:

Senator Hill, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 48, presented a report (Conf. Com. Rep. No. 36), recommending the final passage of the bill in an amended form attached to and made a part of the report, which was read as follows:

(Conf. Com. Rep. No. 36)

Senator Hill moved for the adoption of the Report. Seconded by Senator Robinson.

There was considerable discussion in connection with the amended form of the bill attached to the Conference Committee report, participated in by Senators Heen, Lee and Aguiar, during which Senator Hill, Chairman of the Senate Conferees, was questioned concerning the form in which the bill was submitted which gives the Governor power to reallocate funds among departments, and as to the balancing of the budget. During the course of the discussion, Senator Hill, Chairman of the Senate Conferees on the bill, and Chairman of the Ways and Means Committee of the Senate stated that the budget for the 1951-1953 biennium was balanced by this amended form of House Bill No. 48, although that would not take care of the deficit which would exist at the end of the current biennium - June 30, 1951.

At this time, Senator Nobriga rose to a point of personal privilege, stating that he was making this talk so that he could go home and tell his people on Hawaii where he stood. He stated that he had been under attack throughout the session, in an attempt to discredit him, particularly on the question of public lands of the Territory. He also felt that in

fairness to the Republican Party that certain matters should be clarified and that the blame should be placed where it belonged. He said: "I want to make a statement for the record". He thereupon addressed the Senate as follows:

(Insert Senator Nobriga's statement)

At the conclusion of the reading of this statement, Senator Harrison took the floor in defense of the charges made against the Ways and Means Committee and the members of the Conference Committee on House Bill No. 48, and supported the amended form of the bill as presented by the Conferees of both Houses.

The President having ascertained that all those who wished to speak on the bill had done so, thereupon put the motion, previsously made, to adopt the report of the Committee on Conference on House Bill No. 48, which was carried; and House Bill No. 48, in the amended form, entitled: "An Act making appropriations out of the general revenues for the biennial period ending June 30, 1953, passed Final Reading on the following showing of Ayes and Noes:

Ayes: Senators Ansai, Capellas, Crockett, Dillingham, Fernandes, Harrison, Hill, Nobriga, Robinson and Mr. President. Total, 10.

Noes: Senators Aguiar, Duarte, Heen, Lee and Okino. Total, 5.

A communication from the House (H. Com. No. 888), informing the Senate that the House had adopted the Conference Committee Report on Senate Bill No. 404, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 888)

The communication was received and placed on file.

A communication from the House (H. Com. No. 889), informing the Senate that the House had adopted the Conference Committee Report on House Bill No. 25, and that said bill had passed Final Reading in the House of Representatives in accordance therewith, was read as follows:

(H. Com. No. 889)

The communication was received and placed on file.

CONFERENCE COMMITTEE REPORT NO. 37 ON HOUSE BILL NO. 25 ADOPTED:

Senator Robinson, for the Committee on Conference, on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 25, presented a report (Conf. Com. Rep. No. 37), recommending the final passage of the bill as passed by the Senate with certain amendments as set forth in an amended form of the bill attached to the report, which was read as follows:

(Conf. Com. Rep. No. 37)

Upon motion by Senator Robinson, seconded by Senator Fernandes, the report of the Committee was adopted; and House Bill No. 25, entitled: "An Act relating to fuel taxes and the disposition thereof; amending Sections 5260, as amended, and 5404, as amended, of the Revised Laws of Hawaii 1945, Act 196 of the Session Laws of Hawaii 1947, as amended, and Act 373 of the Session Laws of Hawaii 1949, and repealing Act 67 of the Session Laws of Hawaii 1951", passed Final Reading in accordance therewith on the following showing of Ayes and Noes:

Ayes: Senators Aguiar, Ansai, Capellas, Crockett, Dillingham, Duarte, Fernandes, Harrison, Heen, Hill, Lee, Nobriga, Okino, Robinson and Mr. President. Total, 15.

Noes: None.

COMMITTEE APPOINTED TO WAIT ON GOVERNOR AND HOUSE OF REPRESENTATIVES:

At this time, Senator Robinson moved that the President appoint a Committee of five Senators to wait upon the Governor and the House of Representatives to inform them that the Senate had completed its business and was ready to adjourn sine die. Seconded by Senator Fernandes, and carried.

The President thereupon appointed, as such Committee, Senators Harrison, Duarte, Robinson, Capellas and Fernandes.

The Committee at this time left the Chamber to carry out its mission; and at 11:15 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

The Senate reconvened at 11:28 o'clock p.m.; and Senator Harrison, for the Committee appointed to wait upon the Governor and the House of Representatives, reported orally that the Committee had carried out its mission.

The oral report of the Committee was accepted, and the Committee was thereupon discharged, with thanks.

A Committee from the House of Representatives, consisting of Senators Hayes, Duponte and Richardson, entered the Chamber at this time, to report that the House of Representatives had completed its business and was ready to adjourn sine die.

HOUSE COMMUNICATION:

A communication from the House (H. Com. No. 890), informing the Senate that the House had completed its business and was ready to adjourn sine die, was read as follows:

(H. Com. No. 890)

The communication was received and placed on file.

FAREWELL SPEECHES:

Senator Hill at this time took the floor to say a word of praise for the members of the Ways and Means Committee, of which he was Chairman, for the "magnificent" piece of work they had

done.

Senator Dillingham then spoke at some length on the work of the two lady Senators - Senator Harrison and Senator Robinson - and characterized them as "a tower of strength" and stated that all Hawaiians (whether of the blood or of the soil) could take pride in these two women - for what they had stood for and what they had accomplished.

Referring to Senator Harrison, he said:

> "I don't know what the future holds so far as Senator Harrison is concerned - it would be my wish and my hope that the people of Hawaii will return her to this Chamber at the next election - not that there is a question in my mind that she would not be re-elected if she ran - but she now has Mainland ties that may deprive us of her valuable service. If such is the case, we will all miss her - and wherever she is or whatever she may be doing - making a new home for herself - our thoughts and our love will be with her; and we can certainly look forward to her frequent returns to Hawaii which will always be home to her, I am sure."

Continuing, Senator Dillingham said, addressing Senator Robinson:

> "To Senator Robinson, I want to say that she has conducted herself in a manner that is truly remarkable for a 'freshman' Senator. I have never been aware of the fact that she has been a 'freshman', so capably and well has she grasped the problems before us here, and managed to hold us all together when the going got tough. As I say, I think it is a real tribute to the fair sex to have these two ladies in politics with all its roughness and trials and tribulations. They have been an inspiration which has served as a magnificent example to others in this community and throughout the nation for what they stood for and represented. My aloha to them, and I hope that they may serve together in the future, if not in this body, certainly in the community. I hope that at least one of these noble women will be with us at the next session.

Senator Capellas added his tribute to Senators Harrison and Robinson, and then complimented the President upon the manner in which he had presided over the Senate and his fairness to all the members throughout the session. He stated that his term would expire in 1952 and that he would again be a candidate for the Senate from the Big Island at the next election.

Senator Harrison, at this time, took the floor and addressed the Senate as follows:

> "I would like at this time to say something - I hate to say it because I am very unhappy about it, - I have served the people of Hawaii for eight years, and David (referring to her first husband, David Y.K. Akana) before me for ten years. I hope that I have helped to bridge the gap between his service and the service I hope my children will some day render to the Territory. I will not be running again in 1952. I have a moral obligation to my children and my husband. It is very hard to find a good husband, and I have one and I'm going to keep him. I have done all I can for Hawaii and I will do all I can in the capacity of Mrs. Harrison and the mother of the four Akana children."

Senator Harrison then addressed each member of the Senate, beginning with President Tsukiyama, to whom she expressed regret at not being able to serve under him again, saying: "You have been a wonderful wonderful President"; and continued, clockwise, around the Chamber, with some personal message, to each.

Again, addressing the Senate as a whole, Senator Harrison said:

> "I shall not run for office, but I will be back in Hawaii to help those who are running on the Republican ticket for office. I still love Hawaii, and always shall, and hope that some day I can convince my husband (E. J. 'Dutch' Harrison, one of America's leading golf professionals) that this will be a nice place to live, but while he is on the National Circuit, it is my duty to be with him. I hope one of my children will serve in the Legislature as David did and as I have. I have done my duty as I have believed it to be, and I think I have done a good job. Thank you".

Senator Crockett voiced his appreciation of the many courtesies extended to him during his first session as a Senator, particularly for the wonderful support and cooperation he had received from the members of the Judiciary Committee, of which he was Chairman. He said:

> "Regardless of what has happened in the past few days, I am sure that when the heat of the battle is over, and the people look over the books and see what legislation has been passed they will find that much good legislation has been passed due to the spirit of cooperation, not only in committees but all together as members of this body.

It has been a wonderful experience to come into a group of men with independent ideas and yet being able, in spite of the heat, to gradually get together and work out something which appears to be for the best interests of the public.

Also, may I express my appreciation of the manner in which you, Mr. President, have served. I read the remarks complimenting you on the manner in which you served as President of the session held in 1949, and without going into detail, I know that every word that was said there at that time was true. Your administration and performance of your duties have been remarkable and a wonderful experience to me.

I want to thank all of you, also, for the consideration shown to the Senators of Maui in helping us to accomplish legislation in the interests of Maui. Thank you."

Senator Lee thereupon addressed the Senate as follows:

"I would not want to leave this session without expressing my regard for Senator Harrison, I thought I would leave this session quietly but her statements, somehow, have forced me to rise. By nature, you all know me to be a battler for my convictions. I want to pay a compliment to Senator Harrison. I think the Territory will lose one of the most colorful figures it has. I, too, will have to make a decision, which she has already made and announced. We all, as public servants, have our obligations to our families as well as to the community. Senator Harrison has chosen her path wisely. I hope that all of us will choose his or her path as wisely as she has chosen. I say, Thelma, God bless you."

Senator Duarte next rose to thank the President for his fairness to the members at all times, under all circumstances. He then thanked all the Senators, Democrats and Republicans alike, for their treatment of him, which he said had been most fair. He stated that his term would be up, and if he ran again in 1952, and was elected, he would do all he could to serve the people of Hawaii; and, in closing, he said: "I want to say to you, Mr. President, at this time, and to the rest of the members, God help us all and mahalo for all the things you have done for us."

Senator Aguiar then rose, and after stating that it had been a pleasure to be sitting as one of the members of the Senate, said:

"The Republican Party has not done the right thing by the people of Hawaii as far as the natural resources of this Territory are concerned. When the Republicans came into power they found the streams and ditches, where there was water, full of fish, full of oopu and other fish. In the old days those natural resources were preserved by certain rules and certain wisdom of the Hawaiian Chiefs and Kings. You may have all of these educational facilities up here at the University, but our natural resources have diminished to a point where we today have nothing but mosquito fish. Our mullet has also disappeared. ..... I want to say to the Republican Party, if they continue in power, that unless they do something to preserve our natural resources they are making a great failure of the political life of this country. When people fail to preserve their natural resources they are failing the people. Just giving the funds to run certain services is not the completion of the problem.

"I don't know whether I will run again or not - I have been in public life since 1918, either as a supervisor or legislator or some other official, but something must be done to preserve the natural resources of our Territory. Our streams are depleted of fish - there is nothing left in the streams of Kauai - nobody pays any attention to them. We are all depending upon the United States of America for our food. Look after that problem and give the people of the Territory a better deal.

"I have no apologies to make. I am not blaming anybody - and to you, Mr. President, I want to say you are a good 'guy'; and to all of you I want to say mahalo nui loa."

The President closed the speeches with the following:

"For the past seventy-three days, plus four unofficial ones, the Honorable Members of this Chamber have faithfully, dutifully and assiduously applied themselves to their legislative tasks. Being constantly on trial at the bar of Public Opinion, they alone fully understand and appreciate the trying circumstances under which they have performed their public duty. On account of recent developments involving intra-party as well as inter-party dissentions and bickerings, the members of this Chamber, as well as the members of the House, have been made the target of a poignant public criticism. Having occupied a vantage position upon this elevated dais, however, I have been able to observe that most of the legislative measures have been approved, or disapproved, upon their respective merits and not upon the basis of political affiliations. I am more convinced than ever before that the members of this Chamber are all sensible to the fact that they are representatives of the people and as such are Americans first and Party members second.

"We have labored under a terrific strain for the past few days. It would be the height of stupidity on my part if I were to detain you any longer under the circumstances.

"I wish to close this session of the Senate by saying to each and every one of you, my dear colleagues, to all of the employees of the Senate, and to the members of the Press, and to our friends, mahalo for your cooperation and aloha nui loa. May God bless you all."

The President announced that the Journal of the Seventy-Third Day had been read and approved.

The Clerk called the Roll, showing all Senators present.

The Benediction was pronounced by Chaplain Keala; and, led by the Chaplain, all present in the Chamber rose and joined in the singing of Aloha Oe.

At 11:50 o'clock p.m., the President, rapping his gavel, declared the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii adjourned sine die.

Ellen D. Smythe
Clerk of the Senate.

Approved:

Wilfred C. Tsukiyama
President of the Senate.

1951

REGULAR SESSION

SENATE

# SENATE BILLS

# 1951 REG SENATE

Senate Bill No. 1

## The Legislature
of the
## Territory of Hawaii

# AN ACT

TO APPROPRIATE MONEY FOR THE EXPENSES OF THE LEGISLATURE OF THE TERRITORY OF HAWAII AND OF ANY HOLDOVER COMMITTEE OR COMMITTEES THEREOF FOR THE PERIODS HEREIN SPECIFIED.

| | | |
|---|---|---|
| Introduced | FEBRUARY 21 | , 19 51 , by |
| Senator | W. H. HILL | |

| | |
|---|---|
| First Reading in Senate | February 21, 1951 |
| Referred to Printing Committee | February 21, 1951 |
| Second Reading in Senate | February 23, 1951 |
| Referred to | COMMITTEE OF THE WHOLE |
| Third Reading in Senate | February 27, 1951. |
| First Reading in House | February 28, 1951 |
| Referred to | |
| Second Reading in House | March 2, 1951 |
| Referred to | |
| Third Reading in House | March 5, 1951 |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. No. 1

AN ACT

TO APPROPRIATE MONEY FOR THE EXPENSES OF THE LEGISLATURE OF THE TERRITORY OF HAWAII AND OF ANY HOLDOVER COMMITTEE OR COMMITTEES THEREOF FOR THE PERIODS HEREIN SPECIFIED.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the public treasury the sum of two hundred twenty-five thousand dollars ($225,000.00) or so much thereof as may be necessary, for the purpose of defraying the expenses of the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii for the period commencing February 21, 1951, and ending November 3, 1952.

SECTION 2. Should there remain any balance of the aforesaid sum of two hundred twenty-five thousand dollars ($225,000.00) unexpended and not contracted for expenditure at the expiration of the aforesaid period, either by said Senate or any holdover committee or committees thereof duly authorized by said Senate to act after the close of the regular session of 1951, such balance is hereby appropriated for the purpose of defraying the expenses of any such holdover committee or committees incurred after such period.

SECTION 3. There is hereby appropriated from the public treasury the sum of two hundred seventy-five thousand dollars ($275,000.00) or so much thereof as may be necessary, for the purpose of defraying the expenses of the House of Representatives of the Twenty-Sixth Legislature of the Territory of Hawaii for the period commencing February 21, 1951, and ending November 3, 1952.

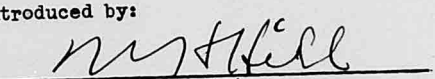
SECTION 4. Should there remain any balance of the aforesaid sum of two hundred seventy-five thousand dollars ($275,000.00) unexpended and not contracted for expenditure at the expiration of the aforesaid period, either by said House or any holdover committee or committees thereof duly authorized by said House to act after the close of the regular session of 1951, such balance is hereby appropriated for the purpose of defraying the expenses of any such holdover committee or committees incurred after such period.

SECTION 5. The expenses of any member of the Legislature while traveling abroad on official business of the Legislature, shall not be limited by the provisions of section 455 of the Revised Laws of Hawaii 1945 or any other general statute. The expenses of such member shall be such as may be allowed by the Senate or by the House of Representatives, respectively, as to members of said Senate or of said House of Representatives.

SECTION 6. Each section of this Act is hereby declared to be severable from the remainder of said Act.

SECTION 7. This Act shall take effect upon its approval.

Introduced by:



Senator, First District.

Honolulu, T.H.,

Feb. 21, 1951.

S. B. No. 1
S. D. 2

A N  A C T

TO APPROPRIATE MONEY FOR THE EXPENSES OF THE LEGISLATURE OF THE TERRITORY OF HAWAII AND OF ANY HOLDOVER COMMITTEE OR COMMITTEES THEREOF FOR THE PERIODS HEREIN SPECIFIED.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the public treasury the sum of two hundred fifty thousand dollars ($250,000.00) or so much thereof as may be necessary, for the purpose of defraying the expenses of the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii for the period commencing February 21, 1951, and ending November 3, 1952.

new
SECTION 2. The appropriation provided for in Section 1 may be used to defray the expenses of any holdover committee of the Senate or of the Twenty-Sixth Legislature created by law to act after the close of the regular session of 1951.

new
SECTION 3. There is hereby appropriated from the public

treasury the sum of two hundred seventy-five thousand dollars ($275,000.00) or so much thereof as may be necessary, for the purpose of defraying the expenses of the House of Representatives of the Twenty-Sixth Legislature of the Territory of Hawaii for the period commencing February 21, 1951, and ending November 3, 1952.

SECTION 4. The appropriation provided for in Section 3 may be used to defray the expenses of any holdover committee of the House of Representatives or of the Twenty-Sixth Legislature created by law to act after the close of the regular session of 1951.

SECTION 5. The auditor of the Territory of Hawaii shall, prior to the convening of the Twenty-Seventh Legislature, audit the accounts of the Senate and the House of Representatives of the sessions of the Twenty-Sixth Legislature of the Territory of Hawaii.

Immediately upon the completion of the audit, a full report thereon shall be presented to the Senate and to the House

of Representatives of the sessions of the Twenty-Seventh Legislature of the Territory of Hawaii.

SECTION 6. The expenses of any member of the Legislature while traveling abroad on official business of the Legislature, shall not be limited by the provisions of section 455 of the Revised Laws of Hawaii 1945 or any other general statute. The expenses of such member shall be such as may be allowed by the Senate or by the House of Representatives, respectively, as to members of said Senate or of said House of Representatives.

SECTION 7. Each section of this Act is hereby declared to be severable from the remainder of said Act.

SECTION 8. This Act shall take effect upon its approval.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., February 27, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

Helen Akana Harrison
Vice President of the Senate

Ellen D. Smythe
Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., March 5, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives.

Clerk, House of Representatives.

S. B. No. 1
S. D. 2
H. D. 1

A N  A C T

TO APPROPRIATE MONEY FOR THE EXPENSES OF THE LEGISLATURE OF THE TERRITORY OF HAWAII AND OF ANY HOLDOVER COMMITTEE OR COMMITTEES THEREOF FOR THE PERIODS HEREIN SPECIFIED.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the public treasury the sum of two hundred fifty thousand dollars ($250,000.00) or so much thereof as may be necessary, for the purpose of defraying the expenses of the Senate of the Twenty-sixth Legislature of the Territory of Hawaii for the period commencing February 21, 1951, and ending November 3, 1952.

SECTION 2. Any balance remaining of the appropriation provided for in Section 1, shall revert to the general fund of the territory.

SECTION 3. There is hereby appropriated from the public treasury the sum of two hundred seventy-five thousand dollars ($275,000.00) or so much thereof as may be necessary, for the purpose of defraying the expenses of the House of Representatives of the Twenty-sixth Legislature of the Territory of Hawaii for the period commencing February 21, 1951, and ending November 3, 1952, and for the further purpose of reimbursing members-elect of the House of Representatives for expenses for travel and on the per diem basis in lieu of subsistence expenses incurred in connection with the study of and hearings on the budget by the Committee on Finance-designate prior to convening of said legislature. The reimbursement herein provided shall be made only after the adoption of an appropriate resolution by the House of Representatives authorizing the payment.

SECTION 4. Any balance remaining of the appropriation provided for in Section 3, shall revert to the general fund of the territory.

SECTION 5. The auditor of the Territory of Hawaii shall, prior to the convening of the Twenty-seventh Legislature, audit the accounts of the Senate and the House of Representatives of the sessions of the Twenty-sixth Legislature of the Territory of Hawaii.

Immediately upon the completion of the audit, a full report thereon shall be presented to the Senate and to the House of Representatives of the sessions of the Twenty-seventh Legislature of the Territory of Hawaii.

SECTION 6. The expenses of any member of the Legislature while traveling abroad on official business of the legislature, shall not be limited by the

provisions of section 455 of the Revised Laws of Hawaii 1945 or any other general statute. The expenses of such member shall be such as may be allowed by the Senate or by the House of Representatives, respectively, as to members of said Senate or of said House of Representatives.

SECTION 7. Each section of this Act is hereby declared to be severable from the remainder of said Act.

SECTION 8. This Act shall take effect upon its approval.

THE HOUSE OF REPRESENTATIVES OF THE

TERRITORY OF HAWAII

Honolulu, T. H., March 5, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives.

Clerk, House of Representatives.

S. B. No. 1
S. D. 2
H. D. 2

A N  A C T

TO APPROPRIATE MONEY FOR THE EXPENSES OF THE TWENTY-SIXTH LEGISLATURE OF THE TERRITORY OF HAWAII, TO COMPENSATE CERTAIN MEMBERS-ELECT THEREOF FOR PRE-SESSION TRAVEL AND SUBSISTENCE, AND TO REIMBURSE THE GOVERNOR'S CONTINGENT FUND FOR ADVANCES MADE FOR SUCH EXPENSES.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the public treasury the sum of two hundred fifty thousand dollars ($250,000.00) or so much thereof as may be necessary, for the purpose of defraying the expenses of the Senate of the Twenty-sixth Legislature of the Territory of Hawaii for the period commencing February 21, 1951, and ending November 3, 1952.

SECTION 2. Any balance remaining of the appropriation

Do not copy

provided for in Section 1, shall revert to the general fund of the territory.

SECTION 3. There is hereby appropriated from the public treasury the sum of two hundred seventy-five thousand dollars ($275,000.00) or so much thereof as may be necessary, for the purpose of defraying the expenses of the House of Representatives of the Twenty-sixth Legislature of the Territory of Hawaii for the period commencing February 21, 1951, and ending November 3, 1952, and for the further purpose of paying to members-elect of the House of Representatives who were members-designate of the Committee-designate on Finance and who attended meetings of said committee in Honolulu in connection with pre-session hearings on and study of the budget of the Territory of Hawaii for the biennium 1951-1953, for (a) travel expenses paid by them in order to attend and return from said meetings, and (b) subsistence on a per diem basis at the rate of five dollars ($5.00) per day

for members residing on the island of Oahu and of fifteen dollars ($15.00) per day for members not residing on the island of Oahu for each day or portion of a day spent in attendance at said meetings. The reimbursement herein provided shall be made only after the adoption of an appropriate resolution by the House of Representatives authorizing the payment.

SECTION 4. Any balance remaining of the appropriation provided for in Section 3, shall revert to the general fund of the territory.

SECTION 5. The auditor of the Territory of Hawaii shall, prior to the convening of the Twenty-seventh Legislature, audit the accounts of the Senate and the House of Representatives of the sessions of the Twenty-sixth Legislature of the Territory of Hawaii.

Immediately upon the completion of the audit, a full report thereon shall be presented to the Senate and to the

House of Representatives of the sessions of the Twenty-seventh Legislature of the Territory of Hawaii.

SECTION 6. The expenses of any member of the Legislature while traveling abroad on official business of the legislature, shall not be limited by the provisions of section 455 of the Revised Laws of Hawaii 1945 or any other general statute. The expenses of such member shall be such as may be allowed by the Senate or by the House of Representatives, respectively, as to members of said Senate or of said House of Representatives.

SECTION 7. The sums of $25,000.00 advanced to the Senate and of $27,500.00 advanced to the House of Representatives of said legislature by the Governor from his contingent fund to defray a portion of the expenses of said Senate and House of Representatives for the period commencing February 21, 1951 shall be reimbursed to said contingent fund from the sums herein appropriated for the expenses of the Senate or of

the House of Representatives, respectively.

SECTION 8. Each section of this Act is hereby declared to be severable from the remainder of said Act.

SECTION 9. This Act shall take effect upon its approval.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., March 12, 1951.

We hereby certify that the foregoing Bill this day passed Final Reading in the House of Representatives of the Territory of Hawaii.

/s/ Hiram L. Fong
Speaker, House of Representatives.

/s/ Walter G. Ehlers
Clerk, House of Representatives.

1951 REG SENATE

Senate Bill No. 2

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO PROMOTE REHABILITATION AND DEVELOPMENT OF THE TARO AND RICE-GROWING INDUSTRIES AND MAKING AN APPROPRIATION THEREFOR.

Introduced FEBRUARY 21, 19 51, by

Senators M. R. AGUIAR, JR., JOHN B. FERNANDES and TOSHIO ANSAI

| | |
|---|---|
| First Reading in Senate | February 21, 1951 |
| Referred to Printing Committee | February 21, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. No. 7

A N  A C T

TO PROMOTE REHABILITATION AND DEVELOPMENT OF THE TARO AND RICE-GROWING INDUSTRIES AND MAKING AN APPROPRIATION THEREFOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. As used in this Act, unless the context clearly indicates otherwise:

"Average production cost" means the cost determined by averaging the cost of production of all of the growers of rice or taro, as the case may be, in any particular locality where the cost factors are fairly even throughout;

"Board" means the board of commissioners of agriculture and forestry;

"Director" means director of the division of marketing;

"Grower" means any person growing taro or rice in the Territory but does not include any person who is employed by another in such pursuit; and

"Person" means any person, firm, corporation or association.

SECTION 2. It is hereby declared that the continued deterioration of the taro and rice industries in the Territory and the continued decrease in supply of the products of such industries is inimical to the public interest and that in the interest of and for the welfare of the people of the Territory it is necessary to rehabilitate and to encourage the development of those industries. It is further declared that the products of said industries constitute the staple of the diet of a majority

of the people of the Territory. It is further declared that the Territory is dependent upon outside sources for almost all of the rice consumed in the Territory; that the geographical position of the Territory makes it essential to produce locally as much of such staples as possible; that the people of the Territory have from time to time suffered from a shortage in the supply of rice and from high prices resulting therefrom; and that the increased production of such products will tend to stabilize the supply and prices thereof. It is further declared that the persons engaged in such industries are entitled to a fair return on their capital and labor. It is the intent of the legislature to rehabilitate and to promote the development of the taro and rice-growing industries of the Territory and to devote the resources of the government to that end.

SECTION 3. The board shall have power to investigate all matters pertaining to the production and marketing of taro and rice grown in the Territory and to furnish information pertaining thereto to the persons engaged in such industries. In connection with such functions the board shall cooperate with the agricultural extension service of the university of Hawaii and any other territorial or federal agency whose functions pertain thereto.

The board shall determine the average production costs for taro and rice in each locality in the Territory, taking into consideration established farming practices and all other conditions and factors affecting the same with the view toward arriving at a reasonable and practical determination, and from time to time may change such determinations as circumstances warrant.

The board may require the keeping of such accounts and records and the filing of such applications and other papers as it may deem necessary. The board shall have power to adopt and from time to time amend such rules and regulations as it may deem necessary to carry out the intent of this Act.

SECTION 4. The board shall be authorized to pay a subsidy of not more than one and one-half cent per pound. The amount of the subsidy shall be the difference between the average cost of production and the price received by the grower, provided that the subsidy shall not exceed one and one-half cent per pound. Such subsidy payments shall not be payable more than once a year to any grower. No grower shall be entitled to a subsidy unless he complies with all the requirements of this Act and the rules and regulations of the board.

SECTION 5. The board may authorize the director to carry out such portion of the board's functions as it shall deem proper, provided that all actions of the director shall be reviewable by the board upon application by any grower aggrieved by his action.

SECTION 6. Any person who makes any false statement, record or account for the purpose of obtaining a subsidy payment, or who obtains a subsidy payment, to which he is not entitled by the provisions of this Act and the rules and regulations of the board, shall be guilty of a misdemeanor and shall be punished by a fine of not more than one thousand dollars ($1,000.00) or by imprisonment for not more than six months, or by both such fine and imprisonment.

SECTION 7. There is hereby appropriated from the general revenues of the Territory the sum of five hundred thousand dollars ($500,000.00), or so much thereof as may be necessary, to carry

out the provisions of this Act. From said appropriation the sum of twenty thousand dollars ($20,000.00), or so much thereof as may be necessary, may be expended for the administrative expenses of the board.

SECTION 8. No subsidy payments shall be payable under this Act until January 1, 1952, whereupon payments may be made for crops produced during the preceding year.

SECTION 9. This Act shall take effect upon its approval.

INTRODUCED BY:

M. R. AGUIAR, JR.
JOHN B. FERNANDES
Senators, 4th District

February , 1951.

1951 REG SENATE

Senate Bill No. 3

# The Legislature
of the
# Territory of Hawaii

## AN ACT

FOR THE RELIEF OF UNEMPLOYMENT THROUGH THE PERFORMANCE OF USEFUL PUBLIC WORK, AND MAKING AN APPROPRIATION.

Introduced FEBRUARY 21, 1951, by
Senators JOHN B. FERNANDES and M. R. AGUIAR, JR.

| | |
|---|---|
| First Reading in Senate | February 21, 1951 |
| Referred to Printing Committee | February 21, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. No. 3

A N  A C T

FOR THE RELIEF OF UNEMPLOYMENT THROUGH THE PERFORMANCE OF USEFUL PUBLIC WORK, AND MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. That for the purpose of relieving the condition of unemployment and distress now existing or that may hereafter exist in the Territory of Hawaii, and in order to provide for the restoration of the Territory's depleted natural resources and the advancement of an orderly program of useful public works, the governor is authorized, under such rules and regulations as he may prescribe, and by duly utilizing such departments or agencies of the government as he may designate, or by creating an agency or department to provide for employing residents of the Territory, who are unemployed but willing and physically capable of performing work, in the construction, maintenance or carrying on of works of a public nature. Such works shall include, but shall not be limited to, the beautification of parks, community areas, areas of historical interest, the restoration of depleted forest lands, of water resources, and of soils, the control of soil erosion, of plant or pest diseases, and the construction maintenance or repair of forest trails, paths and fire lanes in the forest reserves of the Territory, and such other work in the public interest incidental to or necessary in connection with any of the enumerated works as the governor may determine to be desirable.

The governor is further authorized, by regulation, to provide for furnishing subsistence and cash allowances to persons so employed, as may be necessary, during the period they are so employed, and, may in his discretion provide for the transportation of such persons to and from the places of employment. In employing such residents for the purposes of this Act, no discrimination shall be made on account of race, color or creed, but no person under conviction for a crime and serving sentence therefor shall be so employed.

SECTION 2. For the purpose of carrying out the provisions of this Act the governor is authorized to enter into such contracts or agreements with local governments in the Territory as may be necessary, including provisions for utilization of any existing county administrative agencies.

SECTION 3. There is hereby appropriated out of moneys in the territorial treasury, not otherwise appropriated, the sum of $_____ or so much thereof as may be necessary to carry out the purposes of this Act. Such funds shall be expended on warrants drawn upon the territorial auditor based upon vouchers prepared by the governor or by the department or agency authorized by him.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

John B Fernandez

M. R. Aguiar Jr

Senators 2nd District

February 21 st, 1951.

**Senate Bill No.** 4

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO THE HOURS OF WORK OF PER DIEM EMPLOYEES OF THE VARIOUS COUNTIES AND AUTHORIZING THE COUNTIES TO PROVIDE PER DIEM EMPLOYEES WITH WORK ON SATURDAY WHEN THE TOTAL NUMBER OF HOURS OF WORK BETWEEN MONDAY AND FRIDAY DO NOT TOTAL FORTY.

Introduced February 21, 1951, by

Senators: JOHN B. FERNANDES and M. R. AGUIAR, JR.

| | |
|---|---|
| First Reading in Senate | February 21, 1951 |
| Referred to Printing Committee | February 21, 1951 |
| Second Reading in Senate | February 23, 1951 |
| Referred to | COMMITTEE ON WAYS AND MEANS |
| Third Reading in Senate | May 2, 1951 |

| | |
|---|---|
| First Reading in House | May 2, 1951 |
| Referred to | |
| Second Reading in House | May 3, 1951 |
| Referred to | COMMITTEE ON COUNTY & MUNICIPAL AFFAIRS. |
| Third Reading in House | May 7, 1951 |

ELLEN D. SMYTHE
*Clerk of the Senate*

4 S

AN ACT

RELATING TO THE HOURS OF WORK OF PER DIEM EMPLOYEES OF THE VARIOUS COUNTIES AND AUTHORIZING AND DIRECTING THE COUNTIES TO PROVIDE PER DIEM EMPLOYEES WITH WORK ON SATURDAY WHEN THE TOTAL NUMBER OF HOURS OF WORK BETWEEN MONDAY AND FRIDAY DO NOT TOTAL FORTY.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Whenever the total number of hours of actual work performed by per diem employees of the various counties between the days of Monday and Friday, inclusive, do not total forty, such county is hereby authorized ~~and directed~~ to employ such per diem employees on Saturday of that week.

SECTION 2. Such Saturday employment shall not exceed the number of hours required to make a total of forty hours for the entire week and no per diem employee shall be employed more than eight hours on Saturday, except in cases of emergency.

SECTION 3. The purpose of this Act is to provide per diem employees of the various counties with a full forty hours employment per week and to prevent loss of pay to per diem employees when a holiday occurs during the week or when inclement weather prevents the employees from working.

INTRODUCED BY:

John B. Fernandez

M. R. Aguiar Jr.

Senators 4th District

Honolulu, T.H.

February 21st, 1951

S.B.No. 4
S.D. 1

A N  A C T

RELATING TO THE HOURS OF WORK OF PER DIEM EMPLOYEES OF THE VARIOUS COUNTIES AND AUTHORIZING THE COUNTIES TO PROVIDE PER DIEM EMPLOYEES WITH WORK ON SATURDAY WHEN THE TOTAL NUMBER OF HOURS OF WORK BETWEEN MONDAY AND FRIDAY DO NOT TOTAL FORTY.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Whenever the total number of hours of actual work performed by per diem employees of the various counties between the days of Monday and Friday, inclusive, do not total forty, such county is hereby authorized to employ such per diem employees on Saturday of that week.

SECTION 2. Such Saturday employment shall not exceed the number of hours required to make a total of forty hours for the entire week and no per diem employee shall be employed more than eight hours on Saturday, except in cases of emergency.

SECTION 3. The purpose of this Act is to provide per diem employees of the various counties with a full forty hours employment per week and to prevent loss of pay to per diem employees when a holiday occurs during the week or when inclement weather prevents the employees from working.

SECTION 4. This Act shall take effect ten days after promulgation as required by section 2 of the Revised Laws of Hawaii 1945.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T.H., May 2, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

President of the Senate

Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE TERRITORY OF HAWAII

Honolulu, T. H., May 7, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives

Clerk, House of Representatives

1951 REG SENATE

3-26-51

Defer

Senate Bill No. 5

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AUTHORIZING AND DIRECTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HAWAII TO INSTALL LIGHTS FOR NIGHT BASEBALL AT HAMAKUA PARK, HAWAII.

Introduced February 21, , 19 51 , by
Senator WILLIAM J. NOBRIGA

First Reading in Senate February 21, 1951
Referred to Printing Committee February 21, 1951
Second Reading in Senate
Referred to
Third Reading in Senate

First Reading in House
Referred to
Second Reading in House
Referred to
Third Reading in House

ELLEN D. SMYTHE
*Clerk of the Senate*

5

AN ACT

AUTHORIZING AND DIRECTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HAWAII TO INSTALL LIGHTS FOR NIGHT BASEBALL AT HAMAKUA PARK, HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The board of supervisors of the county of Hawaii is hereby authorized and directed to install a lighting system upon the baseball playing field at Hamakua Park, Hawaii, thereby making the field suitable for night baseball, and to appropriate the sum of one thousand five hundred dollars ($1,500), or so much thereof as may be necessary, out of county funds for that purpose.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

William J. Adegi

Honolulu, T. H.

---

AAG1

1951 REG SENATE

Senate Bill No. 6

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AUTHORIZING AND DIRECTING THE HAWAII AERONAUTICS COMMISSION TO CONSTRUCT AN EMERGENCY AIRPORT AT HAMAKUA, HAWAII, AND MAKING AN APPROPRIATION THEREFOR.

Introduced February 21, , 1951 , by
Senator WILLIAM J. NOBRIGA

First Reading in Senate February 21, 1951
Referred to Printing Committee February 21, 1951
Second Reading in Senate
Referred to
Third Reading in Senate

First Reading in House
Referred to
Second Reading in House
Referred to
Third Reading in House

ELLEN D. SMYTHE
*Clerk of the Senate*

Hawaii

6

AN ACT

AUTHORIZING AND DIRECTING THE HAWAII AERONAUTICS COMMISSION TO CONSTRUCT AN EMERGENCY AIRPORT AT HAMAKUA, HAWAII, AND MAKING AN APPROPRIATION THEREFOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The Hawaii Aeronautics Commission is hereby authorized and directed to construct an emergency airport at Hamakua, Hawaii.

SECTION 2. The sum of $50,000, or so much thereof as may be necessary, is hereby appropriated from the general revenues of the Territory, not otherwise appropriated, for the purpose of this Act.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

William J. Rivera

Honolulu, T. H.

1951 REG SENATE

Senate Bill No. 7

# The Legislature
of the
# Territory of Hawaii

## AN ACT

APPROPRIATING $75,000 FOR THE CONSTRUCTION OF FAIR GROUNDS, INCLUDING RACE TRACKS, AT HAMAKUA, HAWAII.

Introduced FEBRUARY 21 , 1951 , by
Senator WILLIAM J. NOBRIGA

First Reading in Senate February 21, 1951
Referred to Printing Committee February 21, 1951
Second Reading in Senate
Referred to
Third Reading in Senate

First Reading in House
Referred to
Second Reading in House
Referred to
Third Reading in House

ELLEN D. SMYTHE
*Clerk of the Senate*

Hawaii

7

AN ACT

APPROPRIATING $75,000 FOR THE CONSTRUCTION OF FAIR GROUNDS, INCLUDING RACE TRACKS, AT HAMAKUA, HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the general revenues of the Territory of Hawaii not otherwise appropriated the sum of $75,000 for the construction of fair grounds, including race tracks, at Hamakua, Hawaii.

SECTION 2. The appropriation shall be expended upon warrants of the territorial auditor based upon vouchers approved by the superintendent of the territorial department of public works who shall construct said fair grounds and race tracks.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

William J. Noriega

Honolulu, T. H.

A+G.

1951 REG SENATE

Senate Bill No. 8

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 4981 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO THE BOARD OF HARBOR COMMISSIONERS.

| | | |
|---|---|---|
| Introduced | FEBRUARY 21 | , 1951 , by |
| Senator | WILLIAM J. NOBRIGA | |

| | |
|---|---|
| First Reading in Senate | February 21, 1951 |
| Referred to Printing Committee | February 21, 1951 |
| Second Reading in Senate | February 23, 1951 |
| Referred to | COMMITTEE ON JUDICIARY |
| Third Reading in Senate | March 27, 1951 |
| First Reading in House | March 27, 1951 |
| Referred to | |
| Second Reading in House | March 28, 1951 |
| Referred to | COMMITTEE ON AERONAUTICS & MARINE SHIPPING. |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

8

AN ACT

TO AMEND SECTION 4981 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO THE BOARD OF HARBOR COMMISSIONERS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 4981 of the Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"Section 4981. Appointment of commissioners; jurisdiction. All ocean shores below mean high water-mark, shore waters and navigable streams, and all harbors and roadsteads, and all harbor and waterfront improvements, belonging to or controlled by the Territory, and all shipping within such harbors, roadsteads, waters and streams shall be under the care and control of a board of harbor commissioners. The board shall consist of seven members, one of whom shall be the superintendent of public works who shall be chairman, ex officio, and six shall be appointed by the governor as provided in section 80 of the Organic Act. Of the six members appointed by the governor, one shall be a resident of the county of Hawaii, one a resident of the county of Maui, and one a resident of the county of Kauai. Such commissioners shall be appointed for terms of four years or the unexpired periods thereof, in such manner that the term of two commissioners shall expire every odd-numbered year and the term of one commissioner shall expire every even-numbered year. The terms shall begin on July 1.

In the absence of the chairman, the acting superintendent of public works shall become the acting chairman of the board."

SECTION 2. One of the two new members to be appointed to the board of harbor commissioners shall be appointed for a term expiring on June 30, 1952, and the other member for a term expiring on June 30, 1954. Each of their successors shall be appointed for full four-year terms or for the unexpired term in case of a vacancy occurring before the

expiration of a term.

No person who is a resident of Oahu shall be appointed to the board of harbor commissioners until there are members on the board from the counties of Hawaii, Maui, and Kauai. The provisions of this Act relating to residence of members shall not apply to the incumbent members of the board of harbor commissioners during their current terms of office.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

William J. Rodgers

Honolulu, T. H.

---

S. B. No. 8
S. D. 1

A N  A C T

TO AMEND SECTION 4981 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO THE BOARD OF HARBOR COMMISSIONERS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 4981 of the Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"Sec. 4981. Appointment of commissioners; jurisdiction. All ocean shores below mean high water-mark, shore waters and navigable streams, and all harbors and roadsteads, and all harbor and waterfront improvements, belonging to or controlled by the Territory, and all shipping within such harbors, roadsteads, waters and streams shall be under the care and control of a board of harbor commissioners. The board shall consist of seven members, one of whom shall be the superintendent of public works who shall be chairman, ex officio, and six of whom shall be appointed by the governor as provided in section 80 of the Organic Act, three of whom shall be residents of the city and county of Honolulu, one a resident of the

county of Hawaii, one a resident of the county of Maui, and the other a resident of the county of Kauai. Of the six members so appointed, three shall be appointed for a term to expire June 30, 1953 and three for a term to expire June 30, 1955. After the expiration of said terms, every appointment shall be for a term of four years except that any vacancy occurring before the expiration of a term shall be filled for the unexpired term. In the absence of the chairman, the members of the board or appointees shall designate one of the members to act as chairman."

SECTION 2. Nothing in this Act contained shall change the term of office of any incumbent member of such commission.

SECTION 3. This Act shall take effect upon its approval.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., March 27, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

President of the Senate

Clerk of the Senate.

S. B. No. 8
S. D. 1
H. D. 1

A N  A C T

TO AMEND SECTION 4981 OF THE REVISED LAWS OF HAWAII 1945,

RELATING TO THE BOARD OF HARBOR COMMISSIONERS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 4981 of the Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"Sec. 4981. Appointment of commissioners; jurisdiction. All ocean shores below mean high water-mark, shore waters and navigable streams, and all harbors and roadsteads, and all harbor and waterfront improvements, belonging to or controlled by the territory, and all shipping within such harbors, roadsteads, waters and streams shall be under the care and control of a board of harbor commissioners. The board shall consist of seven members, one of whom shall be the superintendent of public works who shall be chairman, ex officio, and six of

whom shall be appointed by the governor as provided in section 80 of the Organic Act, three of whom shall be residents of the city and county of Honolulu, one a resident of the county of Hawaii, one a resident of the county of Maui, and the other a resident of the county of Kauai. Of the six members so appointed, three shall be appointed for a term to expire June 30, 1953 and three for a term to expire June 30, 1955. After the expiration of said terms, every appointment shall be for a term of four years except that any vacancy occurring before the expiration of a term shall be filled for the unexpired term.

In the absence of the chairman, the members of the board so appointed shall designate one of the members to act as chairman."

SECTION 2. Nothing in this Act contained shall change the term of office of any incumbent member of such commission.

SECTION 3. This Act shall take effect upon its approval.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., April 27, 195

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives.

Clerk, House of Representatives.

1951 REG SENATE

Senate Bill No. 9

# The Legislature
of the
# Territory of Hawaii

## AN ACT

APPROPRIATING $300,000 FOR SURVEY, LAND ACQUISITION AND CONSTRUCTION OF GOLF COURSES AT KONA, KAU, AND KAMUELA, HAWAII.

Introduced FEBRUARY 21, , 19 51 , by
Senator WILLIAM J. NOBRIGA

First Reading in Senate February 21, 1951
Referred to Printing Committee February 21, 1951
Second Reading in Senate
Referred to
Third Reading in Senate

First Reading in House
Referred to
Second Reading in House
Referred to
Third Reading in House

ELLEN D. SMYTHE
*Clerk of the Senate*

9

AN ACT

APPROPRIATING $300,000 FOR SURVEY, LAND ACQUISITION AND CONSTRUCTION OF GOLF COURSES AT KONA, KAU, AND KAMUELA, HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the general funds of the Territory of Hawaii, not otherwise appropriated, the sum of $300,000 for the following purposes:

(1) Survey, land acquisition and construction of a golf course at Kona, Hawaii . . . . . $100,000

(2) Survey, land acquisition and construction of a golf course at Kau, Hawaii . . . . . $100,000

(3) Survey, land acquisition and construction of a golf course at Kamuela, Hawaii . . . . . $100,000

SECTION 2. The sum hereby appropriated shall be expended upon warrants drawn by the auditor, based from vouchers signed by the superintendent of public works.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

William J. Rollings

Honolulu, T. H.

1951 REG SENATE

Senate Bill No. 10

# The Legislature
of the
# Territory of Hawaii

## AN ACT

APPROPRIATING $50,000 FOR THE IMPROVEMENT OF THE MUNICIPAL GOLF COURSE AT HILO, HAWAII.

Introduced February 21, 1951, by
Senator WILLIAM J. NOBRIGA

First Reading in Senate February 21, 1951
Referred to Printing Committee February 21, 1951
Second Reading in Senate
Referred to
Third Reading in Senate

First Reading in House
Referred to
Second Reading in House
Referred to
Third Reading in House

ELLEN D. SMYTHE
*Clerk of the Senate*

10

AN ACT

APPROPRIATING $50,000 FOR THE IMPROVEMENT OF THE MUNICIPAL GOLF COURSE AT HILO, HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the general funds of the Territory of Hawaii not otherwise appropriated the sum of $50,000 for the improvement of the Municipal Golf Course at Hilo, Hawaii.

SECTION 2. The moneys appropriated by this Act shall be paid into the treasury of the county of Hawaii when and as required for expenditure, such moneys to be held in the territorial treasury until payment thereof into the treasury of the county of Hawaii is requested by resolution of the board of supervisors of that county. When paid into the county treasury, such moneys shall be held for the purpose stated in this Act.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

William J. Rouge

Honolulu, T. H.

1951 REG SENATE

Senate Bill No. 11

# The Legislature
of the
# Territory of Hawaii

## AN ACT

APPROPRIATING $10,000 FOR THE SURVEY OF A ROAD FROM KAWAIHAE TO MAHUKONA, HAWAII.

Introduced February 21, 1951, by
Senator WILLIAM J. NOBRIGA

| | |
|---|---|
| First Reading in Senate | February 21, 1951 |
| Referred to Printing Committee | February 21, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELIEN D. SMYTHE Hawden
*Clerk of the Senate*

11

AN ACT

APPROPRIATING $10,000 FOR THE SURVEY OF A ROAD FROM KAWAIHAE TO MAHUKONA, HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The sum of $10,000, or so much thereof as may be necessary, is hereby appropriated from the general funds of the Territory, not otherwise appropriated, for a survey of a road from Kawaihae to Mahukona, Hawaii.

SECTION 2. The superintendent of the territorial Department of Public Works is hereby authorized and directed to make the survey designated. The sum appropriated by this Act shall be expended upon warrants issued by the territorial auditor upon vouchers approved by the superintendent of the territorial Department of Public Works.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

Honolulu, T. H.

1951 REC SENATE

Senate Bill No. 12

# The Legislature
of the
# Territory of Hawaii

## AN ACT

APPROPRIATING $25,000 FOR THE SURVEY OF A ROAD FROM KAWAIHAE TO KAILUA, KONA, HAWAII.

Introduced February 21, 1951, by
Senator WILLIAM J. NOBRIGA

First Reading in Senate
Referred to Printing Committee
Second Reading in Senate
Referred to
Third Reading in Senate

First Reading in House
Referred to
Second Reading in House
Referred to
Third Reading in House

ELLEN D. SMYTHE
*Clerk of the Senate*

Hawaii

12

AN ACT

APPROPRIATING $25,000 FOR THE SURVEY OF A ROAD FROM KAWAIHAE TO KAILUA, KONA, HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The sum of $25,000, or so much thereof as may be necessary, is hereby appropriated from the general funds of the Territory, not otherwise appropriated, for a survey of a road from Kawaihae to Kailua, Kona, Hawaii.

SECTION 2. The superintendent of the territorial Department of Public Works is hereby authorized and directed to make the survey designated. The sum appropriated by this Act shall be expended upon warrants issued by the territorial auditor upon vouchers approved by the superintendent of the territorial Department of Public Works.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

William J. Rodrigo

Honolulu, T. H.

1951 REG SENATE

Senate Bill No. 13

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AUTHORIZING AND DIRECTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HAWAII TO INSTALL LIGHTS FOR NIGHT BASEBALL AT HOOLULU PARK, HILO, HAWAII, OUT OF COUNTY FUNDS.

| | | |
|---|---|---|
| Introduced | FEBRUARY 21 | , 19 51, by |
| Senator | WILLIAM J. NOBRIGA | |

| | |
|---|---|
| First Reading in Senate | February 21, 1951 |
| Referred to Printing Committee | February 21, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Hawaii

13

AN ACT

AUTHORIZING AND DIRECTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HAWAII TO INSTALL LIGHTS FOR NIGHT BASEBALL AT HOOLULU PARK, HILO, HAWAII, OUT OF COUNTY FUNDS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The board of supervisors of the county of Hawaii is hereby authorized and directed to install a lighting system upon the baseball playing field at Hoolulu Park, Hilo, Hawaii, thereby making said field suitable for night baseball, and to appropriate the sum of three thousand dollars ($3,000.00), or so much thereof as may be necessary, out of county funds for that purpose.

SECTION 2. This act shall take effect upon its approval.

INTRODUCED BY:

William J. Nolleyan

Honolulu, T. H.
3/21/51

✓ axs.

1951 REG SENATE

Senate Bill No. 14

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AUTHORIZING AND DIRECTING THE HAWAII AERONAUTICS COMMISSION TO CONSTRUCT AN EMERGENCY AIRPORT AT PUNA, HAWAII, AND MAKING AN APPROPRIATION THEREFOR.

| | | |
|---|---|---|
| Introduced | FEBRUARY 21 | , 19 51, by |
| Senator | WILLIAM J. NOBRIGA | |

| | |
|---|---|
| First Reading in Senate | February 21, 1951 |
| Referred to Printing Committee | February 21, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Hawaii

14

AN ACT

AUTHORIZING AND DIRECTING THE HAWAII AERONAUTICS COMMISSION TO CONSTRUCT AN EMERGENCY AIRPORT AT PUNA, HAWAII, AND MAKING AN APPROPRIATION THEREFOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The Hawaii Aeronautics Commission is hereby authorized and directed to construct an emergency airport at Puna, Hawaii.

SECTION 2. The sum of $30,000, or so much thereof as may be necessary, is hereby appropriated from the general revenues of the Territory not otherwise appropriated for the purpose of this Act.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

William J. Rodrigo

Honolulu, T. H.

1951 REG SENATE

Senate Bill No. 15

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AMENDING SECTION 4863 OF THE REVISED LAWS OF HAWAII 1945, REQUIRING RECIPIENTS OF GENERAL ASSISTANCE TO REGISTER FOR COUNTY EMPLOYMENT AS A CONDITION OF RECEIVING AID.

| | |
|---|---|
| Introduced | FEBRUARY 21, 1951, by |
| Senator | WILLIAM J. NOBRIGA |

| | |
|---|---|
| First Reading in Senate | February 21, 1951 |
| Referred to Printing Committee | February 21, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

15

AN ACT

AMENDING SECTION 4863 OF THE REVISED LAWS OF HAWAII 1945, REQUIRING RECIPIENTS OF GENERAL ASSISTANCE TO REGISTER FOR COUNTY EMPLOYMENT AS A CONDITION OF RECEIVING AID.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 4863 of the Revised Laws of Hawaii 1945 is hereby amended to read as follows:

"Sec. 4863. Persons not otherwise provided for. The department shall administer public assistance to those needy persons not otherwise provided for under this chapter, who for any reasons satisfactory to the department are unable to provide sufficient support for themselves or those dependent upon them. It shall further be the duty of the department to require all physically fit persons, as a condition of receiving general assistance, to register with and accept employment offered by the county in which they reside, without regard to the provision of Section 4836 of the Revised Laws of Hawaii 1945. Such work shall not be required beyond six hours a day or beyond five days a week. County public works departments are hereby authorized to employ those registrants deemed by them to be suitable for employment on county public works. The county public works departments are further authorized to suspend with respect to such employment any minimum wages established pursuant to the provisions of chapter 3 of the Revised Laws

of Hawaii 1945, as amended.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

William J. Rodrigo

Honolulu, T. H.
Feb 24 1951

1951 REG SENATE

Placed File 4/24/51 Spec. Com Rep. 93

Senate Bill No. 16

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO PROVIDE FOR THE CONSTRUCTION AND IMPROVEMENT OF A PUBLIC PARK BY THE PARK BOARD OF THE CITY AND COUNTY OF HONOLULU; DESIGNATING THE PARK AS THE KALIHI PLAYGROUND; DESCRIBING ITS LOCATION; AND MAKING AN APPROPRIATION THEREFOR.

Introduced FEBRUARY 21 , 1951 , by
Senator HERBERT K. H. LEE

| | |
|---|---|
| First Reading in Senate | February 21, 1951 |
| Referred to Printing Committee | February 21, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Oahu

16

S. B. No.____

A N  A C T

TO PROVIDE FOR THE CONSTRUCTION AND IMPROVEMENT OF A PUBLIC PARK BY THE PARK BOARD OF THE CITY AND COUNTY OF HONOLULU; DESIGNATING THE PARK AS THE KALIHI PLAYGROUND; DESCRIBING ITS LOCATION; AND MAKING AN APPROPRIATION THEREFOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from moneys in the territorial treasury, not otherwise appropriated, the sum of six hundred thousand dollars ($600,000.00), or so much thereof as may be necessary, to the park board of the city and county of Honolulu, to be expended for the construction and improvement of a public park and playground to be known as the "Kalihi Playground" and for such park, swimming, and recreational facilities for that playground as may hereafter be determined by the board.

SECTION 2. The Kalihi Playground shall be located on land now publicly owned and immediately adjacent to the Honolulu Airport or, on such other public land in the vicinity as may be appropriate for such park and playground purposes.

SECTION 3. This Act shall take effect upon its approval but the appropriation herein made shall not be available for expenditure until the date of the governor's executive order

setting aside the area adjacent to the Honolulu Airport, or other equivalent area in the vicinity, to the park board of the city and county of Honolulu for such park purposes.

INTRODUCED BY:

H. W. Kynhee
Senator, 3rd District

February 21, 1951.

1951 REG SENATE

Senate Bill No. 17

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO MAKE AN APPROPRIATION FOR BALDWIN HIGH SCHOOL, COUNTY OF MAUI.

Introduced FEBRUARY 23, 19 51, by
Senator s T. ANSAI and WENDELL F. CROCKETT

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

SB 17

AN ACT

TO MAKE AN APPROPRIATION FOR BALDWIN HIGH SCHOOL, COUNTY OF MAUI.

BE IT ENACTED BY the LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated out of the general revenues of the Territory not otherwise appropriated the sum of $17,000, or so much thereof as may be necessary, to remove the camouflage from the buildings of Baldwin High School, County of Maui, including the painting thereof.

SECTION 2. The moneys appropriated by this Act shall be paid into the treasury of the county of Maui when and as required for expenditure, such moneys to be held in the Territorial treasury until payment thereof into the county treasury is requested by resolution of the board of supervisors of the county of Maui.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

Honolulu, T. H.

Wendell F. Crockett

VGaa

1951 REG SENATE

**Senate Bill No.** 18

F

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND ACT 205 OF THE SESSION LAWS OF HAWAII 1947, RELATING TO APPROPRIATIONS FOR PUBLIC IMPROVEMENTS, PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS, AND PROVIDING FOR PUBLIC IMPROVEMENTS AT MAALAEA, MAUI.

Introduced FEBRUARY 23, 1951, by

Senators T. ANSAI AND WENDELL F. CROCKETT

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | February 24, 1951 |
| Referred to | Select Committee of Maui Senators. |
| Third Reading in Senate | April 3, 1951 |
| First Reading in House | April 3, 1951 |
| Referred to | |
| Second Reading in House | April 4, 1951 |
| Referred to | COMMITTEE ON FINANCE. |
| Third Reading in House | April 28, 1951 |

ELLEN D. SMYTHE
*Clerk of the Senate*

Engrossed 4-29

SB 18

AN ACT

TO AMEND ACT 205 OF THE SESSION LAWS OF HAWAII 1947, RELATING TO APPROPRIATIONS FOR PUBLIC IMPROVEMENTS, PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS, AND PROVIDING FOR PUBLIC IMPROVEMENTS AT MAALAEA, MAUI.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The unexpended balance of the $85,000 appropriated in section 1(a), subdivision 2, of Act 205 of the Session Laws of Hawaii 1947, for "Boat Harbor at Kihei, Maui, land and facilities" is hereby reappropriated for a boat harbor at Maalaea, Maui, including preparation of plans, construction of breakwater, dredging, and acquisition of land and all necessary facilities.

SECTION 2. The moneys reappropriated by this Act shall be expended under the direction of the Board of Harbor Commissioners upon warrants drawn by the territorial auditor on the treasurer, based upon vouchers approved by the chairman of the Board of Harbor Commissioners.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

Honolulu, T. H.
1/23/51

Wendell F. Crockett.

S.B.No. 18

A N  A C T

TO AMEND ACT 205 OF THE SESSION LAWS OF HAWAII 1947, RELATING TO APPROPRIATIONS FOR PUBLIC IMPROVEMENTS, PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS, AND PROVIDING FOR PUBLIC IMPROVEMENTS AT MAALAEA, MAUI.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The unexpended balance of the $85,000.00 appropriated in Section 1 (a), subdivision 2, of Act 205 of the Session Laws of Hawaii 1947, for "Boat Harbor at Kihei, Maui, land and facilities" is hereby reappropriated for a boat harbor at Maalaea, Maui, including preparation of plans, construction of breakwater, dredging, and acquisition of land and all necessary facilities.

SECTION 2. The moneys reappropriated by this Act shall be expended under the direction of the board of harbor commissioners upon warrants drawn by the territorial auditor on

the treasurer, based upon vouchers approved by the chairman of the board of harbor commissioners.

SECTION 3. This Act shall take effect upon its approval.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T.H., April 3, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

Wilfred C. Tsukiyama
President of the Senate

Ellen D. Smythe
Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., April 28, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Hiram L. Fong
Speaker, House of Representatives

Walter S. Thurle
Clerk, House of Representatives

1951 REG SENATE

Senate Bill No. 19

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 14 OF ACT 289 OF THE SESSION LAWS OF HAWAII 1949, RELATING TO THE COUNTY OF MAUI AND THE APPROPRIATION OF COUNTY FUNDS.

Introduced FEBRUARY 23, 1951, 19, by
Senators T. ANSAI and WENDELL F. CROCKETT

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Maui

SB 19

AN ACT

TO AMEND SECTION 14 OF ACT 289 OF THE SESSION LAWS OF HAWAII 1949, RELATING TO THE COUNTY OF MAUI AND THE APPROPRIATION OF COUNTY FUNDS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 14 (sec. 6490.14 of the Revised Laws of Hawaii 1945, as amended) of Act 289 of the Session Laws of Hawaii 1949 is hereby amended by deleting the last three lines thereof and inserting the following:

"provided, that if the amount so certified exceeds $125,000.00 the board of supervisors may, but shall not be obligated to, appropriate more than said amount of $125,000.00."

SECTION 2. The board of supervisors of the county of Maui shall annually include under item (3) of the county budget at least $125,000.00 for the repairs and maintenance of school buildings and grounds.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

Honolulu, T. H.

1/25/51

1951 REG SENATE F & C Joint

Senate Bill No. 20

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTIONS 5252 AND 5254 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO THE COUNTY OF MAUI; INCLUDING PROPERTY TAXES IN THE COUNTY OF MAUI AND THE MAUI COUNTY BUDGET.

Introduced February 23, 1951, by

Senators: T. ANSAI and WENDELL F. CROCKETT

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | SELECT COMMITTEE MAUI SENATORS |
| Third Reading in Senate | May 1, 1951 |

| | |
|---|---|
| First Reading in House | May 1, 1951 |
| Referred to | |
| Second Reading in House | May 2, 1951 |
| Referred to | COMMITTEES ON FINACE & COUNTY IN JOINT SESSION. |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

SB 20

AN ACT

TO AMEND SECTIONS 5252 AND 5254 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO THE COUNTY OF MAUI; INCLUDING PROPERTY TAXES IN THE COUNTY OF MAUI AND THE MAUI COUNTY BUDGET.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 5252 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended in the following respects:

(a) By deleting the number "$900,000" and substituting the number "$1,100,000" in the third paragraph before the end of the section.

(b) By adding the following sentence to the end of the second paragraph before the end of the section:

> "The budget submitted for the county of Maui shall show in column III for repair and maintenance of school buildings and grounds under item (3) at least an amount equal to the amount in which the calculated yield of the real property tax exceeds $775,000."

SECTION 2. By striking out the word "provided" in the third sentence of the first paragraph of section 5254 of the Revised Laws of Hawaii 1945, as amended, and inserting:

> "provided, however, that the county treasurer of the county of Maui shall allot annually from the balance of the property taxes from the county of Maui for the repair and maintenance of school buildings and grounds under item (3) at least an amount equal to the amount in which the calculated

yield of the real property tax exceeds $775,000 and shall keep such allotment for use for such purpose only; provided"

SECTION 3. Before the board of supervisors of the county of Maui in any year sets a rate at which real property shall be taxed which, if applied to the assessed value of the taxable real property in the county, is calculated to yield more than $900,000, the board shall hold at least one public hearing on the island of Molokai, and one at Lahaina, one at Wailuku, and one at Makawao, all on the Island of Maui, at which residents of the county of Maui shall be heard concerning the advisability of so fixing the tax rate. Notice of each hearing shall be given by advertisement in a newspaper of general circulation at least one week prior to each hearing.

SECTION 4. The provisions of this Act shall be construed to be inclusive of, and not in addition to, all other provisions of law directing the board of supervisors of the county of Maui to appropriate or earmark funds for the repair and maintenance of school buildings and grounds.

SECTION 5. This Act shall take effect on January 1, 1952.

INTRODUCED BY:

L. Tsai

Wendell L. Crockett

Honolulu, T. H.

4/23/51

S. B. No. 20
S D 1

A N  A C T

TO AMEND SECTIONS 5252 AND 5254 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO THE COUNTY OF MAUI; INCLUDING PROPERTY TAXES IN THE COUNTY OF MAUI AND THE MAUI COUNTY BUDGET.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 5252 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended in the following respects:

(a) By deleting the number "$900,000" and substituting the number "$1,100,000" in the third paragraph before the end of the section.

(b) By adding the following sentence to the end of the second paragraph before the end of the section:

"The budget submitted for the county of Maui shall show in column III for repair and maintenance of school buildings and grounds under item (3) at least an amount equal to the amount

in which the calculated yield of the real property tax exceeds $775,000."

SECTION 2. By striking out the word "provided" in the third sentence of the first paragraph of section 5254 of the Revised Laws of Hawaii 1945, as amended, and inserting:

"provided, however, that the county treasurer of the county of Maui shall allot annually from the balance of the property taxes from the county of Maui for the repair and maintenance of school buildings and grounds under item (3) at least an amount equal to the amount in which the calculated yield of the real property tax exceeds $775,000 and shall keep such allotment for use for such purpose only; provided".

SECTION 3. Before the board of supervisors of the county of Maui in any year sets a rate at which real property shall be taxed which, if applied to the assessed value of the taxable real property in the county, is calculated to yield more than $900,000, the board shall hold at least one public hearing on the island of Molokai, and one at Lahaina, one at Wailuku, and one at Makawao, all on the island of Maui, at which residents of the county of Maui shall be heard concerning the advisability

of so fixing the tax rate. Notice of each hearing shall be given by advertisement in a newspaper of general circulation at least one week prior to each hearing.

SECTION 4. The provisions of this Act shall be construed to be inclusive of, and not in addition to, all other provisions of law directing the board of supervisors of the county of Maui to appropriate or earmark funds for the repair and maintenance of school buildings and grounds.

SECTION 5. Nothing herein shall be deemed to supersede any law providing for the raising by real property taxes of moneys for civil defense or kindred purposes, and the real property tax rate limit fixed by this Act for the year 1952 and later years, nevertheless shall be increased for the year 1952 by the amount so required to be raised for civil defense or kindred purposes. The amount so required to be raised for civil defense and kindred purposes shall be deducted from the calculated yield of real property taxes for the purposes of section 1 (b) and section 2 of this Act.

SECTION 6. This Act shall take effect on January 1, 1952.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T.H., May 1, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

President of the Senate

Clerk of the Senate.

S. B. No. 20
S. D. 1
H. D. 1

A N  A C T

TO AMEND SECTIONS 5252 AND 5254 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO THE COUNTY OF MAUI; INCLUDING PROPERTY TAXES IN THE COUNTY OF MAUI AND THE MAUI COUNTY BUDGET.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 5252 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended in the following respects:

(a) By deleting the number "$900,000" and substituting the number "$1,000,000" in the third paragraph before the end of the section.

(b) By adding the following sentence to the end of the second paragraph before the end of the section:

"The budget submitted for the county of Maui shall show in columnIII for repair and maintenance of school buildings and grounds under item (3) at least an amount equal to the amount in which the calculated yield of the real property tax exceeds $775,000."

SECTION 2. Section 5254 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended by striking out the word "provided" in the third sentence of the first paragraph thereof and inserting:

"provided, however, that the county treasurer of the county of Maui shall allot annually from the balance of the property taxes from the county of Maui for the repair and maintenance of school buildings and grounds under item (3) at least an amount equal to the amount in which the calculated yield of the real property tax exceeds $775,000 and shall keep such allotment for use for such purpose only; provided".

SECTION 3. The provisions of this Act shall be

construed to be inclusive of, and not in addition to, all other provisions of law directing the board of supervisors of the county of Maui to appropriate or earmark funds for the repair and maintenance of school buildings and grounds.

SECTION 4. This Act shall take effect as of January 1, 1951.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., May 19, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives.

Clerk, House of Representatives.

# 1951 REG SENATE

Senate Bill No. 21

Judiciary

## The Legislature
of the
## Territory of Hawaii

# AN ACT

TO PROVIDE FOR RECOGNITION OF POLITICAL PARTIES ON PRIMARY AND GENERAL ELECTION BALLOTS.

Introduced FEBRUARY 23, 19 51, by
Senators M. R. AGUIAR, JR., and JOHN B. FERNANDES

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Jud

S. B. No. 21

A N  A C T

TO PROVIDE FOR RECOGNITION OF POLITICAL PARTIES ON PRIMARY AND GENERAL ELECTION BALLOTS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. No newly organized political party shall be given a place or otherwise properly recognized upon the ballot for any territorial or county primary or general election unless there shall be filed with the secretary of Hawaii a petition signed by members of such party who constitute at least one per cent (1%) of the voters then registered in the Territory, requesting that such party be so recognized and given a place upon the ballot. The petition shall be in substantially the following form:

To: The Secretary of Hawaii
Territory of Hawaii

We, the undersigned members of the _____ party, request that said party be placed or otherwise properly recognized upon the ballot for the _____ (primary, general) _____ election to be held on the _____ day of _____, 19____.

Opposite our signatures we have written our permanent home addresses as they appear upon the register of voters and the dates, respectively, upon which this petition was signed by us.

| Signature | Address | Date |
|---|---|---|
| | | |
| | | |

SECTION 2. No new N.R.A. political party shall be given a place or otherwise properly recognized upon the ballot for any primary or general election in a county unless there shall be filed with the county clerk a petition signed by members of the party who constitute at least one per cent (1%) of the voters then registered in the county, requesting that the party be so recognized and given a place upon the ballot. The petition shall be in substantially the same form as that provided in Section 1, above, but shall be addressed to the county clerk of the particular county.

SECTION 3. A political party which has been placed upon a ballot of the Territory or a county pursuant to the provisions of Section 1 or 2, above, shall, upon request of the governing body of the party in the Territory or such county, be placed or otherwise given proper recognition upon the ballots for succeeding elections of the Territory or such county if, at the general election of the Territory or such county last preceding the one for which the request is made, any person running as a candidate of such party received at least one per cent (1%) of the votes cast in such election.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY

M. R. Cornar Jr.
Senator, 4th District

February 23rd 1951.

John B. Fernandez
Senator 4th District

1951 REG SENATE

Senate Bill No. 22

# The Legislature
of the
# Territory of Hawaii

## AN ACT

APPROPRIATING MONEY FOR THE IMPROVEMENT OF, AND THE CONSTRUCTION OF BUILDINGS ON, A PUBLIC PARK, IAO VALLEY, MAUI.

Introduced FEBRUARY 23 , 1951 , by Senator JOHN G. DUARTE

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |

| |
|---|
| First Reading in House |
| Referred to |
| Second Reading in House |
| Referred to |
| Third Reading in House |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. NO. 22

AN ACT

APPROPRIATING MONEY FOR THE IMPROVEMENT OF, AND THE CONSTRUCTION OF BUILDINGS ON, A PUBLIC PARK, IAO VALLEY, MAUI.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the general revenues of the Territory of Hawaii the sum of $50,000.00 or so much thereof as may be necessary, for the improvement of, and the erection of suitable buildings on, the land acquired in Iao Valley by the parks board of Maui for a public park.

SECTION 2. The monies herein appropriated shall be expended by the superintendent of public works upon plans approved by the parks board of Maui county.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

John D Duarte

SENATOR, SECOND DISTRICT

February 23, 1951.

VGa

1951 REG SENATE

Senate Bill No. 23

# The Legislature
of the
# Territory of Hawaii

## AN ACT

MAKING AN APPROPRIATION FOR THE CONSTRUCTION AND IMPROVEMENT OF ROADS AND A WATER SYSTEM OR SYSTEMS IN THE HAWAIIAN HOMES LANDS OF KOU, MAUI.

| | | |
|---|---|---|
| Introduced | FEBRUARY 23 | , 1951 , by |
| Senator | JOHN G. DUARTE | |

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

OK

S. B. NO. 23

AN ACT

MAKING AN APPROPRIATION FOR THE CONSTRUCTION AND IMPROVEMENT OF ROADS AND A WATER SYSTEM OR SYSTEMS IN THE HAWAIIAN HOMES LANDS OF KOU, MAUI.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The sum of $150,000.00 is hereby appropriated, by way of advancement, from the general revenues of the Territory for expenditure by the Hawaiian Homes Commission for the construction and improvement of roads and a water system or systems in the Hawaiian Homes Commission lands of Kou, Maui.

SECTION 2. Said sum hereinabove appropriated shall be repaid into the general funds of the Territory from the proceeds of the sale of public lands on the island of Maui.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

John G Duarte

Senator, Second District

February 23, 1951.

ayes. ✓

1951 REG SENATE

Senate Bill No. 24

# The Legislature
of the
# Territory of Hawaii

## AN ACT

MAKING AN APPROPRIATION FOR THE ACQUISITION OF LAND, AND THE WIDENING AND PAVING OF A PORTION OF HIGH STREET, AT WAILUKU, MAUI, FOR PARKING CARS.

| | | |
|---|---|---|
| Introduced | FEBRUARY 23 | , 19 51 , by |
| Senator | JOHN G. DUARTE | |

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |

| |
|---|
| First Reading in House |
| Referred to |
| Second Reading in House |
| Referred to |
| Third Reading in House |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. NO. 24

AN ACT

MAKING AN APPROPRIATION FOR THE ACQUISITION OF LAND, AND THE WIDENING AND PAVING OF A PORTION OF HIGH STREET, AT WAILUKU, MAUI, FOR PARKING CARS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the general revenues of the Territory, the sum of $24,000.00, to be expended by the superintendent of public works for the following items, in the amounts, or so much thereof as may be necessary, designated opposite thereto:

Acquisition of Kaahumanu church property and Maui aid association property upon Aupuni Street, Wailuku, Maui for a public car parking area.....$16,000.00

Widening and paving of High street between Kaohu street and Wells street, Wailuku, Maui, to facilitate parking cars..... 8,000.00

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

John L Duarte

SENATOR, SECOND DISTRICT

February _____, 1951.

1951 REG SENATE

Senate Bill No. 25

grg. to Gov. 5/12/51

Labor

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO REPEAL CHAPTER 73 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED BY ACT 146 OF THE SESSION LAWS OF HAWAII 1949, RELATING TO LABOR DISPUTES IN PUBLIC UTILITIES.

Introduced February 23 , 1951 , by

Senator JOHN G. DUARTE

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | COMMITTEE ON JUDICIARY |
| Third Reading in Senate | April 24, 1951 |
| First Reading in House | April 24, 1951 |
| Referred to | |
| Second Reading in House | April 25, 1951 |
| Referred to | COMMITTEE ON LABOR. |
| Third Reading in House | May 8, 1951 |

ELLEN D. SMYTHE

*Clerk of the Senate*

SB25

AN ACT

TO REPEAL ACT 62, SPECIAL SESSION LAWS OF HAWAII, 1949, (SERIES A-15), RELATING TO LABOR DISPUTES IN THE STEVEDORING INDUSTRY

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Act 62, Special Session Laws of Hawaii, 1949, (Series A-15), relating to government intervention in labor disputes in the stevedoring industry, is hereby repealed.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

John G Duarte

Honolulu, T.H.

February 23, 1951

S.B. No. 25
S. D. 1

A N  A C T

TO REPEAL CHAPTER 73 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED BY ACT 146 OF THE SESSION LAWS OF HAWAII 1949, RELATING TO LABOR DISPUTES IN PUBLIC UTILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 73 of the Revised Laws of Hawaii 1945, as amended by Act 146 (Ser. A-109) of the Session Laws of Hawaii 1949, is hereby repealed.

SECTION 2. The provisions of section 4115 of the Revised Laws of Hawaii 1945 shall be applicable to labor disputes in public utilities.

SECTION 3. This Act shall take effect ten days after promulgation as required by section 2 of the Revised Laws of Hawaii 1945.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T.H., April 24, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

President of the Senate

Clerk of the Senate.

S. B. No. 25
S. D. 1
H. D. 1

A N  A C T

TO AMEND ACT 146 OF THE SESSION LAWS OF HAWAII 1949,

RELATING TO LABOR DISPUTES IN PUBLIC UTILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 2 of Act 146 (Series A-109) of the Session Laws of Hawaii 1949 is hereby amended to read as follows:

"Section 2. If any portion of this Act, or its application to any person or circumstances, shall be held unconstitutional or invalid, the remainder of this Act, and the application of such portion to other persons or circumstances, shall not be affected. Whenever the application of the provisions of this Act to any person or circumstances shall be unconstitutional or invalid, the provisions of section 4115 of the Revised Laws of Hawaii

1945 shall be applicable thereto."

SECTION 2. This Act shall take effect ten days after promulgation as required by section 2 of the Revised Laws of Hawaii 1945.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., May 8, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives.

Clerk, House of Representatives.

1951 REG SENATE

Senate Bill No. 26

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 68 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO CIVIL SERVICE.

| | | |
|---|---|---|
| Introduced | FEBRUARY 23 | , 1951 , by |
| Senator | JOHN G. DUARTE | |

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S B. NO. 26

AN ACT

TO AMEND SECTION 68 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO CIVIL SERVICE.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 68 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended by deleting the period at the end thereof and substituting a semi-colon therefor and by adding thereto the following paragraph:

"(15) That no person in the civil service shall be granted a leave of absence for the purpose of enabling such person to enter private employment."

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

John G Duarte

_____, _____District

1951 REG SENATE

Senate Bill No. 27

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RESTRICTING GOVERNMENT PERSONNEL FROM ENGAGING IN PRIVATE BUSINESS DURING OFFICE HOURS.

| | | |
|---|---|---|
| Introduced | FEBRUARY 23 | , 1951 , by |
| Senator | JOHN G. DUARTE | |

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Died

S B. NO. 27

AN ACT

RESTRICTING GOVERNMENT PERSONNEL FROM ENGAGING IN PRIVATE BUSINESS DURING OFFICE HOURS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. All persons in the service of the government of the Territory, any county, or of any board or commission of the Territory or of any county, shall devote their entire time and attention to the duties of their respective offices and employments. They shall not engage in any private occupation or business during their office hours.

All such persons engaging in any private occupation or business shall by virtue of such activity be deemed to have released or forfeited all claim and right thereafter to any compensation payable by the Territory, any county or any board or commission of the Territory or of any county, by virtue of such respective offices or employments.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

John G Duarte

_____, _____District

1951 REG SENATE

Senate Bill No. 28

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 4353 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO MINIMUM WAGES.

Introduced FEBRUARY 23, 1951, by
Senator WENDELL F. CROCKETT

First Reading in Senate February 23, 1951
Referred to Printing Committee February 23, 1951
Second Reading in Senate
Referred to
Third Reading in Senate

First Reading in House
Referred to
Second Reading in House
Referred to
Third Reading in House

ELLEN D. SMYTHE
*Clerk of the Senate*

SB28

AN ACT

TO AMEND SECTION 4353 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO MINIMUM WAGES.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 4353 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended to read:

"Sec. 4353. Minimum wages. Every employer, except as the director may provide pursuant to section 4359, shall pay to each employee employed by him wages at the rate of not less than fifty-five cents an hour."

SECTION 2. This Act shall take effect on July 1, 1951.

INTRODUCED BY:

Wendell F. Crockett
Senator, 2nd District

February 23, 1951.

RAG

# 1951 REG SENATE

Senate Bill No. 29

## The Legislature
of the
## Territory of Hawaii

# AN ACT

AUTHORIZING AND DIRECTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HAWAII TO APPROPRIATE MONEYS FOR THE CONSTRUCTION OF AN AUDITORIUM-GYMNASIUM FOR THE HILO UNION SCHOOL.

| | | |
|---|---|---|
| Introduced | FEBRUARY 23 | , 1951 , by |
| Senator | E. S. CAPELLAS | |

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |

| |
|---|
| First Reading in House |
| Referred to |
| Second Reading in House |
| Referred to |
| Third Reading in House |

ELLEN D. SMYTHE
*Clerk of the Senate*

Hardy

B. NO. 29

AN ACT

AUTHORIZING AND DIRECTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HAWAII TO APPROPRIATE MONEYS FOR THE CONSTRUCTION OF AN AUDITORIUM-GYMNASIUM FOR THE HILO UNION SCHOOL.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The Board of Supervisors of the County of Hawaii is authorized and directed to appropriate the sum of $45,000 during the 1952 calendar year for the construction of an auditorium-gymnasium for the Hilo Union School. In the discretion of the Board of Supervisors County bonds may be issued for this purpose.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

E B Capellas

Senator, 1st District

VGR

1951 REG SENATE

Senate Bill No. 30

# The Legislature
of the
# Territory of Hawaii

## AN ACT

MAKING A DEFICIENCY APPROPRIATION FROM THE GENERAL REVENUES FOR THE DEPARTMENT OF PUBLIC WELFARE FOR THE BIENNIUM ENDING JUNE 30, 1951.

| | | |
|---|---|---|
| Introduced | FEBRUARY 23 | , 19 51, by |
| Senator | W. H. HILL | |

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. NO. 30

AN ACT

MAKING A DEFICIENCY APPROPRIATION FROM THE GENERAL REVENUES FOR THE DEPARTMENT OF PUBLIC WELFARE FOR THE BIENNIUM ENDING JUNE 30, 1951.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated from the general revenues of the Territory for the Department of Public Welfare in addition to any appropriation made for the same or similar purposes by other legislation, to-wit:

Department of Public Welfare

F. Fixed charges.....$900,000.00

SECTION 2. Any unexpended and unencumbered balance of the appropriation made by this Act as of the close of business on June 30, 1951 shall lapse into the general fund of the Territory.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

SENATOR, FIRST DISTRICT

February 13, 1951.

S. B. No. 30

A N  A C T

MAKING A DEFICIENCY APPROPRIATION FROM THE GENERAL REVENUES FOR THE DEPARTMENT OF PUBLIC WELFARE FOR THE BIENNIUM ENDING JUNE 30, 1951.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated from the general revenues of the Territory for the department of public welfare in addition to any appropriation made for the same or similar purposes by other legislation, to wit:

Department of Public Welfare

F. Fixed charges . . . . . $900,000.00

SECTION 2. Any unexpended and unencumbered balance of the appropriation made by this Act as of the close of business on June 30, 1951, shall lapse into the general fund of the Territory.

SECTION 3. This Act shall take effect upon its approval.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., February 28, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

Wilfred C. Tsukiyama
President of the Senate

Ellen D. Smythe
Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., March 2, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Hiram L. Fong
Speaker, House of Representatives.

Walter D. Ehrhorn
Clerk, House of Representatives.

# 1951 REG SENATE

**Senate Bill No.** 31

sing. for Gov. 5/12/51

## The Legislature
of the
## Territory of Hawaii

# AN ACT

RELATING TO POLICE DEPARTMENTS; COUNTIES OF HAWAII, MAUI AND KAUAI, AND AMENDING CHAPTER 122-A OF THE REVISED LAWS OF HAWAII 1945, and ACT 212 OF THE SESSION LAWS OF HAWAII 1947.

Introduced February 23, 1951, by

Senators W. H. HILL, WM.J. NOBRIGA, JOHN G. DUARTE, E. S. CAPELLAS, T. ANSAI, M.R. AGUIAR, JR., TOM OKINO, WENDELL F. CROCKETT AND JOHN B. FERNANDES

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | SELECT COMMITTEES OF HAWAII, MAUI & KAUAI SENATORS - and on MARCH 9 |
| Third Reading in Senate | referred to Committee on Ways and Means April 13, 1951. |
| First Reading in House | April 16, 1951 |
| Referred to | |
| Second Reading in House | April 17, 1951 |
| Referred to | COMMITTEE ON COUNTY & MUNICIPAL AFFAIRS. |
| Third Reading in House | May 8, 1951 |

5/12

ELLEN D. SMYTHE

*Clerk of the Senate*

SB 31

A N  A C T

TO AMEND CHAPTER 122A OF THE REVISED LAWS OF HAWAII 1945, AS ENACTED BY ACT 212 OF THE SESSION LAWS OF HAWAII 1947, AS AMENDED BY ACTS 23, 36, 224 and 233 OF THE SESSION LAWS OF HAWAII 1949.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 6300 of the Revised Laws of Hawaii 1945, as enacted by Act 212 of the Session Laws of Hawaii 1947, as amended by Acts 23, 224 and 233 of the Session Laws of Hawaii 1949, is hereby amended to read as follows:

"Section 6300. Appropriations. The Board of Supervisors of each of the Counties of Hawaii, Kauai and Maui shall appropriate and hold in a special fund for the use of the police department of each such county, the following sums: (a) Hawaii county; sums aggregating not less than $549,261.12 per annum; (b) Kauai county; sums aggregating not less than $320,000.00 per annum; (c) Maui county; sums aggregating not less than $440,000.00 per annum; together with such other sums as may be necessary to cover salary increases, up to the maximum amounts provided for in this subtitle and prescribed by the police commission. The board shall provide in addition thereto sufficient funds for the payment of bonus or bonus inclusion in salaries provided for public employees. The board may from time to time, in its discretion, appropriate from the proper funds additional moneys to be used by the police department.

Any money appropriated for the commission for any year remaining unexpended may be, at the discretion of the police commission and notwithstanding any other provision of the law to the contrary, carried over for its use during any subsequent period and need not be deducted from the amount hereinabove required to be appropriated for any year.

SECTION 2. Section 6305 of the Revised Laws of Hawaii 1945, as enacted by Act 212 of the Session Laws of Hawaii 1947, is hereby amended to read as follows:

"Section 6305. Salaries. The salaries of officers and members of the police department shall be as follows:

| | Minimum | Maximum |
|---|---|---|
| Guards | $202.50 | $237.50 |
| Patrolmen | 237.50 | 282.50 |
| Sergeants | 282.50 | 340.42 |
| Lieutenants | 340.42 | 407.08 |
| Captains | 407.08 | 481.67 |
| Assistant Chief of Police | 565.00 | 665.00 |
| Chief of Police | 690.00 | 773.33 |

The Police Commission shall prescribe the salary of each officer or employee within the limits herein above specified. For each other position or employment, not specified herein, the police commission shall determine and prescribe the salary.

SECTION 3. Section 6306-3 of the Revised Laws of Hawaii 1945, as enacted by Act 212 of the Session Laws of Hawaii 1947, is amended by deleting the last sentence relating to base pay increases of public employees and by inserting the following sentence in lieu thereof;

"Any bonus enacted by the Public Salary and Bonus Law of 1947 (House Bill No. 132) and any bonus provided for public employees by the Session Laws of 1951 or any base pay increases included in the salaries of public employees shall be payable to such employees."

SECTION 4. This Act shall take effect upon its approval.

Honolulu, T. H.
February 28, 1951

INTRODUCED BY:

Senator, 1st District

Senator, 1st District

Senator, 1st District

Senator, 1st District

Senator, 2nd District

Senator, 2nd District

Senator, 2nd District

Senator, 4th District

Senator, 4th District

S.B.No. 31
S. D. 1

A N  A C T

RELATING TO POLICE DEPARTMENTS, COUNTIES OF HAWAII, MAUI AND KAUAI, AND AMENDING CHAPTER 122-A OF THE REVISED LAWS OF HAWAII 1945, AND ACT 212 OF THE SESSION LAWS OF HAWAII 1947.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 122-A of the Revised Laws of Hawaii 1945 is hereby amended in the following particulars:

(1) By amending section 6300 thereof to read as follows:

"Sec. 6300. Appropriations. The board of supervisors of each of the counties of Hawaii, Kauai and Maui shall appropriate and hold in a special fund for the use of the police department of each such county, the following sums: (a) Hawaii county; sums aggregating not less than $549,261.12 per annum; (b) Kauai county; sums aggregating not less than $320,000.00 per annum; (c) Maui county; sums aggregating not less than $446,000.00 per annum; together with

such other sums as may be necessary to cover salary increases up to the maximum amounts provided for in this subtitle and prescribed by the police commission. The board shall provide in addition thereto sufficient funds for the payment of any bonus or subsequent base pay increase. The board, in its discretion, may from time to time appropriate from the proper funds additional moneys to be used by the police department.

At the discretion of the police commission and notwithstanding any other provision of law to the contrary, any money appropriated for the commission for any year remaining unexpended may be carried over for its use during any subsequent period and need not be deducted from the amount hereinabove required to be appropriated for any year."

(2) By amending section 6305 thereof to read as follows:

"Sec. 6305. Salaries. The monthly salaries of officers and members of the police department shall be as follows:

| | Minimum | Maximum |
|---|---|---|
| Guards | $202.50 | $237.50 |
| Patrolmen | 237.50 | 282.50 |
| Sergeants | 282.50 | 340.42 |
| Lieutenants | 340.42 | 407.08 |
| Captains | 407.08 | 481.67 |
| Assistant chief of police | 565.00 | 665.00 |
| Chief of police | 690.00 | 773.33. |

The police commission shall prescribe the salary of each officer or employee within the limits hereinabove specified. For each other position or employment, not specified herein, the police commission shall determine and prescribe the salary."

SECTION 2. Section 3 of Act 212 of the Session Laws of Hawaii 1947 is hereby amended by deleting the last sentence and by substituting the following sentence in lieu thereof:

"Any bonus payable generally to public employees under Act 208 of the Session Laws of Hawaii 1947 and any increase in base pay or bonus payable generally to public employees under the provisions of legislation enacted by the regular session of 1951 of the legislature shall be payable to officers and members of the police departments of Hawaii, Maui and Kauai."

SECTION 3. This Act shall take effect upon its approval.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., April 13, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

Wilfred Tsukiyama
President of the Senate

Ellen Sametere
Clerk of the Senate.

S. B. No. 31
S. D. 1
H. D. 1

A N  A C T

RELATING TO POLICE DEPARTMENTS, COUNTIES OF HAWAII, MAUI AND KAUAI, AND AMENDING CHAPTER 122A OF THE REVISED LAWS OF HAWAII 1945, AND ACT 212 (SERIES B-106) OF THE SESSION LAWS OF HAWAII 1947.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 6305 of chapter 122A of the Revised Laws of Hawaii 1945, as enacted by Act 212 (Series B-106) of the Session Laws of Hawaii 1947, is hereby amended to read as follows:

"Sec. 6305. Salaries; probationary appointment. (a) The annual salaries of the officers and members of the police department shall be as follows:

| | |
|---|---|
| Chief of Police | $ 8,780.00 |
| Assistant chief of police: | |
| $6780.00 for the 1st year of service | |
| 7080.00 for the 2nd year of service | |

7380.00 for the 3rd year of service
7680.00 for the 4th and subsequent years of service

Captains of police:

$4885.00 each for the 1st year of service
5105.00 each for the 2nd year of service
5325.00 each for the 3rd year of service
5550.00 each for the 4th year of service
5780.00 each for the 5th and subsequent years of service

Lieutenants of police:

$4085.00 each for the 1st year of service
4285.00 each for the 2nd year of service
4485.00 each for the 3rd year of service
4685.00 each for the 4th year of service
4885.00 each for the 5th and subsequent years of service

Sergeants of police:

$3390.00 each for the 1st year of service
3540.00 each for the 2nd year of service
3715.00 each for the 3rd year of service
3895.00 each for the 4th year of service
4085.00 each for the 5th and subsequent years of service

Patrolmen:

$2850.00 each for the 1st year of service

2965.00 each for the 2nd year of service
3095.00 each for the 3rd year of service
3240.00 each for the 4th year of service
3390.00 each for the 5th and subsequent years of service

Guards:

$2430.00 each for the 1st year of service
2530.00 each for the 2nd year of service
2630.00 each for the 3rd year of service
2740.00 each for the 4th year of service
2850.00 each for the 5th year and subsequent years of service

(b) All original appointments to service in the police department shall be probationary during the first year of service."

SECTION 2. "Years of service" referred to in section 6305 (a) herein shall be years of service in the department after the effective date of this Act; provided, however, that any officer or employee who is assigned a compensation higher than the minimum rate for his position shall be credited with the years of service necessary to attain such higher rate after an original

appointment to such position. Any increases in salary payments resulting from the application of this Act shall be deemed to be "salary increases" within the meaning of section 6300 of the Revised Laws of Hawaii 1945, as enacted by Act 212 (Series B-106) of the Session Laws of Hawaii 1947 and as amended, providing for the appropriation of necessary sums to meet salary increases by the boards of supervisors of the counties of Hawaii, Kauai and Maui.

SECTION 3. In determining initially the compensation to be paid employees occupying positions covered by the compensation schedules prescribed herein, the following rules shall govern:

(1) The compensation fixed for each position on June 30, 1951, shall be used as the base for making adjustments provided herein. Adjustment of compensation of any employee promoted or of any person employed after

June 30, 1951, shall be on the basis of the compensation schedule prescribed in this Act.

(2) If the employee was receiving compensation less than the minimum rate for the position which he occupies, the compensation shall be increased to the minimum rate.

(3) If the employee was receiving compensation within the range of salary prescribed for the position at one of the rates fixed therein, no change shall be made in the existing compensation.

(4) If the employee was receiving compensation within the range of salary prescribed for the position but not at one of the rates fixed therein, the compensation shall be increased to the next higher rate.

(5) If the employee was receiving compensation in excess of the range of the salary prescribed for the position, he shall continue to receive such compensation so long as he continues to serve in the position with

substantially the same duties and responsibilities; provided, however, that notwithstanding the provisions of this section the compensation of no incumbent shall be reduced below the rate being paid him on the effective date of this Act so long as he continues to hold the same position.

(6) If, after the adjustment of compensation of all employees has been made in accordance with subsections (2), (3) and (4) hereof, it is shown that no change has been made in an employee's rate of compensation, or that such employee's adjustment is less than the value of one increment of the salary range prescribed for the position, the compensation of such employee shall be further adjusted by the addition of one increment, to the next higher rate but not higher than the maximum rate.

SECTION 4. The base pay increases granted by the

Public Salary and Bonus Laws of 1945 (Series A-4: Act 263) and of 1947 (Series A-4: Act 208) or by any other law enacted at the regular session of the twenty-sixth legislature, shall not be applicable or payable to any of the officers and employees whose salaries are fixed by this Act, but any general bonus for all public employees which may be granted under said laws or under any other similar law, shall be applicable and payable to said officers and employees as a full time bonus.

SECTION 5. This Act shall take effect July 1, 1951.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., May 5, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Hiram L. Fong
Speaker, House of Representatives

Walter G. Ehlers
Clerk, House of Representatives

1951 REG SENATE

Senate Bill No. 32

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 4121 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO CHILD LABOR.

| | | |
|---|---|---|
| Introduced | FEBRUARY 23 | , 1951 , by |
| Senator | THELMA AKANA HARRISON | |

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |

| |
|---|
| First Reading in House |
| Referred to |
| Second Reading in House |
| Referred to |
| Third Reading in House |

ELLEN D. SMYTHE
*Clerk of the Senate*

Jud

SB32

AN ACT

TO AMEND SECTION 4121 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO CHILD LABOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 4121 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended by adding thereto a new paragraph, to be lettered (g) and to read:

"(g) The commission shall have the power to make rules and regulations allowing minors under fourteen years of age to be employed or permitted to work as dancers, singers, musicians, entertainers, motion picture or theatrical performers, under such circumstances and conditions as the commission may prescribe, provided such work is performed when such minors are not legally required to attend school."

SECTION 2. This Act shall take effect on July 1, 1951.

I NTRODUCED BY:

Thelma Akana Harrison
Senator Third Senatorial
District

February 23 1951

1951 REG SENATE

Senate Bill No. 33

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO FIRE INSURANCE, AND AMENDING SECTION 8515 OF THE REVISED LAWS OF HAWAII 1945.

Introduced FEBRUARY 23, 19 51, by
Senator JOHN G. DUARTE

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. NO. 33

AN ACT

RELATING TO FIRE INSURANCE, AND AMENDING SECTION 8515 OF THE REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 8515 of the Revised Laws of Hawaii 1945 is hereby amended to read as follows:

"Before issuing a policy of insurance on any building, the insurance company shall survey and appraise the same and shall attach to any policy thereon a written copy of such appraisal. In case of loss, the appraised value of said building shall be conclusively presumed to be its true value."

SECTION 2. This Act shall be effective as to all policies written, renewed, or extended after the effective date thereof, but not as to policies written, renewed or extended prior to said effective date.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:
John L. Duarte
SENATOR, SECOND DISTRICT

February 23, 1951.

1951 REG SENATE

Senate Bill No. 34

# The Legislature
of the
# Territory of Hawaii

## AN ACT

APPROPRIATING THE SUM OF $1,800,000.00 FROM THE GENERAL REVENUES FOR THE CONSTRUCTION OF TERRITORIAL BUILDINGS.

| | | |
|---|---|---|
| Introduced | FEBRUARY 23 | , 19 51 , by |
| Senator | JOHN G. DUARTE | |

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

W Duy

S. B. No. 34

AN ACT

APPROPRIATING THE SUM OF $1,800,000.00 FROM THE GENERAL REVENUES FOR THE CONSTRUCTION OF TERRITORIAL BUILDINGS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The sum of $1,800,000.00, or so much thereof as may be necessary, is hereby appropriated from the general revenues of the Territory for the construction of territorial buildings, to house territorial offices and the district courts of the district in which the buildings are situate, in the amounts and at the places hereinafter scheduled:

Hilo, Hawaii.....$600,000.00

Wailuku, Maui..... 600,000.00

Lihue, Kauai..... 600,000.00

SECTION 2. The monies appropriated by this Act shall be expended upon warrants drawn by the auditor of the Territory of Hawaii upon vouchers approved by the superintendent of public works.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

John D. Durante

SENATOR, SECOND DISTRICT

February 23, 1951.

mmj

1951 REG SENATE

Senate Bill No. 35

C-F

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AMENDING CHAPTER 118, REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO REVENUE BONDS.

| | | |
|---|---|---|
| Introduced | FEBRUARY 23 | , 1951, by |
| Senator | BEN DILLINGHAM | |

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | February 24, 1951 |
| Referred to | COMMITTEE ON WAYS AND MEANS |
| Third Reading in Senate | March 5, 1951. |
| First Reading in House | March 5, 1951 |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | March 21, 1951 |

ELLEN D. SMYTHE
*Clerk of the Senate*

35

A N A C T

AMENDING CHAPTER 118, REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO REVENUE BONDS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 118, Revised Laws of Hawaii 1945, as amended, is hereby amended by amending section 6095 thereof to read as follows:

"Sec. 6095. TERMINATION OF POWER TO ISSUE BONDS. Except in pursuance to any contract or agreement theretofore entered into by any municipality, no municipality shall borrow any money or deliver any bonds pursuant to this chapter to the purchasers thereof after June 30, 1953."

SECTION 2. This Act shall take effect from and after the date of its approval.

INTRODUCED BY:

S. B. No. 35
S. D. 1

A N  A C T

AMENDING CHAPTER 118, REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO REVENUE BONDS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 118, Revised Laws of Hawaii 1945, as amended, is hereby further amended by amending section 6095 thereof, as amended, to read as follows:

"Sec. 6095. Termination of power to issue bonds. Any municipality may borrow money or deliver bonds pursuant to this chapter until authority to do so is revoked by appropriate legislation."

SECTION 2. This Act shall take effect from and after the date of its approval.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., March 5, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

Wilfred D. Tsukiyama
President of the Senate

Ellen D. Smythe
Clerk of the Senate.

S. B. No. 35
S. D. 1
H. D. 1

A N  A C T

AMENDING CHAPTER 118, REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO REVENUE BONDS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 118, Revised Laws of Hawaii 1945, as amended, is hereby amended by amending section 6095 thereof to read as follows:

"Sec. 6095. TERMINATION OF POWER TO ISSUE BONDS. Except in pursuance to any contract or agreement theretofore entered into by any municipality, no municipality shall borrow any money or deliver any bonds pursuant to this chapter to the purchasers thereof after June 30, 1953."

SECTION 2. This Act shall take effect from and after the date of its approval.

THE HOUSE OF REPRESENTATIVES OF THE

TERRITORY OF HAWAII

Honolulu, T. H., March 21, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives.

Clerk, House of Representatives.

1951 REG SENATE

Senate Bill No. 36

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO PROVIDE FOR THE ACQUISITION OF RIGHTS OF WAY FOR HIGHWAYS WITH LIMITED ACQUISITION RIGHTS.

Introduced FEBRUARY 23, , 19 51 , by
Senator BEN DILLINGHAM

First Reading in Senate FEBRUARY 23, 1951
Referred to Printing Committee FEBRUARY 23, 1951
Second Reading in Senate FEBRUARY 24, 1951
Referred to
Third Reading in Senate

First Reading in House
Referred to
Second Reading in House
Referred to
Third Reading in House

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. 36

AN ACT

TO PROVIDE FOR THE ACQUISITION OF RIGHTS OF WAY FOR HIGHWAYS WITH LIMITED ACQUISITION RIGHTS

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII

SECTION 1. The power of the superintendent of public works and the Territorial highway engineer of the Territory to acquire rights of way for public highways with limited acquisition rights, is hereby confirmed and all such acquisitions heretofore made or pending are also ratified and confirmed.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

FEBRUARY 23 1951

VAG

1951 REG SENATE

Senate Bill No. 37

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO THE EMPLOYMENT OF MINORS IN OR ABOUT LICENSED PREMISES WHERE LIQUOR IS CONSUMED, AND AMENDING SECTION 7266 OF THE REVISED LAWS OF HAWAII 1945.

Introduced FEBRUARY 23 , 19 51 , by
Senator BEN DILLINGHAM

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | February 24, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. 37

AN ACT

RELATING TO THE EMPLOYMENT OF MINORS IN OR ABOUT LICENSED PREMISES WHERE LIQUOR IS CONSUMED, AND AMENDING SECTION 7266 OF THE REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 7266 of the Revised Laws of Hawaii 1945 is hereby amended by adding to subsection "2." thereof a new paragraph to be lettered "(d), which shall read as follows:

"(d)" Employ any minor under the age of eighteen years in or about the licensed premises."

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

FEBRUARY 1951

1951 REG SENATE

Senate Bill No. 38

The Legislature
of the
Territory of Hawaii

# AN ACT

APPROPRIATING $50,000.00 FOR FLOOD CONTROL OF KIKI AND PAUKAWILA STREAM, WAIALUA, OAHU.

Introduced FEBRUARY 23, 19 51, by
Senators BEN DILLINGHAM and MARY K. ROBINSON

| | |
|---|---|
| First Reading in Senate | February 23, 1951 |
| Referred to Printing Committee | February 23, 1951 |
| Second Reading in Senate | February 24, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Oahu

S. B. 38

AN ACT

APPROPRIATING $50,000.00 FOR FLOOD CONTROL OF KIKI AND PAUKAWILA STREAM, WAIALUA, OAHU.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The sum of $50,000.00 or so much thereof as may be necessary is hereby appropriated out of the general revenues of the Territory not otherwise appropriated for the purpose of controlling the flood waters of the Kiki and Paukawila streams at Waialua, Oahu, in the vicinity of Kaiaka, said sum to be expended under the direction and supervision of the territorial superintendent of public works.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

FEBRUARY 23 1951

1951 REG SENATE

Senate Bill No. 39

# The Legislature
of the
# Territory of Hawaii

## AN ACT

APPROPRIATING $475,000 FOR A GYMNASIUM AT BALDWIN HIGH SCHOOL, WAILUKU, MAUI.

Introduced FEBRUARY 24 , 1951 , by
Senators TOSHIO ANSAI, WENDELL F. CROCKETT.

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

SB 39

AN ACT

APPROPRIATING $475,000 FOR A GYMNASIUM AT BALDWIN HIGH SCHOOL, WAILUKU, MAUI.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The sum of $475,000.00 or so much thereof as is necessary is hereby appropriated out of any moneys hereafter received by the Treasurer of the Territory of Hawaii for or on account of loan funds of the Territory not otherwise appropriated, for the construction of a gymnasium building at Baldwin High School, Wailuku, county of Maui.

SECTION 2. The money appropriated by this Act shall be expended upon warrants drawn by the auditor of the Territory of Hawaii upon vouchers approved by the superintendent of public works.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

Honolulu, T. H.
February 23, 1951

Joseph Nawahi
Wendell F. Crockett
SENATORS, 2nd SENATORIAL DISTRICT.

1951 REG SENATE

Senate Bill No. 40

# The Legislature
of the
# Territory of Hawaii

## AN ACT

APPROPRIATING $150,000.00 FROM THE GENERAL REVENUES FOR ACQUISITION OF LAND FOR AND CONSTRUCTION OF A LIBRARY BUILDING AT LAHAINA, MAUI, AND FOR THE PURCHASE OF FURNITURE AND FIXTURES FOR SUCH LIBRARY THEREFOR.

Introduced FEBRUARY 24 , 1951 , by

Senator T. ANSAI

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Maui

S. B. NO. 40

AN ACT

APPROPRIATING $150,000.00 FROM THE GENERAL REVENUES FOR ACQUISITION OF LAND FOR AND CONSTRUCTION OF A LIBRARY BUILDING AT LAHAINA, MAUI, AND FOR THE PURCHASE OF FURNITURE AND FIXTURES FOR SUCH LIBRARY THEREFOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The sum of $150,000.00, or so much thereof as is necessary, is hereby appropriated from the general revenues of the Territory not otherwise appropriated for the acquisition of a suitable site and the construction of a library building with necessary furniture and fixtures at Lahaina, county of Maui.

SECTION 2. The money appropriated by this Act shall be expended upon warrants drawn by the auditor of the Territory of Hawaii upon vouchers approved by the superintendent of public works.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

SENATOR, SECOND DISTRICT

February 24, 1951.

1951 REG SENATE

Senate Bill No. 41

# The Legislature
of the
# Territory of Hawaii

## AN ACT

APPROPRIATING $50,000.00 FOR THE IMPROVEMENT OF THE MUNICIPAL GOLF COURSE AT WAIEHU, MAUI.

Introduced FEBRUARY 24, 1951, by
Senator T. ANSAI

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Maui

S. B. NO. 41

AN ACT

APPROPRIATING $50,000.00 FOR THE IMPROVEMENT OF THE MUNICIPAL GOLF COURSE AT WAIEHU, MAUI.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the general revenues of the Territory of Hawaii, not otherwise appropriated, the sum of $50,000.00 for the improvement of the municipal golf course at Waiehu, Maui.

SECTION 2. The monies appropriated by this Act shall be paid into the treasury of the county of Maui when and as requested by resolution of the board of supervisors of that county. When paid into the county treasury, such monies shall be held for the purpose stated in this Act.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

SENATOR, SECOND DISTRICT

February 24, 1951.

1951 REG SENATE

Senate Bill No. 42

# The Legislature
of the
# Territory of Hawaii

## AN ACT

MAKING AN APPROPRIATION FOR THE FUNCTIONS AND EXPENSES OF THE TERRITORIAL COMMISSION ON CHILDREN AND YOUTH.

Introduced FEBRUARY 24 , 1951 , by
Senator E. S. CAPELLAS

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. No. 42

AN ACT

MAKING AN APPROPRIATION FOR THE FUNCTIONS AND EXPENSES OF THE TERRITORIAL COMMISSION ON CHILDREN AND YOUTH.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The sum of $32,370 is hereby appropriated out of the general revenues of the Territory for the purposes of the Territorial Commission on Children and Youth specified in Act 294 (Ser. D - 287) of the Session Laws of Hawaii 1949, for the biennium beginning July 1, 1951, and ending June 30, 1953. Said sum shall be disbursed upon vouchers signed by the chairman or vice-chairman of the said commission.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

E. E. Capellas

Senator, 1st District

Honolulu, T. H.,

February ____, 1951

1951 REG SENATE

Senate Bill No. 43

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO THE VETERANS' CEMETERY ON THE ISLAND OF HAWAII AND MAKING AN APPROPRIATION THEREFOR.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 1951 , by |
| Senator | E. S. CAPELLAS | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| |
|---|
| First Reading in House |
| Referred to |
| Second Reading in House |
| Referred to |
| Third Reading in House |

ELLEN D. SMYTHE
*Clerk of the Senate*

Hawaii

S. B. NO. 43

AN ACT

RELATING TO THE VETERANS' CEMETERY ON THE ISLAND OF HAWAII AND MAKING AN APPROPRIATION THEREFOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The sum of $20,000.00, or so much thereof as may be necessary, is hereby appropriated from the general revenues of the Territory, in addition to any prior appropriations made for such purpose, for the veterans' cemetery on the Island of Hawaii for the specific purposes set forth in section 2 of this Act.

The sum hereby appropriated shall be paid into the treasury of the county of Hawaii when and as required for expenditure, such monies to be held in the territorial treasury until payment thereof into the treasury of said county of Hawaii is requested by resolution of the board of supervisors of said county. Said funds when paid into said county treasury shall be held for the sole purposes of this Act.

SECTION 2. The specific purposes for which and the amounts in which the monies hereby appropriated shall be used are as follows:

(a) Construction of a forty feet (40') by thirty feet (30') cemetery pavillion with facilities for ladies' and men's rest rooms, and space for storage and tool rooms. $11,400.00 or so much thereof as may be necessary.

(b) Construction of a fence in the front of the cemetery with one entrance and one exit gate. $1,600.00 or so much thereof as may be necessary.

(c) Construction in the cemetery of a driveway ten feet (10') in width and one thousand four hundred feet (1,400') in length. $7,000.00 or so much thereof as may be necessary.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

E B Capellas

SENATOR, FIRST DISTRICT

February 24, 1951.

1951 REG SENATE

Senate Bill No. 44

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 6352 REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO SALARIES OF THE OFFICERS OF THE COUNTY OF HAWAII.

Introduced FEBRUARY 24, 1951, by
Senator E. S. CAPELLAS

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Hawaii

Filed 1951 May 7 Com whole Oral Report

SB44

AN ACT TO AMEND SECTION 6352 REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO SALARIES OF THE OFFICERS OF THE COUNTY OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

Section 1. Section 6352 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended to read as follows:

Sec. 6352. Salaries of officers, Hawaii. The salaries of the following officers of the County of Hawaii are hereby fixed and shall be payable monthly out of the County Treasury at the following rates:

| | | Per Annum |
|---|---|---|
| Chairman and Executive Officer | CAF-16-A | 10,780.00 |
| Member of the Board of Supervisors (each) | | 2,400.00 |
| County Attorney | P-8-A | 10,380.00 |
| First Deputy County Attorney | P-7-C | 9,279.00 |
| Second Deputy County Attorney | P-6-E | 7,980.00 |
| Auditor | CAF-14-C | 9,279.00 |
| Treasurer | CAF-14-C | 9,279.00 |
| Clerk | CAF-14-C | 9,279.00 |

Section 2. This act shall take effect on July 1, 1951.

Introduced by:

E L Capellas
Senator, 1st District

Honolulu, Hawaii

February _____, 1951.

vam

1951 REG SENATE

Filed H 9/51 Spec. Com. 53

Senate Bill No. 45

# The Legislature
of the
# Territory of Hawaii

## AN ACT

MAKING AN APPROPRIATION FOR FLOOD CONTROL AND DRAINAGE IMPROVEMENTS IN IAO VALLEY, WAILUKU, MAUI.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 19 51 by |
| Senator | JOHN G. DUARTE | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Main

45

AN ACT

MAKING AN APPROPRIATION FOR FLOOD CONTROL AND DRAINAGE IMPROVEMENTS IN IAO VALLEY, WAILUKU, MAUI.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the general revenues of the Territory, not otherwise appropriated, the sum of five hundred thousand dollars for the acquisition of lands, easements and rights-of-way in connection with flood control and drainage improvements in the Iao Valley at Wailuku, Maui, for any widening or deepening of streams found necessary, and for such other costs and expenses incurred as are necessary in making said flood control and drainage improvements in the said Iao Valley at Wailuku, Maui.

SECTION 2. The money appropriated in section 1 hereof shall be expended under the supervision and direction of, and upon vouchers signed by the superintendent of public works.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

John L Duarte

Honolulu, T. H.

1951 REG SENATE

Senate Bill No. 46

# The Legislature
of the
# Territory of Hawaii

## AN ACT

MAKING AN APPROPRIATION FOR THE MOLOKAI COMMUNITY HOSPITAL.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 19 51 , by |
| Senator | JOHN G. DUARTE | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| |
|---|
| First Reading in House |
| Referred to |
| Second Reading in House |
| Referred to |
| Third Reading in House |

ELLEN D. SMYTHE
*Clerk of the Senate*

46

AN ACT

MAKING AN APPROPRIATION FOR THE MOLOKAI COMMUNITY HOSPITAL.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated annually from the general revenues of the Territory, not otherwise appropriated, the sum of fifty thousand dollars to aid in the payment of the expenses of operating and maintaining the Molokai Community Hospital, formerly known as the Shingle Memorial Hospital at Hoolehua, Molokai, which appropriation shall be in addition to any other appropriation made for the same purpose.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

John L. Duarte

Honolulu, T. H.

1951 REG SENATE

Senate Bill No. 47

# The Legislature
of the
# Territory of Hawaii

## AN ACT

MAKING AN APPROPRIATION FOR DRAINAGE IMPROVEMENTS ON THE ISLAND OF MOLOKAI.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 19 51, by |
| Senator | JOHN G. DUARTE | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

47

AN ACT

MAKING AN APPROPRIATION FOR DRAINAGE IMPROVEMENTS ON THE ISLAND OF MOLOKAI.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the general revenues of the Territory, not otherwise appropriated, the sum of fifty thousand dollars for the purpose of drainage improvements for the town of Molokai. The aforesaid appropriation shall be in addition to any appropriation made for the same purpose by any other law.

SECTION 2. The money appropriated in section 1 hereof shall be expended under the supervision of and upon vouchers signed by the superintendent of public works.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

John L. Duarte

Honolulu, T. H.

---

vau

1951 REG SENATE

Senate Bill No. 48

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO THE EXTENSION OF THE HIGHWAY FROM KANAIO TO KALAMA PARK, COUNTY OF MAUI, AND MAKING A FURTHER APPROPRIATION THEREFOR.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 1951 , by |
| Senator | JOHN G. DUARTE | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Maui

S. B. NO. 48

AN ACT

RELATING TO THE EXTENSION OF THE HIGHWAY FROM KANAIO TO KALAMA PARK, COUNTY OF MAUI, AND MAKING A FURTHER APPROPRIATION THEREFOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The sum of $60,000.00, or so much thereof as may be necessary, is hereby appropriated, in addition to the monies heretofore appropriated, by way of advancement out of the general fund, which sum shall be reimbursed from the proceeds of the sales of public lands in the county of Maui, for the extension of the highway from Kanaio to Kalama Park, Maui, said sum to be expended in the manner and under the provisions contained in Act 359 of the Session Laws of Hawaii 1949, as amended by Act 25 of the Session Laws of Hawaii, Special Session 1949.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

John L. Duarte

SENATOR, SECOND DISTRICT

February , 1951.

1951 REG SENATE

Senate Bill No. 49

# The Legislature
of the
# Territory of Hawaii

## AN ACT

PROVIDING FOR A DAIRY AT KALAUPAPA SETTLEMENT, AND MAKING AN APPROPRIATION THEREFOR.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 1951 , by |
| Senator | JOHN G. DUARTE | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. No. 49

AN ACT

PROVIDING FOR A DAIRY AT KALAUPAPA SETTLEMENT, AND MAKING AN APPROPRIATION THEREFOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The board of hospitals and settlement shall operate a dairy at Kalaupapa Settlement for the benefit of the patients.

SECTION 2. There is hereby appropriated from the general revenues of the Territory, the sum of $80,000.00 to establish and maintain said dairy, said sum to be expended under authority and direction of the board of health, upon vouchers signed by the chairman.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

John L. Duarte

SENATOR, SECOND DISTRICT

February , 1951.

1951 REG SENATE

Senate Bill No. 50

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO PROVIDE FOR PERMANENT INCREASES IN THE BASE PAY RATES OF COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND ADDING COST OF LIVING INCREASES.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 19 51 by |
| Senator | JOHN G. DUARTE | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| |
|---|
| First Reading in House |
| Referred to |
| Second Reading in House |
| Referred to |
| Third Reading in House |

ELLEN D. SMYTHE
*Clerk of the Senate*

50

AN ACT

TO PROVIDE FOR PERMANENT INCREASES IN THE BASE PAY RATES OF COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND ADDING COST OF LIVING INCREASES.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Definitions. As used in this Act unless otherwise indicated by the context:

(a) "Position" or "public position," includes any office or position in the service of the Territory or any county or independent board, commission, or other agency thereof, including the University of Hawaii.

(b) "Employees" includes the holder of any position.

(c) "Teachers" means persons holding positions covered by subdivision (b) of section 2 (section 125.06 of the Revised Laws of Hawaii 1945, as amended) of Act 208 of the Session Laws of Hawaii 1947, and members of the faculty of the University of Hawaii, as defined by subsection 5 of section 105 of the Revised Laws of Hawaii 1945.

(d) Where full-time rates are mentioned, the rates for part-time positions not expressly excepted shall be adjusted proportionately.

SECTION 2. Increase in Base Pay Rates. (a) Except as provided in subdivision (b) hereof, the full-time base pay rates for all public positions are hereby increased by the addition to each base pay rate of the sum of twenty-five dollars per month, and by the addition of a ten per cent cost of living increase per month; provided, that policemen, firemen, and nurses shall receive a twenty per cent cost of living increase per month. These provisions shall become effective on July 1, 1951, until otherwise provided by law.

(b) The full-time base pay rates for all teachers are hereby increased by the addition to each such base pay rate of the sum of forty-eight dollars per month, and by the addition of a ten per cent cost of living increase per month, effective July 1, 1951, until otherwise provided by law.

SECTION 3. Legislative Intent. It is the intent of this Act to incorporate the maximum bonus payable in the 1949-51 biennium under Act 367 of the Session Laws of Hawaii 1949 as a permanent portion of the base pay for each such position, and to provide for a cost of living increase allowance for all public officers and employees, the latter being a stated percentage of base pay.

SECTION 4. Notwithstanding any provision of this Act to the contrary, where no base pay increase was paid prior to July 1, 1947 under or pursuant to the said Act 263 for a particular class or type of position, the base pay rates thereof shall not be increased and there shall be no allowance made for a cost of living increase under this Act, provided that this shall not be construed to exclude any new position created or filled after June 30, 1951, which if created and filled prior to July 1, 1951, would have been entitled to the benefits of Act 367.

In the event the base pay for any position or group of positions is specifically increased or expressly fixed by any other Act enacted at the regular session of 1951 of this legislature, then, unless otherwise expressly provided in such other Act, the base pay for such position or group or class of positions shall not be increased under section 2 of this Act except in such amount, if any is required, as shall be sufficient to grant to the officer or employee the same base pay increase which he would have received under this Act if such other Act had not been enacted.

SECTION 5. This Act shall take effect on July 1, 1951.

INTRODUCED BY:

John G Duarte

Honolulu, T. H.

1951 REG SENATE

Senate Bill No. 51

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO PROVIDE FOR PERMANENT INCREASES IN THE BASE PAY RATES OF COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES, AND MAKING AN APPROPRIATION THEREFOR.

Introduced FEBRUARY 24 , 19 51 , by
Senator WILLIAM J. NOBRIGA

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

57

AN ACT

TO PROVIDE FOR PERMANENT INCREASES IN THE BASE PAY RATES OF COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES, AND MAKING AN APPROPRIATION THEREFOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Definitions. As used in this Act, unless otherwise indicated by the context:

(a) "Position", "public position", and "employees" have the same meaning as used in section 1 (section 125.05 of the Revised Laws of Hawaii 1945, as amended) of Act 208 of the Session Laws of Hawaii 1947.

(b) "Teachers" means persons holding positions covered by subdivision (b) of section 2 (section 125.06 of the Revised Laws of Hawaii 1945, as amended) of Act 208 of the Session Laws of Hawaii 1947, and members of the faculty of the University of Hawaii, as defined by subsection (5) of section 105 of the Revised Laws of Hawaii 1945.

(c) Where full-time rates are mentioned, the rates for part-time positions not expressly excepted shall be adjusted proportionately.

SECTION 2. Increase in base pay rates. (a) Except as provided in subdivision (b) hereof, the full-time base pay rates for all public positions are hereby increased by the addition to each such base pay rate of 10% of the base pay rate and the sum of twenty-five dollars per month, effective July 1, 1951, until otherwise provided by law.

(b) The full-time base pay rates for all teachers are hereby increased by the addition to each such base pay rate of 10% of the base pay rate and the sum of forty-eight dollars per month, effective July 1, 1951, until otherwise provided by law.

SECTION 3. Legislative intent. It is the intent of this Act to incorporate a 10% cost of living increase and the maximum bonus payable to public officers and employees in the 1949-1951 biennium under Act 367 of the Session Laws of Hawaii 1949 as a permanent portion of the base pay for each such position. Notwithstanding any other provision of this Act to the contrary, where no bonus was paid under or pursuant to Act 367 of the Session Laws of Hawaii 1949 for a particular class or type of position, the base pay rates thereof shall not be increased under this Act by the amount of the bonus, provided that this shall not be construed to exclude any new position created or filled after June 30, 1951, which if created and filled prior to July 1, 1951, would have been entitled to the benefits of Act 367.

In the event the base pay for any position or group of positions is specifically increased or expressly fixed by any other Act enacted at the regular session of 1951 of this legislature, then, unless otherwise expressly provided in such other Act, the base pay for such position or group or class of positions shall not be increased under section 2 of this Act except in such amount, if any is required, as shall be sufficient to grant to the officer or employee the same base pay increase which he would have received under this Act if such other Act had not been enacted.

SECTION 4. There is hereby appropriated from the general revenues of the Territory not otherwise appropriated the sum of _____, or so much thereof as is necessary, for the increases in base pay rates of territorial officers and employees provided for by this Act, which sum shall be allocated by the director of the bureau of the budget to each department from time to time as required.

SECTION 5. This Act shall take effect on July 1, 1951.

INTRODUCED BY:

William D. Rodrigues

Honolulu, T. H.

---

1951 REG SENATE

Senate Bill No. 52

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AMENDING SECTION 4353 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO WAGES AND HOURS OF LABOR.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 19 51, by |
| Senator | WILLIAM J. NOBRIGA | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

57

AN ACT

AMENDING SECTION 4353 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO WAGES AND HOURS OF LABOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 4353 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended to read as follows:

"Sec. 4353. Minimum wages. Every employee, except as the director may provide pursuant to Section 4359, shall pay to each employee employed by him wages at the rate of not less than seventy-five cents an hour."

SECTION 2. This Act shall take effect on July 1, 1951.

INTRODUCED BY:

William J. Rapp

Honolulu, T. H.

1951 REG SENATE

Senate Bill No. 53

# The Legislature
of the
# Territory of Hawaii

## AN ACT

PROVIDING FOR A BONUS FOR PENSIONERS AND FOR PUBLIC OFFICERS AND EMPLOYEES, AND MAKING AN APPROPRIATION THEREFOR.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 19 51 , by |
| Senator | WILLIAM J. NOBRIGA | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

W 8 44

S3

AN ACT

PROVIDING FOR A BONUS FOR PENSIONERS AND FOR PUBLIC OFFICERS AND EMPLOYEES, AND MAKING AN APPROPRIATION THEREFOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 1 of Act 376 of the Session Laws of Hawaii 1949 is hereby amended by deleting the words and figures "for the biennial period commencing on July 1, 1949 and ending June 30, 1951" appearing in lines 7 and 8 and inserting:

"for the biennial period commencing on July 1, 1951 and ending June 30, 1953".

SECTION 2. Section 3 of Act 376 of the Session Laws of Hawaii 1949 is hereby amended by deleting the date "December 31, 1949" and inserting:

"December 31, 1951".

SECTION 3. Section 4 of Act 376 of the Session Laws of Hawaii 1949 is hereby repealed.

SECTION 4. The provisions of sections 1, 3 and 4 of Act 208 of the Session Laws of Hawaii 1947, as continued in effect by Act 367 of the Session Laws of Hawaii 1949, are hereby further continued in effect for the biennium beginning July 1, 1951 and ending June 30, 1953.

SECTION 5. There is hereby appropriated from the general revenues of the Territory of Hawaii, not otherwise appropriated, the sum of $8,000,000, or so much thereof as may be necessary, to pay the bonuses to territorial employees and pensioners provided for by this Act for the biennial period beginning July 1, 1951, and ending June

30, 1953. Such appropriation shall be allotted by the director of the bureau of the budget, with the approval of the Governor, to the several boards, commissions and the officers required to make such payments, and in the case of the county pensioners the money so allotted shall be paid into the county treasuries and held in special funds solely for such purpose. The auditor of the Territory is hereby authorized and directed to draw warrants upon the treasurer to pay such allotments as provided in this Act.

SECTION 6. This Act shall take effect on July 1, 1951.

INTRODUCED BY:

William J. Mokuʻōhai

Honolulu, T. H.

1951 REG SENATE

Senate Bill No. 54

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AMENDING SECTION 6191 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO MINIMUM PENSIONS.

Introduced FEBRUARY 24 , 1951 , by
Senator WILLIAM J. NOBRIGA

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

54

AN ACT

AMENDING SECTION 6191 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO MINIMUM PENSIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 6191 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended by deleting the word "thirty" in lines 1 and 7 thereof, and inserting the word "fifty" in lieu thereof.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

William J. Nobriga

Honolulu, T. H.

---

✓ mimi van

1951 REG SENATE

Senate Bill No. 55

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO UNLAWFUL ENTRY AND PRESENCE IN CERTAIN PLACES AND AMENDING SECTION 11771, REVISED LAWS OF HAWAII 1945.

Introduced FEBRUARY 24 , 1951 , by
Senator BEN DILLINGHAM

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

137

AN ACT

RELATING TO UNLAWFUL ENTRY AND PRESENCE IN CERTAIN PLACES AND AMENDING SECTION 11771, REVISED LAWS OF HAWAII 1945.

BE IT ENACTED by the Legislature of the Territory of Hawaii:

SECTION 1. There is hereby enacted a new section of the Revised Laws of Hawaii 1945 to be numbered and to read as follows:

"Sec. 11751.01. Unlawful entry and presence in certain places; penalty. Whoever enters or remains in or upon the dwelling house, building, or yard of another, or in or upon the land of another about or near any building used for dwelling purposes, or on board any vessel, without right and without the permission of the person who has lawful control thereof, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or by both fine and imprisonment."

SECTION 2. Section 11771 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended by deleting therefrom the words substituted therein by Act 48 of the Session Laws of Hawaii 1945.

SECTION 3. This Act shall take effect upon its approval, provided, that this Act shall not affect the liability of any person to prosecution and punishment for any criminal offense committed prior to said effective date and all such offenses may be prosecuted and punished the same as if this Act had not been enacted.

INTRODUCED BY:

_____

_____

_____

_____

_____

_____

_____

Mmd

1951 REG SENATE

Tabled

Senate Bill No. 56

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO ATTENDANCE AT SCHOOL, AMENDING SECTION 1829 OF THE REVISED LAWS OF HAWAII 1945.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 1951 , by |
| Senator | BEN DILLINGHAM | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| |
|---|
| First Reading in House |
| Referred to |
| Second Reading in House |
| Referred to |
| Third Reading in House |

ELLEN D. SMYTHE
*Clerk of the Senate*

S 6

AN ACT

RELATING TO ATTENDANCE AT SCHOOL, AMENDING SECTION 1829 OF THE REVISED LAWS OF HAWAII 1945.

BE IT ENACTED by the Legislature of the Territory of Hawaii:

SECTION 1. Section 1829 of the Revised Laws of Hawaii 1945 is hereby amended by adding thereto the following:

"It is provided, further, that absence for religious observance and education shall be permitted as follows:

1. Absence of a pupil from school during school hours for religious observance and education to be had outside the school building and grounds will be excused upon the request in writing signed by the parent or guardian of the pupil.

2. The courses in religious observance and education must be maintained and operated by or under the control of a duly constituted religious body or of duly constituted religious bodies.

3. Pupils must be registered for the courses and a copy of the registration filed with the local public school authorities.

4. Reports of attendance of pupils upon such courses shall be filed with the principal or teacher at the end of each week.

5. Such absence shall be for not more than one hour each week at the close of a session at a time to be fixed by the local school authorities.

6. In the event that more than one school for religious observance and education is maintained in any district, the hour for absence for each particular public school in such district shall be the same for all such religious schools."

SECTION 2. This Act shall take effect on its approval.

INTRODUCED BY:

_____

_____

_____

_____

_____

_____

_____

Sam

1951 REG SENATE

Senate Bill No. 57

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AMENDING SECTION 12043 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO EXEMPTION FROM COSTS OF SMALL ESTATES.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 1951 , by |
| Senator | BEN DILLINGHAM | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

57

AMENDING SECTION 12043 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO EXEMPTION FROM COSTS OF SMALL ESTATES.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 12043 of the Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"Sec. 12043. Exemption from costs. All proceedings had under and by virtue of sections 12037 to 12046-A, inclusive, shall be free from all costs of court and administrator's fees, save and except that the clerk may charge the actual expense for advertising the notice specified in section 12038, the advertising, posting or service fees required in carrying out any order of the court, including orders relating to the sale of real or personal property, and any expenses reasonably necessary for the preservation, disposal, distribution and administration of the assets of said estate, together with a fee of five per cent on the inventoried gross assets of said estate when said assets reach the inventoried value of one thousand dollars ($1,000.00) or more, said fee to be paid to the treasurer of the Territory as a government realization from any available assets of the estate."

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

FEBRUARY 1951

1951 REG SENATE

Senate Bill No. 58

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AMENDING SECTION 12504 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO SMALL ESTATES.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 1951 , by |
| Senator | BEN DILLINGHAM | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| |
|---|
| First Reading in House |
| Referred to |
| Second Reading in House |
| Referred to |
| Third Reading in House |

ELLEN D. SMYTHE
*Clerk of the Senate*

V 8

AN ACT

AMENDING SECTION 12504 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO SMALL ESTATES.

BE IT ENACTED by the Legislature of the Territory of Hawaii:

SECTION 1. Section 12504 of the Revised Laws of Hawaii 1945, as amended, is hereby amended to read as follows:

"Sec. 12504. Small estates; clerk of court to act when. Whenever so requested by a parent, relative or next friend of a minor or insane person whose estate is of a value of less than one thousand five hundred dollars, the court may appoint the clerk of the court of that circuit as guardian of such minor or insane person, who shall serve in such capacity, with the full powers of and under like obligations as other guardians appointed under this chapter, except that he shall not be required to give any bond in addition to that required under section 488; nor shall he be entitled to any commission or compensation on the first thousand dollars of the corpus of the estate except for expenses necessarily and actually incurred, nor shall he or the minor or insane person or the estate of such minor or insane person be liable for any court costs arising out of such guardianship, except the actual cost of any advertising found necessary; provided, further, that the right of such clerk to act as such guardian shall not be affected by reason of any increase of the estate to an amount in excess of one thousand five hundred dollars as the result of any accumulations of income accruing from the original principal of the estate or by the increase in value of the principal; provided, further, that the clerk as guardian shall be entitled to demand and receive for deposit in the general fund of the Territory a commission of five per cent on the corpus of the estate after said corpus totals one thousand dollars, to be in lieu of all charges for fees, commissions, court costs and attorney fees; provided, further, that upon the petition of any interested party, or in the discretion of the court without petition, a successor guardian shall be appointed under the preceding sections of this chapter."

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

_____

_____

_____

_____

_____

_____

_____

1951 REG SENATE

Senate Bill No. 59

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 1236 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO FISHING.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 1951 , by |
| Senator | E. S. CAPELLAS | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | |
| Third Reading in Senate | |

| |
|---|
| First Reading in House |
| Referred to |
| Second Reading in House |
| Referred to |
| Third Reading in House |

ELLEN D. SMYTHE
*Clerk of the Senate*

Agr.

S B. NO. 59

AN ACT

TO AMEND SECTION 1236 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO FISHING.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 1236 of the Revised Laws of Hawaii 1945 is hereby amended by amending the first paragraph thereof to read as follows:

"Sec. 1236. Mullet, catching prohibited, when; exceptions; penalty. It shall be unlawful for any commercial fisherman to wilfully fish for, or attempt to take by any means whatsoever, from any of the waters within the jurisdiction of the Territory, or to sell, offer for sale, or have in possession any mullet, known as amaama, or anaeholo during the months of December, January, February or March, and it shall be unlawful for any other person to wilfully fish for, or attempt to take by any means whatsoever, from any of the waters within the jurisdiction of the Territory, or to sell, offer for sale, or have in possession any mullet, known as amaama, or anaeholo during the months of December, January or February; provided, however, that any owner or operator of a fish pond, can lawfully catch the young mullet, known as pua, during the closed season, for the purpose of stocking his pond; and provided further, that any owner or operator of a fish pond or any dealer may lawfully sell pond raised mullet during the closed season after first procuring a license granting this privilege."

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

E. K. Lapellas

Senator, 1st District

# 1951 REG SENATE

**Senate Bill No.** 60

Eng. for Gov. 4/25/51

Labor

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 4112 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO DUTIES AND POWERS OF THE COMMISSION OF LABOR AND INDUSTRIAL RELATIONS.

| | | |
|---|---|---|
| Introduced | FEBRUARY 24 | , 1951, by |
| Senator | MARY K. ROBINSON | |

| | |
|---|---|
| First Reading in Senate | February 24, 1951 |
| Referred to Printing Committee | February 24, 1951 |
| Second Reading in Senate | February 26, 1951 |
| Referred to | Judiciary Committee |
| Third Reading in Senate | March 10, 1951 |
| First Reading in House | March 12, 1951 |
| Referred to | COMMITTEE ON LABOR. |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | April 25, 1951 |

ELLEN D. SMYTHE
*Clerk of the Senate*

SB 60

AN ACT

TO AMEND SECTION 4112 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO DUTIES AND POWERS OF THE COMMISSION OF LABOR AND INDUSTRIAL RELATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 4112 of the Revised Laws of Hawaii 1945 is hereby amended in the following respects:

(1) By amending the fifth paragraph to read:

"The rules and regulations of the commission and any amendments thereto, when approved by the governor, shall have the force and effect of law, and shall be enforced in the same manner as the provisions of this chapter."

(2) By repealing the sixth and seventh paragraphs.

SECTION 2. This Act shall take effect on July 1, 1951.

INTRODUCED BY:

Mary K. Robinson

Honolulu, T. H.

February 24, 1951

S. B. No. 60

A N  A C T

TO AMEND SECTION 4112 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO DUTIES AND POWERS OF THE COMMISSION OF LABOR AND INDUSTRIAL RELATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 4112 of the Revised Laws of Hawaii 1945 is hereby amended in the following respects:

(1) By amending the fifth paragraph to read:

"The rules and regulations of the commission and any amendments thereto, when approved by the governor, shall have the force and effect of law, and shall be enforced in the same manner as the provisions of this chapter."

(2) By repealing the sixth and seventh paragraphs.

SECTION 2. This Act shall take effect on July 1, 1951.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T.H., March 10, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

Wilfred C. Tsukiyama
President of the Senate

Ellen D. Smeltzer
Clerk of the Senate.

S. B. No. 60
H. D. 1

A N  A C T

TO AMEND SECTION 4112 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO DUTIES AND POWERS OF THE COMMISSION OF LABOR AND INDUSTRIAL RELATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 4112 of the Revised Laws of Hawaii 1945 is hereby amended in the following respects:

(1) By amending the fifth paragraph to read:

"The rules and regulations of the commission and any amendments thereto, when approved by the governor and promulgated and filed in accordance with sections 466 to 476, inclusive, shall have the force and effect of law and shall be enforced in the same manner as the provisions of this chapter."

(2) By repealing the sixth and seventh paragraphs.

SECTION 2. This Act shall take effect on July 1, 1951.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., April 25, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives

Clerk, House of Representatives

1951 REG SENATE

Senate Bill No. 61

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AMENDING SECTIONS 6420 AND 6423 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO THE COUNTY OF KAUAI: AND PROVIDING FOR THE APPOINTMENT, EMPLOYMENT, SUSPENSION AND REMOVAL OF THE DEPUTIES, ASSISTANTS AND EMPLOYEES OF THE DEPARTMENT OF PUBLIC WORKS AND OF THE KAUAI WATER-WORKS BUREAU OF THE SAID COUNTY.

Introduced FEBRUARY 26, 19 51, by
Senator s JOHN B. FERNANDES & M. R. AGUIAR, JR.

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

SB61

AN ACT

AMENDING SECTIONS 6420 AND 6423 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO THE COUNTY OF KAUAI: AND PROVIDING FOR THE APPOINTMENT, EMPLOYMENT, SUSPENSION AND REMOVAL OF THE DEPUTIES, ASSISTANTS AND EMPLOYEES OF THE DEPARTMENT OF PUBLIC WORKS AND OF THE KAUAI WATERWORKS BUREAU OF THE SAID COUNTY.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 6420 of the Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"Sec. 6420. Deputies, assistants and employees. The county engineer shall appoint or employ and may suspend or remove all deputies, assistants and employees of the department of public works. All such appointments, employments, suspensions or removals shall be made in conformity with the applicable requirements of any civil service law effective in said county. Such deputies, assistants and employees shall receive such compensation as the board of supervisors may authorize or provide, and they shall discharge such duties pertaining to the department as the engineer shall assign to them. In addition, the county engineer, with the approval of the board, may appoint, in writing, any deputy, assistant or employee in such department, or, in case no competent person is so available, any competent person at such compensation as the board may authorize, to serve as acting county engineer during his temporary illness, incapacity, or absence from the county, for whose acts the county engineer shall be responsible. Such appointee shall, during such temporary illness, incapacity or absence of the county engineer, have and exercise all the powers, duties and functions of the engineer, subject to the direction and control of the engineer; provided, however, that no deputy, assistant or employee in the department so appointed as acting county engineer shall receive additional compensation for serving as acting county engineer."

SECTION 2. Section 6423 of the Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"Sec. 6423. County engineer is bureau head; deputies, assistants and employees. The county engineer shall be the head of the bureau, and shall appoint or employ and may suspend or remove all deputies, assistants and employees of the bureau. All such appointments, employments, suspensions or removals shall be made in conformity with the applicable requirements of any civil

service law effective in said county. Such deputies, assistants and employees shall receive such compensation as the board of supervisors may authorize or provide, and they shall discharge such duties pertaining to the bureau as the engineer may assign to them."

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

John B. Fernandes

Manuel R. Aguiar, Jr.

SENATORS, FOURTH DISTRICT

Honolulu, T.H.

February 26th, 1951

1951 REG SENATE

Senate Bill No. 62

Filed 4/18/51 St. Com. Rep. 1X

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 1009 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO THE FEES RECEIVED FROM HUNTING LICENSES AND THE USE THEREOF FOR THE RESTOCKING OF GAME BIRDS.

Filed Apr 18 1951

Introduced FEBRUARY 26 , 19 51 , by
Senator s JOHN B. FERNANDES & M. R. AGUIAR, JR.

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Agm.

SB 67

AN ACT

TO AMEND SECTION 1009 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO THE FEES RECEIVED FROM HUNTING LICENSES AND THE USE THEREOF FOR THE RESTOCKING OF GAME BIRDS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 1009 of the Revised Laws of Hawaii 1945 is hereby amended by adding a new paragraph to the end thereof to read as follows:

"All fees collected pursuant to sections 7067 and 7068 for hunting licenses shall be utilized solely for the importation, purchase, propagation, and restocking of game birds in the Territory. Fees collected for county hunting licenses of a particular county shall be expended only in, or for the restocking of, that county."

SECTION 2. This Act shall take effect on July 1, 1951.

INTRODUCED BY:

John B. Fernandez

M. R. Aguiar Jr.

Senator, Fourth District

Honolulu, T.H.

Feb 26, 1951

1951 REG SENATE

F & C 80

**Senate Bill No.** 63

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO THE AMOUNTS TO BE RAISED ANNUALLY FROM REAL PROPERTY TAXES IN AND FOR THE COUNTIES OF KAUAI AND HAWAII.

Introduced February 26, 19 51, by

Senators: M. R. AGUIAR, JR., and JOHN B. FERNANDES

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | SELECT COMMITTEE - KAUAI SENATORS - |
| Third Reading in Senate | May 1, 1951 |

| | |
|---|---|
| First Reading in House | May 1, 1951 |
| Referred to | |
| Second Reading in House | May 2, 1951 |
| Referred to | COMMITTEES ON FINACE & COUNTY IN JOINT SESSION. |
| Third Reading in House | |

ELLEN D. SMYTHE

*Clerk of the Senate*

SB 63

S. B. NO. _____

AN ACT

RELATING TO THE AMOUNT TO BE RAISED ANNUALLY FROM REAL PROPERTY TAXES IN AND FOR THE COUNTY OF KAUAI.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Any provision of section 5252 of the Revised Laws of Hawaii 1945, as amended, or any other law to the contrary notwithstanding, the real property tax rate in the county of Kauai shall be fixed at such rate as will yield the sum of $700,000 annually for such county, of which amount the sum of $150,000 shall be expendable for the acquisition of land and the construction of new buildings and other improvements for public schools in said county.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

M. R. Aguiar Jr. by John B Fernandez

MANUEL R. AGUIAR JR.
Senator, Fourth District

Honolulu, Hawaii
Feb 26th, 1951

MRMS

S. B. No. 63
S. D. 2

A N  A C T

RELATING TO THE AMOUNTS TO BE RAISED ANNUALLY FROM REAL PROPERTY TAXES IN AND FOR THE COUNTIES OF KAUAI AND HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Any provision of section 5252 of the Revised Laws of Hawaii 1945, as amended, or any other law to the contrary notwithstanding:

~~(a)~~ The real property tax rate in the county of ~~Kauai~~ Hawaii shall be fixed at such rate as will yield the sum of $700,000.00 annually for such county, of which amount the sum of ~~$100,000.00~~ shall be expendable for the acquisition of land and the construction of new buildings and other improvements for public schools in said county, ~~and~~

(b) The real property tax rate in the county of Hawaii shall be fixed at such rate as will yield the sum of $1,500,000.00 annually for such county.

SECTION 2. Nothing herein shall be deemed to supersede any law providing for the raising by real property taxes of moneys for civil defense or kindred purposes. The real property tax rate limit fixed for the county of Kauai by this Act shall be increased for the years 1951 and 1952 by the amount so required to be raised for civil defense or kindred purposes, but the real property tax rate limit fixed by this Act for the county of Hawaii for the years 1951 and 1952, nevertheless shall be deemed to include such required amount.

Notwithstanding any provision of law setting the time for the submission of county budgets, the time for the submission of such budget for the calendar year 1951, is hereby extended to and including the 7th day after the approval of this Act.

SECTION 3. Upon its approval, this Act shall take effect as of January 1, 1951.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu,T.H., May 1, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

President of the Senate

Clerk of the Senate.

S. B. No. 63
S. D. 2
H. D. 1

A N  A C T

RELATING TO THE AMOUNT TO BE RAISED ANNUALLY FROM REAL PROPERTY TAXES IN AND FOR THE COUNTY OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Any provision of section 5252 of the Revised Laws of Hawaii 1945, as amended, or any other law to the contrary notwithstanding, the real property tax rate in the county of Hawaii shall be fixed at such rate as will yield the sum of $1,500,000.00 annually for such county, of which amount the sum of $100,000.00 shall be expendable for the construction of new school buildings, reconstruction of old school buildings and other improvements for public schools in said county.

SECTION 2. Notwithstanding any provision of law

setting the time for the submission of county budgets, the time for the submission of such budget for the calendar year 1951, is hereby extended to and including the 7th day after the approval of this Act.

SECTION 3. This Act shall take effect as of January 1, 1951, but only in the event that House Bill No. 168 does not become law.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., May 19, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Hiram L Fong
Speaker, House of Representatives

Walter G. Thuck
Clerk, House of Representatives

1951 REG SENATE

Senate Bill No. 64

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 5376 OF, AND TO ADD SECTION 5460.5 TO THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO THE COMPENSATING, CONSUMPTION, AND GENERAL EXCISE TAXES, AND PROVIDING FOR THE EXEMPTION OF FOOD PRODUCTS FOR HUMAN CONSUMPTION.

Introduced FEBRUARY 26, 19 51 by
Senator s M. R. AGUIAR, JR., AND JOHN B. FERNANDES

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. NO. 64

AN ACT

TO AMEND SECTION 5376 OF, AND TO ADD SECTION 5460.5 TO THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO THE COMPENSATING, CONSUMPTION, AND GENERAL EXCISE TAXES, AND PROVIDING FOR THE EXEMPTION OF FOOD PRODUCTS FOR HUMAN CONSUMPTION.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 5376 of the Revised Laws of Hawaii 1945, amended, is hereby amended by renumbering paragraph (5) to be paragraph (6) and adding a new paragraph (5) to read as follows:

"(5) To food products for human consumption, as defined in section 5460.5, when records are kept and information is furnished relevant to a determination of the applicability of the exemption granted by this paragraph, as required by the regulations of the commissioner."

SECTION 2. Section 5460.5 is hereby added to chapter 101 of the Revised Laws of Hawaii 1945, as amended, to read as follows:

"Sec. 5460.5. Exemptions of foods. The provisions of this chapter shall not apply to gross proceeds of sales of any retailer or wholesaler derived from sales of food products for human consumption. As used herein, "food products" include cereals and cereal products, milk and milk products, oleomargarine, meat and meat products, fish and fish products, egg and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea,cocoa and cocoa products other than candy and confectionery. "Food products" do not include spirituous, malt, or vinous liquors, soft drinks, sodas, or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith, medicines, tonics and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts.

"Food products" also do not include meals served on or off the premises of the retailer or drinks or foods furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware provided by the retailer.

"For gross income or gross proceeds from sales to be exempted hereunder, the retailer or wholesaler shall keep records both of total purchases or acquisitions and sales and of food products for human consumption in such form as reasonably required by the regulations of the commissioner and shall furnish such information in his monthly and annual returns as will be relevant to a determination of the applicability of the exemption granted by this section, as required by the regulations of the commissioner."

SECTION 3. This Act shall take effect on July 1, 1951.

INTRODUCED BY

~~John B Fernandez~~

M. R. Aguiar Jr.

M. R. AGUIAR JR.
SENATOR, FOURTH DISTRICT

Feb 26th, 1951

John B Fernandez

1951 REG SENATE

Senate Bill No. 65

# The Legislature
of the
# Territory of Hawaii

## AN ACT

APPROPRIATING THE SUM OF $600,000.00 FROM THE GENERAL REVENUES FOR THE CONSTRUCTION OF A TERRITORIAL BUILDING AT LIHUE, KAUAI.

Introduced FEBRUARY 26, 1951, by

Senators JOHN B. FERNANDES AND M. R. AGUIAR, JR.

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

WDH
Kauai

SB. 65

AN ACT

APPROPRIATING THE SUM OF $600,000.00 FROM THE GENERAL REVENUES FOR THE CONSTRUCTION OF A TERRITORIAL BUILDING AT LIHUE, KAUAI.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The sum of $600,000.00, or so much thereof as may be necessary, is hereby appropriated from the general revenues of the Territory for the construction of a territorial building at Lihue, Kauai, to house territorial offices.

SECTION 2. The monies appropriated by this Act shall be expended upon warrants drawn by the auditor of the Territory of Hawaii upon vouchers approved by the superintendent of public works.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:
John B Fernandez
M. R. Aguiar
Senatory, Fourth District

HONOLULU, T.H.
Feb 21 ,1951

mms

1951 REG SENATE

Senate Bill No. 66

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 6352 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO THE OFFICERS OF THE COUNTY OF HAWAII.

| | | |
|---|---|---|
| Introduced | FEBRUARY 26 | , 19 51 , by |
| Senator | TOM T. OKINO | |

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | |
| Third Reading in Senate | |

| |
|---|
| First Reading in House |
| Referred to |
| Second Reading in House |
| Referred to |
| Third Reading in House |

ELLEN D. SMYTHE
*Clerk of the Senate*

Hawaii

S. B. NO. 66

AN ACT

TO AMEND SECTION 6352 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO THE OFFICERS OF THE COUNTY OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 6352 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended in the following particulars:

(1) By inserting the word "First" before the words "Deputy county attorney".

(2) By inserting the following immediately after the item amended in paragraph (1) of this section:

"Second deputy county attorney (who shall not engage in the private practice of law) $5,400.00"

SECTION 2. This Act shall take effect on July 1, 1951.

INTRODUCED BY:

Tom T. Okino

TOM T. OKINO
Senator, First District

Honolulu, Hawaii
Feb. 26, 1951

1951 REG SENATE

Senate Bill No. 67

filed 4/30/51 St. Com. 267

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO THE ENFORCEMENT OF THE COMPULSORY SCHOOL ATTENDANCE LAW.

| | | |
|---|---|---|
| Introduced | FEBRUARY 26 | , 1951 , by |
| Senator | MARY K. ROBINSON | |

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. NO. 67

AN ACT

RELATING TO THE ENFORCEMENT OF THE COMPULSORY SCHOOL ATTENDANCE LAW.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 1832 of the Revised Laws of Hawaii 1945 is hereby amended to read as follows:

"Sec. 1832. Enforcement. It shall be the duty of the chief of police of each county, and such police officers as he may designate, to enforce the provisions of sections 1830 and 1831 in the respective counties. Every principal or head of, and every teacher in, any public or private school shall furnish the chief of police, or such police officers, with such information as he or they may request and shall otherwise cooperate with the chief of police and such police officers in the enforcement of said sections."

SECTION 2. Beginning January 1, 1952, each of the boards of supervisors of the city and county of Honolulu and of the counties of Hawaii, Maui and Kauai shall appropriate, in addition to such other amounts as may be required by law, such moneys as may be required to enforce the provisions of the compulsory school attendance law, as amended by section 1 of this Act, provided that the amount to be appropriated annually for such purpose shall not be less than the following sums:

City and County of Honolulu $_____

County of Hawaii $_____

County of Maui $_____

County of Kauai $_____

SECTION 3. For the purpose of enforcing the provisions of the compulsory school attendance law, as amended by section 1 of this Act, for the period beginning September 1, 1951 and ending December 1, 1951, there is hereby appropriated from the general revenues of the Territory not otherwise appropriated the sum of $_____, which shall be expendable by the police departments of the several counties in the following amounts:

City and County of Honolulu $_____

County of Hawaii $_____

County of Maui $_____

County of Kauai $_____

SECTION 4. Any moneys appropriated in the general appropriation act for the biennium ending June 30, 1953 to the department of public instruction for the purpose of enforcing the provisions of the compulsory school attendance law, as may be shown by the governor's budget, are hereby lapsed into the general fund of the Territory.

SECTION 5. This Act shall take effect July 1, 1951.

INTRODUCED BY:

Mary K. Robinson

MARY K. ROBINSON
Senator, Third District

_____

_____

_____

Honolulu, Hawaii

_____, 1951

1951 REG SENATE

Senate Bill No. 68

sig. for gov. 5/12/51

F

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND ACT 401 (Ser. E-325), SESSION LAWS OF HAWAII 1949, RELATING TO APPROPRIATIONS FOR PUBLIC IMPROVEMENTS AND PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS.

Introduced FEBRUARY 26, 1951, by

Senators JOHN B. FERNANDES AND M. R. AGUIAR, JR.

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | SELECT COMMITTEE OF KAUAI SENATORS |
| Third Reading in Senate | March 1, 1951 |

| | |
|---|---|
| First Reading in House | March 2, 1951 |
| Referred to | |
| Second Reading in House | March 3, 1951 |
| Referred to | COMMITTEE ON FINANCE. |
| Third Reading in House | May 8, 1951 |

ELLEN D. SMYTHE

*Clerk of the Senate*

SB 68

AN ACT

TO AMEND ACT 401 (Ser. E - 325), SESSION LAWS OF HAWAII 1949, RELATING TO APPROPRIATIONS FOR PUBLIC IMPROVEMENTS AND PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Item 27 under "Territorial Improvements" in Section 1 (a) of Act 401 (Ser. E - 325) of the Session Laws of Hawaii 1949 is hereby amended to read as follows:

"27. Samuel Mahelona Hospital -- structures and improvements to land, furniture, fixtures, machinery, and equipment $400,000.00"

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:
John P. Fernandez

M. R. Aguiar
Senators, Fourth District

HONOLULU, T.H.

Feb 26th, 1951

mms

S. B. No. 68

A N  A C T

TO AMEND ACT 401 (Ser. E-325), SESSION LAWS OF HAWAII 1949, RELATING TO APPROPRIATIONS FOR PUBLIC IMPROVEMENTS AND PROVIDING FOR THE ISSUANCE OF PUBLIC IMPROVEMENT BONDS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Item 27 under "Territorial Improvements" in section 1 (a) of Act 401 (Ser. E-325) of the Session Laws of Hawaii 1949 is hereby amended to read as follows:

"27. Samuel Mahelona Hospital - structures and improvements to land, furniture, fixtures, machinery, and equipment 400,000.00".

SECTION 2. This Act shall take effect upon its approval.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., March 1, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

President of the Senate

Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE TERRITORY OF HAWAII

Honolulu, T. H., May 8, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives

Clerk, House of Representatives

1951 REG SENATE

Senate Bill No. 69

Expired for for 4/22/51

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND THE FIRST PARAGRAPH OF SECTION 14 OF SERIES B-194: ACT 289 OF THE SESSION LAWS OF HAWAII 1949, RELATING TO MAUI COUNTY WATER-WORKS BOARD.

Introduced FEBRUARY 26, 1951, by

Senator WENDELL F. CROCKETT

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | SELECT COMMITTEE OF MAUI SENATORS |
| Third Reading in Senate | March 20, 1951 |
| First Reading in House | March 20, 1951 |
| Referred to | |
| Second Reading in House | March 21, 1951 |
| Referred to | COMMITTEE ON COUNTY & MUNICIPAL AFFAIRS. |
| Third Reading in House | April 21, 1951 |

ELLEN D. SMYTHE
*Clerk of the Senate*

SB69

AN ACT

TO AMEND THE FIRST PARAGRAPH OF SECTION 14 OF SERIES B-194: ACT 289 OF THE SESSION LAWS OF HAWAII, 1949, RELATING TO MAUI COUNTY WATERWORKS BOARD.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. That the first paragraph of Section 14 of Series B-194: Act 289 of the Session Laws of Hawaii, 1949, is hereby amended to read as follows:

"Section 14. Operating Expenses, Reserves, Subsidation by County - All revenues or moneys derived from the waterworks or otherwise appropriated for the Board, other than funds derived from the sale of bonds, shall be paid into the treasury of the county and maintained by the treasurer in a waterworks fund. Such fund shall be expended for the following purposes and with preferences in favor of the several purposes in the order stated: (a) for the payment of interest and sinking fund and reserve fund requirements on all bonds issued after July 1, 1949 for acquisition or construction of the waterworks and reconstructing, improving, bettering or extending the same; (b) for the payment of operating, maintenance and repair expenses of the waterworks; (c) for accident reserve, pension charges and compensation insurance; (d) for purchase or development of new sources of water and for replacements, additions and extensions to the waterworks, and (e) for a reserve fund as provided in Section 12."

SECTION 2. This act shall take effect from and after the date of its approval.

INTRODUCED BY:

Wendell F. Crockett

WENDELL F. CROCKETT
Senator, Second District

February 26, 1951

S. B. No. 69

A N  A C T

TO AMEND THE FIRST PARAGRAPH OF SECTION 14 OF SERIES B-194: ACT 289 OF THE SESSION LAWS OF HAWAII 1949, RELATING TO MAUI COUNTY WATERWORKS BOARD.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. That the first paragraph of section 14 of Series B-194: Act 289 of the Session Laws of Hawaii 1949, is hereby amended to read as follows:

"Section 14. Operating expenses, reserves, subsidation by county. All revenues or moneys derived from the waterworks or otherwise appropriated for the board, other than funds derived from the sale of bonds, shall be paid into the treasury of the county and maintained by the treasurer in a waterworks fund. Such fund shall be expended for the following purposes and with preferences in favor of the several purposes in the order stated: (a) for the payment of interest and sinking fund and reserve fund requirements on all bonds issued after July 1, 1949, for acquisition or construction of the waterworks

and reconstructing, improving, bettering or extending the same; (b) for the payment of operating, maintenance and repair expenses of the waterworks; (c) for accident reserve, pension charges and compensation insurance; (d) for purchase or development of new sources of water and for replacements, additions and extensions to the waterworks, and (e) for a reserve fund as provided in section 12."

SECTION 2. This Act shall take effect from and after the date of its approval.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., March 20, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

President of the Senate

Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., April 21, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives.

Clerk, House of Representatives.

Senate Bill No. 70

sig to Gov. 5/3/51

1951 REG SENATE

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO THE ORGANIZATION OF CERTAIN EXECUTIVE AGENCIES OF THE TERRITORY OF HAWAII; CREATING A DEPARTMENT OF FINANCE; CREATING AN AUDIT DEPARTMENT; DEFINING THEIR POWERS AND DUTIES; ABOLISHING CERTAIN AGENCIES; TRANSFERRING CERTAIN POWERS AND DUTIES, AND AMENDING TITLE 4, REVISED LAWS OF HAWAII 1945.

Introduced FEBRUARY 26 , 19 51 , by

Senator BEN DILLINGHAM

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | COMMITTEE OF THE WHOLE SENATE |
| Third Reading in Senate | April 10, 1951 |
| First Reading in House | April 11, 1951 |
| Referred to | |
| Second Reading in House | April 12, 1951 |
| Referred to | COMMITTEE ON FINANCE. |
| Third Reading in House | May 8, 1951 |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. No. 70

A N A C T

RELATING TO THE ORGANIZATION OF CERTAIN EXECUTIVE AGENCIES OF THE TERRITORY OF HAWAII; CREATING A DEPARTMENT OF FINANCE; CREATING AN AUDIT DEPARTMENT; DEFINING THEIR POWERS AND DUTIES; ABOLISHING CERTAIN AGENCIES; TRANSFERRING CERTAIN POWERS AND DUTIES; AND AMENDING TITLE 4, REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Title 4, Revised Laws of Hawaii 1945 is hereby amended to read as follows:

"Chapter 24

Department of Finance

"SECTION 1551. Definition. Wherever used in this title, unless the context clearly indicates otherwise, the word 'department' or 'finance department' shall mean the department of finance established herein. The word 'commissioner' or 'finance commissioner' shall refer to the commissioner of finance. The word 'auditor' shall mean the territorial auditor. The term 'territorial agency' or 'agency' shall include, unless specifically excluded in this title, every office, department, board, council, commission, institution or other division of the executive and judicial departments of the territorial government. Except with respect to moneys appropriated by the territorial legislature, the Hawaii Housing Authority shall not be deemed an agency for the purposes of this title.

"SECTION 1552. Department of finance. There is hereby created a department to be known as the department of finance.

"SECTION 1553. Commissioner. The department of finance shall be under the supervision and control of a commissioner to be appointed by the governor. He shall hold office until his successor is appointed and shall qualify. He shall receive such salary as shall be provided by law.

"SECTION 1554. Appointments by the commissioner. (a) The commissioner is hereby authorized to appoint, with the approval of the governor, an assistant or deputy commissioner, who shall also be the budget director, and not more than four division directors, including, but not limited to, a controller, who shall be in charge of accounting and pre-auditing, and a purchasing agent, and he may delegate to such assistant, deputy or division directors full authority to perform any of the duties imposed on him. Such positions shall not be subject to the provisions of chapters 2 and 3.

(b) The commissioner may also appoint such other technical, professional or clerical personnel as he may deem necessary to carry out the provisions of this chapter. All such appointments shall be made in accordance with the provisions of chapters 2 and 3.

"SECTION 1555. Powers and duties of the commissioner. The commissioner shall have the power and authority, and it shall be his duty, subject to the provisions of this chapter:

(1) To formulate a budget plan and prepare a budget for each fiscal period.

(2) To control expenditures under such system of allotments as may be prescribed by law.

(3) To approve requests for and to effect the transfer, within any agency, of funds appropriated to that agency, unless otherwise prescribed by law.

(4) To investigate and study continuously the organization and administration of the various territorial agencies and keep the governor fully informed concerning such organization and administration; to recommend to the governor any changes in organization, administration, methods, procedures or techniques for the purpose of achieving effectiveness and economy in the conduct of the government; to recommend to the territorial personnel director, in connection with any such study or investigation, that a position classification study be made of any position or positions in the territorial civil service; to make such investigations, studies and recommendations for the legislature, or any committee thereof, upon request.

(5) To examine every purchase order, receipt, account, bill, claim, refund and demand against the Territory arising from activities carried on by all agencies; to approve each legal, correct and proper claim, to designate the account to be charged therefor, and to issue a warrant on the treasurer for the payment thereof in the manner provided by law.

(6) To prescribe an accounting system for all agencies. To maintain centralized accounting records for such agencies wherever practicable, keeping the general books of account on a double entry basis, and maintain such accounts as will reflect, in detail or in summary, all assets, liabilities, reserves, surpluses, revenues and receipts, appropriations,

allotments, expenditures and encumbrances. The accounting records and procedures shall be such as will provide complete fiscal accountability over all agencies of the Territory and over all activities carried on by them.

(7) To furnish each agency, no less frequently than at the close of each allotment period, a statement showing the status of its appropriations and allotments.

(8) To make such financial reports as he may deem necessary or as may be requested by the governor or legislature; to prepare and submit to the governor and the legislature, immediately following the close of each fiscal year, a general financial report for the year for all funds including the unencumbered balance on hand in each of such funds.

(9) To prescribe, with the advice and approval of the auditor, the system of accounts, statements and estimates, and the form of all financial records and documents used by all agencies, and to require, supervise and control the use of such systems and forms by all such agencies; to prescribe such accounting standards as may be necessary for any organization, association or other body, any part of whose income is derived from territorial funds, except this shall not include any county.

(10) To provide for the printing and distribution of all territorial publications and printed material of whatsoever nature, including printing required by the legislative department, but excluding all technical and professional publications of the University of Hawaii. To supervise and control the form of all such printed material for the purpose of effecting economy and efficiency, coordinating such material,

avoiding duplication and making it useful and informative to the public, but the commissioner shall make no changes or alterations in the substance of any such publications or material.

(11) To control, supervise and approve all forms in use in all territorial agencies and to maintain a complete and continuous record of all such forms.

(12) To operate a central duplicating service and central mail and messenger services and such other central administrative services as may hereafter be established. To determine, with the approval of the governor, which agencies shall be included in such central services. To effect such transfer of equipment as he may deem advisable in connection therewith. To approve at any future time the use of such equipment by an individual agency, if such should be necessary or practical.

(13) To supervise the allocation of all office space owned, rented, leased or otherwise held by the Territory.

(14) To promulgate, with the approval of the governor, rules and regulations relative to travel of territorial officers and employees on territorial business and the expenses incurred therein, and to enforce such rules and regulations.

(15) To control and supervise the use of all motor vehicles owned or in use by the Territory, and to make and enforce rules and regulations relative to their use by all territorial agencies and employees.

(16) To canvass all sources of supply and to contract for the purchase of all supplies, materials and equipment

required by all agencies, under competitive bidding in the manner hereinafter provided, and to provide for inspecting and testing the same. Supplies, materials and equipment shall be interpreted to include, without limiting the generality of the foregoing, all printing, binding, legal notices, repairs, rentals, insurance, fidelity bonds and all utility services.

(17) To adopt and enforce standard specifications wherever possible for the purchase or use of supplies, materials and equipment for all agencies and to make, or cause to be made, any test, examination or analysis necessary therefor. Each standard specification shall, until revised or rescinded, apply in like terms and effect to each future purchase and contract for such commodity.

(18) To rent or lease, with the approval of the governor, all ground, buildings, offices or other space required by all agencies for terms in excess of two years, or without such approval, for terms of less than two years.

(19) To approve all written, formal contracts entered into by or on behalf of the Territory or any agency thereof, for the purchase of supplies, materials and equipment, certifying as to the availability of funds and the compliance of such contracts with law and with regulations issued in accordance with section 1556, but such contracts shall be approved as to form by the attorney general. To prescribe the amount of any certified check, deposit or bond to be submitted in connection therewith, unless otherwise prescribed by law.

(20) To have custody and supervision over all territorial central storerooms and inventories therein. The commissioner may except from his immediate supervision and control any storeroom in use by any single agency.

(21) To maintain complete inventories covering all territorial property. To require all agencies to report the property in their custody or possession in such form and at such intervals as he may deem necessary.

(22) To sell or otherwise dispose of any surplus, unused, discarded or obsolete supplies, materials and equipment in the manner most advantageous to the territorial government. All monies received from the sale of any such property shall be credited to the general fund of the Territory.

(23) To transfer to or between any agencies, in such manner as may be necessary or practical, any supplies, materials or equipment.

(24) To establish, whenever necessary, petty cash funds for the use of any agency, upon application by the agency, but no such petty cash fund shall exceed the sum of $5,000.

(25) To perform any or all services or functions herein set forth for the legislative department or any agency thereof upon its request.

"SECTION 1556. Rules and regulations. The commissioner shall have the power to make, amend or rescind rules and regulations, not inconsistent with law, respecting any matters within the scope of the powers and duties hereby conferred, which rules and regulations shall have the force and effect of law. He shall make rules and regulations as follows:

(1) To prescribe the manner in which purchases shall be made in accordance with section 1567.

(2) To prescribe the manner in which all supplies, materials and equipment shall be delivered, stored and distributed.

(3) To prescribe the manner of inspecting deliveries of supplies, materials or equipment and making chemical or physical tests of samples submitted with bids and samples of delivered supplies to determine their compliance with specifications.

(4) To prescribe the manner and form in which requisitions and estimates are to be submitted and the manner of their authentication.

(5) To require and prescribe the form of regular reports by all agencies of stocks of supplies, materials and equipment, including such items as may be unused, obsolete, surplus or discarded.

(6) To provide for the transfer to or between all agencies of any supplies, materials or equipment.

(7) To prescribe the method of obtaining bids and the procedure for the letting of contracts on behalf of the Territory or any agency thereof.

(8) To determine whether a deposit or bond is to be submitted with a bid or contract and to prescribe the amount and form of such deposit or bond, if required, unless otherwise prescribed by law.

(9) To prescribe the procedure and form for determining the responsibility of bidders.

(10) To prescribe the procedure for supervision and approval of all forms controlled by the commissioner.

(11) To prescribe standards of form for all territorial printing and the manner in which the form of all such printing or proposed printing shall be controlled, but this shall not apply to any printing specifically excluded by section 1555 (10).

(12) To prescribe the manner in which each central administrative service shall be operated.

(13) To prescribe the manner in which petty cash funds shall be requested and established and the method of disbursing the same.

(14) To provide for all other matters which may be necessary to effect the provisions and the rules and regulations of this chapter.

"SECTION 1557. Budget estimates. (a) It shall be the duty of the commissioner to prepare the budget for all agencies, subject to the approval of the governor. Such budget shall include all proposed expenditures and anticipated receipts from whatsoever source.

(b) The commissioner shall furnish to all agencies, at such time as he may prescribe, but not later than the fifteenth day of August preceding each session of the legislature, budget estimate forms on which he shall show where necessary, and in such detail as may be appropriate, for the last two completed fiscal years, the actual receipts of such agency by source and the actual expenditure for the administration, operation, maintenance and support of such agency; and he shall also show for the current fiscal year the appropriations and the receipts as estimated in the budget.

(c) On or before the fifteenth day of October of each fiscal period, every agency shall submit to the commissioner a written statement on the said budget estimate forms furnished by the commissioner showing in such detail as the commissioner may direct the following:

(1) For the current fiscal year: the most recent estimate of receipts of such agency by source and the estimated expenditures to be made for the administration, operation, maintenance and support of such agency:

(2) For the next ensuing fiscal period: the total estimated receipts of such agency from whatsoever source and the estimated expenditures necessary to be made for the administration, operation, maintenance and support of such agency;

(3) A written statement setting forth the necessity for all such classes or types of estimated expenditures as the commissioner may require;

(4) Proposals for expenditures for new projects, construction, additions, buildings, improvements, undertakings or expansions of the work of the agency which require capital outlays;

(5) Data concerning the source of all monies which are available for expenditure by the agency;

(6) A statement of the work program accomplished during the current fiscal period and of the work program proposed to be accomplished during the next fiscal period; and

(7) Any other related estimates, data or information which the governor or commissioner may request.

The commissioner shall prepare estimates for all agencies which fail to file requests.

(d) On or before the fifteenth day of October of each fiscal period, the territorial tax commissioner shall submit to the commissioner a written statement in the form and in such detail as shall be prescribed by the commissioner, showing the estimated tax receipts and collections under existing laws for the next fiscal period.

(e) The commissioner may from time to time call for any additional or more detailed information from any agency, and shall have authority to make or cause to be made such examinations or investigations into the operation or any such agency as in the discretion of the commissioner may be necessary to enable him to determine intelligently the estimates for appropriations which should be recommended and included in the budget.

"SECTION 1558. Budget document. The governor shall transmit to the legislature on the first day of each regular session, and to each of the members thereof not less than twenty days before the legislature convenes, a budget setting forth a complete plan of proposed expenditures and anticipated receipts of the Territory for the ensuing fiscal period, together with such other information as the legislature may require. The budget shall be compiled in two parts, one setting forth all proposed operating expenditures, to be known as the 'operating budget', and the other, all capital improvements expenditures to be undertaken during such period, to

be known as the 'capital budget'. The capital budget shall contain a schedule showing all capital improvements expenditures planned to be undertaken during the next ten years, the purposes for which such expenditures are planned and the proposed means of financing them.

The governor shall also, upon the opening of the session, submit bills to provide for such proposed expenditures and for any recommended additional revenues or borrowings by which the proposed expenditures are to be met.

The budget document shall contain:

(a) A message by the governor including his recommendations with respect to the fiscal policy of the Territory for the next fiscal period, describing the important features of the budget plan, embracing a general budget summary which shall include a statement showing the following: (1) a statement of total anticipated revenues and total proposed expenditures; (2) his recommendations for financing the government; and (3) comparable figures for the present fiscal year and at least the last two completed fiscal periods.

(b) Detailed budget estimates of expenditures, revenues and debt service, including a statement of bonded indebtedness of the Territory as of December 31, next preceding the legislative session. Appropriations, estimated expenditures and estimated receipts for the current fiscal period and comparable data for at least the last fiscal period. All such figures shall be in detail, classified by agency, and shall include all territorial funds and receipts, as well as all federal funds or other income. It shall contain all information

which, in the opinion of the governor, is necessary or desirable to make known in all practical detail the financial condition of the territorial government.

(c) Detailed plans relating to any projects, construction, improvements, additions, buildings, undertaking or expansion of the work of the Territory requiring capital outlays.

The commissioner shall, upon request, furnish the governor or the legislature with any further information concerning the budget, and shall, upon request, and may at other times, attend legislative committee meetings or hearings concerning the budget.

"SECTION 1559. Supplemental or deficiency estimates; central contingent fund. The governor from time to time may transmit to the legislature supplemental or deficiency estimates for such appropriations or expenditures as in his judgment may be necessary on account of laws enacted after the transmission of the budget, or are otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reason for their omission from the budget, and proposed means of financing such proposed supplemental or deficiency appropriation.

Central contingent fund. There is hereby established in the custody of the commissioner a central contingent fund which shall consist of all moneys appropriated to it and all unobligated balances remaining in any agency appropriation at the close of the first fiscal year of any biennial period for which an appropriation has been made. Such fund shall be in addition to the governor's contingent fund. Transfers from

the central contingent fund to various agencies shall be made by the commissioner subject to the following provisions:

(1) Such transfers shall be subject to allocation and expenditure in the manner prescribed by this section and shall be made only to meet emergency and unanticipated expenditures of the Territory as provided in subsection two of this section.

(2) For the purposes of this section, the term 'emergency and unanticipated expenditures' shall mean expenditures deemed necessary or essential to the proper and efficient functioning of the territorial government or the rendering of governmental services by the Territory, in order to meet emergencies and requirements of the Territory not anticipated by the legislature when the current budget was adopted, and for which moneys other than from the fund created by this section are not available or sufficient.

(3) Allocations or expenditures to any agency from the central contingent fund shall be made only in the following manner:

(a) Transfers not exceeding a total of $10,000 in any fiscal year may be authorized by the commissioner with the approval of the governor.

(b) Transfers exceeding $10,000 may be authorized by the commissioner and the governor with the approval of a majority of the members of the legislative holdover or interim committee, if one is then in existence, but if there is no such committee, then with the approval of a majority of the following: the president of the senate,

the speaker of the house, the chairman of the ways and means committee of the senate, and the chairman of the finance committee of the house, who, or which, shall certify their or its intention to recommend that the legislature at its next succeeding regular session make an appropriation sufficient to reimburse the fund in the amount of the expenditures from the allocation so authorized.

(4) Moneys expended from the central contingent fund shall be expended, subject to the same provisions of law which govern the payment of moneys directly appropriated to such agency.

"SECTION 1560. Estimates or requests not submitted by agency except by request. No estimate or request for an appropriation and no request for an increase in an item of any such estimate or request, and no recommendation as to how the revenue needs of the government shall be met, shall be submitted to the legislature, or any committee thereof, by any officer or employee of any agency, unless at the request, by resolution, of either the senate or the house of representatives.

"SECTION 1561. Claims for legislative relief must be filed with; conditions. All claims for refunds, reimbursements or other payments, authorization for which is sought from the legislature, shall, as a condition to their being considered by the legislature, be filed in quadruplicate with the commissioner at least thirty days prior to the convening of the legislature, together with quadruplicates

of all data and documents in support thereof. In the absence of a showing of sufficient reason therefor, failure to comply with the provisions of this paragraph shall be deemed sufficient cause for refusal of the legislature to consider such claims.

It shall be the duty of the commissioner immediately upon receipt thereof to refer any such claim and data so received by him to the head of the department, bureau, board or commission concerned, and it shall be the duty of such person to whom such reference is made immediately to investigate the claim, secure in triplicate all available data and documents bearing thereon, and prior to the convening of the legislature refer the same back to the commissioner with his recommendations thereon. It shall be the duty of the commissioner, within five days after the opening of the session, to transmit such claims, together with all accompanying data so presented, to the committee on ways and means of the senate and the committee on finance of the house of representatives.

"SECTION 1562. No expenditures to be made for items not specifically authorized by the legislature or the governor. No head of any agency shall expend or be allowed to expend any sum for any purpose whatsoever not specifically authorized by the legislature, and where distribution or expenditures are made under lump sum appropriations, the head of each agency shall be governed in making such distribution or expenditures by any authority of the legislature,

"SECTION 1563. Allotment system. For the purposes of the quarterly allotment system, each fiscal year shall be divided into four quarterly allotment periods, beginning, respectively, on the first days of July, October, January and April; provided that in any case where the quarterly allotment period is impractical, the commissioner may prescribe a different period suited to the circumstances, not extending beyond the end of the fiscal year.

Every agency shall submit to the commissioner at such times and in such form as he shall prescribe, an estimate for the next allotment period of the amount required for each activity to be carried on and the purposes for which the money is to be expended.

If the estimate is within the terms of the appropriation as to amount and purposes, having due regard for the present and probable future needs of the agency for the remainder of the fiscal year or other terms for which the appropriation was made, the commissioner shall approve the same and allow the estimated amount for expenditure. Otherwise the commissioner shall modify the estimate so as to conform with the terms and the intent of the appropriation and the present and prospective needs of the agency and shall reduce the amount allotted accordingly. The commissioner shall notify every agency of its allotments at least ten days before the beginning of each allotment period; he shall also notify the territorial auditor. The total amount alloted not to any agency for the fiscal year or other term for which the appropriation was made shall not exceed the amount appropriated for such year or term.

In case the commissioner shall determine at any time that the receipts from any source will be substantially less than the estimated receipts upon which appropriations were based, and that as a result the amount available for the remainder of the term of the appropriation or for any allotment period will be substantially less than the amount estimated or allotted therefor, and that a substantial deficit will be caused thereby, he may, with the approval of the governor and after notice of the agency concerned, reduce the amount allotted or to be allotted so as to minimize or prevent such deficit. In like manner he may reduce the amount allotted or to be allotted to any agency by the amount of saving which can be effected upon previous estimates of expenditures.

"SECTION 1564. Accounting system. The commissioner shall maintain an accounting system which shall show at all times, for all agencies and all funds, actual balances on hand and the unencumbered balances after deduction of all actual and authorized expenditures, and such additional information as will reflect the complete financial picture of such agencies and funds, but such system shall be subject to approval by the auditor.

"SECTION 1565. Pre-audit of expenditures. Except in emergencies, no payment shall be made and no obligation shall be incurred against any fund, allotment or appropriation unless there is a sufficient unencumbered balance in such fund, allotment or appropriation to meet such payment or obligation. Any payment made in violation of this provision shall be void and of no effect, and every official authorizing or

making such payment, or taking part therein, and every person receiving such payment, or any part thereof, shall be jointly and severally liable to the Territory for the full amount so paid or received.

"SECTION 1566. Appropriations to revert to territorial treasury; exceptions. Except as otherwise provided by law or in any appropriations act, every appropriation or part thereof of any kind, other than for capital improvements, hereafter made subject to the provisions of this Chapter remaining unexpended and unencumbered at the close of any fiscal period shall lapse and be returned to the general fund.

If no bona fide expenditures or encumbrances have been made from or against any appropriation for capital improvements within a period, eighteen months following the effective date of the appropriation, no expenditure or encumbrance shall be made after such period unless the legislature has, by joint resolution, extended the time within which such expenditures or encumbrances may be made for an additional period of eighteen months. The commissioner shall, prior to the convening of each legislature, examine each such appropriation and shall report to the legislature on those appropriations from which no bona fide expenditures have been made or against which no encumbrances have been entered, and shall recommend appropriate action to the legislature. The commissioner shall be the judge of the bona fide character of any expenditure or encumbrance.

"SECTION 1567. Purchasing. (a) It shall be the duty of the commissioner to contract for the purchase of all supplies,

materials and equipment required by all agencies.

(b) The commissioner may authorize any agency, under rules and regulations prescribed by him, to purchase directly specified supplies, materials and equipment; but, in making such purchases, the agency shall call for bids and proceed otherwise in like manner as herein required in case of purchases by the commissioner.

(c) The commissioner may purchase, or may authorize and agency to purchase, in the open market, without filing requisitions or estimates, specific supplies, materials or equipment for immediate delivery to meet emergencies arising from unforeseen causes, including delays by contractors, delays in transportation and an unanticipated volume of work. The conditions constituting such an emergency shall be defined by regulation. A written account of the circumstances of each such purchase shall be submitted to the commissioner and be available to the public at any reasonable time.

(d) Should the commissioner fail to place for the purchase of supplies, materials, or equipment for which requisition has been made by any agency within thirty (30) days of the receipt by the commissioner of such requisition, and provided that such purchases are authorized under section 1562 and funds of the agency are available therefor, said agency may itself directly purchase such supplies, materials, or equipment.

"SECTION 1568. Competitive bids. All purchases of, or contracts for, supplies, materials, equipment or contrac-

tual services shall be based on competitive bids whenever possible. The commissioner shall solicit sealed bids by sending notice to prospective suppliers and by posting notice on a public bulletin board in his office. He may solicit bids in any other reasonable manner which is designed to secure wide competition on each purchase, taking into consideration the amount of the purchase and the particular market conditions. Whenever the commissioner considers it necessary or desirable, he shall solicit sealed bids by publication of a notice including all pertinent facts thereto in a newspaper of general circulation in the Territory, once each week for two consecutive weeks before the final date for submitting bids. Whenever possible, all purchases shall be based on at least three competitive bids. The commissioner may solicit bids from suppliers outside the Territory. All bids shall be opened by the commissioner, or his authorized representative, at the time and place specified in the call for bids.

"SECTION 1569. Award of contracts. No expenditure of public funds shall be made for any project contained in any capital improvement budget except under contract let in the manner prescribed by this chapter. All such contracts shall be in writing and shall be executed by the commissioner in the name of the Territory. All purchases and contracts shall be awarded to the lowest responsible bidder, taking into consideration reasonable variations of prices in various parts of the Territory, the qualities of the articles to be supplied, their conformity with the specifications, their

suitability to the requirements of the Territory, any discounts allowed, transportation costs, and delivery terms. If any such bidder shall, within ten days, refuse to accept a contract awarded to him, such contract may be awarded to the next lowest responsible qualified bidder, and so on until such contract shall be awarded and accepted. When, in the opinion of the commissioner, the best interest of the Territory will be served thereby, he may order that any or all bids may be rejected. If all bids shall be so rejected, the commissioner shall advertise again for proposals and such proposals shall be opened, awarded and approved in like manner as herein provided. If all bids received on a pending order or contract shall be for the same unit price or total amount, the commissioner shall have authority to award the contract to one of the tie bidders by drawing lots in public, or to order the rejection of all bids and to order the purchase of the required supplies, materials, equipment or contractual services in the open market, but, in such an event, the price paid in the open market shall not exceed the bid price. Each bid, with the name of the bidder, shall be entered on a record, and each record, with the successful bid indicated thereon, shall, after the award of the order or contract, be open to public inspection.

"SECTION 1570. Unlawful purchases. When any agency or representative thereof shall purchase or contract for any

supplies, materials or equipment contrary to the provisions of this chapter, or to the rules and regulations promulgated in pursuance thereto, such order or contract shall be void and of no effect. The administrative head of any such agency or such representative thereof shall be personally liable for the costs of such order or contract, and, if already paid for out of territorial funds, the amount thereof may be recovered from any such person by the Territory in a civil action.

"SECTION 1571. Preference to homeproducts. The commissioner shall give preference to contracts with and purchases from citizens of the Territory. In giving such preference, no sacrifice or loss in quality shall be permitted. Whenever it shall be established that any purchase cannot be made within the Territory, or that the lowest bid received for such supplies, materials or equipment from citizens or firms which maintain regularly established places of business in the Territory exceeds by more than 10 per cent a bid, including transportation and delivery charges, received from a firm or individual outside the Territory, then such purchase may be made outside the Territory.

"SECTION 1572. Financing. Money shall be appropriated to the agencies based on estimates of their needs for the purchase of supplies, materials and equipment. However, the expenditure of such funds shall be effected by the commissioner, and shall be based on estimates agreed on jointly by the commissioner and the individual agency.

"SECTION 1753. Advisory board on standardization.

There is hereby created an advisory board on standardization referred to hereinafter as 'board', to be composed, ex-officio, of the heads of all principal agencies, or such representatives as they shall appoint.

The commissioner shall serve as chairman of such board, and the board shall adopt rules and regulations for its functioning. The board shall advise the commissioner in the adoption, amendment or modification of standard specifications. Standard specifications adopted by the commissioner shall, insofar as possible, follow the recommendations of the board.

"SECTION 1574. Mail service. All official mail of any agency designated by the commissioner under section 1555 (12) hereof as being under the jurisdiction of the central mail service established by him, shall be delivered unstamped to the central mailing station or stations. Account may be kept of the postage required on such mail, which may, for the purpose of maintaining adequate cost records, be charged against the respective agencies. Funds for the payment of all postage shall be appropriated to the commissioner but he may, from time to time, allot sufficient sums to cover postage obligations of agencies not included in the central mail service.

"SECTION 1575. Cooperative agreements with counties. The commissioner is hereby authorized to enter into any cooperative agreement with any county, after approval by the governor, concerning the purchase of supplies, materials and equipment, whenever, in the opinion of the commissioner,

benefit would accrue to either the Territory or the county and no loss would thereby accrue to the Territory.

"WARRANTS ON THE TREASURY

"SECTION 1576. Money drawn only on. Excepting moneys paid for the redemption of bonds of the territorial debt, and the interest coupons of the same, and for interest on overdue warrants, and drafts against special deposits and for expenses of the legislature, no money shall be drawn from or out of the treasury except upon warrants issued from the commissioner's office. Each such warrant shall be signed by the commissioner or by means of any mechanical check writer that may be adopted by the commissioner, and shall be made payable upon such date as may be approved by the treasurer to the order of the person to whom the Territory is directly indebted.

"SECTION 1577. Salaries, pensions. All warrants for permanent settlements, specific and all other salaries, excepting that of the commissioner, shall be drawn by the commissioner, payable to each individual to whom the Territory is directly indebted, except as provided for in section 1581, and the warrants shall be receipted for. No permanent settlements or salary warrants shall be paid by the treasurer until the person in whose favor the warrant is drawn shall have indorsed his signature thereon. The salary of the commissioner shall be paid by the treasurer when due as in this chapter before provided upon warrants approved by the governor.

The commissioner, and the auditors of the political subdivisions of the Territory shall, if so requested in writing by any employee or officer of the Territory or of any county, deduct from the compensation payable to such employee or officer for his territorial or county employment any membership dues or group insurance premiums to any organization which has for its membership more than a majority of the territorial and county employees and to pay such dues and premiums to such organizations for the account of such officer or employee.

"SECTION 1578. Payrolls. Warrants for payrolls of mechanics and laborers or others temporarily employed, may be drawn in advance and before the wages as shown by the payrolls shall have been receipted for by such mechanics, laborers and others, but in every such case, such payrolls shall have indorsed thereon the approval of the officer in whose department the liability or expense has been incurred, and also it shall be specially certified to by the officer directly incurring the expense that the services charged for have been faithfully performed. The commissioner shall take a receipt from the disbursing officer in whose favor such warrant for the payrolls has been drawn and shall retain such receipt until the payrolls shall have been properly receipted and returned to him. Under no circumstances shall the commissioner hold more than one such receipt from the same disbursing officer for payrolls under the same item of appropriation.

"SECTION 1579. Supplies, incidentals. Warrants for bills of material, supplies and incidentals of every kind and character whatsoever, shall be made payable to the order of the individual person to whom the Territory is indebted, except as provided in section 1581. Each original voucher in support of such warrants shall bear a certificate that all such materials, supplies or incidentals have been received in good order and condition and shall be signed by such persons or officers as the commissioner may designate.

"SECTION 1580. Contracts. All warrants for bills on account of contracts either as a whole or in part shall be made payable to the order of the person to whom the Territory is directly indebted, except as provided in section 1581. Each such bill shall bear a certificate that the work contracted for has been faithfully performed or that the materials and supplies as specified in the contract were in good and merchantable condition when received.

"SECTION 1581. To assignees. In case the individual person to whom the Territory is directly indebted shall indicate in writing over his signature on the back of his bill or receipt the name of any person to whose order he may wish the amount of the bill paid, it shall be lawful for the commissioner to draw the warrant for such amount payable to the order of the person so indicated.

"APPEALS FROM COMMISSIONER

"SECTION 1582. To supreme court justices. In case of any question or difference of opinion arising between the commissioner and any officer of the Territory regarding the proper appropriation to which any item or amount of expense shall be charged, or any other matter regarding the construction of this chapter, or the authority vested in either of them by this chapter, and in all cases where a sum of money shall be disallowed by the commissioner in consequence of the absence of a written voucher, or upon an imperfect voucher or an incorrect certificate, or if any person feel aggrieved by any decision of the commissioner in the rejection of the returns or refusal to approve or allow any demand presented by such person, any of the persons concerned may appeal from such decision to the justices of the supreme court, who after such investigation as shall by them be considered equitable, may make such order directing the relief of the appellant in whole or in part as shall appear to the justices to be just and reasonable, and the decision of the justices shall be final and binding upon all parties, and they shall govern themselves accordingly. If the demand of the officer, bill, or claim of any person, be approved, in whole or in part, by the justices, they shall so indorse their findings on the same and it shall thereafter be presented to the commissioner who shall enter it in the proper book in like manner with other demands and an indorsement must be made by the commissioner of its having been so entered before it can be paid.

"SECTION 1583. Vouchers required; procedure if not obtainable. The commissioner shall not recognize any claim of whatsoever nature unless a written statement or voucher be presented for the same. No warrant shall be issued in payment for any claim except upon proper indorsement of such voucher, notwithstanding any allegation of papers having been lost or destroyed, or of the impossibility of obtaining the prescribed voucher, so that it could not reasonably be obtained, except on application to one of the justices of the supreme court at chambers, who after summoning the commissioner, and such other persons as he may think fit, may, upon evidence satisfactory to him that the requisite papers have been lost or destroyed, or that it is impossible or impracticable to procure them, prescribe a form of voucher, which, bearing the approval of the justice, shall then be received by the commissioner and filed as in this chapter herein provided. All such substitute vouchers shall be considered binding on the Territory and all other parties.

"SECTION 1584. Procedure when voucher defective. When a voucher produced for a sum of money disbursed shall be defective from the want of any certificate or other document which ought to have accompanied it, it shall be lawful for the commissioner, upon proof being made to his satisfaction that the disbursing officer did not wilfully neglect to procure such certificate or document, and that the sum specified in the voucher has been actually and properly disbursed, to

admit such voucher as sufficient discharge of such officer, and to allow the amount of same to his credit.

DESTRUCTION OF RECORDS

"SECTION 1585. Destruction of records and vouchers. At the end of each fiscal year, the commissioner, with the approval of the auditor and the attorney general, may destroy all vouchers, documents and other records or papers on file with the commissioner or kept in his department for a period of more than ten years (exclusive of permanent records) which in his opinion are no longer of any use or value.

CHAPTER 25

AUDIT DEPARTMENT

"SECTION 1586. Audit department; auditor; deputy. There is hereby created an audit department. The department shall be under the supervision and control of an auditor, appointed and removable as provided by the Hawaiian Organic Act. There shall also be a deputy auditor.

"SECTION 1587. Oath of office. The auditor and deputy auditor shall, before entering upon the duties or exercising the powers vested in them by this chapter, make and subscribe before one of the justices of the supreme court, an oath of office or affirmation in the form in section 19 of the Organic Act, and every such oath or affirmation shall be kept among the records of the court.

"SECTION 1588. Deputy to act when. In case of illness or absence of the auditor, the deputy auditor shall exercise

the powers and perform the duties of the auditor.

"SECTION 1589. Appointments by auditor. The auditor shall appoint such professional clerical or other personnel as shall be necessary to carry out the provisions of this chapter. All such appointments shall be made in accordance with the provisions of chapters 2 and 3 Revised Laws of Hawaii 1945.

"SECTION 1590. Audit of accounts. The auditor, or his duly authorized deputy or assistants, shall examine and audit all accounts, reports and statements and make independent verification of all assets, liabilities, inventories, revenues and expenditures of all territorial agencies, of all counties and of all appropriations made by the territorial legislature at least once each year and at any other time if deemed advisable or if so directed by the legislature or the governor. Such examinations and audits shall include all accounts or funds held directly or in trust by the Territory, any county, or any agency, officer or employee thereof.

"SECTION 1591. Reports. The auditor shall make an annual report to the governor and the board of supervisors of each county, and a report to each regular session of the legislature. Such reports shall be in such detail as may be necessary to report fully his findings and shall include any recommendations that he may deem advisable, including any changes in organization, administration, methods, procedures or techniques for the purpose of improving the effectiveness and economy in the conduct of any agency or body whose accounts

he audits. He shall report to the governor, the attorney general, or the respective board of supervisors forthwith, any and all instances of misfeasance, malfeasance or nonfeasance or other irregularity which may be disclosed by any audit conducted by him. He shall make any additional reports upon request by the governor, any board of supervisors, legislature or any committee thereof.

"SECTION 1592. Duties when violations are discovered. If the auditor shall disclose any instance of misfeasance, malfeasance or nonfeasance, or any other irregularity on the part of any officer or employee of any county or any territorial agency, it shall be the duty of the attorney general or the respective county attorney to forthwith institute and prosecute such civil proceedings against such delinquent officer or employee, or upon his official bond, or both, as may be appropriate to secure to the Territory or county the recovery of any funds or other assets unlawfully expended or disposed of.

"SECTION 1593. Examining persons, books. The auditor shall cause to be made such investigations or examinations as he believes necessary in carrying out the provisions of this chapter, and he or his duly authorized deputy or assistants shall have power to administer oaths in connection therewith. Officers and employees of all agencies shall assist him, when and as he may require, in such investigations and examinations. He may cause search to be made and extracts to be taken from every book, paper or record in the custody of any public officer without paying any fee for the same and it shall be the duty

of every officer having the custody of any such book, paper or record to make such search and furnish such extracts as requested.

"SECTION 1594. No privilege to witnesses; immunity from prosecution. No witness before the auditor or his duly authorized deputy or assistants shall be privileged to refuse to testify to any fact or to produce any paper, respecting which he shall be examined, upon the ground that his testimony to such fact or his production of such paper might incriminate himself, but no prosecution can afterwards be had against him for any offense concerning which he has testified. Any official paper or record produced by such witness is not within such privilege.

"SECTION 1595. Penalties. Any officer, employee, or person who shall fail or neglect to conform to any of the provisions of this chapter, or shall fail or neglect to attend the auditor or his duly authorized deputy or assistants for the purpose of being examined or to produce any accounts, books, vouchers or other documents or to answer any other lawful question when required to do so by the auditor or his duly authorized deputy or assistants, shall be liable to a penalty of not less than $25, nor more than $500, on conviction.

"SECTION 1596. Accounting system. The auditor shall advise the commissioner of finance and boards of supervisors of each county concerning the system of accounts records and books to be used by all territorial agencies and county agencies. Accounts, records and books shall be kept only

by such systems as have been approved by the auditor.

Chapter 26. TREASURY
PAYMENTS INTO TREASURY

"SECTION 1597. By Honolulu accountants. Every public accountant collecting or receiving revenue or other moneys aforesaid in Honolulu shall pay weekly, or at such other times as may be otherwise specially appointed, into the treasury all sums of money collected or received by him on account of the revenue or otherwise as aforesaid, accompanied by vouchers bearing his signature, and which such sums shall have been collected or received, and unless specially directed, shall, not later than the fifth day after the expiration of each month, transmit to the commissioner a return under oath, with such particulars in each case as may be required by the commissioner, of all moneys collected or received by him during the preceding month.

"SECTION 1598. By accountants out of Honolulu. Every public accountant collecting or receiving revenue or other moneys as aforesaid out of Honolulu shall transmit or pay monthly, or at such times as may otherwise be appointed, into the treasury all sums of money collected or otherwise received by him on account of the revenue or otherwise as aforesaid, accompanied by vouchers bearing his signature, and containing a full and accurate description of the services for which such sums shall have been collected or received, and unless otherwise specially directed, shall, on or before the tenth day after the expiration of each month, transmit to the commissioner, by post or otherwise, a return under oath, with such particulars in each case as may be required by the commissioner, of all moneys collected

or received by him during the preceding month.

"SECTION 1599. Deposits in bank. Every public accountant other than the treasurer, receiving or disbursing money belonging to the Territory may deposit to his official credit and keep all moneys received by him in such banks as may be designated therefor by the treasurer with the approval of the governor until such moneys are remitted to the treasurer as required by law, and such public accountant shall not be responsible for such moneys while so deposited.

"SECTION 1600. Payment to Territory under protest. Moneys representing a claim in favor of the Territory may be paid to a public accountant of the Territory under protest in writing by the person making such payment, or by his agent, setting forth the grounds of such protest, in which event the public accountant to whom such payment is made shall hold the money so paid for a period of thirty days from the date of payment.

Action to recover the money so paid, or proceedings to adjust the claim may be commenced by the payer or claimant against the public accountant to whom the payment was made, in a court of competent jurisdiction, within such period of thirty days and in default of bringing such suit or proceedings within such period, the money so paid shall be by such accountant deposited in the treasury of the Territory, and the same shall thereupon become a government realization.

If action to recover the money so paid under protest, or proceedings to adjust the claim, shall be commenced within

thirty days after payment of the money under protest, the amount so paid shall be transmitted by the public accountant to the treasurer of the Territory who shall hold the same as a special deposit pending the final decision of the cause. If the final decision shall be in favor of the claimant, the treasurer shall pay to him out of such special deposit, such amounts as shall have been ascertained by the treasurer from a certified copy of the judgment of the court, in which the cause was finally determined, which shall be his authority and warrant for such payment.

"SECTION 1601. On death, moneys to successor. On the death, resignation or removal of any public accountant the balance of public moneys remaining in his hands shall, upon the appointment of his successor, unless otherwise directed by law, vest in such successor, and shall not in the event of death of any public accountant constitute assets of the deceased or be in any manner subject to the control of his legal representative.

"SECTION 1602. Commissioner to enforce payments, collections. The commissioner, upon the receipt by him of the returns required to be furnished by public accountants, billing, receiving or collecting moneys as hereinafter in this chapter provided, shall examine and compare the same with the schedule of accounts receivable, cash receipts and with the accompanying vouchers and documents, if any, and shall allow and discharge every public accountant for all sums shown to have been by him respectively received or

collected and duly paid into the treasury, and shall disallow and surcharge such public accountant for all sums wilfully or negligently omitted to be received or collected by him, which under any law or regulation it was his duty to receive or collect, and all sums not duly paid by him into the treasury, and such unsatisfied surcharges shall be by him enforced against such public accountant.

"SECTION 1603. Powers in examination. In the examination of all territorial accounts and statements and all other documents produced as vouchers, or as subordinate vouchers, the commissioner shall make such queries and observations addressed to the public accountants, officers certifying accounts, or persons in any way concerned with the receipt or disbursement of the moneys or funds referred to in this chapter, and shall call for such further accounts, vouchers, statements and explanations as he may think necessary, and after such queries and observations have been answered, and after such further accounts and explanations have been rendered, the commissioner shall disallow and surcharge all sums not duly credited to the proper fund and paid into the treasury, and shall disallow and surcharge all sums disbursed in excess or not duly vouched and authorized, against such public accountant, officers certifying accounts or other persons through whose default such surcharges have arisen, and until such failure shall have been made good to the satisfaction of the commissioner, all salary or other moneys that may be due and payable to such public accountant or other person shall be withheld.

"SECTION 1604. Receipts and payments. For all moneys paid into the treasury there shall be prepared three receipts, two of which shall be signed for the money, which shall be alike, excepting that upon the face of one of them shall appear the word "original" and on the others the words "duplicate" and "triplicate", respectively. Such receipts shall specify the amount and from what person or officer received and into what fund or what account deposited. On the triplicate copy of such receipt shall be entered a memorandum of the contents thereof, and the treasurer shall deliver both the original and duplicate receipts to the person or officer paying the money into the treasury. Such officer or person shall forthwith present both receipts to the commissioner of finance, who shall countersign the original receipt and file the duplicate, after writing upon its face the day of its delivery to him, and charging the treasurer with the amount specified therein, and crediting the fund or account named thereon. No such receipt shall be considered valid or binding as against the Territory unless so countersigned as in this chapter before provided.

PAYMENTS OUT OF TREASURY

"SECTION 1605. Treasurer to keep cash book. The treasurer shall keep in his office a cash book in which shall be entered up all sums received and paid out of the treasury on account of the several territorial agencies.

"SECTION 1606. Warrants, payment, issue of treasurer's warrant notes. Every lawful demand upon the treasury, duly pre-audited as in this title before provided, shall in all cases be paid by the treasurer on the date authorized and enfaced thereon or as soon thereafter as presented if there

be sufficient funds at that time in the treasury applicable to the payment of such demand. Upon payment, all warrants shall be cancelled and proper entry be made thereof. If there are no sufficient moneys so applicable, the treasurer shall issue in lieu thereof, of a treasurer's warrant note or notes, equal in amount to the face value of the warrant or warrants so presented for payment.

The governor and treasurer shall determine the rate of interest each treasurer's warrant note shall pay, which interest shall not be in excess of 5 per cent per annum.

The treasurer's warrant notes may be issued for the combined face value of any number of warrants or treasurer's warrant notes previously issued against the same fund. Except for those notes issued to redeem treasurer's warrant notes previously issued, no warrant note shall be issued except in payment of a warrant or warrants presented for payment as in this section provided. The treasurer shall cancel every warrant or warrant note presented as hereinbefore mentioned.

All such treasurer's warrant notes shall be issued upon the credit of the Territory, and the interest thereof shall be exempt from taxation.

"SECTION 1607. Interest designated on warrant note. When the treasurer pays any note upon which interest is due, he shall designate on the warrant note the amount of interest paid thereon, and enter on his account the amount of such interest distinct from the principal.

"SECTION 1608. Notice of payment; warrant notes advertised by number. When there are sufficient moneys in the treasury to pay warrant notes, the treasurer shall give notice for one week in one or more daily newspapers in Honolulu, stating therein that the warrant notes whose numbers appear in the advertisement are payable, and that interest shall cease upon all such called warrant notes ten days after the first publication of such notice.

"SECTION 1609. Warrants barred when. No warrant upon the territorial treasury shall be paid unless presented at the treasury for payment before the close of the biennial period next after the biennial period in which it shall have been issued. All warrants not so presented within such time shall be deemed to have been paid, and any moneys held at the expiration of such time in a special fund or account for the payment of such warrants shall thereupon be transferred to the general fund.

"SECTION 1610. Destruction of warrants, bonds, etc. The treasurer and auditor of the Territory are hereby authorized and empowered to supervise and conduct the burning and destruction of all warrants of the Territory and all territorial bonds and interest coupons which have been paid and which bear any date ten years prior to the date of burning and destruction.

"SECTION 1611. Examination before destruction. Before the burning and destruction of such warrants, bonds and interest coupons the auditor of the Territory shall conduct such examina-

tion and investigation as is necessary to determine that the warrants, bonds and interest coupons to be burned and destroyed bear any date ten years prior to the date of burning and destruction.

COUNT OF MONEY

"SECTION 1612. Count of money and securities. The auditor shall, on the last day of July of each year, and at such other times as he or the governor may deem proper, count the money and securities in the territorial treasury and prepare, in quadruplicate, statements showing:

1. The amount of money that ought to be in treasury;

2. The amount and kind of money actually therein;

3. The amount of securities owned by the Territory that ought to be in the treasury;

4. The amount of securities owned by the Territory actually in the treasury;

5. The amount of depository securities that ought to be in the treasury; and

6. The amount of depository securities actually in the treasury.

"SECTION 1613. Statements of count to be filed. The auditor shall file the original of the statements with the governor and copies with the treasurer and the commissioner of finance, and shall post and maintain one copy in his office for at least one month thereafter."

SECTION 2. Powers transferred to the commissioner of finance. The following powers and duties are hereby trans-

ferred to the commissioner of finance:

(1) All powers and duties presently vested in the director of the bureau of the budget;

(2) The powers and duties presently vested in the auditor, except those relating to the post-audit of accounts;

(3) The powers and duties presently vested in the superintendent of public works relating to the allocation of office space as specified in Section 1555 (13).

(4) All powers and duties presently vested in the board of disposal.

SECTION 3. Powers transferred to auditor. All powers and duties heretofore vested in the bank examiner or deputy bank examiner relating to the audit of county books are hereby transferred to the auditor.

SECTION 4. Transfer of equipment and records. All property, including but not limited to equipment, supplies and records, which are directly related to, or necessary for use in connection with, any of the functions which have been, or may at any time be, assigned to the department of finance in accordance with this Act, is hereby transferred to that department from the agency heretofore performing those functions, and any such property directly related to, or necessary for use in connection with, any of the functions which have been assigned to the audit department is hereby transferred to that department from the agency heretofore performing those functions.

SECTION 5. Transfer of personnel. The commissioner or the auditor, as the case may be, is hereby authorized to transfer from the agency by which they are now employed,

to the department of finance or audit department, such employees whose employment is covered by chapters 2 and 3 Revised Laws of Hawaii 1945 as he may deem necessary whose principal duties have been the performance of any function which has been, or may at any time be, assigned to the department of finance or audit department in accordance with this Act. No such employee shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave or other employee benefits or privileges by reason of such transfer, subject, however, thereafter to any changes in status made pursuant to chapter 2. Any permanent employee whose principal duties have been the performance of any function which has been transferred to the department of finance or audit department, as the case may be, under this Act who has not himself been transferred to the department of finance or audit department or has not been retained by the agency from which that function has been transferred, because of the passage of this Act, shall, for each day following the termination of his services, receive termination pay, payable on a monthly basis, in an amount equal to one day's base pay for the position he held at the time of severance, provided, however, (1) that said termination pay shall not exceed a total amount equal to eighteen days' base pay and, in addition, six days' base pay for each credited year of service with the territorial government; (2) that such termination pay shall not accrue on or after any day on which such employee is reemployed by any territorial agency or in any public or private service; and (3) that such termination pay shall not accrue following the date on which such employee

refuses to accept an appointment to a position of equivalent classification in the territorial civil service. Any such employee shall have top priority in transfer or re-employment to any position in any other territorial agency for which he qualifies and he shall be first employed by such agency in the event of any such opening or vacancy in that agency.

Claims for such termination pay shall be made to and approved by the director of the territorial civil service commission on such forms and with such supporting information as he may prescribe. Warrants in payment of such approved claims shall be drawn by the commissioner of finance and shall be paid out of the general revenues of the Territory and there is hereby appropriated out of such general revenues sufficient moneys for this purpose.

SECTION 6. Conflicting acts repealed. All laws or parts of laws inconsistent herewith are hereby amended to conform to the provisions of this Act.

SECTION 7. Short title. This Act may be cited as the "Finance Reorganization Act of 1951".

SECTION 8. This Act shall take effect July 1, 1951.

Introduced by:

Senator, 3rd District.

Honolulu, T.H.,
Feb. 26, 1951.

S. B. No. 70
S. D. 1

A N  A C T

RELATING TO THE ORGANIZATION OF CERTAIN EXECUTIVE AGENCIES OF THE TERRITORY OF HAWAII; CREATING A DEPARTMENT OF FINANCE; CREATING AN AUDIT DEPARTMENT; DEFINING THEIR POWERS AND DUTIES; ABOLISHING CERTAIN AGENCIES; TRANSFERRING CERTAIN POWERS AND DUTIES, AND AMENDING TITLE 4, REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Title 4, Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"CHAPTER 24. DEPARTMENT OF FINANCE.

Sec. 1551. Definitions. Wherever used in this title, unless the context clearly indicates otherwise, the word 'department' or 'finance department' shall mean the department of finance established herein. The word 'commissioner' or 'finance commissioner' shall refer to the commissioner of finance. The word 'auditor' shall mean the territorial auditor. The term 'territorial agency' or 'agency' shall include, unless specifically excluded in this title, every office,

department, board, council, commission, institution or other division of the executive and judicial departments of the territorial government.

Sec. 1552. Department of finance. There is hereby created a department to be known as the department of finance.

Sec. 1553. Commissioner. The department of finance shall be under the supervision and control of a commissioner. He shall be appointed by the governor in accordance with the first paragraph of section 80 of the Hawaiian Organic Act. He shall hold office at the pleasure of the governor and until his successor is appointed and shall qualify. He shall receive such salary as shall be provided by law.

Sec. 1554. Appointments by the commissioner. (a) The commissioner is hereby authorized to appoint, with the approval of the governor, an assistant or deputy commissioner, who shall also be the budget director, and not more than four division directors, including, but not limited to, a controller, who shall be in charge of accounting and pre-auditing, and a purchasing agent, and he may delegate to such assistant, deputy or division directors full authority to

perform any of the duties imposed on him. Such positions shall not be subject to the provisions of chapters 2 and 3.

(b) The commissioner may also appoint such other technical, professional or clerical personnel as he may deem necessary to carry out the provisions of this chapter. All such appointments shall be made in accordance with the provisions of chapters 2 and 3.

Sec. 1555. Powers and duties of the commissioner. The commissioner shall have the power and authority, and it shall be his duty, subject to the provisions of this chapter:

(1) To formulate a budget plan and prepare a budget for each fiscal period.

(2) To control expenditures under such system of allotments as may be prescribed by law.

(3) To approve requests for and to effect the transfer, within any agency, of funds appropriated to that agency, unless otherwise prescribed by law.

(4) To investigate and study continuously the organization and administration of the various territorial agencies and keep the governor fully informed concerning such organization and administration; to recommend to the governor any changes in organization, administration, methods, procedures or techniques for the purpose of achieving effect-

iveness and economy in the conduct of the government; to recommend to the territorial personnel director, in connection with any such study or investigation, that a position classification study be made of any position or positions in the territorial civil service; to make such investigations, studies and recommendations for the legislature, or any committee thereof, upon request.

(5) To examine every purchase order, receipt, account, bill, claim, refund and demand against the Territory arising from activities carried on by all agencies; to approve each legal, correct and proper claim, to designate the account to be charged therefor, and to issue a warrant on the treasurer for the payment thereof in the manner provided by law.

(6) To maintain centralized accounting records for all agencies wherever practicable, keeping the general books of account on a double entry basis, and maintain such accounts as will reflect, in detail or in summary, all assets, liabilities, reserves, surpluses, revenues and receipts, appropriations, allotments, expenditures and encumbrances. The accounting records and procedures shall be approved by the auditor and shall be such as will provide complete fiscal accountability over all agencies of the Territory and over all activities carried on by them.

(7) To furnish each agency, no less frequently than at the close of each allotment period, a state-

ment showing the status of its appropriations and allotments.

(8) To make such financial reports as he may deem necessary or as may be requested by the governor or legislature; to prepare and submit to the governor and the legislature, immediately following the close of each fiscal year, a general financial report for the year for all funds including the unencumbered balance on hand in each of such funds.

(9) To prescribe, with the advice and approval of the auditor, the system of accounts, statements and estimates, and the form of all financial records and documents used by all agencies, and to require, supervise and control the use of such systems and forms by all such agencies; to prescribe such accounting standards as may be necessary for any organization, association or other body, any part of whose income is derived from territorial funds, except this shall not include any county.

(10) To provide for the printing and distribution of all territorial publications and printed material of whatsoever nature, which may include printing required by the legislative department, but excluding all technical and professional publications of the University of Hawaii. To supervise and control the form of all such printed

material for the purposes of effecting economy and efficiency, coordinating such material, avoiding duplication and making it useful and informative to the public, but the commissioner shall make no changes or alterations in the substance of any such publications or material.

(11) To control, supervise and approve all forms in use in all territorial agencies and to maintain a complete and continuous record of all such forms.

(12) To operate a central duplicating service and central mail and messenger services and such other central administrative services as may hereafter be established. To determine, with the approval of the governor, which agencies shall be included in such central services. To effect such transfer of equipment as he may deem advisable in connection therewith. To approve at any future time the use of such equipment by an individual agency, if such should be necessary or practical.

(13) To promulgate, with the approval of the governor, rules and regulations relative to travel of territorial officers and employees on territorial business and the expenses incurred therein, and to enforce such rules and regulations.

(14) To control and supervise the use of all motor vehicles owned or in use by the Territory,

and to make and enforce rules and regulations relative to their use by all territorial agencies and employees.

(15) To canvass all sources of supply and to contract for the purchase of all supplies, materials and equipment required by all agencies, under competitive bidding in the manner hereinafter provided, and to provide for inspecting and testing the same. Supplies, materials and equipment shall be interpreted to include, without limiting the generality of the foregoing, all printing, binding, legal notices, repairs, rentals, insurance, fidelity bonds and all utility services.

(16) To adopt and enforce standard specifications wherever possible for the purchase or use of supplies, materials and equipment for all agencies and to make, or cause to be made, any test, examination or analysis necessary therefor. Each standard specification shall, until revised or rescinded, apply in like terms and effect to each future purchase and contract for such commodity.

(17) To rent or lease, with the approval of the governor, all ground, buildings, offices or other space required by all agencies for terms in excess of two years, or without such approval, for terms of less than two years.

(18) To approve all written, formal contracts

entered into by or on behalf of the Territory or any agency thereof, for the purchase of supplies, materials and equipment, certifying as to the availability of funds and the compliance of such contracts with law and with regulations issued in accordance with section 1556, but such contracts shall be approved as to form by the attorney general. To prescribe the amount of any certified check, deposit or bond to be submitted in connection therewith, unless otherwise prescribed by law.

(19) To have custody and supervision over all territorial central storerooms and inventories therein. The commissioner may except from his immediate supervision and control any storeroom in use by any single agency.

(20) To maintain complete inventories covering all territorial property. To require all agencies and each county to report the property in their custody or possession in such form and at such intervals as he may deem necessary.

(21) To sell or otherwise dispose of any surplus, unused, discarded or obsolete supplies, materials and equipment in the manner most advantageous to the territorial government. All moneys received from the sale of any such property, except property of the board of harbor commissioners, the Hawaii aeronautic commission and the territorial highway department, shall be credited to

the general fund of the Territory.

(22) To transfer to or between any agencies, in such manner as may be necessary or practical, any supplies, materials or equipment.

(23) To establish, whenever necessary, petty cash funds for the use of any agency, upon application by the agency, but no such petty cash fund shall exceed the sum of $5,000.00.

(24) To perform any or all services or functions herein set forth for the legislative department or any agency thereof upon its request.

(25) To investigate continuously the risk exposure of the Territory, to take such action as may be necessary or advisable to reduce such risk and to insure against such risk in accordance with accepted methods and principles of insurance and government finance. Preference in placing insurance shall be given companies, agents or brokers authorized to do insurance business in the Territory.

Sec. 1556. Rules and regulations. The commissioner shall have the power to make, amend or rescind rules and regulations, not inconsistent with law, respecting any matters within the scope of the powers and duties hereby conferred, which rules and regulations shall have the force and effect of law. He shall make rules and regulations as follows:

(1) To prescribe the manner in which purchases

shall be made in accordance with section 1567.

(2) To prescribe the manner in which all supplies, materials and equipment shall be delivered, stored and distributed.

(3) To prescribe the manner of inspecting deliveries of supplies, materials or equipment and making chemical or physical tests of samples submitted with bids and samples of delivered supplies to determine their compliance with specifications.

(4) To prescribe the manner and form in which requisitions and estimates are to be submitted and the manner of their authentication.

(5) To require and prescribe the form and regular reports by all agencies of stocks of supplies, materials and equipment, including such items as may be unused, obsolete, surplus or discarded.

(6) To provide for the transfer to or between all agencies of any supplies, materials or equipment.

(7) To prescribe the method of obtaining bids and the procedure for the letting of contracts on behalf of the Territory or any agency thereof except contracts respecting public works, required to be let under chapter 9, sections 351-357, Revised Laws of Hawaii 1945, ~~inclusive~~.

(8) To determine whether a deposit or bond is to be submitted with a bid or contract and to prescribe the amount and form of such deposit or bond, if required, unless otherwise prescribed by law.

(9) To prescribe the procedure and form for determining the responsibility of bidders.

(10) To prescribe the procedure for supervision and approval of all forms controlled by the commissioner.

(11) To prescribe standards of form for all territorial printing and the manner in which the form of all such printing or proposed printing shall be controlled, but this shall not apply to any printing specifically excluded by section 1555 (10).

(12) To prescribe the manner in which each central administrative service shall be operated.

(13) To prescribe the manner in which petty cash funds shall be requested and established and the method of disbursing the same.

(14) To provide for all other matters which may be necessary to effect the provisions and the rules and regulations of this chapter.

Sec. 1557. Budget estimates. (a) It shall be the duty of the commissioner to prepare the budget for all agencies, subject to the approval of the governor. Such budget shall include all proposed expenditures and anticipated receipts from whatsoever source.

amended

fixed charges etc (2) 743

(b) The commissioner shall furnish to all agencies, at such time as he may prescribe, but not later than the fifteenth day of August preceding each session of the legislature, budget esti-

mate forms on which he shall show where necessary and in such detail as may be appropriate, for the last two completed fiscal years, the actual receipts of such agency by source and the actual expenditure for the administration, operation, maintenance and support of such agency; and he shall also show for the current fiscal year the appropriations and the receipts as estimated in the budget. The commissioner, however, may instead require the agencies to enter these data on the budget estimate forms from the agencies' own records when feasible.

(c) On or before the fifteenth day of October of each fiscal period, every agency shall submit to the commissioner a written statement on the said budget estimate forms furnished by the commissioner showing in such detail as the commissioner may direct the following:

(1) For the current fiscal year: the most recent estimate of receipts of such agency by source and the estimated expenditures to be made for the administration, operation, maintenance and support of such agency;

(2) For the next ensuing fiscal period: the total estimated receipts of such agency from whatsoever source and the estimated expenditures necessary to be made for the administration, operation, maintenance and support of such agency;

(3) A written statement setting forth the necessity for all such classes or types of estimated expenditures as the commissioner may require;

(4) Proposals for expenditures for new projects, constructions, additions, buildings, improvements, undertakings or expansions of the work of the agency which require capital outlay;

(5) Data concerning the source of all moneys which are available for expenditure by the agency;

(6) A statement of the work program accomplished during the current fiscal period and of the work program proposed to be accomplished during the next fiscal period; and

(7) Any other related estimates, data or information which the governor or commissioner may request.

The commissioner shall prepare estimates for all agencies which fail to file requests.

(d) On or before the fifteenth day of October of each fiscal period, the territorial tax commissioner shall submit to the commissioner a written statement in the form and in such detail as shall be prescribed by the commissioner, showing the estimated tax receipts and collections under the existing laws for the next fiscal period.

(e) The commissioner may from time to time call for any additional or more detailed information from any agency, and shall have authority to make or cause to be made such examinations or investigations into the operation of any such agency as in the discretion of the commissioner may be necessary to enable him to determine intelligently the estimates for appropriations which should be recommended and included in the budget.

Sec. 1558. Budget document. The governor shall transmit to the legislature on the first day of each regular session, and to each of the members thereof not less than twenty days before the legislature convenes, a budget setting forth a complete plan of proposed expenditures and anticipated receipts of the Territory for the ensuing fiscal period, together with such other information as the legislature may require. The budget shall be compiled in two parts, one setting forth all proposed operating expenditures, to be known as the 'operating budget', and the other, all capital improvements expenditures to be undertaken during such period, to be known as the 'capital budget'. The capital budget shall contain a schedule showing all capital improvements expenditures planned to be undertaken during the next ten years, the purposes for which such expenditures are planned and the proposed means of financing them.

The governor shall also, upon the opening of the session, submit bills to provide for such proposed expenditures and for any recommended additional revenues or borrowings by which the proposed expenditures are to be met.

The budget document shall contain:

(a) A message by the governor including his recommendations with respect to the fiscal policy of the Territory for the next fiscal period, describing the important features of the budget plan, embracing a general budget summary which shall include a statement showing the following: (1) a statement of total anticipated revenues and total proposed expenditures; (2) his recommendations for financing the government; and (3) comparable figures for the present fiscal year and at least the last two completed fiscal periods.

(b) Detailed budget estimates of expenditures, revenues and debt service, including a statement of bonded indebtedness of the Territory as of December 31, next preceding the legislative session. Appropriations, estimated expenditures and estimated receipts for the current fiscal period and comparable data for at least the last fiscal period. All such figures shall be in detail, classified by agency, and shall include all territorial funds and receipts, as well as all federal funds or other income. It shall con-

tain all information which, in the opinion of the governor, is necessary or desirable to make known in all practical detail the financial condition of the territorial government.

(c) Detailed financial plans relating to any projects, construction, improvements, additions, buildings, undertaking or expansion of the work of the Territory requiring capital outlays.

The commissioner shall, upon request, furnish the governor or the legislature with any further information concerning the budget, and shall, upon request, and may at other times, attend legislative committee meetings or hearings concerning the budget.

Sec. 1559. Supplemental or deficiency estimates; central contingent fund. The governor from time to time may transmit to the legislature supplemental or deficiency estimates for such appropriations or expenditures as in his judgment may be necessary on account of laws enacted after the transmission of the budget, or are otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reason for their omission from the budget, and proposed means of financing such proposed supplemental or deficiency appropriation.

Central contingent fund. There is hereby established in the custody of the commissioner

a central contingent fund which shall consist of all moneys appropriated to it and all unobligated balances remaining in any agency appropriation at the close of the first fiscal year of any biennial period for which an appropriation has been made. The unobligated balance remaining in such fund at the close of the biennial fiscal period shall revert to the general fund. Such fund shall be in addition to the governor's contingent fund. Transfers from the central contingent fund to various agencies shall be made by the commissioner subject to the following provisions:

(1) Such transfers shall be subject to allocation and expenditure in the manner prescribed by this section and shall be made only to meet emergency and unanticipated expenditures of the Territory as provided in subsection (2) of this section.

(2) For the purpose of this section, the term 'emergency and unanticipated expenditures' shall mean expenditures deemed necessary or essential to the proper and efficient functioning of the territorial government or the rendering of governmental services by the Territory, in order to meet emergencies and requirements of the Territory not anticipated by the legislature when the current budget was adopted, and

for which moneys other than from the fund created by this section are not available or sufficient.

(3) Allocations or expenditures to any agency from the central contingent fund shall be made by the commissioner with the approval of the governor.

(4) Moneys expended from the central contingent fund shall be expended, subject to the same provisions of law which govern the payment of moneys directly appropriated to such agency.

Sec. 1560. Estimates or requests not submitted by agency except by request. No estimate or request for an appropriation and no request for an increase in an item of any such estimate or requests, and no recommendation as to how the revenue needs of the government shall be met, shall be submitted to the legislature, or any committee thereof, by any officer or employee of any agency, unless at the request, by resolutions, of either the senate or the house of representatives.

Sec. 1561. Claims for legislative relief must be filed with; conditions. All claims for refund, reimbursements or other payments, which claims arose 60 days or more before the convening of any regular legislative session, authorization for which is sought from the legislature, shall, as a condition to their being considered by the

legislature, be filed in quadruplicate with the commissioner at least thirty days prior to the convening of the legislature, together with quadruplicates of all data and documents in support thereof. In the absence of a showing of sufficient reason therefor, failure to comply with the provisions of this paragraph shall be deemed sufficient cause for refusal of the legislature to consider such claims.

It shall be the duty of the commissioner immediately upon receipt thereof to refer any such claim and data so received by him to the head of the department, bureau, board or commission concerned, and it shall be the duty of such person to whom such reference is made immediately to investigate the claim, secure in triplicate all available data and documents bearing thereon, and prior to the convening of the legislature refer the same back to the commissioner with his recommendations thereon. It shall be the duty of the commissioner, within five days after the opening of the session, to transmit such claims, together with all accompanying data so presented, to the committee on ways and means of the senate and the committee on finance of the house of representatives.

Claims which arise within such 60-day period, or during any legislative session may

be filed with the commissioner immediately and he shall refer such claim as above. Within 30 days after the receipt of such request, the commissioner shall transmit such claim and data thereon, to the committees above stated.

Sec. 1562. No expenditures to be made for items not authorized by the legislature or the governor. No head of any agency shall expend or be allowed to expend any sum for any purpose whatsoever not authorized by the legislature, and where distribution or expenditures are made under lump sum appropriations, the head of each agency shall be governed in making such distribution or expenditures by any authority of the legislature, and in the absence of such legislative authority shall be governed by the authority and approval of the governor.

Sec. 1563. Allotment system. For the purpose of the quarterly allotment system, each fiscal year shall be divided into four quarterly allotment periods, beginning, respectively, on the first days of July, October, January and April; provided that in any case where the quarterly allotment period is impractical, the commissioner may prescribe a different period suited to the circumstances, not extending beyond the end of the fiscal year.

Every agency shall submit to the commissioner at such times and in such form as he shall prescribe, an estimate for the next allotment period of the amount required for each activity to be carried on and the purposes for which the money is to be expended.

If the estimate is within the terms of the appropriation as to amount and purposes, having due regard for the present and probable future needs of the agency for the remainder of the fiscal year or other terms for which the appropriation was made, the commissioner shall approve the same and allow the estimated amount for expenditure. Otherwise the commissioner shall modify the estimate so as to conform with the terms and the intent of the appropriation and the present and prospective needs of the agency and shall reduce the amount allotted accordingly. The commissioner shall notify every agency of its allotments at least 10 days before the beginning of each allotment period; he shall also notify the territorial auditor. The total amount allotted to any agency for the fiscal year or other term for which the appropriation was made shall not exceed the amount appropriated for such year or term.

In case the commissioner shall determine at any time that the receipts from any source will be substantially less than the estimated receipts

upon which appropriations were based, and that as a result the amount available for the remainder of the term of the appropriation or for any allotment period will be substantially less than the amount estimated or allotted therefor, and that a substantial deficit will be caused thereby, he may, with the approval of the governor and after notice to the agency concerned, reduce the amount allotted or to be allotted so as to minimize or prevent such deficit; In like manner he may reduce the amount allotted or to be allotted to any agency by the amount of saving which can be effected upon previous estimates of expenditures.

In case the commissioner shall determine at any time that the purpose for which an appropriation was made can be accomplished within an amount below the appropriation because of improved methods or unanticipated revenues, he may, with the approval of the governor, reduce the amount allotted or to be allotted.

Sec. 1564. Accounting system. The commissioner shall maintain an accounting system which shall show at all times, for all agencies and all funds, actual balances on hand and the unencumbered balances after deduction of all actual and authorized expenditures, and such additional information as will reflect the complete financial picture of such agencies and funds, but such sys-

tem shall be subject to approval by the auditor. The commissioner may, with the approval of the auditor, delegate record-keeping duties to specified agencies when it is determined that such delegation will result in greater efficiency and economy.

Sec. 1565. Pre-audit of expenditures. Except in emergencies, no payment shall be made and no obligation shall be incurred against any fund, allotment or appropriation unless there is a sufficient unencumbered balance in such fund, allotment or appropriation to meet such payment or obligation. Any payment made in violation of this provision shall be void and of no effect, and every official authorizing or making such payment, or taking part therein, and every person receiving such payment, or any part thereof, shall be jointly and severally liable to the Territory for the full amount so paid or received.

Sec. 1566. Unobligated capital improvements appropriations; commissioner's recommendations. If no bona fide expenditures or encumbrances have been made from or against any appropriation for capital improvements within a period of 18 months following the effective date of the appropriation, no expenditure or encumbrance shall be made after such period unless the legislature has, by

joint resolution, extended the time within which such expenditures or encumbrances may be made for an additional period of 18 months. The commissioner shall, prior to the convening of each legislature, examine each such appropriation and shall report to the legislature on those appropriations from which no bona fide expenditures have been made or against which no encumbrances have been entered, and shall recommend appropriate action to the legislature. The commissioner shall be the judge of the bona fide character of any expenditure or encumbrance.

Sec. 1567. Purchasing. (a) It shall be the duty of the commissioner to contract for the purchase of all supplies, materials and equipment required by all agencies.

(b) The commissioner may authorize any agency, under rules and regulations prescribed by him, to purchase directly specified supplies, materials and equipment; but, in making such purchases, the agency shall call for bids and proceed otherwise in the manner as prescribed by rule or regulation of the commissioner.

(c) The commissioner may purchase, or may authorize any agency to purchase, in the open market, without filing requisitions or estimates, specific supplies, materials or equipment for immediate delivery to meet emergencies arising from

unforeseen causes, including delays by contractors, delays in transportation and an unanticipated volume of work. The conditions constituting such an emergency shall be defined by regulation. A written account of the circumstances of each such purchase shall be submitted to the commissioner and be available to the public at any reasonable time.

(d) Should the commissioner fail to place an order for the purchase of supplies, materials, or equipment for which requisition has been made by any agency within 30 days of the receipt by the commissioner of such requisition, and provided that such purchases are authorized under section 1562 and funds of the agency are available therefor, said agency may itself directly purchase such supplies, materials or equipment.

Sec. 1568. Competitive bids. All purchases of, or contracts for, supplies, materials and equipment shall be based on competitive bids whenever possible. The commissioner shall solicit sealed bids by sending notice to prospective suppliers and by posting notice on a public bulletin board in his office. He may solicit bids in any other reasonable manner which is designed to secure wide competition on each purchase, taking into consideration the amount of the purchase and the

particular market conditions. Whenever the commissioner considers it necessary or desirable, he shall solicit sealed bids by publication of a notice including all pertinent facts thereto in a newspaper of general circulation in the Territory, once each week for two consecutive weeks before the final date for submitting bids. Whenever possible, all purchases shall be based on at least three competitive bids. The commissioner may solicit bids from suppliers outside the Territory. All bids shall be opened by the commissioner, or his authorized representative, at the time and place specified in the call for bids, unless such time has been extended or such place changed, and in such event, at the time or place specified in the extension or change.

Sec. 1569. Award of contracts. All contracts for the purchase of supplies, materials or equipment shall be in writing and shall be executed by the commissioner in the name of the Territory. All purchases and contracts shall be awarded to the lowest responsible bidder, taking into consideration reasonable variations of prices in various parts of the Territory, the scope and type of service to be furnished or performed and the ability of the

bidder to furnish or perform the same, the qualities of the articles to be supplied, their conformity with the specifications, their suitability to the requirements of the Territory, any discounts allowed, transportation costs and delivery terms. If any such bidder shall, within 10 days, refuse to accept a contract awarded to him, such contract may be awarded to the next lowest responsible qualified bidder, and so on until such contract shall be awarded and accepted. When, in the opinion of the commissioner, the best interest of the Territory will be served thereby, he may order that any or all bids may be rejected. If all bids shall be so rejected, the commissioner shall advertise again for proposals and such proposals shall be opened, awarded and approved in like manner as herein provided. If all bids received on a pending order or contract shall be for the same unit price or total amount, the commissioner shall have authority to award the contract to one of the tie bidders by drawing lots in public, or to order the

rejection of all bids and to order the purchase of the required supplies, materials, or equipment in the open market, but, in such an event, the price paid in the open market shall not exceed the bid price. Each bid, with the name of the bidder, shall be entered on a record, and each record, with the successful bid indicated thereon, shall, after the award of the order or contract, be open to public inspection.

Sec. 1570. Unlawful purchases. When any agency or representative thereof shall purchase or contract for any supplies, materials, or equipment contrary to the provisions of this chapter, or to the rules and regulations promulgated in pursuance thereto, such order or contract shall be void and of no effect. The administrative head of any such agency or such representative thereof shall be personally liable for the costs of such order or contract, and, if already paid for out of territorial funds, the amount thereof may be recovered from any such person by the Territory in a civil action.

Sec. 1571. Preference to home products. The commissioner shall give preference to contracts with and purchases from citizens of the Territory. In giving such preference, no sacrifice or loss in quality shall be permitted. Whenever it shall be established that any purchase cannot be made within the Territory, or that the lowest bid received for such supplies, materials or equipment from citizens or firms which maintain regularly established places of business in the Territory exceeds by more than 10 per cent a bid, including transportation and delivery charges, received from a firm or individual outside the Territory, then such purchase may be made outside the Territory.

Sec. 1572. Financing. Money shall be appropriated to the agencies based on estimates of their needs for the purchase of supplies, materials and equipment. However, the expenditure of such funds shall be effected by the commissioner, and shall be based on estimates agreed on jointly by the commissioner and the individual agency.

Sec. 1573. Advisory board on standardization. The commissioner shall select annually, from a list made up of names submitted to him by each agency, not more than nine persons who shall serve as an advisory board on standardization. In selecting

members of the board, the commissioner shall choose persons who are familiar with the common requirements of territorial agencies for supplies, materials and equipment, and, in so far as may be practicable, shall choose at least three members who are familiar with such requirements for agencies having offices on islands other than Oahu.

The commissioner shall serve as chairman of such board, and the board shall adopt rules and regulations for its functioning. Three members shall constitute a quorum. The board shall advise the commissioner in the adoption, amendment or modification of standard specifications. Standard specifications adopted by the commissioner shall, in so far as possible, follow the recommendations of the board.

Sec. 1574. Mail service. All official mail of any agency designated by the commissioner under section 1555 (12) hereof as being under the jurisdiction of the central mail service established by him, shall be delivered unstamped to the central mailing station or stations. Account may be kept of the postage required on such mail, which may, for the purpose of maintaining adequate cost records, be charged against the respective agencies. Funds for the payment of all postage shall be appropriated to the commissioner but he may, from time to time, allot sufficient sums to cover postage obligations of agencies not included in the central mail service, or for emergency use by any agency.

Sec. 1575. Cooperative agreement with counties. The commissioner is hereby authorized to enter into any cooperative agreement with any county, after approval by the governor, concerning the purchase of supplies, materials and equipment, including the purchase of insurance and fidelity bonds, whenever, in the opinion of the commissioner, benefit would accrue to either the Territory or the county and no loss would thereby accrue to the Territory.

WARRANTS ON THE TREASURY

Sec. 1576. Money drawn only on. Excepting moneys paid for the redemption of bonds of the territorial debt, and the interest coupons of the same, and for interest on overdue warrants, and drafts against special deposits and for expenses of the legislature, no money shall be drawn from or out of the treasury except upon warrants issued from the commissioner's office. Each such warrant shall be signed by the commissioner or by means of any mechanical check writer that may be adopted by the commissioner, and shall be made payable upon such date as may be approved by the treasurer to the order of the person to whom the Territory is directly indebted.

Sec. 1577. Salaries, pensions. All warrants for permanent settlements, specific and all other

salaries, excepting that of the commissioner, shall be drawn by the commissioner, payable to each individual to whom the Territory is directly indebted, except as provided for in section 1581, and the warrants shall be receipted for. No permanent settlements or salary warrants shall be paid by the treasurer until the person in whose favor the warrant is drawn shall have endorsed his signature thereon. The salary of the commissioner shall be paid by the treasurer when due as in this chapter before provided upon warrants approved by the governor or his authorized representative.

The commissioner, and the auditors of the political subdivisions of the Territory shall, if so requested in writing by any employee or officer of the Territory or of any county, deduct from the compensation payable to such employee or officer for his territorial or county employment any membership dues or group insurance premiums to any organization which has for its membership more than a majority of the territorial and county employees and to pay such dues and premiums to such organizations for the account of such officer or employee.

Sec. 1578. Payrolls. Warrants for payrolls of mechanics and laborers or others temporarily employed, may be drawn in advance and before the wages as shown by the payrolls shall have been receipted for by such

mechanics, laborers and others, but in every such case, such payrolls shall have endorsed thereon the approval of the officer in whose department the liability or expense has been incurred, and also it shall be specially certified to by the officer directly incurring the expense that the services charged for have been faithfully performed. The commissioner shall take a receipt from the disbursing officer in whose favor such warrant for the payrolls has been drawn and shall retain such receipt until the payrolls shall have been properly receipted and returned to him. Under no circumstances shall the commissioner hold more than one such receipt from the same disbursing officer for payrolls under the same item of appropriation.

Sec. 1579. Supplies, incidentals. Warrants for bills of materials, supplies and incidentals of every kind and character whatsoever, shall be made payable to the order of the individual person to whom the Territory is indebted, except as provided in section 1581. Each original voucher in support of such warrants shall bear a certificate that all such materials, supplies or incidentals have been received in good order and condition and shall be signed by such persons or officers as the commissioner may designate.

Sec. 1580. Contracts. All warrants for bills on account of contracts either as a whole or in part shall be made payable to the order of the person to whom the Territory is directly indebted, except as provided in section 1581. Each such bill shall bear a certificate that the work contracted for has been faithfully performed or that the materials and supplies as specified in the contract were in good and merchantable condition when received.

Sec. 1581. To assignees. In case the individual person to whom the Territory is directly indebted shall indicate in writing over his signature on the back of his bill or receipt the name of any person to whose order he may wish the amount of the bill paid, it shall be lawful for the commissioner to draw the warrant for such amount payable to the order of the person so indicated.

APPEALS FROM COMMISSIONER

Sec. 1582. To supreme court justices, appointment of master. In case of any question or difference of opinion arising between the commissioner and any officer of the Territory regarding the proper appropriation to which any item or amount of expense shall be charged, or any other matter regarding the construction of this chapter, or

the authority vested in either of them by this chapter, and in all cases where a sum of money shall be disallowed by the commissioner in consequence of the absence of a written voucher, or upon an imperfect voucher or an incorrect certificate, or if any person feels aggrieved by any decision of the commissioner in the rejection of the returns or refusal to approve or allow any demand presented by such person, any of the persons concerned may appeal from such decision to the justices of the supreme court, who may appoint a master to investigate the controversy. After such investigation as shall by them be considered equitable, the justices may make such order directing the relief of the appellant in whole or in part as shall appear to the justices to be just and reasonable, and the decision of the justices shall be final and binding upon all parties, and they shall govern themselves accordingly. If the demand of the officer, bill, or claim of any person, be approved, in whole or in part, by the justices, they shall so endorse their findings on the same and it shall thereafter be presented to the commissioner who shall enter it in the proper book in like manner with other demands and an endorsement must be made by the commissioner of its having been so entered before it can be paid.

Sec. 1583. Vouchers required; procedure if

not obtainable. The commissioner shall not recognize any claim of whatsoever nature unless a written statement or voucher be presented for the same. No warrant shall be issued in payment for any claim except upon proper endorsement of such voucher, notwithstanding any allegation of papers having been lost or destroyed, or of the impossibility of obtaining the prescribed voucher, so that it could not reasonably be obtained, except on application to one of the justices of the supreme court at chambers, who, or a master appointed by him, after summoning the commissioner, and such other persons as he may think fit, may, upon evidence satisfactory to him that the requisite papers have been lost or destroyed, or that it is impossible or impracticable to procure them, prescribe a form of voucher, which, bearing the approval of the justice, shall then be received by the commissioner and filed as in this chapter herein provided. All such substitute vouchers shall be considered binding on the Territory and all other parties.

Sec. 1584. Procedure when voucher defective. When a voucher produced for a sum of money disbursed shall be defective from the want of any certificate or other document which ought to have accompanied it, it shall be lawful for the commissioner, upon proof being made to his satisfaction that the disbursing

officer did not wilfully neglect to procure such certificate or document, and that the sum specified in the voucher has been actually and properly disbursed, to admit such vouchers as sufficient discharge of such officer, and to allow the amount of same to his credit.

DESTRUCTION OF RECORDS

Sec. 1585. Destruction of records and vouchers. At the end of each fiscal year, the commissioner, with the approval of the auditor and the attorney general, may destroy all vouchers, documents and other records or papers on file with the commissioner or kept in his department for a period of more than 10 years (exclusive of permanent records) which in his opinion are no longer of any use or value.

CHAPTER 25. AUDIT DEPARTMENT.

Sec. 1586. Audit department; auditor; deputy. There is hereby created an audit department. The department shall be under the supervision and control of an auditor, appointed and removable as provided by the Hawaiian Organic Act. There shall also be a deputy auditor.

Sec. 1587. Oath of office. The auditor and deputy auditor shall, before entering upon the duties or exercising the powers vested in them by this chapter, make and subscribe before one of the justices

# CORRECTION

THE PRECEDING DOCUMENT(S) HAS
BEEN REPHOTOGRAPHED TO ASSURE
LEGIBILITY
SEE FRAME(S)
IMMEDIATELY FOLLOWING

officer did not wilfully neglect to procure such certificate or document, and that the sum specified in the voucher has been actually and properly disbursed, to admit such vouchers as sufficient discharge of such officer, and to allow the amount of same to his credit.

DESTRUCTION OF RECORDS

Sec. 1585. Destruction of records and vouchers. At the end of each fiscal year, the commissioner, with the approval of the auditor and the attorney general, may destroy all vouchers, documents and other records or papers on file with the commissioner or kept in his department for a period of more than 10 years (exclusive of permanent records) which in his opinion are no longer of any use or value.

CHAPTER 25. AUDIT DEPARTMENT.

Sec. 1586. Audit department; auditor; deputy. There is hereby created an audit department. The department shall be under the supervision and control of an auditor, appointed and removable as provided by the Hawaiian Organic Act. There shall also be a deputy auditor.

Sec. 1587. Oath of office. The auditor and deputy auditor shall, before entering upon the duties or exercising the powers vested in them by this chapter, make and subscribe before one of the justices

of the supreme court, an oath of office or affirmation in the form in section 19 of the Hawaiian Organic Act, and every such oath or affirmation shall be kept among the records of the court.

Sec. 1588. Deputy to act when. In case of illness or absence of the auditor, the deputy auditor shall exercise the powers and perform the duties of the auditor.

Sec. 1589. Appointments by auditor. The auditor shall appoint such professional, clerical or other personnel as shall be necessary to carry out the provisions of this chapter. All such appointments shall be made in accordance with the provisions of chapters 2 and 3, Revised Laws of Hawaii 1945.

Sec. 1590. Audit of accounts. The auditor, or his duly authorized deputy or assistants, shall examine and audit all accounts, reports and statements and make independent verification of all assets, liabilities, inventories, revenues and expenditures of all territorial agencies, of all counties and of all appropriations made by the territorial legislature at least once each year and at any other time if deemed advisable or if so directed by the legislature or the governor. Such examinations and audits shall include all accounts or funds held directly or in trust by the Territory,

any county, or any agency, officer or employee thereof.

Sec. 1591. Reports. The auditor shall make an annual report to the governor and the board of supervisors of each county, and a report to each regular session of the legislature. Such reports shall be in such detail as may be necessary to report fully his findings and shall include any recommendations that he may deem advisable, including any changes in organization, administration, methods, procedures or techniques for the purpose of improving the effectiveness and economy in the conduct of any agency or body whose accounts he audits. He shall report to the governor, the attorney general, or the respective board of supervisors forthwith, any and all instances of misfeasance, malfeasance or nonfeasance or other irregularity which may be disclosed by any audit conducted by him. He shall make any additional reports upon request by the governor, any board of supervisors, legislature or any committee thereof.

Sec. 1592. Duties when violations are discovered. If the auditor shall disclose any instance of misfeasance, malfeasance or nonfeasance, or any other irregularity on the part of any officer or employee of any county or any territorial agency, it shall be the duty of the attorney general or the

respective county attorneys to forthwith institute and prosecute such civil proceedings against such delinquent officer or employee, or upon his official bond, or both, as may be appropriate to secure to the Territory or county the recovery of any funds or other assets unlawfully expended or disposed of.

Sec. 1593. Examining persons, books. The auditor shall cause to be made such investigations or examinations as he believes necessary in carrying out the provisions of this chapter, and he or his duly authorized deputy or assistants shall have power to administer oaths in connection therewith. Officers and employees of all agencies shall assist him, when and as he may require, in such investigations and examinations. He may cause search to be made and extracts to be taken from every book, paper or record in the custody of any public officer without paying any fee for the same and it shall be the duty of every officer having the custody of any such book, paper or record to make such search and furnish such extracts as requested.

Sec. 1594. No privilege to witnesses; immunity from prosecution. No witness before the auditor or his duly authorized deputy or assistant shall be privileged to refuse to testify to any fact or to produce any paper, respecting which he shall be examined, upon the ground that his testimony to such fact or his production of such paper might incriminate

himself, but no prosecution can afterwards be had against him for any offense concerning which he has testified. Any official paper or record produced by such witness is not within such privilege.

Sec. 1595. Penalties. Any officer, employee, or person who shall fail or neglect to conform to any of the provisions of this chapter, or shall fail or neglect to attend the auditor or his duly authorized deputy or assistants for the purpose of being examined or to produce any accounts, books, vouchers or other documents or to answer any other lawful question when required to do so by the auditor or his duly authorized deputy or assistants, shall be liable to a penalty of not less than $25.00, nor more than $500.00, on conviction.

Sec. 1596. Accounting system. The auditor shall advise the commissioner of finance and boards of supervisors of each county concerning the system of accounts, records and books to be used by all territorial agencies and county agencies. Accounts, records and books shall be kept only by such systems as have been approved by the auditor.

## CHAPTER 26. TREASURY

### PAYMENTS INTO TREASURY

Sec. 1597. By Honolulu accountants. Every public accountant collecting or receiving revenue or

other moneys aforesaid in Honolulu shall pay weekly, or at such other times as may be otherwise specially appointed, into the treasury all sums of money collected by him on account of the revenue or otherwise as aforesaid, accompanied by vouchers bearing his signature, and which such sums shall have been collected or received, and unless specially directed, shall, not later than the fifth day after the expiration of each month, transmit to the commissioner a return under oath, with such particulars in each case as may be required by the commissioner, of all moneys collected or received by him during the preceding month.

Sec. 1598. By accountants out of Honolulu. Every public accountant collecting or receiving revenue or other moneys as aforesaid out of Honolulu shall transmit or pay monthly, or at such times as may otherwise be appointed, into the treasury all sums of money collected or otherwise received by him on account of the revenue or otherwise as aforesaid, accompanied by vouchers bearing his signature, and containing a full and accurate description of the services for which such sums shall have been collected or received, and unless otherwise specially directed, shall, on or before the tenth day after the expiration of each month, transmit to the commissioner, by post or otherwise,

a return under oath, with such particulars in each case as may be required by the commissioner, of all moneys collected or received by him during the preceding month.

Sec. 1599. Deposits in bank. Every public accountant other than the treasurer, receiving or disbursing money belonging to the Territory may deposit to his official credit and keep all moneys received by him in such banks as may be designated therefor by the treasurer with the approval of the governor until such moneys are remitted to the treasurer as required by law, and such public accountant shall not be responsible for such moneys while so deposited.

Sec. 1600. Payment to Territory under protest. Moneys representing a claim in favor of the Territory may be paid to a public accountant of the Territory under protest in writing signed by the person making such payment, or by his agent, setting forth the grounds of such protest, in which event the public accountant to whom such payment is made shall hold the money so paid for a period of 30 days from the date of payment. The protest shall cover subsequent payments made with respect to the same claim, and the public accountant shall, upon receipt by him of such subsequent payments, transmit

the same without delay to the treasurer who shall treat the same as prior payments received therefor.

Action to recover the money so paid, or proceedings to adjust the claim may be commenced by the payer or claimant against the public accountant to whom the payment was made, in a court of competent jurisdiction, within such period of 30 days and in default of bringing such suit or proceedings within such period, the money so paid shall be by such accountant deposited in the treasury of the Territory, and the same shall thereupon become a government realization.

If action to recover the money so paid under protest, or proceedings to adjust the claim, shall be commenced within 30 days after payment of the money under protest, the amount so paid shall be transmitted by the public accountant to the treasurer of the Territory who shall hold the same as a special deposit pending the final decision of the cause. If the final decision shall be in favor of the claimant, the treasurer shall pay to him out of such special deposit, such amounts as shall have been ascertained by the treasurer from a certified copy of the judgment of the court, in which the cause was finally determined, which shall be his authority and warrant for such payment.

Sec. 1601. On death, moneys to successor. On the death, resignation or removal of any public accountant the balance of public moneys remaining in his hands shall, upon the appointment of his successor, unless otherwise directed by law, vest in such successor, and shall not in the event of death of any public accountant constitute assets of the deceased or be in any manner subject to the control of his legal representative.

Sec. 1602. Commissioner to enforce payments, collections. The commissioner, upon the receipt by him of the returns required to be furnished by public accountants, billing, receiving or collecting moneys as hereinafter in this chapter provided, shall examine and compare the same with the schedule of accounts receivable, cash receipts and with the accompanying vouchers and documents, if any, and shall allow and discharge every public accountant for all sums shown to have been by him respectively received or collected and duly paid into the treasury, and shall disallow and surcharge such public accountant for all sums wilfully or negligently omitted to be received or collected by him, which under any law or regulation it was his duty to receive or collect, and all sums not duly paid by him into the treasury, and such unsatisfied surcharges shall be by him enforced against such public accountant.

Sec. 1603. Powers in examination. In the examination of all territorial accounts and statements and all other documents produced as vouchers, or as subordinate vouchers, the commissioner shall make such queries and observations addressed to public accountants, officers certifying accounts, or persons in any way concerned with the receipt or disbursement of the moneys or funds referred to in this chapter, and shall call for such further accounts, vouchers, statements and explanations as he may think necessary, and after such queries and observations have been answered, and after such further accounts and explanations have been rendered, the commissioner shall disallow and surcharge all sums not duly credited to the proper fund and paid into the treasury, and shall disallow and surcharge all sums disbursed in excess or not duly vouched and authorized, against such public accountant, officers certifying accounts or other persons through whose default such surcharges have arisen, and until such failure shall have been made good to the satisfaction of the commissioner, all salary or other moneys that may be due and payable to such public accountant or other person shall be withheld.

Sec. 1604. Receipts and payments. For all moneys paid into the treasury there shall be prepared 3 receipts, 2 of which shall be signed for the money, which

shall be alike, excepting that upon the face of one of them shall appear the word 'original' and on the others the words 'duplicate' and 'triplicate', respectively. Such receipts shall specify the amount and from what person or officer received and into what fund or what account deposited. On the triplicate copy of such receipt shall be entered a memorandum of the contents thereof, and the treasurer shall deliver both the original and duplicate receipts to the person or officer paying the money into the treasury. Such officer or person shall forthwith present both receipts to the commissioner of finance, who shall countersign the original receipt and file the duplicate, after writing upon its face the day of its delivery to him, and charging the treasurer with the amount specified therein, and crediting the fund or account named thereon. No such receipt shall be considered valid or binding as against the Territory unless so countersigned as in this chapter before provided.

PAYMENTS OUT OF TREASURY

Sec. 1605. Treasurer to keep cash book. The treasurer shall keep in his office a cash book in which shall be entered up all sums received and paid out of the treasury on account of the several territorial agencies.

Sec. 1606. Warrants, payment, issue of treasurer's warrant notes. Every lawful demand upon the treasury, duly pre-audited as in this title before provided, shall in all cases be paid by the treasurer on the date authorized and en-faced thereon or as soon thereafter as presented if there be sufficient funds at that time in the treasury applicable to the payment of such demand. Upon payment, all warrants shall be cancelled and proper entry be made thereof. If there are no sufficient moneys so applicable, the treasurer shall issue in lieu thereof, a treasurer's warrant note or notes, equal in amount to the face value of the warrant or warrants so presented for payment.

The governor and treasurer shall determine the rate of interest each treasurer's warrant note shall pay, which interest shall not be in excess of 5 per cent per annum.

The treasurer's warrant notes may be issued for the combined face value of any number of warrants or treasurer's warrant notes previously issued against the same fund. Except for those notes issued to redeem treasurer's warrant notes previously issued, no warrant note shall be issued except in payment of a warrant or warrants presented for payment as in this section provided. The treasurer shall cancel every warrant or warrant note presented as hereinbefore mentioned.

All such treasurer's warrant notes shall be issued upon the credit of the Territory, and the interest thereof shall be exempt from taxation.

Sec. 1607. Interest designated on warrant note. When the treasurer pays any note upon which interest is due, he shall designate on the warrant note the amount of interest paid thereon, and enter on his account the amount of such interest distinct from the principal.

Sec. 1608. Notice of payment; warrant notes advertised by number. When there are sufficient moneys in the treasury to pay warrant notes, the treasurer shall give notice for one week in one or more daily newspapers in Honolulu, stating therein that the warrant notes whose numbers appear in the advertisement are payable, and that interest shall cease upon all such called warrant notes 10 days after the first publication of such notice.

Sec. 1609. Warrants barred when. No warrant upon the territorial treasury shall be paid unless presented at the treasury for payment before the close of the biennial period next after the biennial period in which it shall have been issued. All warrants not so presented within such time shall be deemed to have been paid, and any moneys held

at the expiration of such time in a special fund or account for the payment of such warrants shall thereupon be transferred to the general fund.

Sec. 1610. Destruction of warrants, bonds, etc. The treasurer and auditor of the Territory are hereby authorized and empowered to supervise and conduct the burning and destruction of all warrants of the Territory and all territorial bonds and interest coupons which have been paid and which bear any date 10 years prior to the date of burning and destruction.

Sec. 1611. Examination before destruction. Before the burning and destruction of such warrants, bonds and interest coupons the auditor of the Territory shall conduct such examination and investigation as is necessary to determine that the warrants, bonds and interest coupons to be burned and destroyed bear any date 10 years prior to the date of burning and destruction.

COUNT OF MONEY

Sec. 1612. Count of money and securities. The auditor shall, on the last day of December and of June of each year, and at such other times as he or the governor may deem proper, count the money and securities in the territorial treasury and prepare, in quadruplicate, statements showing:

1. The amount of money that ought to be in the treasury;

2. The amount and kind of money actually therein;

3. The amount of securities owned by the Territory that ought to be in the treasury;

4. The amount of securities owned by the Territory actually in the treasury;

5. The amount of depository securities that ought to be in the treasury; and

6. The amount of depository securities actually in the treasury.

Sec. 1613. Statements of count to be filed. The auditor shall file the original of the statements with the governor and copies with the treasurer and the commissioner of finance, and shall post and maintain one copy in his office for at least 1 month thereafter."

SECTION 2. Powers transferred to the commissioner of finance. The following powers and duties are hereby transferred to the commissioner of finance:

(1) All powers and duties presently vested in the the director of the bureau of the budget;

(2) The powers and duties presently vested in the auditor, except those relating to the post-audit of accounts;

(3) The powers and duties presently vested in the superintendent of public works relating to the allocation of office space as specified in section 1555 (13); and

(4) All powers and duties presently vested in the board of disposal.

SECTION 3. Powers transferred to auditor. All powers and duties heretofore vested in the bank examiner or deputy bank examiner relating to the audit of county books are hereby transferred to the auditor.

SECTION 4. Transfer of equipment and records. All property, including but not limited to equipment, supplies and records, and any funds appropriated for such property, which are directly related to, or necessary for use in connection with, any of the functions which have been, or may at any time be, assigned to the department of finance in accordance with this Act, is hereby transferred to that de-

partment from the agency heretofore performing those functions, and any such property and any funds appropriated for such property directly related to, or necessary for use in connection with, any of the functions which have been assigned to the audit department is hereby transferred to that department from the agency heretofore performing those functions.

SECTION 5. Transfer of personnel. The commissioner or the auditor, as the case may be, is hereby authorized to transfer from the agency by which they are now employed, to the department of finance or audit department, such employees whose employment is covered by chapters 2 and 3, Revised Laws of Hawaii 1945, as he may deem necessary whose principal duties have been the performance of any function which has been, or may at any time be, assigned to the department of finance or audit department in accordance with this Act and to similarly transfer any funds appropriated for such employees. No such employee shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave or other employee benefits or privileges by reason of such transfer, subject,

however, thereafter to any changes in status made pursuant to chapter 2. Any permanent employee whose principal duties have been the performance of any function which has been transferred to the department of finance or audit department, as the case may be, under this Act, who has not himself been transferred to the department of finance or audit department or has not been retained by the agency from which that function has been transferred, because of the passage of this Act, shall, for each day following the termination of his services, receive termination pay, payable on a monthly basis, in an amount equal to one day's base pay for the position he held at the time of severance, provided, however, (1) that said termination pay shall not exceed a total amount equal to 18 days' base pay and, in addition, 6 days' base pay for each credited year of service with the territorial government; (2) that such termination pay shall not accrue on or after any day on which such employee is re-employed by any territorial agency or in any public or private service; and (3) that such termination pay shall not accrue following the date on which such

employee refuses to accept an appointment to a position of equivalent classification in the territorial civil service. Any such employee shall have top priority in transfer or re-employment to any position in any other territorial agency for which he qualifies and he shall be first employed by such agency in the event of any such opening or vacancy in that agency.

Claims for such termination pay shall be made to and approved by the director of the territorial civil service commission on such forms and with such supporting information as he may prescribe. Warrants in payment of such approved claims shall be drawn by the commissioner of finance and shall be paid out of the general revenues of the Territory and there is hereby appropriated out of such general revenues sufficient moneys for this purpose.

SECTION 6. No provision of this Act shall be applicable to the Hawaii Housing Authority.

Read (1)-816

amended

SECTION 7. Conflicting Acts superseded. All laws or parts of laws inconsistent herewith are hereby amended to

conform to the provisions of this Act.

SECTION 8. If any section, sentence, clause or phrase of this Act, or its application to any person or circumstance, is for any reason held to be unconstitutional or invalid, the remaining portions of this Act, or the application of this Act to other persons or circumstances, shall not be affected. The legislature hereby declares that it would have passed this Act and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 9. Short title. This Act may be cited as the "Finance Reorganization Act of 1951".

SECTION 10. This Act shall take effect July 1, 1951.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., April 10, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

President of the Senate

Clerk of the Senate.

S. B. No. 70
S. D. 1
H. D. 1

A N  A C T

RELATING TO THE ORGANIZATION OF CERTAIN EXECUTIVE AGENCIES OF THE TERRITORY OF HAWAII; CREATING A DEPARTMENT OF FINANCE; CREATING AN AUDIT DEPARTMENT; DEFINING THEIR POWERS AND DUTIES; ABOLISHING CERTAIN AGENCIES; TRANSFERRING CERTAIN POWERS AND DUTIES, AND AMENDING TITLE 4, REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Title 4, Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"CHAPTER 24. DEPARTMENT OF FINANCE.

Sec. 1551. Definitions. Wherever used in this title, unless the context clearly indicates otherwise, the word 'department' or 'finance department' shall mean the department of finance established herein. The word 'commissioner' or

'finance commissioner' shall refer to the commissioner of finance. The word 'auditor' shall mean the territorial auditor. The term 'territorial agency' or 'agency' shall include, unless specifically excluded in this title, every office, department, board, council, commission, institution or other division of the executive and judicial departments of the territorial government.

Sec. 1552. Department of finance. There is hereby created a department to be known as the department of finance.

Sec. 1553. Commissioner. The department of finance shall be under the supervision and control of a commissioner. He shall be appointed by the governor in accordance with the first paragraph of section 80 of the Hawaiian Organic Act. He shall hold office at the pleasure of the governor and until his successor is appointed and shall qualify. He shall receive such salary as shall be provided by law.

Sec. 1554. Appointments by the commissioner. (a) The commissioner is hereby authorized to appoint, with the approval of the governor, an assistant or deputy commissioner, who shall also

be the budget director, and not more than four division directors, including, but not limited to, a controller, who shall be in charge of accounting and pre-auditing, and a purchasing agent, and he may delegate to such assistant, deputy or division directors full authority to perform any of the duties imposed on him. Such positions shall not be subject to the provisions of chapters 2 and 3.

(b) The commissioner may also appoint such other technical, professional or clerical personnel as he may deem necessary to carry out the provisions of this chapter. All such appointments shall be made in accordance with the provisions of chapters 2 and 3.

Sec. 1555. Powers and duties of the commissioner. The commissioner shall have the power and authority, and it shall be his duty, subject to the provisions of this chapter:

(1) To formulate a budget plan and prepare a budget for each fiscal period.

(2) To control expenditures under such system of allotments as may be prescribed by law.

(3) To approve requests for and to effect

the transfer, within any agency, of funds appropriated to that agency, unless otherwise prescribed by law.

(4) To investigate and study continuously the organization and administration of the various territorial agencies and keep the governor fully informed concerning such organization and administration; to recommend to the governor any changes in organization, administration, methods, procedures or techniques for the purpose of achieving effectiveness and economy in the conduct of the government; to recommend to the territorial personnel director, in connection with any such study or investigation, that a position classification study be made of any position or positions in the territorial civil service; to make such investigations, studies and recommendations for the legislature, or any committee thereof, upon request.

(5) To examine every purchase order, receipt, account, bill, claim, refund and demand against the territory arising from activities carried on by all agencies; to approve each

legal, correct and proper claim, to designate the account to be charged therefor, and to issue a warrant on the treasurer for the payment thereof in the manner provided by law.

(6) To maintain centralized accounting records for all agencies wherever practicable, keeping the general books of account on a double entry basis, and maintain such accounts as will reflect, in detail or in summary, all assets, liabilities, reserves, surpluses, revenues and receipts, appropriations, allotments, expenditures and encumbrances. The accounting records and procedures shall be approved by the auditor and shall be such as will provide complete fiscal accountability over all agencies of the territory and over all activities carried on by them.

(7) To furnish each agency, no less frequently than at the close of each allotment period, a statement showing the status of its appropriations and allotments.

(8) To make such financial reports as he may deem necessary or as may be requested by the governor or legislature; to prepare and submit to the governor and the legislature,

immediately following the close of each fiscal year, a general financial report for the year for all funds including the unencumbered balance on hand in each of such funds.

(9) To prescribe, with the advice and approval of the auditor, the system of accounts, statements and estimates, and the form of all financial records and documents used by all agencies, and to require, supervise and control the use of such systems and forms by all such agencies; to prescribe such accounting standards as may be necessary for any organization, association or other body, any part of whose income is derived from territorial funds, except this shall not include any county.

(10) To provide for the printing and distribution of all territorial publications and printed material of whatsoever nature, which may include printing required by the legislative department, but excluding all technical and professional publications of the University of Hawaii. To supervise and control the form of all such printed material for the purposes of effecting economy and efficiency, coordinating such material,

avoiding duplication and making it useful and informative to the public, but the commissioner shall make no changes or alterations in the substance of any such publications or material.

(11) To control, supervise and approve all forms in use in all territorial agencies and to maintain a complete and continuous record of all such forms.

(12) To operate a central duplicating service and central mail and messenger services and such other central administrative services as may hereafter be established. To determine, with the approval of the governor, which agencies shall be included in such central services. To effect such transfer of equipment as he may deem advisable in connection therewith. To approve at any future time the use of such equipment by an individual agency, if such should be necessary or practical.

(13) To promulgate, with the approval of the governor, rules and regulations relative to travel of territorial officers and employees on territorial business and the expenses incurred therein, and to enforce such rules and regulations.

(14) To control and supervise the use of all motor vehicles owned or in use by the terri-

tory, and to make and enforce rules and regulations relative to their use by all territorial agencies and employees.

(15) To canvass all sources of supply and to contract for the purchase of all supplies, materials and equipment required by all agencies, under competitive bidding in the manner hereinafter provided, and to provide for inspecting and testing the same. Supplies, materials and equipment shall be interpreted to include, without limiting the generality of the foregoing, all printing, binding, legal notices, repairs, rentals, insurance, fidelity bonds and all utility services.

(16) To adopt and enforce standard specifications wherever possible for the purchase or use of supplies, materials and equipment for all agencies and to make, or cause to be made, any test, examination or analysis necessary therefor. Each standard specification shall, until revised or rescinded, apply in like terms and effect to each future purchase and contract for such commodity.

(17) To rent or lease, with the approval of the governor, all ground, buildings, offices or

other space required by all agencies for terms in excess of two years, or without such approval, for terms of less than two years.

(18) To approve all written, formal contracts entered into by or on behalf of the territory or any agency thereof, for the purchase of supplies, materials and equipment, certifying as to the availability of funds and the compliance of such contracts with law and with regulations issued in accordance with section 1556, but such contracts shall be approved as to form by the attorney general. To prescribe the amount of any certified check, deposit or bond to be submitted in connection therewith, unless otherwise prescribed by law.

(19) To have custody and supervision over all territorial central storerooms and inventories therein. The commissioner may except from his immediate supervision and control any storeroom in use by any single agency.

(20) To maintain complete inventories covering all territorial property. To require all agencies and each county to report the property in their custody or possession in such form and at such intervals as he may deem necessary.

(21) To sell or otherwise dispose of any surplus, unused, discarded or obsolete supplies, materials and equipment in the manner most advantageous to the territorial government. All moneys received from the sale of any such property, except property of the board of harbor commissioners, the Hawaii aeronautics commission and the territorial highway department, shall be credited to the general fund of the territory.

(22) To transfer to or between any agencies, in such manner as may be necessary or practical, any supplies, materials or equipment.

(23) To establish, whenever necessary, petty cash funds for the use of any agency, upon application by the agency, but no such petty cash fund shall exceed the sum of $5,000.00.

(24) To perform any or all services or functions herein set forth for the legislative department or any agency thereof upon its request.

(25) To investigate continuously the risk exposure of the territory, to take such action as may be necessary or advisable to reduce such

risk and to insure against such risk in accordance with accepted methods and principles of insurance and government finance. Preference in placing insurance shall be given companies, agents or brokers authorized to do insurance business in the territory.

Sec. 1556. Rules and regulations. The commissioner shall have the power to make, amend or rescind rules and regulations, not inconsistent with law, respecting any matters within the scope of the powers and duties hereby conferred, which rules and regulations shall have the force and effect of law. He shall make rules and regulations as follows:

(1) To prescribe the manner in which purchases shall be made in accordance with section 1567.

(2) To prescribe the manner in which all supplies, materials and equipment shall be delivered, stored and distributed.

(3) To prescribe the manner of inspecting deliveries of supplies, materials or equipment and making chemical or physical tests of samples submitted with bids and samples of delivered

supplies to determine their compliance with specifications.

(4) To prescribe the manner and form in which requisitions and estimates are to be submitted and the manner of their authentication.

(5) To require and prescribe the form and regular reports by all agencies of stocks of supplies, materials and equipment, including such items as may be unused, obsolete, surplus or discarded.

(6) To provide for the transfer to or between all agencies of any supplies, materials or equipment.

(7) To prescribe the method of obtaining bids and the procedure for the letting of contracts on behalf of the territory or any agency thereof except contracts respecting public works, required to be let under chapter 9, Revised Laws of Hawaii 1945.

(8) To determine whether a deposit or bond is to be submitted with a bid or contract and to prescribe the amount and form of such deposit or bond, if required, unless otherwise prescribed by law.

(9) To prescribe the procedure and form

for determining the responsibility of bidders.

(10) To prescribe the procedure for supervision and approval of all forms controlled by the commissioner.

(11) To prescribe standards of form for all territorial printing and the manner in which the form of all such printing or proposed printing shall be controlled, but this shall not apply to any printing specifically excluded by section 1555 (10).

(12) To prescribe the manner in which each central administrative service shall be operated.

(13) To prescribe the manner in which petty cash funds shall be requested and established and the method of disbursing the same.

(14) To provide for all other matters which may be necessary to effect the provisions and the rules and regulations of this chapter.

Sec. 1557. Budget estimates. (a) It shall be the duty of the commissioner to prepare the budget for all agencies, subject to the approval of the governor. Such budget shall include all fixed charges, including those required to meet the bonded indebtedness of the territory and the amounts payable by the terri-

tory to the employees' retirement system under chapter 15, and all other proposed expenditures and anticipated receipts from whatsoever source.

(b) The commissioner shall furnish to all agencies, at such time as he may prescribe, but not later than the fifteenth day of August preceding each session of the legislature, budget estimate forms on which he shall show where necessary and in such detail as may be appropriate, for the last two completed fiscal years, the actual receipts of such agency by source and the actual expenditure for the administration, operation, maintenance and support of such agency; and he shall also show for the current fiscal year the appropriations and the receipts as estimated in the budget. The commissioner, however, may instead require the agencies to enter these data on the budget estimate forms from the agencies' own records when feasible.

(c) On or before the fifteenth day of October of each fiscal period, every agency shall submit to the commissioner a written statement on the said budget estimate forms

furnished by the commissioner showing in such detail as the commissioner may direct the following:

(1) For the current fiscal year: the most recent estimate of receipts of such agency by source and the estimated expenditures to be made for the administration, operation, maintenance and support of such agency;

(2) For the next ensuing fiscal period: the total estimated receipts of such agency from whatsoever source and the estimated expenditures necessary to be made for the administration, operation, maintenance and support of such agency;

(3) A written statement setting forth the necessity for all such classes or types of estimated expenditures as the commissioner may require;

(4) Proposals for expenditures for new projects, constructions, additions, buildings, improvements, undertakings or expansions of the work of the agency which require capital outlay;

(5) Data concerning the source of all moneys which are available for expenditure by the agency;

(6) A statement of the work program accomplished during the current fiscal period and of the work program proposed to be accomplished during the next fiscal period; and

(7) Any other related estimates, data or information which the governor or commissioner may request.

The commissioner shall prepare estimates for all agencies which fail to file requests.

(d) On or before the fifteenth day of October of each fiscal period, the territorial tax commissioner shall submit to the commissioner a written statement in the form and in such detail as shall be prescribed by the commissioner, showing the estimated tax receipts and collections under the existing laws for the next fiscal period.

(e) The commissioner may from time to time call for any additional or more detailed information from any agency, and shall have authority to make or cause to be made such examinations or investigations into the operation of any such agency as in the discretion of the commissioner may be necessary to enable him to determine intelligently the estimates for appropriations

which should be recommended and included in the budget.

Sec. 1558. Budget document. The governor shall transmit to the legislature on the first day of each regular session, and to each of the members thereof not less than twenty days before the legislature convenes, a budget setting forth a complete plan of proposed expenditures and anticipated receipts of the territory for the ensuing fiscal period, together with such other information as the legislature may require. The budget shall be compiled in two parts, one setting forth all proposed operating expenditures, to be known as the 'operating budget', and the other, all capital improvements expenditures to be undertaken during such period, to be known as the 'capital budget'. The capital budget shall contain a schedule showing all capital improvements expenditures planned to be undertaken during the next ten years, the purposes for which such expenditures are planned and the proposed means of financing them.

The governor shall also, upon the opening of the session, submit bills to provide for such proposed expenditures and for any recom-

mended additional revenues or borrowings by which the proposed expenditures are to be met.

The budget document shall contain:

(a) A message by the governor including his recommendations with respect to the fiscal policy of the territory for the next fiscal period, describing the important features of the budget plan, embracing a general budget summary which shall include a statement showing the following: (1) a statement of total anticipated revenues and total proposed expenditures; (2) his recommendations for financing the government; and (3) comparable figures for the present fiscal year and at least the last two completed fiscal periods.

(b) Detailed budget estimates of expenditures, revenues and debt service, including a statement of bonded indebtedness of the territory as of December 31, next preceding the legislative session and the amount of appropriation certified by the trustees of the employees' retirement system as necessary to pay to the various funds of the retirement system the amounts payable by the territory under chapter 15 for the ensuing biennium. Appro-

priations, estimated expenditures and estimated receipts for the current fiscal period and comparable data for at least the last fiscal period. All such figures shall be in detail, classified by agency, and shall include all territorial funds and receipts, as well as all federal funds or other income. It shall contain all information which, in the opinion of the governor, is necessary or desirable to make known in all practical detail the financial condition of the territorial government.

(c) Detailed financial plans relating to any projects, construction, improvements, additions, buildings, undertaking or expansion of the work of the territory requiring capital outlays.

The commissioner shall, upon request, furnish the governor or the legislature with any further information concerning the budget, and shall, upon request, and may at other times, attend legislative committee meetings or hearings concerning the budget.

Sec. 1559. Supplemental or deficiency estimates; central contingent fund. The governor

from time to time may transmit to the legislature supplemental or deficiency estimates for such appropriations or expenditures as in his judgment may be necessary on account of laws enacted after the transmission of the budget, or are otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reason for their omission from the budget, and proposed means of financing such proposed supplemental or deficiency appropriation.

Central contingent fund. There is hereby established in the custody of the commissioner a central contingent fund which shall consist of all moneys appropriated to it and all unobligated balances remaining in any agency appropriation at the close of the first fiscal year of any biennial period for which an appropriation has been made. The unobligated balance remaining in such fund at the close of the biennial fiscal period shall revert to the general fund. Such fund shall be in addition to the governor's contingent fund. Transfers from the central contingent fund to various agencies shall be made by the commissioner

subject to the following provisions:

(1) Such transfers shall be subject to allocation and expenditure in the manner prescribed by this section and shall be made only to meet emergency and unanticipated expenditures of the territory as provided in subsection (2) of this section.

(2) For the purpose of this section, the term 'emergency and unanticipated expenditures' shall mean expenditures deemed necessary or essential to the proper and efficient functioning of the territorial government or the rendering of governmental services by the territory, in order to meet emergencies and requirements of the territory not anticipated by the legislature when the current budget was adopted, and for which moneys other than from the fund created by this section are not available or sufficient.

(3) Allocations or expenditures to any agency from the central contingent fund shall be made by the commissioner with the approval of the governor.

(4) Moneys expended from the central contingent fund shall be expended, subject to the same provisions of law which govern the payment

of moneys directly appropriated to such agency.

Sec. 1560. Estimates or requests not submitted by agency except by request. No estimate or request for an appropriation and no request for an increase in an item of any such estimate or request, and no recommendation as to how the revenue needs of the government shall be met, shall be submitted to the legislature, or any committee thereof, by any officer or employee of any agency, unless at the request, by resolutions, of either the senate or the house of representatives.

Sec. 1561. Claims for legislative relief must be filed with; conditions. All claims for refund, reimbursements or other payments, which claims arose sixty days or more before the convening of any regular legislative session, authorization for which is sought from the legislature, shall, as a condition to their being considered by the legislature, be filed in quadruplicate with the commissioner at least thirty days prior to the convening of the legislature, together with quadruplicates of all data and documents in support thereof. In the absence of a showing of sufficient reason therefor,

failure to comply with the provisions of this paragraph shall be deemed sufficient cause for refusal of the legislature to consider such claims.

It shall be the duty of the commissioner immediately upon receipt thereof to refer any such claim and data so received by him to the head of the department, bureau, board or commission concerned, and it shall be the duty of such person to whom such reference is made immediately to investigate the claim, secure in triplicate all available data and documents bearing thereon, and prior to the convening of the legislature refer the same back to the commissioner with his recommendations thereon. It shall be the duty of the commissioner, within five days after the opening of the session, to transmit such claims, together with all accompanying data so presented, to the committee on ways and means of the senate and the committee on finance of the house of representatives.

Claims which arise within such sixty-day period, or during any legislative session may be filed with the commissioner immediately and

he shall refer such claim as above. Within thirty days after the receipt of such request, the commissioner shall transmit such claim and data thereon, to the committees above stated.

Sec. 1562. No expenditures to be made for items not authorized by the legislature or the governor. No head of any agency shall expend or be allowed to expend any sum for any purpose whatsoever not authorized by the legislature, and where distribution or expenditures are made under lump sum appropriations, the head of each agency shall be governed in making such distribution or expenditures by any authority of the legislature, and in the absence of such legislative authority shall be governed by the authority and approval of the governor.

Sec. 1563. Allotment system. For the purpose of the quarterly allotment system, each fiscal year shall be divided into four quarterly allotment periods, beginning, respectively, on the first days of July, October, January and April; provided that in any case where the quarterly allotment period is impractical, the commissioner may prescribe a

different period suited to the circumstances, not extending beyond the end of the fiscal year.

Every agency shall submit to the commissioner at such times and in such form as he shall prescribe, an estimate for the next allotment period of the amount required for each activity to be carried on and the purposes for which the money is to be expended.

If the estimate is within the terms of the appropriation as to amount and purposes, having due regard for the present and probable future needs of the agency for the remainder of the fiscal year or other terms for which the appropriation was made, the commissioner shall approve the same and allow the estimated amount for expenditure. Otherwise the commissioner shall modify the estimate so as to conform with the terms and the intent of the appropriation and the present and prospective needs of the agency and shall reduce the amount allotted accordingly. The commissioner shall notify every agency of its allotments at least ten days before the beginning of each allotment period; he shall also notify the territorial auditor. The total amount

allotted to any agency for the fiscal year or other term for which the appropriation was made shall not exceed the amount appropriated for such year or term.

In case the commissioner shall determine at any time that the receipts from any source will be substantially less than the estimated receipts upon which appropriations were based, and that as a result the amount available for the remainder of the term of the appropriation or for any allotment period will be substantially less than the amount estimated or allotted therefor, and that a substantial deficit will be caused thereby, he may, with the approval of the governor and after notice to the agency concerned, reduce the amount allotted or to be allotted so as to minimize or prevent such deficit; provided, however, that no such reduction shall be made in any funds required to meet the principal and interest requirements of the bonded indebtedness of the territory or in the funds required to fully maintain all funds incidental to the reserves of the employees' retirement system under chapter 15. In like manner he may reduce the amount allotted or to be allotted to any agency by the amount of saving which can be

effected upon previous estimates of expenditures.

In case the commissioner shall determine at any time that the purpose for which an appropriation was made can be accomplished within an amount below the appropriation because of improved methods or unanticipated revenues, he may, with the approval of the governor, reduce the amount allotted or to be allotted.

Sec. 1564. Accounting system. The commissioner shall maintain an accounting system which shall show at all times, for all agencies and all funds, actual balances on hand and the unencumbered balances after deduction of all actual and authorized expenditures, and such additional information as will reflect the complete financial picture of such agencies and funds, but such system shall be subject to approval by the auditor. The commissioner may, with the approval of the auditor, delegate record-keeping duties to specified agencies when it is determined that such delegation will result in greater efficiency and economy.

Sec. 1565. Pre-audit of expenditures.

Except in emergencies, no payment shall be made and no obligation shall be incurred against any fund, allotment or appropriation unless there is a sufficient unencumbered balance in such fund, allotment or appropriation to meet such payment or obligation. Any payment made in violation of this provision shall be void and of no effect, and every official authorizing or making such payment, or taking part therein, and every person receiving such payment, or any part thereof, shall be jointly and severally liable to the territory for the full amount so paid or received.

Sec. 1566. Unobligated capital improvements appropriations; commissioner's recommendations. If no bona fide expenditures or encumbrances have been made from or against any appropriation for capital improvements within a period of eighteen months following the effective date of the appropriation, no expenditure or encumbrance shall be made after such period unless the legislature has, by joint resolution, extended the time within which such expenditures or encumbrances may be made for an additional period of eighteen months. The commissioner shall, prior to the convening of each legislature, examine each such appro-

priation and shall report to the legislature on those appropriations from which no bona fide expenditures have been made or against which no encumbrances have been entered, and shall recommend appropriate action to the legislature. The commissioner shall be the judge of the bona fide character of any expenditure or encumbrance.

Sec. 1567. Purchasing. (a) It shall be the duty of the commissioner to contract for the purchase of all supplies, materials and equipment required by all agencies.

(b) The commissioner may authorize any agency, under rules and regulations prescribed by him, to purchase directly specified supplies, materials and equipment; but, in making such purchases, the agency shall call for bids and proceed otherwise in the manner as prescribed by rule or regulation of the commissioner.

(c) The commissioner may purchase, or may authorize any agency to purchase, in the open market, without filing requisitions or estimates, specific supplies, materials or equipment for immediate delivery to meet emergencies arising from unforeseen causes, including delays by

contractors, delays in transportation and an unanticipated volume of work. The conditions constituting such an emergency shall be defined by regulation. A written account of the circumstances of each such purchase shall be submitted to the commissioner and be available to the public at any reasonable time.

(d) Should the commissioner fail to place an order for the purchase of supplies, materials, or equipment for which requisition has been made by any agency within thirty days of the receipt by the commissioner of such requisition, and provided that such purchases are authorized under section 1562 and funds of the agency are available therefor, said agency may itself directly purchase such supplies, materials or equipment.

Sec. 1568. Competitive bids. All purchases of, or contracts for, supplies, materials and equipment shall be based on competitive bids whenever possible. The commissioner shall solicit sealed bids by sending notice to prospective suppliers and by posting notice on a public bulletin board in his office. He may solicit bids in any other reasonable manner which is

designed to secure wide competition on each purchase, taking into consideration the amount of the purchase and the particular market conditions. Whenever the commissioner considers it necessary or desirable, he shall solicit sealed bids by publication of a notice including all pertinent facts thereto in a newspaper of general circulation in the territory, once each week for two consecutive weeks before the final date for submitting bids. Whenever possible, all purchases shall be based on at least three competitive bids. The commissioner may solicit bids from suppliers outside the territory. All bids shall be opened by the commissioner, or his authorized representative, at the time and place specified in the call for bids, unless such time has been extended or such place changed, and in such event, at the time or place specified in the extension or change.

Sec. 1569. Award of contracts. All contracts for the purchase of supplies, materials or equipment shall be in writing and shall be executed by the commissioner in the name of the territory. All purchases and contracts shall be awarded to the lowest responsible bidder,

taking into consideration reasonable variations of prices in various parts of the territory, the scope and type of service to be furnished or performed and the ability of the bidder to furnish or perform the same, the qualities of the articles to be supplied, their conformity with the specifications, their suitability to the requirements of the territory, any discounts allowed, transportation costs and delivery terms. If any such bidder shall, within ten days, refuse to accept a contract awarded to him, such contract may be awarded to the next lowest responsible qualified bidder, and so on until such contract shall be awarded and accepted. When, in the opinion of the commissioner, the best interest of the territory will be served thereby, he may order that any or all bids may be rejected. If all bids shall be so rejected, the commissioner shall advertise again for proposals and such proposals shall be opened, awarded and approved in like manner as herein provided. If all bids received on a pending order or contract shall be for the same unit price or total amount, the commis-

sioner shall have authority to award the contract to one of the tie bidders by drawing lots in public, or to order the rejection of all bids and to order the purchase of the required supplies, materials, or equipment in the open market, but, in such an event, the price paid in the open market shall not exceed the bid price. Each bid, with the name of the bidder, shall be entered on a record, and each record, with the successful bid indicated thereon, shall, after the award of the order or contract, be open to public inspection.

Sec. 1570. Unlawful purchases. When any agency or representative thereof shall purchase or contract for any supplies, materials, or equipment contrary to the provisions of this chapter, or to the rules and regulations promulgated in pursuance thereto, such order or contract shall be void and of no effect. The administrative head of any such agency or such representative thereof shall be personally liable for the costs of such order or contract, and, if already paid for out of territorial funds, the amount thereof may be

recovered from any such person by the territory in a civil action.

Sec. 1571. Preference to home products. The commissioner shall give preference to contracts with and purchases from citizens of the territory. In giving such preference, no sacrifice or loss in quality shall be permitted. Whenever it shall be established that any purchase cannot be made within the territory, or that the lowest bid received for such supplies, materials or equipment from citizens or firms which maintain regularly established places of business in the territory exceeds by more than ten per cent a bid, including transportation and delivery charges, received from a firm or individual outside the territory, then such purchase may be made outside the territory.

Sec. 1572. Financing. Money shall be appropriated to the agencies based on estimates of their needs for the purchase of supplies, materials and equipment. However, the expenditure of such funds shall be effected by the commissioner, and shall be based on estimates agreed on jointly by the commissioner and the individual agency.

Sec. 1573. Advisory board on standardization. The commissioner shall select annually, from a list made up of names submitted to him by each agency, not more than nine persons who shall serve as an advisory board on standardization. In selecting members of the board, the commissioner shall choose persons who are familiar with the common requirements of territorial agencies for supplies, materials and equipment, and, insofar as may be practicable, shall choose at least three members who are familiar with such requirements for agencies having offices on islands other than Oahu.

The commissioner shall serve as chairman of such board, and the board shall adopt rules and regulations for its functioning. Three members shall constitute a quorum. The board shall advise the commissioner in the adoption, amendment or modification of standard specifications. Standard specifications adopted by the commissioner shall, insofar as possible, follow the recommendations of the board.

Sec. 1574. Mail service. All official mail of any agency designated by the commissioner under section 1555 (12) hereof as being

under the jurisdiction of the central mail service established by him, shall be delivered unstamped to the central mailing station or stations. Account may be kept of the postage required on such mail, which may, for the purpose of maintaining adequate cost records, be charged against the respective agencies. Funds for the payment of all postage shall be appropriated to the commissioner but he may, from time to time, allot sufficient sums to cover postage obligations of agencies not included in the central mail service, or for emergency use by any agency.

Sec. 1575. Cooperative agreement with counties. The commissioner is hereby authorized to enter into any cooperative agreement with any county, after approval by the governor, concerning the purchase of supplies, materials and equipment, including the purchase of insurance and fidelity bonds, whenever, in the opinion of the commissioner, benefit would accrue to either the territory or the county and no loss would thereby accrue to the territory.

WARRANTS ON THE TREASURY

Sec. 1576. Money drawn only on. Excepting moneys paid for the redemption of bonds of the territorial debt, and the interest coupons of the same, and for interest on overdue warrants, and drafts against special deposits and for expenses of the legislature, no money shall be drawn from or out of the treasury except upon warrants issued from the commissioner's office. Each such warrant shall be signed by the commissioner or by means of any mechanical check writer that may be adopted by the commissioner, and shall be made payable upon such date as may be approved by the treasurer to the order of the person to whom the territory is directly indebted.

Sec. 1577. Salaries, pensions. All warrants for permanent settlements, specific and all other salaries, excepting that of the commissioner, shall be drawn by the commissioner, payable to each individual to whom the territory is directly indebted, except as provided for in section 1581, and the warrants shall be receipted for. /No permanent settlements or salary warrants

shall be paid by the treasurer until the person in whose favor the warrant is drawn shall have endorsed his signature thereon. The salary of the commissioner shall be paid by the treasurer when due as in this chapter before provided upon warrants approved by the governor or his authorized representative.

The commissioner, and the auditors of the political subdivisions of the territory shall, if so requested in writing by any employee or officer of the territory or of any county, deduct from the compensation payable to such employee or officer for his territorial or county employment any membership dues or group insurance premiums to any organization which has for its membership more than a majority of the territorial and county employees and to pay such dues and premiums to such organizations for the account of such officer or employee.

Sec. 1578. Payrolls. Warrants for payrolls of mechanics and laborers or others temporarily employed, may be drawn in advance and before the wages as shown by the payrolls shall have been receipted for by such mechanics, laborers and others, but in every such case,

such payrolls shall have endorsed thereon the approval of the officer in whose department the liability or expense has been incurred, and also it shall be specially certified to by the officer directly incurring the expense that the services charged for have been faithfully performed. The commissioner shall take a receipt from the disbursing officer in whose favor such warrant for the payrolls has been drawn and shall retain such receipt until the payrolls shall have been properly receipted and returned to him. Under no circumstances shall the commissioner hold more than one such receipt from the same disbursing officer for payrolls under the same item of appropriation.

Sec. 1579. Supplies, incidentals. Warrants for bills of materials, supplies and incidentals of every kind and character whatsoever, shall be made payable to the order of the individual person to whom the territory is indebted, except as provided in section 1581. Each original voucher in support of such warrants shall bear a certificate that all such materials, supplies or incidentals have been received in good order and condition and shall

be signed by such persons or officers as the commissioner may designate.

Sec. 1580. Contracts. All warrants for bills on account of contracts either as a whole or in part shall be made payable to the order of the person to whom the territory is directly indebted, except as provided in section 1581. Each such bill shall bear a certificate that the work contracted for has been faithfully performed or that the materials and supplies as specified in the contract were in good and merchantable condition when received.

Sec. 1581. To assignees. In case the individual person to whom the territory is directly indebted shall indicate in writing over his signature on the back of his bill or receipt the name of any person to whose order he may wish the amount of the bill paid, it shall be lawful for the commissioner to draw the warrant for such amount payable to the order of the person so indicated.

APPEALS FROM COMMISSIONER

Sec. 1582. To supreme court justices, appointment of master. In case of any question

or difference of opinion arising between the commissioner and any officer of the territory regarding the proper appropriation to which any item or amount of expense shall be charged, or any other matter regarding the construction of this chapter, or the authority vested in either of them by this chapter, and in all cases where a sum of money shall be disallowed by the commissioner in consequence of the absence of a written voucher, or upon an imperfect voucher or an incorrect certificate, or if any person feels aggrieved by any decision of the commissioner in the rejection of the returns or refusal to approve or allow any demand presented by such person, any of the persons concerned may appeal from such decision to the justices of the supreme court, who may appoint a master to investigate the controversy. After such investigation as shall by them be considered equitable, the justices may make such order directing the relief of the appellant in whole or in part as shall appear to the justices to be just and reasonable, and the decision of the justices shall be final and binding upon all

parties, and they shall govern themselves accordingly. If the demand of the officer, bill, or claim of any person, be approved, in whole or in part, by the justices, they shall so endorse their findings on the same and it shall thereafter be presented to the commissioner who shall enter it in the proper book in like manner with other demands and an endorsement must be made by the commissioner of its having been so entered before it can be paid.

Sec. 1583. Vouchers required; procedure if not obtainable. The commissioner shall not recognize any claim of whatsoever nature unless a written statement or voucher be presented for the same. No warrant shall be issued in payment for any claim except upon proper endorsement of such voucher, notwithstanding any allegation of papers having been lost or destroyed, or of the impossibility of obtaining the prescribed voucher, so that it could not reasonably be obtained, except on application to one of the justices of the supreme court at chambers, who, or a master appointed by him, after summoning the commissioner, and such other persons as he may think

fit, may, upon evidence satisfactory to him that the requisite papers have been lost or destroyed, or that it is impossible or impracticable to procure them, prescribe a form of voucher, which, bearing the approval of the justice, shall then be received by the commissioner and filed as in this chapter herein provided. All such substitute vouchers shall be considered binding on the territory and all other parties.

Sec. 1584. Procedure when voucher defective. When a voucher produced for a sum of money disbursed shall be defective from the want of any certificate or other document which ought to have accompanied it, it shall be lawful for the commissioner, upon proof being made to his satisfaction that the disbursing officer did not wilfully neglect to procure such certificate or document, and that the sum specified in the voucher has been actually and properly disbursed, to admit such vouchers as sufficient discharge of such officer, and to allow the amount of same to his credit.

DESTRUCTION OF RECORDS

Sec. 1585. Destruction of records and vouchers. At the end of each fiscal year, the commissioner, with the approval of the auditor and the attorney general, may destroy all vouchers, documents and other records or papers on file with the commissioner or kept in his department for a period of more than ten years (exclusive of permanent records) which in his opinion are no longer of any use or value.

CHAPTER 25. AUDIT DEPARTMENT

Sec. 1586. Audit department; auditor; deputy. There is hereby created an audit department. The department shall be under the supervision and control of an auditor, appointed and removable as provided by the Hawaiian Organic Act. There shall also be a deputy auditor.

Sec. 1587. Oath of office. The auditor and deputy auditor shall, before entering upon the duties or exercising the powers vested in them by this chapter, make and subscribe before one of the justices of the supreme court, an oath of office or affirmation in the form in

section 19 of the Hawaiian Organic Act, and every such oath or affirmation shall be kept among the records of the court.

Sec. 1588. Deputy to act when. In case of illness or absence of the auditor, the deputy auditor shall exercise the powers and perform the duties of the auditor.

Sec. 1589. Appointments by auditor. The auditor shall appoint such professional, clerical or other personnel as shall be necessary to carry out the provisions of this chapter. All such appointments shall be made in accordance with the provisions of chapters 2 and 3, Revised Laws of Hawaii 1945.

Sec. 1590. Audit of accounts. The auditor, or his duly authorized deputy or assistants, shall examine and audit all accounts, reports and statements,and make independent verification of all assets, liabilities, inventories, revenues and expenditures of all territorial agencies, of all counties and of all appropriations made by the territorial legislature at least once each year and at any other time if deemed advisable or if so directed by the legislature or the governor. Such examinations and audits shall

include all accounts or funds held directly or in trust by the territory, any county, or any agency, officer or employee thereof.

Sec. 1591. Reports. The auditor shall make an annual report to the governor and the board of supervisors of each county, and a report to each regular session of the legislature. Such reports shall be in such detail as may be necessary to report fully his findings and shall include any recommendations that he may deem advisable, including any changes in organization, administration, methods, procedures or techniques for the purpose of improving the effectiveness and economy in the conduct of any agency or body whose accounts he audits. He shall report to the governor, the attorney general, or the respective board of supervisors forthwith, any and all instances of misfeasance, malfeasance or nonfeasance or other irregularity which may be disclosed by any audit conducted by him. He shall make any additional reports upon request by the governor, any board of supervisors, legislature or any committee thereof.

Sec. 1592. Duties when violations are

discovered. If the auditor shall disclose any instance of misfeasance, malfeasance or nonfeasance, or any other irregularity on the part of any officer or employee of any county or any territorial agency, it shall be the duty of the attorney general or the respective county attorneys to forthwith institute and prosecute such civil proceedings against such delinquent officer or employee, or upon his official bond, or both, as may be appropriate to secure to the territory or county the recovery of any funds or other assets unlawfully expended or disposed of.

Sec. 1593. Examining persons, books. The auditor shall cause to be made such investigations or examinations as he believes necessary in carrying out the provisions of this chapter, and he or his duly authorized deputy or assistants shall have power to administer oaths in connection therewith. Officers and employees of all agencies shall assist him, when and as he may require, in such investigations and examinations. He may cause search to be made and extracts to be taken from every book, paper or record in

the custody of any public officer without paying any fee for the same and it shall be the duty of every officer having the custody of any such book, paper or record to make such search and furnish such extracts as requested.

Sec. 1594. No privilege to witnesses; immunity from prosecution. No witness before the auditor or his duly authorized deputy or assistant shall be privileged to refuse to testify to any fact or to produce any paper, respecting which he shall be examined, upon the ground that his testimony to such fact or his production of such paper might incriminate himself, but no prosecution can afterwards be had against him for any offense concerning which he has testified. Any official paper or record produced by such witness is not within such privilege.

Sec. 1595. Penalties. Any officer, employee, or person who shall fail or neglect to conform to any of the provisions of this chapter, or shall fail or neglect to attend the auditor or his duly authorized deputy or assistants for the purpose of being examined or to produce any accounts, books, vouchers

or other documents or to answer any other lawful question when required to do so by the auditor or his duly authorized deputy or assistants, shall be liable to a penalty of not less than $25.00, nor more than $500.00, on conviction.

Sec. 1596. Accounting system. The auditor shall advise the commissioner of finance and boards of supervisors of each county concerning the system of accounts, records and books to be used by all territorial agencies and county agencies. Accounts, records and books shall be kept only by such systems as have been approved by the auditor.

## CHAPTER 26. TREASURY

### PAYMENTS INTO THE TREASURY

Sec. 1597. By Honolulu accountants. Every public accountant collecting or receiving revenue or other moneys aforesaid in Honolulu shall pay weekly, or at such other times as may be otherwise specially appointed, into the treasury all sums of money collected by him on account of the revenue or otherwise as aforesaid, accompanied by vouchers bearing his signature, and which such sums shall have been collected or received, and unless specially

directed, shall, not later than the fifth day after the expiration of each month, transmit to the commissioner a return under oath, with such particulars in each case as may be required by the commissioner, of all moneys collected or received by him during the preceding month.

Sec. 1598. By accountants out of Honolulu. Every public accountant collecting or receiving revenue or other moneys as aforesaid out of Honolulu shall transmit or pay monthly, or at such times as may otherwise be appointed, into the treasury all sums of money collected or otherwise received by him on account of the revenue or otherwise as aforesaid, accompanied by vouchers bearing his signature, and containing a full and accurate description of the services for which such sums shall have been collected or received, and unless otherwise specially directed, shall, on or before the tenth day after the expiration of each month, transmit to the commissioner, by post or otherwise, a return under oath, with such particulars in each

case as may be required by the commissioner, of all moneys collected or received by him during the preceding month.

Sec. 1599. Deposits in bank. Every public accountant other than the treasurer, receiving or disbursing money belonging to the territory may deposit to his official credit and keep all moneys received by him in such banks as may be designated therefor by the treasurer with the approval of the governor until such moneys are remitted to the treasurer as required by law, and such public accountant shall not be responsible for such moneys while so deposited.

Sec. 1600. Payment to territory under protest. Moneys representing a claim in favor of the territory may be paid to a public accountant of the territory under protest in writing signed by the person making such payment, or by his agent, setting forth the grounds of such protest, in which event the public accountant to whom such payment is made shall hold the money so paid for a period

of thirty days from the date of payment. The protest shall cover subsequent payments made with respect to the same claim, and the public accountant shall, upon receipt by him of such subsequent payments, transmit the same without delay to the treasurer who shall treat the same as prior payments received therefor.

Action to recover the money so paid, or proceedings to adjust the claim may be commenced by the payer or claimant against the public accountant to whom the payment was made, in a court of competent jurisdiction, within such period of thirty days and in default of bringing such suit or proceedings within such period, the money so paid shall be by such accountant deposited in the treasury of the territory, and the same shall thereupon become a government realization.

If action to recover the money so paid under protest, or proceedings to adjust the claim, shall be commenced within thirty days after payment of the money under protest, the amount so paid shall be transmitted by the public accountant to the treasurer of the territory who shall hold the same as a special

deposit pending the final decision of the cause. If the final decision shall be in favor of the claimant, the treasurer shall pay to him out of such special deposit, such amounts as shall have been ascertained by the treasurer from a certified copy of the judgment of the court, in which the cause was finally determined, which shall be his authority and warrant for such payment.

Sec. 1601. On death, moneys to successor. On the death, resignation or removal of any public accountant the balance of public moneys remaining in his hands shall, upon the appointment of his successor, unless otherwise directed by law, vest in such successor, and shall not in the event of death of any public accountant constitute assets of the deceased or be in any manner subject to the control of his legal representative.

Sec. 1602. Commissioner to enforce payments, collections. The commissioner, upon the receipt by him of the returns required to be furnished by public accountants, billing, receiving or collecting moneys as hereinafter in this chapter provided, shall examine and

compare the same with the schedule of accounts receivable, cash receipts and with the accompanying vouchers and documents, if any, and shall allow and discharge every public accountant for all sums shown to have been by him respectively received or collected and duly paid into the treasury, and shall disallow and surcharge such public accountant for all sums wilfully or negligently omitted to be received or collected by him, which under any law or regulation it was his duty to receive or collect, and all sums not duly paid by him into the treasury, and such unsatisfied surcharges shall be by him enforced against such public accountant.

Sec. 1603. Powers in examination. In the examination of all territorial accounts and statements and all other documents produced as vouchers, or as subordinate vouchers, the commissioner shall make such queries and observations addressed to public accountants, officers certifying accounts, or persons in any way concerned with the receipt or disbursement of the moneys or funds referred to in this chapter, and shall call for such further accounts, vouchers, statements and explanations as he

may think necessary, and after such queries and observations have been answered, and after such further accounts and explanations have been rendered, the commissioner shall disallow and surcharge all sums not duly credited to the proper fund and paid into the treasury, and shall disallow and surcharge all sums disbursed in excess or not duly vouched and authorized, against such public accountant, officers certifying accounts or other persons through whose default such surcharges have arisen, and until such failure shall have been made good to the satisfaction of the commissioner, all salary or other moneys that may be due and payable to such public accountant or other person shall be withheld.

Sec. 1604. Receipts and payments. For all moneys paid into the treasury there shall be prepared three receipts, two of which shall be signed for the money, which shall be alike, excepting that upon the face of one of them shall appear the word 'original' and on the others the words 'duplicate' and 'triplicate', respectively. Such receipts shall specify the

the amount and from what person or officer received and into what fund or what account deposited. On the triplicate copy of such receipt shall be entered a memorandum of the contents thereof, and the treasurer shall deliver both the original and duplicate receipts to the person or officer paying the money into the treasury. Such officer or person shall forthwith present both receipts to the commissioner of finance, who shall countersign the original receipt and file the duplicate, after writing upon its face the day of its delivery to him, and charging the treasurer with the amount specified therein, and crediting the fund or account named thereon. No such receipt shall be considered valid or binding as against the territory unless so countersigned as in this chapter before provided.

PAYMENTS OUT OF TREASURY

Sec. 1605. Treasurer to keep cash book. The treasurer shall keep in his office a cash book in which shall be entered up all sums received and paid out of the treasury on account of the several territorial agencies.

Sec. 1606. Warrants, payment, issue of treasurer's warrant notes. Every lawful demand upon the treasury, duly pre-audited as in this title before provided, shall in all cases be paid by the treasurer on the date authorized and enfaced thereon or as soon thereafter as presented if there be sufficient funds at that time in the treasury applicable to the payment of such demand. Upon payment, all warrants shall be cancelled and proper entry be made thereof. If there are no sufficient moneys so applicable, the treasurer shall issue in lieu thereof, a treasurer's warrant note or notes, equal in amount to the face value of the warrant or warrants so presented for payment.

The governor and treasurer shall determine the rate of interest each treasurer's warrant note shall pay, which interest shall not be in excess of five per cent per annum.

The treasurer's warrant notes may be issued for the combined face value of any number of warrants or treasurer's warrant notes previously issued against the same fund.

Except for those notes issued to redeem treasurer's warrant notes previously issued, no warrant note shall be issued except in payment of a warrant or warrants presented for payment as in this section provided. The treasurer shall cancel every warrant or warrant note presented as hereinbefore mentioned.

All such treasurer's warrant notes shall be issued upon the credit of the territory, and the interest thereof shall be exempt from taxation.

Sec. 1607. Interest designated on warrant note. When the treasurer pays any note upon which interest is due, he shall designate on the warrant note the amount of interest paid thereon, and enter on his account the amount of such interest distinct from the principal.

Sec. 1608. Notice of payment; warrant notes advertised by number. When there are sufficient moneys in the treasury to pay warrant notes, the treasurer shall give notice for one week in one or more daily newspapers in Honolulu, stating therein that the warrant notes whose numbers appear in

the advertisement are payable, and that interest shall cease upon all such called warrant notes ten days after the first publication of such notice.

Sec. 1609. Warrants barred when. No warrant upon the territorial treasury shall be paid unless presented at the treasury for payment before the close of the biennial period next after the biennial period in which it shall have been issued. All warrants not so presented within such time shall be deemed to have been paid, and any moneys held at the expiration of such time in a special fund or account for the payment of such warrants shall thereupon be transferred to the general fund.

Sec. 1610. Destruction of warrants, bonds, etc. The treasurer and auditor of the territory are hereby authorized and empowered to supervise and conduct the burning and destruction of all warrants of the territory and all territorial bonds and interest coupons which have been paid and which bear any date ten years prior to the date of burning and destruction.

Sec. 1611. Examination before destruction. Before the burning and destruction of such warrants, bonds and interest coupons the auditor of the territory shall conduct such examination and investigation as is necessary to determine that the warrants, bonds and interest coupons to be burned and destroyed bear any date ten years prior to the date of burning and destruction.

COUNT OF MONEY

Sec. 1612. Count of money and securities. The auditor shall, on the last day of December and of June of each year, and at such other times as he or the governor may deem proper, count the money and securities in the territorial treasury and prepare, in quadruplicate, statements showing:

1. The amount of money that ought to be in the treasury;

2. The amount and kind of money actually therein;

3. The amount of securities owned by the territory that ought to be in the treasury;

4. The amount of securities owned by the territory actually in the treasury;

5. The amount of depository securities that ought to be in the treasury; and

6. The amount of depository securities actually in the treasury.

Sec. 1613. Statements of count to be filed. The auditor shall file the original of the statements with the governor and copies with the treasurer and the commissioner of finance, and shall post and maintain one copy

in his office for at least one month thereafter."

SECTION 2. Powers transferred to the commissioner of finance. The following powers and duties are hereby transferred to the commissioner of finance:

(1) All powers and duties presently vested in the director of the bureau of the budget;

(2) The powers and duties presently vested in the auditor, except those relating to the post-audit of accounts;

(3) All powers and duties presently vested in the board of disposal.

SECTION 3. Powers transferred to auditor. All powers and duties heretofore vested in the bank examiner or deputy bank examiner relating to the audit of county books are hereby transferred to the auditor.

SECTION 4. Transfer of equipment and records. All property, including but not limited to equipment, supplies and records, and any funds appropriated for such property, which are directly related to, or necessary for use in connection with, any of the functions which have been, or may at any time be, assigned to the department of finance in accordance with this Act, is hereby transferred to that department from the agency heretofore performing those functions, and any such property and any funds appropriated for such property directly related to, or necessary for use in connection with, any of the functions which have been assigned to the audit department is hereby transferred to that department from the agency heretofore performing those functions.

SECTION 5. Transfer of personnel. The commissioner or the auditor, as the case may be, is hereby authorized

to transfer from the agency by which they are now employed, to the department of finance or audit department, such employees whose employment is covered by chapters 2 and 3, Revised Laws of Hawaii 1945, as he may deem necessary whose principal duties have been the performance of any function which has been, or may at any time be, assigned to the department of finance or audit department in accordance with this Act and to similarly transfer any funds appropriated for such employees. No such employee shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave or other employee benefits or privileges by reason of such transfer, subject, however, thereafter to any changes in status made pursuant to chapter 2. Any permanent employee whose principal duties have been the performance of any function which has been transferred to the department of finance or audit department, as the case may be, under this Act, who has not himself been

transferred to the department of finance or audit department or has not been retained by the agency from which that function has been transferred, because of the passage of this Act, shall, for each day following the termination of his services, receive termination pay, payable on a monthly basis, in an amount equal to one day's base pay for the position he held at the time of severance, provided, however, (1) that said termination pay shall not exceed a total amount equal to eighteen days' base pay and, in addition, six days' base pay for each credited year of service with the territorial government; (2) that such termination pay shall not accrue on or after any day on which such employee is reemployed by any territorial agency or in any public or private service; and (3) that such termination pay shall not accrue following the date on which such employee refuses to accept an appointment to a

position of equivalent classification in the territorial civil service. Any such employee shall have top priority in transfer or reemployment to any position in any other territorial agency for which he qualifies and he shall be first employed by such agency in the event of any such opening or vacancy in that agency.

Claims for such termination pay shall be made to and approved by the director of the territorial civil service commission on such forms and with such supporting information as he may prescribe. Warrants in payment of such approved claims shall be drawn by the commissioner of finance and shall be paid out of the general revenues of the territory and there is hereby appropriated out of such general revenues sufficient moneys for this purpose.

SECTION 6. No provision of this Act shall be applicable to the Hawaii housing authority.

SECTION 7. Effect of this Act on other laws. (a) All laws or parts of laws inconsistent herewith are hereby amended to conform to the provisions of this Act.

(b) Wherever in the Revised Laws of Hawaii 1945, as amended, or in any Session Laws (including any civil defense or emergency measure), whether heretofore enacted or enacted at the Regular Session of 1951, reference is made to any section affected in whole or in part by this Act, such reference shall be deemed to refer to the section of this Act which affects such other section, and also the section affected if said section is affected only in part.

(c) Wherever, by any law enacted at the Regular Session of 1951, an amendment is made of any section cited by the section number or numbers thereof in title 4 of the Revised Laws of Hawaii 1945 as the same read prior to the enactment of this Act said law shall be deemed to

be an amendment of the appropriate section or sections of title 4 as the same reads upon the enactment of this Act.

(d) Notwithstanding the revision of title 4 of the Revised Laws of Hawaii 1945 by this Act, the provisions of chapter 26 relating to the inventory of property belonging to counties, as the same read or have been amended to read prior to the enactment of this Act, shall continue in full force and effect.

SECTION 8. If any section, sentence, clause or phrase of this Act, or its application to any person or circumstance, is for any reason held to be unconstitutional or invalid, the remaining portions of this Act, or the application of this Act to other persons or circumstances, shall not be affected. The legislature hereby declares that it would have passed this Act and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections,

sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 9. Short title. This Act may be cited as the "Finance Reorganization Act of 1951".

SECTION 10. This Act shall take effect July 1, 1951.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., May 8, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives.

Clerk, House of Representatives.

1951 REG SENATE

**Senate Bill No.** 71

F

Ang for Gov
5/12/51

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO THE ORGANIZATION OF CERTAIN EXECUTIVE AGENCIES OF THE TERRITORY OF HAWAII, CREATING A DEPARTMENT OF TREASURY AND COMMERCE, AND TRANSFERRING CERTAIN POWERS AND DUTIES.

Introduced February 26, 19 51, by

Senator BEN DILLINGHAM

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | COMMITTEE OF THE WHOLE |
| Third Reading in Senate | April 10, 1951. |
| First Reading in House | April 11, 1951 |
| Referred to | |
| Second Reading in House | April 12, 1951 |
| Referred to | COMMITTEE ON FINANCE. |
| Third Reading in House | May 8, 1951 |

✓ 5/12

ELLEN D. SMYTHE

*Clerk of the Senate*

S. B. NO. 71

AN ACT

RELATING TO THE ORGANIZATION OF CERTAIN EXECUTIVE AGENCIES OF THE TERRITORY OF HAWAII; CREATING A DEPARTMENT OF TREASURY AND COMMERCE; ABOLISHING CERTAIN AGENCIES AND CERTAIN FUNDS; AND TRANSFERRING CERTAIN POWERS AND DUTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 110, Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"Chapter 110

"Department of Treasury and Commerce

"Section 5801. Definitions. Whenever used in this chapter, unless the context clearly indicates otherwise, the word 'department' shall mean the department of treasury and commerce established herein. 'Regulatory board' shall refer to all of the following boards and commissions: board of examiners of abstract makers; board of accountancy; board of barbers; boxing commission; board of chiropractic examiners; board of dental examiners; board of registration for professional engineers, architects and surveyors; board of hairdressers, cosmeticians and cosmetologists; board of massage; board of medical examiners; board of examiners in natureopathy; board of registration of nurses; board of examiners in optometry; board of osteopathic examiners; board of pharmacy; board of photography; real estate commission; and board of veterinary examiners.

"Section 5802. Treasury and commerce department; treasurer. There is hereby created a department of treasury and commerce. The department shall be headed by a treasurer, to be appointed by the governor in accordance with the provisions of Section 80 of the Hawaiian Organic Act. He shall receive such salary as shall be provided by law.

"Section 5803. Appointments by treasurer. The treasurer is hereby authorized to appoint an assistant or deputy treasurer, and he may delegate to such assistant or deputy full authority to perform any of the duties imposed on him by law. He may appoint such other personnel, in accordance with the provisions of chapters 2 and 3, Revised Laws of Hawaii 1945, as he may deem necessary to carry out the provisions of this chapter.

"Section 5804. Powers and duties. The treasurer shall have the power and it shall be his duty:

(1) To receive, handle, deposit, invest and disburse all territorial moneys, in accordance with the law, and he shall be personally responsible for the safekeeping of all moneys paid into the treasury, and for the proper disbursement and appropriation thereof, pursuant to the laws; provided, however, that in case of the larceny or embezzlement of any such moneys, by any officer of his department, or other persons, the treasurer shall be allowed to give that fact, and that he had no collusive knowledge thereof, in evidence, and the establishment of such facts shall discharge him from personal liability;

(2) To supervise the sale, purchase and redemption of bonds of the Territory;

(3) To serve, ex-officio, as bank examiner of the Territory;

(4) To serve, ex-officio, as insurance commissioner of the Territory;

(5) To serve, ex-officio, as territorial fire marshal;

(6) To make such reports as he may deem necessary or as may be requested by the governor or legislature; to prepare and submit to the governor and the legislature, immediately following the close of each fiscal year, a general financial report for all monies in his possession; to report annually to the governor concerning the activities of the department, including the employees' retirement system, public utilities commission and all regulatory boards;

(7) To keep, or cause to be kept, in appropriate books, a clear, distinct and full record of all the transactions and business of his department;

(8) To perform all functions relating to the appointment, employment and supervision of all employees of the employees' retirement system, the public utilities commission and of each regulatory board, including, without limiting the generality of the foregoing, attorneys, clerks, stenographers, agents, engineers, accountants, investigators, secretaries and executive secretaries; provided, however, that the actuary of the employees' retirement system shall not be so included.

(9) To study, investigate and prepare plans or programs for the promotion, expansion, encouragement or prosperous development of agriculture, commerce and industry in the Territory;

(10) To conduct or encourage research designed to further new or more extensive uses of the Territory's resources and products or to develop new products, processes and markets;

(11) To study and promote trade and commerce relating to any resource or product of the Territory and study and develop means of removing or preventing the establishment of trade barriers of any kind;

(12) To study business conditions, trends and developments in the Territory;

(13) To compile, collect and make available to the public information relating to any research, investigation or study undertaken by the department, and information or statistical data relating to business, trade, commerce, industry, transportation, communication, natural resources, travel or other related subjects;

(14) To cooperate in the promotion and encouragement of travel to and within the Territory;

(15) To accept gifts, grants or donations and make use of such in accordance with law and for the purpose of paragraphs 9 through 15 of this section. All such contributions of money shall be paid into the Territorial treasury;

(16) To cooperate with all private or governmental organizations, groups or agencies engaged in

functions similar to the research and promotional functions herein assigned the department, maintain a continuous record of current projects under study by such groups and agencies and keep such organizations, groups or agencies informed concerning the department's activities.

"Section 5805. The treasurer shall have power to administer all necessary oaths connected with the duties of his department.

"Section 5806. Treasurer's certificates, evidence. The treasurer shall have power to certify, under the seal of his department, copies of vouchers and other documents deposited in his office; and such copies so certified shall be as valid evidence in any court as the originals.

"Section 5807. Fees. The treasurer shall charge the following fees:

(1) For administering any oath, one dollar;

(2) For preparing every photostat copy of any document on record in his office, fifty cents per page or portion thereof;

(3) For preparing every typewritten copy of any document on record in his office, fifty cents per page or portion thereof;

(4) For preparing a certificate of compliance, one dollar for the original certificate, and twenty-five cents for each additional copy thereof;

(5) For comparing any document submitted for certification, fifteen cents per page or portion thereof;

(6) For certifying any document on record in

his office, twenty-five cents for each certification;

(7) For all other acts and duties, the fees of which are not otherwise provided for, such charges as the treasurer may from time to time prescribe.

"Section 5808. Responsibility for drafts on. Except as otherwise provided, the head of each department shall be responsible for the correctness of all drafts or orders drawn by him upon the treasury, in pursuance of appropriations, and for the proper disbursements of all appropriations for his department. The responsibility of the treasurer, in such cases, shall be limited to the payment of the aggregate amount of appropriations made by the legislature.

"Section 5809. Fiscal agents. The treasurer is authorized and empowered to appoint, with the approval of the governor, such fiscal agents as may be necessary and expedient to facilitate the sale, purchase and redemption of the bonds of the Territory and the payment of interest thereon. The treasurer may authorize and empower such fiscal agents, for and on behalf of the Territory, to receive and receipt for moneys realized from the sale of such bonds and to pay out moneys for the redemption or purchase thereof and for the payment of interest thereon, and to receive receipts for all moneys so paid out. Moneys received by the fiscal agents from the sale of bonds on behalf of the Territory shall not, for a period of fifteen days after the sale of bonds, be considered as deposits within the meaning of chapter 113, and moneys placed with the fiscal agents for the

purpose of purchase or redemption of bonds and coupons shall not be considered as deposits within the meaning of chapter 113.

The treasurer is also authorized and empowered to appoint, with the approval of the governor, such mainland depositories as may be necessary or expedient for the safekeeping of securities owned by the Territory, and may authorize and empower such depositories, for and on behalf of the Territory, to pay for, receive delivery of, and receipt for, securities purchased by the Territory, to receive interest payments to deliver and receive payment for securities sold or redeemed by the Territory, and to perform all other acts in connection with such securities which are customarily performed by depositories. Moneys received by such depositories on behalf of the Territory from the sale or redemption of securities, or as interest, shall not for a period of fifteen days after the receipt thereof by the depository be considered as deposits within the meaning of chapter 113, and moneys placed with the depositories for the purpose of purchase of securities shall not be considered as deposits within the meaning of chapter 113. The provisions of this paragraph may be applied with respect to any securities deposited in the treasurer's custody or control by any agency, government or private, with the approval of and at the expense of such agency, which expenditures, in the case of a government agency, may be made from any funds available for its current expenses. Funds of any such government agency awaiting investment, also funds received by such depository on behalf of

such government agency from the sale or redemption of securities or as interest for a period of fifteen days after receipt thereof, shall be deemed held by the treasurer or in the treasury of the Territory within the meaning of any requirement of law, and any such moneys, though required to be held in the treasury, shall not, under the foregoing circumstance, be considered as deposits within the meaning of chapter 113.

"Section 5810. Short term investment of territorial moneys. The treasurer is authorized and empowered to invest, with the approval of the governor, any general, special, loan or revolving fund moneys of the Territory which in the treasurer's judgment are in excess of the amounts necessary for meeting the immediate requirements of the said respective funds, and where in his judgment such action will not impede or hamper the necessary financial operations of the Territory, in any security authorized by section 5927 for the investment of sinking fund moneys, provided the said security is due to mature not more than five years from the date of investment. Income derived therefrom shall be a realization of the general fund.

"Section 5811. Purchase of county bonds. The treasurer, with the approval of the governor, is authorized to purchase bonds issued by the several counties in conformity with law, or to lend money to the counties on the security of such bonds out of

any funds that may be available for such purposes, or to accept such bonds as payment for property sold to the counties, whenever they may deem it for the public interest to do so.

When there are moneys in the general, special or revolving funds of the Territory which in the treaurer's judgment are in excess of the amounts necessary for the immediate territorial requirements, the treasurer is authorized to make temporary loans therefrom to the employees' retirement system, the board of water supply of the city and county of Honolulu, the Hawaii housing authority, or to any territorial or county department , board, commission, officer, authority or agency authorized under the laws of the Territory to issue bonds, or to the several counties, if in his judgment such action will not impede or hamper the necessary financial operations of the Territory. Such loans to any county shall not at any time be more than one hundred thousand dollars over the amount of tax moneys which the treasurer estimates will be paid by him to the said county during the balance of the calendar year, provided, that in the case of the city and county of Honolulu, such loans may be made up to two hundred and fifty thousand dollars over the amount of tax moneys which the treasurer estimates will be paid by him to the city and county during the balance of the calendar year. Such loans to other organizations shall not at any time exceed the amount of moneys which the treasurer estimates the organization will be in

receipt of, from bond funds or other sources, during the twelve months following the loan. The said loans shall be without interest. Loans to counties shall be made only upon the request of the county treasurer approved by the county board of supervisors. All loans shall be repaid upon the demand of the treaurer. In the absence of any demand, loans to counties shall be repaid before June 30th of the following year, pursuant to the following procedure: from time to time as tax moneys which are payable to the borrowing county are deposited in the treasury, the treasurer shall retain therefrom sufficient to cover the amounts of all loans, and shall reimburse the general, special or revolving funds therewith. Likewise, when there are such excess moneys, the treasurer is authorized to make temporary transfers of same to the loan fund for the temporary uses thereof. The total of such transfers to the loan fund shall not exceed the sum of unissued general obligation bonds of the Territory as authorized by the legislature. The general, special or revolving funds shall be reimbursed from the proceeds of bond sales upon the eventual issuance and sale of such bonds.

"Section 5812. Power of counties to incur excess liabilities. Any provision of the law to the contrary notwithstanding, the board of supervisors of any county shall be authorized and empowered, with the prior approval of the governor and the director of the bureau of the budget of the Territory, and upon such authority of the board, any duly authorized department, bureau, officer or

employee of the county shall be authorized (a) to incur, authorize and contract, during any fiscal year, liabilities and obligations, whether payable during such fiscal year or not, for any and all purposes in excess of the moneys available for such purposes for such county during such year, provided, that in the case of the county of Hawaii, Kauai or Maui, the total of liabilities and obligations incurred, authorized or contracted during any fiscal year in excess of the moneys available to such county during such year shall not exceed one hundred thousand dollars, and in the case of the city and county of Honolulu shall not exceed two hundred and fifty thousand dollars, and (b) to pay such liabilities and obligations out of any moneys borrowed from the Territory under the provisions of section 5811.

"Section 5813. Revenues of certain agencies. All revenues or receipts, from whatsoever source accruing to the department, from the public utilities commission, the board of trustees of the employees' retirement system or any regulatory board other than funds received on account of contributions to any retirement system, shall be paid into the territorial treasury and credited to the general fund of the Territory.

"Section 5814. Advisory board. There is hereby created an advisory board on commerce. Such board shall be composed of nine members, at least one of whom shall be a resident of each county of the Territory, who shall be appointed by the governor with

the advice and consent of the Senate. Of the members first appointed, three shall serve for a term of one year each, three for terms of two years each and three for terms of three years each. All other members shall serve for terms of three years each. The board shall elect its own chairman and establish its own rules of procedure. The members shall serve without pay but shall receive actual expenses incurred in the discharge of their duties.

"Section 5815. Investigations by treasurer. The treasurer shall investigate and study the programs, practices and procedures of the respective regulatory boards, such investigation and study to be particularly concerned with personnel policies and practices of the boards, methods of registration or licensing and administrative procedure. He shall report to the governor and the legislature at each regular session of the legislature concerning such investigation and study, and make such recommendations concerning such programs, practices and procedures as he sees fit."

SECTION 2. Transfer of certain functions. (a) The public utilities commission, the board of trustees of the employees' retirement system of the Territory and each regulatory board shall continue to have all the powers and shall exercise all of the functions and duties imposed upon them by law, except that the functions relating to the appointment, employment and supervision of employees thereof shall be exercised by the treasurer as provided by this Act.

(b) Functions relating to the issuance of all licenses

upon recommendation, report or certification of the regulatory boards, heretofore vested in the board of health, are hereby transferred to the treasurer. All licenses and certificates heretofore issued by any regulatory board or by the public utilities commission, shall be issued by the treasurer, upon the certification and recommendation of the respective board.

SECTION 3. Industrial research advisory council; abolished. The industrial research advisory council, created by Act 122, Session Laws of Hawaii 1949, is hereby abolished. All powers and duties by said Act vested in the council are hereby transferred to the department of treasury and commerce created by this Act.

SECTION 4. Transfer of property. All property, including but not limited to equipment, supplies and records, of any territorial office, board, commission, agency or council, which are directly related to, or used in connection with, any of the functions which have been by this Act transferred to the department of treasury and commerce, is hereby transferred to that department from the office, board, commission, agency or council heretofore performing those functions.

SECTION 5. Transfer of personnel. The treasurer is hereby authorized to transfer, from the office, board, commission, agency or council by which they are now employed, to the department of treasury and commerce, such employees whose employment is covered by chapters 2 and 3 of the Revised Laws of Hawaii 1945 as the treasurer may deem necessary. No such employee shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave or other employee benefits or privileges by reason of such transfer, subject, however,

thereafter to any changes in status made pursuant to chapter 2. Any permanent civil service employee of such office, board, commission, agency or council not so transferred shall, for each day following the termination of his services, receive termination pay, payable on a monthly basis, in an amount equal to one day's base pay for the position held at the time of severance, provided, however, (1) that said termination pay shall not exceed a total amount equal to eighteen days' base pay and, in addition, six days' base pay for each year of credited service with the territorial government; (2) that such termination pay shall not accrue on or after any day on which such employee is reemployed by any territorial agency or in any public or private service; and (3) that such termination pay shall not accrue following the date on which such employee refuses to accept an appointment to a position of equivalent classification in the territorial civil service. Any such employee shall have top priority in transfer or reemployment to any position in any other territorial agency for which he qualifies and he shall be first employed by such agency in the event of such an opening or vacancy in that agency.

Claims for termination pay shall be made to and approved by the director of the Territorial civil service commission on such forms and with such supporting information as he may prescribe. Warrants in payment of such approved claims shall be drawn by the auditor and shall be paid out of the general revenues of the Territory and there is hereby appropriated out of such general revenues sufficient moneys for this purpose.

SECTION 6. Repeal of conflicting laws. All laws or parts of laws inconsistent with the terms of this Act are hereby amended to conform to the provisions of this Act.

SECTION 7. Short title. This Act may be cited as the "Treasury and Commerce Act of 1951".

SECTION 8. This Act shall take effect on July 1, 1951.

INTRODUCED BY:

Ben Dillingham
Senator 3rd Dist.

Honolulu, T. H.
Feb. 26, 1951

S. B. No. 71
S. D. 1

A N  A C T

RELATING TO THE ORGANIZATION OF CERTAIN EXECUTIVE AGENCIES OF THE TERRITORY OF HAWAII, CREATING A DEPARTMENT OF TREASURY AND COMMERCE, AND TRANSFERRING CERTAIN POWERS AND DUTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 110, Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"CHAPTER 110. DEPARTMENT OF TREASURY AND COMMERCE

Sec. 5801. Definitions. Whenever used in this chapter, unless the context clearly indicates otherwise, the word 'department' shall mean the department of treasury and commerce established herein. 'Regulatory board' shall refer to all of the following boards and commissions: board of examiners of abstract makers; board of accountancy; board of barbers; boxing commission; board of chiropractic examiners; board of dental examiners; board of registration for professional

engineers, architects and surveyors; board of hairdressers, cosmeticians and cosmetologists; board of massage; board of medical examiners; board of examiners in natureopathy; board of registration of nurses; board of examiners in optometry; board of osteopathic examiners; board of pharmacy; board of photography; real estate commission; and board of veterinary examiners.

Sec. 5802. Treasury and commerce department; treasurer. There is hereby created a department of treasury and commerce. The department shall be headed by a treasurer, to be appointed by the governor in accordance with the provisions of section 80 of the Hawaiian Organic Act. He shall receive such salary as shall be provided by law.

Sec. 5803. Appointments by treasurer. The treasurer is hereby authorized to appoint an assistant or deputy treasurer, and he may delegate to such assistant or deputy full authority to perform any of the duties imposed on him by law. He may appoint such other personnel, in accordance with the provisions of chapters 2 and 3, Revised Laws of Hawaii 1945, as he may deem necessary to carry out the provisions of this chapter.

Sec. 5804. Powers and duties. The treasurer shall have the power and it shall be his duty:

(1) To receive, handle, deposit, invest and disburse all territorial moneys, in accordance with law, and he shall be personally responsible for the safekeeping of all moneys paid into the treasury, and for the proper disbursement and appropriation thereof, pursuant to the laws; provided, however, that in case of the larceny or embezzlement of any such moneys, by any officer of his department, or other persons, the treasurer shall be allowed to give that fact, and that he had no collusive knowledge thereof, in evidence, and the establishment of such facts shall discharge him from personal liability;

(2) To supervise the sale, purchase and redemption of bonds of the Territory;

(3) To serve, ex officio, as bank examiner of the Territory;

(4) To serve, ex officio, as insurance commissioner of the Territory;

(5) To serve, ex officio, as territorial fire marshal;

(6) To make such reports as he may deem necessary or as may be requested by the governor or legislature; to prepare and submit to the governor and the legislature, immediately following the close of each fiscal year, a general financial report for all moneys in his possession; and to report

annually to the governor concerning the activities of the department and all regulatory boards included under subdivision (8) herein.

(7) To keep, or cause to be kept, in appropriate books, a clear, distinct and full record of all the transactions and business of his department;

(8) To perform all functions relating to the appointment, employment and administrative supervision of all employees of each regulatory board dependent in part or in whole upon funds appropriated from the general revenues of the Territory and not meeting all of its expenses from revenues collected in the form of license fees, service charges, or otherwise, from the persons licensed and regulated thereby, including, without limiting the generality of the foregoing, attorneys, clerks, stenographers, agents, engineers, accountants, investigators, secretaries, and executive secretaries.

(9) To cooperate with, to assist in the coordinating of, and to supplement directly, as necessary or as expedient, the activities of all private or governmental organizations, groups or agencies, engaged in the following research and promotional functions:

(a) The study, investigation and preparation of plans or programs for the promotion, expansion,

encouragement or prosperous development of agriculture, commerce and industry in the Territory;

(b) The conducting or encouraging of research designed to further new, more extensive, or more efficient uses of the Territory's resources and products or to develop new products, processes and markets;

(c) The study and promotion of trade and commerce relating to any resource or product of the Territory and the study and development of means of removing or preventing the establishment of trade barriers of any kind;

(d) The study of business conditions, trends and developments in the Territory;

(e) The compiling, collecting and making available to the public information relating to any research, investigation or study undertaken by the department, and information or statistical data relating to business, trade, commerce, industry, transportation, communication, natural resources, travel or other related subjects;

(f) The promotion and encouragement of travel to and within the Territory.

The department shall maintain a continuous record of current projects under study by such groups and agencies and keep such organizations, groups or agencies informed concerning the department's research and promotional activities. The

department may accept gifts, grants or donations and make use of them in accordance with law for the performance of the research and promotional functions set forth in this subdivision (9). All such contributions of money shall be paid into the territorial treasury.

Sec. 5805. The treasurer shall have power to administer all necessary oaths connected with the duties of his department.

Sec. 5806. Treasurer's certificates, evidence. The treasurer shall have power to certify, under the seal of his department, copies of vouchers and other documents deposited in his office; and such copies so certified shall be as valid evidence in any court as the originals.

Sec. 5807. Fees. The treasurer shall charge the following fees:

(1) For administering any oath, one dollar;

(2) For preparing every photostat copy of any document on record in his office, fifty cents per page or portion thereof;

(3) For preparing every typewritten copy of any document on record in his office, fifty cents per page or portion thereof;

(4) For preparing a certificate of compliance, one dollar for the original certificate, and twenty-five cents for each additional copy thereof;

(5) For comparing any document submitted for certification, fifteen cents per page or portion thereof;

(6) For certifying any document on record in his office, twenty-five cents for each certification;

(7) For all other acts and duties, the fees of which are not otherwise provided for, such charges as the treasurer may from time to time prescribe.

Sec. 5808. Responsibility for drafts on. Except as otherwise provided, the head of each department shall be responsible for the correctness of all drafts or orders drawn by him upon the treasury, in pursuance of appropriations, and for the proper disbursements of all appropriations for his department. The responsibility of the treasurer, in such cases, shall be limited to the payment of the aggregate amount of appropriations made by the legislature.

Sec. 5809. Fiscal agents. The treasurer is authorized and empowered to appoint, with the approval of the governor, such fiscal agents as may be necessary and expedient to facilitate the sale, purchase and redemption of the bonds of the Territory and the payment of interest thereon. The treasurer may authorize and empower such fiscal agents, for and on behalf of the Territory, to receive and re-

ceipt for moneys realized from the sale of such bonds and to pay out moneys for the redemption or purchase thereof and for the payment of interest thereon, and to receive receipts for all moneys so paid out. Moneys received by the fiscal agents from the sale of bonds on behalf of the Territory shall not, for a period of fifteen days after the sale of bonds, be considered as deposits within the meaning of chapter 113, and moneys placed with the fiscal agents for the purpose of purchase or redemption of bonds and coupons shall not be considered as deposits within the meaning of chapter 113.

The treasurer is also authorized and empowered to appoint, with the approval of the governor, such mainland depositories as may be necessary or expedient for the safekeeping of securities owned by the Territory, and may authorize and empower such depositories, for and on behalf of the Territory, to pay for, receive delivery of, and receipt for, securities purchased by the Territory, to receive interest payments, to deliver and receive payment for securities sold or redeemed by the Territory, and to perform all other acts in connection with such securities which are customarily performed by depositories. Moneys received by such depositories on behalf of the Territory from the sale or redemp-

tion of securities, or as interest, shall not for a period of fifteen days after the receipt thereof by the depository be considered as deposits within the meaning of chapter 113, and moneys placed with the depositories for the purpose of purchase of securities shall not be considered as deposits within the meaning of chapter 113. The provisions of this paragraph may be applied with respect to any securities deposited in the treasurer's custody or control by any agency, government or private, with the approval of and at the expense of such agency, which expenditures, in the case of a government agency, may be made from any funds available for its current expenses. Funds of any such government agency awaiting investment, also funds received by such depository on behalf of such government agency from the sale or redemption of securities or as interest for a period of fifteen days after receipt thereof, shall be deemed held by the treasurer or in the treasury of the Territory within the meaning of any requirement of law, and any such moneys, though required to be held in the treasury, shall not, under the foregoing circumstance, be considered as deposits within the meaning of chapter 113.

Insert Amendment

Sec. 5810. Short term investment of territorial moneys. The treasurer is authorized and empowered to invest, with the approval of the governor, any general, special, loan or revolving fund moneys of the Territory which in the treasurer's judgment are in excess of the amounts necessary for meeting the immediate requirements of the said respective funds, and where in his judgment such action will not impede or hamper the necessary financial operations of the Territory, in any security authorized by

section 5927 for the investment of sinking fund moneys, provided the said security is due to mature not more than five years from the date of investment. Income derived therefrom shall be a realization of the general fund.

Sec. 5811. Purchase of county bonds. The treasurer, with the approval of the governor, is authorized to purchase bonds issued by the several counties in conformity with law, or to lend money to the counties on the security of such bonds out of any funds that may be available for such purposes, or to accept such bonds as payment for property sold to the counties, whenever they may deem it for the public interest to do so.

When there are moneys in the general, special or revolving funds of the Territory which in the treasurer's judgment are in excess of the amounts necessary for the immediate territorial requirements, the treasurer is authorized to make temporary loans therefrom to the employees' retirement system, the board of water supply of the city and county of Honolulu, the Hawaii housing authority, or to any territorial or county department, board, commission, officer, authority or agency authorized under the laws of the Territory to issue bonds, or to the several counties, if in his judgment such action will not impede or hamper the necessary financial operations of the Territory. Such loans to any county shall not at any time be more than one hundred thousand dollars over the amount of tax moneys which the treasurer estimates will be paid by him to the said county during the balance of the

calendar year, provided, that in the case of the city and county of Honolulu, such loans may be made up to two hundred and fifty thousand dollars over the amount of tax moneys which the treasurer estimates will be paid by him to the city and county during the balance of the calendar year. Such loans to other organizations shall not at any time exceed the amount of moneys which the treasurer estimates the organization will be in receipt of, from bond funds or other sources, during the twelve months following the loan. The said loans shall be without interest. Loans to counties shall be made only upon the request of the county treasurer approved by the county board of supervisors. All loans shall be repaid upon the demand of the treasurer. In the absence of any demand, loans to counties shall be repaid before June 30th of the following year, pursuant to the following procedure: from time to time as tax moneys which are payable to the borrowing county are deposited in the treasury, the treasurer shall retain therefrom sufficient to cover the amounts of all loans, and shall reimburse the general, special or revolving funds therewith. Likewise, when there are such excess moneys, the treasurer is authorized to make temporary transfers of same to the loan fund for the temporary uses thereof. The total of such transfers to the loan fund shall

not exceed the sum of unissued general obligation bonds of the Territory as authorized by the legislature. The general, special or revolving funds shall be reimbursed from the proceeds of bond sales upon the eventual issuance and sale of such bonds.

Sec. 5812. Power of counties to incur excess liabilities. Any provision of the law to the contrary notwithstanding, the board of supervisors of any county shall be authorized and empowered, with the prior approval of the governor and the director of the bureau of the budget of the Territory, and upon such authority of the board, any duly authorized department, bureau, officer or employee of the county shall be authorized (a) to incur, authorize and contract, during any fiscal year, liabilities and obligations, whether payable during such fiscal year or not, for any and all purposes in excess of the moneys available for such purposes for such county during such year, provided, that in the case of the county of Hawaii, Kauai or Maui, the total liabilities and obligations incurred, authorized or contracted during any fiscal year in excess of the moneys available to such county during such year shall not exceed one hundred thousand dollars, and in the case of the city and county of Honolulu shall not exceed two hundred and fifty thousand dollars, and (b) to pay such liabilities and obligations out

of any moneys borrowed from the Territory under the provisions of section 5811.

Sec. 5813. Revenues of certain agencies. All revenues or receipts, from whatsoever source, accruing to any regulatory board included under subdivision (8) of section 5804, shall be paid into the territorial treasury and credited to the general fund of the Territory.

Sec. 5814. Advisory boards. The industrial research advisory council and the territorial planning board shall act as advisory agencies to the treasurer. The treasurer shall keep each of these agencies acquainted with the research, investigations and studies being undertaken or proposed to be undertaken by the other and by the department with a view to coordinating their activities, eliminating duplications, and aiding them to apply their respective resources to the greatest advantage of the Territory. The industrial research advisory council and the territorial planning board shall be independent agencies located within the department of treasury and commerce for the purpose of facilitating communication between them and with the other departments and agencies of the executive branch of the government, and for the achieving of the greatest efficiency in the performance of their respective functions.

The treasurer may request other executive officers of the Territory to advise him with relation to matters which fall within the jurisdiction of his department but are also pertinent to the powers and duties of their respective offices. He may also create from time to time ad hoc citizen advisory committees to furnish counsel and advice concerning specific problems which have arisen within the jurisdiction of his department.

Sec. 5815. Contractual staff functions. The treasurer may contract with any regulatory board not included under subdivision (8) of section 5804, with the industrial research advisory council, and with the territorial planning board, to appoint, employ and supervise all employees of such boards or council, or those classes of employees specified by the contract, and render such other services with relation to staffing, the furnishing of supplies and equipment therefor, the establishing and maintenance of offices and similar facilities, and the supplying of other services necessary for the functioning thereof as shall be specified in the contract.

Sec. 5816. Investigations by treasurer. The treasurer shall investigate and study the programs, practices and procedures of the respective regulatory

boards, such investigation and study to be particularly concerned with personnel policies and practices of the boards, methods of registration or licensing and administrative procedure. He shall report to the governor and the legislature at each regular session of the legislature concerning such investigation and study, and make such recommendations concerning such programs, practices and procedures as he sees fit."

SECTION 2. Transfer of certain functions. All regulatory boards as defined in section 5801 of the Revised Laws of Hawaii 1945, as amended, and the board of health shall continue to have all the powers and shall exercise all of the functions and duties imposed upon them by law, except that the functions relating to the appointment, employment, and administrative supervision of employees of boards included under subdivision (8) of section 5804 of the Revised Laws of Hawaii 1945, as amended, shall be exercised by the treasurer as provided by that section.

SECTION 3. Transfer of personnel. The treasurer is hereby authorized to transfer, from the office, board, commis-

sion, agency or council by which they are now employed, to the department of treasury and commerce, such employees as he may deem necessary whose employment is covered by chapters 2 and 3 of the Revised Laws of Hawaii 1945 and whose principal duties have been the performance of any function which has been, or may at any time be, assigned to the department of treasury and commerce in accordance with this Act. No such employee shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave or other employee benefits or privileges by reason of such transfer, subject, however, thereafter to any changes in status made pursuant to chapter 2. Any permanent civil service employee of such office, board, commission, agency or council not so transferred shall, for each day following the termination of his services, receive termination pay, payable on a monthly basis, in an amount equal to one day's base pay for the position held at the time of severance, provided, however, (1) that said termination pay shall not exceed a total amount equal to eighteen days' base pay and, in addition, six days' base pay for each

year of credited service with the territorial government; (2) that such termination pay shall not accrue on or after any day on which such employee is reemployed by any territorial agency or in any public or private service; and (3) that such termination pay shall not accrue following the date on which such employee refuses to accept an appointment to a position of equivalent classification in the territorial civil service. Any such employee shall have top priority in transfer or reemployment to any position in any other territorial agency for which he qualifies and he shall be first employed by such agency in the event of such an opening or vacancy in that agency.

Claims for termination pay shall be made to and approved by the director of the territorial civil service commission on such forms and with such supporting information as he may prescribe. Warrants in payment of such approved claims shall be drawn by the auditor and shall be paid out of the general revenues of the Territory and there is hereby appropriated out of

such general revenues sufficient moneys for this purpose.

SECTION 4. Repeal of conflicting laws. All laws or parts of laws inconsistent with the terms of this Act are hereby amended to conform to the provisions of this Act.

SECTION 5. Short title. This Act may be cited as the "Treasury and Commerce Act of 1951".

SECTION 6. This Act shall take effect on July 1, 1951.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T.H., April 10, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

Wilfred D Tsukiyama
President of the Senate

Ellen D Smythe
Clerk of the Senate.

S. B. No. 71
S. D. 1
H. D. 1

A N  A C T

RELATING TO THE ORGANIZATION OF CERTAIN EXECUTIVE AGENCIES OF THE TERRITORY OF HAWAII, CREATING A DEPARTMENT OF TREASURY AND COMMERCE, AND TRANSFERRING CERTAIN POWERS AND DUTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 110, Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"CHAPTER 110. DEPARTMENT OF TREASURY AND COMMERCE.

Sec. 5801. Definitions. Whenever used in this chapter, unless the context clearly indicates otherwise, the word 'department' shall mean the department of treasury and commerce established herein. 'Regulatory board' shall refer to all of the following boards and commissions: board of examiners of abstract makers; board of accountancy; board of barbers; boxing commission; board of chiropractic examiners; board of dental

examiners; board of registration for professional engineers, architects and surveyors; board of hairdressers, cosmeticians and cosmetologists; board of massage; board of medical examiners; board of examiners in natureopathy; board of registration of nurses; board of examiners in optometry; board of osteopathic examiners; board of pharmacy; board of photography; real estate commission; and board of veterinary examiners.

Sec. 5802. Treasury and commerce department; treasurer. There is hereby created a department of treasury and commerce. The department shall be headed by a treasurer, to be appointed by the governor in accordance with the provisions of section 80 of the Hawaiian Organic Act. He shall receive such salary as shall be provided by law.

Sec. 5803. Appointments by treasurer. The treasurer is hereby authorized to appoint an assistant or deputy treasurer, and he may delegate to such assistant or deputy full authority to perform any of the duties imposed on him by law. He may appoint such other personnel, in accordance with the provisions of chapters 2 and 3, Revised Laws of Hawaii 1945, as he may deem necessary

to carry out the provisions of this chapter.

Sec. 5804. Powers and duties. The treasurer shall have the power and it shall be his duty:

(1) To receive, handle, deposit, invest and disburse all territorial moneys, in accordance with law, and he shall be personally responsible for the safekeeping of all moneys paid into the treasury, and for the proper disbursement and appropriation thereof, pursuant to the laws; provided, however, that in case of the larceny or embezzlement of any such moneys, by any officer of his department, or other persons, the treasurer shall be allowed to give that fact, and that he had no collusive knowledge thereof, in evidence, and the establishment of such facts shall discharge him from personal liability;

(2) To supervise the sale, purchase and redemption of bonds of the territory;

(3) To serve, ex officio, as bank examiner of the territory;

(4) To serve, ex officio, as insurance commissioner of the territory;

(5) To serve, ex officio, as territorial fire marshal;

(6) To make such reports as he may deem

necessary or as may be requested by the governor or legislature; to prepare and submit to the governor and the legislature, immediately following the close of each fiscal year, a general financial report for all moneys in his possession; and to report annually to the governor concerning the activities of the department and all regulatory boards included under subdivision (8) herein;

(7) To keep, or cause to be kept, in appropriate books, a clear, distinct and full record of all the transactions and business of his department;

(8) To perform all functions relating to the appointment, employment and administrative supervision of all employees of each regulatory board dependent in part or in whole upon funds appropriated from the general revenues of the territory and not meeting all of its expenses from revenues collected in the form of license fees, service charges, or otherwise, from the persons licensed and regulated thereby, including, without limiting the generality of the foregoing, attorneys, clerks, stenographers, agents, engineers, accountants, investigators, secretaries, and executive secretaries;

(9) To cooperate with, to assist in the coordinating of, and to supplement directly, as

necessary or as expedient, the activities of all private or governmental organizations, groups or agencies, engaged in the following research and promotional functions:

(a) The study, investigation and preparation of plans or programs for the promotion, expansion, encouragement or prosperous development of agriculture, commerce and industry in the territory;

(b) The conducting or encouraging of research designed to further new, more extensive, or more efficient uses of the territory's resources and products or to develop new products, processes and markets;

(c) The study and promotion of trade and commerce relating to any resource or product of the territory and the study and development of means of removing or preventing the establishment of trade barriers of any kind;

(d) The study of business conditions, trends and developments in the territory;

(e) The compiling, collecting and making available to the public information relating to any research, investigation or study undertaken by the department, and information or statistical data relating to business, trade, commerce, industry, transportation, communication, natural

resources, travel or other related subjects;

(f) The promotion and encouragement of travel to and within the territory.

The department shall maintain a continuous record of current projects under study by such groups and agencies and keep such organizations, groups or agencies informed concerning the department's research and promotional activities. The department may accept gifts, grants or donations and make use of them in accordance with law for the performance of the research and promotional functions set forth in this subdivision (9). All such contributions of money shall be paid into the territorial treasury.

Sec. 5805. The treasurer shall have power to administer all necessary oaths connected with the duties of his department.

Sec. 5806. Treasurer's certificates, evidence. The treasurer shall have power to certify, under the seal of his department, copies of vouchers and other documents deposited in his office; and such copies so certified shall be as valid evidence in any court as the originals.

Sec. 5807. Fees. The treasurer shall charge the following fees:

(1) For administering any oath, one dollar;

(2) For preparing every photostat copy of any document on record in his office, fifty cents per page or portion thereof;

(3) For preparing every typewritten copy of any document on record in his office, fifty cents per page or portion thereof;

(4) For preparing a certificate of compliance, one dollar for the original certificate, and twenty-five cents for each additional copy thereof;

(5) For comparing any document submitted for certification, fifteen cents per page or portion thereof;

(6) For certifying any document on record in his office, twenty-five cents for each certification;

(7) For all other acts and duties, the fees of which are not otherwise provided for, such charges as the treasurer may from time to time prescribe.

Sec. 5808. Responsibility for drafts on. Except as otherwise provided, the head of each department shall be responsible for the correctness of all drafts or orders drawn by him upon the treasury, in pursuance of appropriations, and for the proper disbursements of all appropriations

for his department. The responsibility of the treasurer, in such cases, shall be limited to the payment of the aggregate amount of appropriations made by the legislature.

Sec. 5809. Fiscal agents. The treasurer is authorized and empowered to appoint, with the approval of the governor, such fiscal agents as may be necessary and expedient to facilitate the sale, purchase and redemption of the bonds of the territory and the payment of interest thereon. The treasurer may authorize and empower such fiscal agents, for and on behalf of the territory, to receive and receipt for moneys realized from the sale of such bonds and to pay out moneys for the redemption or purchase thereof and for the payment of interest thereon, and to receive receipts for all moneys so paid out. Moneys received by the fiscal agents from the sale of bonds on behalf of the territory shall not, for a period of fifteen days after the sale of bonds, be considered as deposits within the meaning of chapter 113, and moneys placed with the fiscal agents for the purpose of purchase or redemption of bonds and coupons shall not be considered as deposits within the meaning of chapter 113.

The treasurer is also authorized and empowered to appoint, with the approval of the

governor, such mainland depositories as may be necessary or expedient for the safekeeping of securities owned by the territory, and may authorize and empower such depositories, for and on behalf of the territory, to pay for, receive delivery of, and receipt for, securities purchased by the territory, to receive interest payments, to deliver and receive payment for securities sold or redeemed by the territory, and to perform all other acts in connection with such securities which are customarily performed by depositories. Moneys received by such depositories on behalf of the territory from the sale or redemption of securities, or as interest, shall not for a period of fifteen days after the receipt thereof by the depository be considered as deposits within the meaning of chapter 113, and moneys placed with the depositories for the purpose of purchase of securities shall not be considered as deposits within the meaning of chapter 113. The provisions of this paragraph may be applied with respect to any securities deposited in the treasurer's custody or control by any agency, government or private, with the approval of and at the expense of such agency, which expenditures, in the case of a government agency, may be made

from any funds available for its current expenses. Funds of any such government agency awaiting investment, also funds received by such depository on behalf of such government agency from the sale or redemption of securities or as interest for a period of fifteen days after receipt thereof, shall be deemed held by the treasurer or in the treasury of the territory within the meaning of any requirement of law, and any such moneys, though required to be held in the treasury, shall not, under the foregoing circumstance, be considered as deposits within the meaning of chapter 113. All appointments made under this section may be revoked by the treasurer at any time.

Sec. 5810. Short term investment of territorial moneys. The treasurer is authorized and empowered to invest, with the approval of the governor, any general, special, loan or revolving fund moneys of the territory which in the treasurer's judgment are in excess of the amounts necessary for meeting the immediate requirements of the said respective funds, and where in his judgment such action will not impede or hamper the necessary financial operations of the territory, in any security authorized by section 5927 for the investment of sinking fund moneys, provided the said security is due to mature not more

than five years from the date of investment. Income derived therefrom shall be a realization of the general fund.

Sec. 5811. Purchase of county bonds. The treasurer, with the approval of the governor, is authorized to purchase bonds issued by the several counties in conformity with law, or to lend money to the counties on the security of such bonds out of any funds that may be available for such purposes, or to accept such bonds as payment for property sold to the counties, whenever they may deem it for the public interest to do so.

When there are moneys in the general, special or revolving funds of the territory which in the treasurer's judgment are in excess of the amounts necessary for the immediate territorial requirements, the treasurer is authorized to make temporary loans therefrom to the employees' retirement system, the board of water supply of the city and county of Honolulu, the Hawaii housing authority, or to any territorial or county department, board, commission, officer, authority or agency authorized under the laws of the territory to issue bonds, or to the several counties, if in his judgment such action will not impede or hamper the necessary financial operations of the territory. Such loans

to any county shall not at any time be more than one hundred thousand dollars over the amount of tax moneys which the treasurer estimates will be paid by him to the said county during the balance of the calendar year, provided, that in the case of the city and county of Honolulu, such loans may be made up to two hundred and fifty thousand dollars over the amount of tax moneys which the treasurer estimates will be paid by him to the city and county during the balance of the calendar year. Such loans to other organizations shall not at any time exceed the amount of moneys which the treasurer estimates the organization will be in receipt of, from bond funds or other sources, during the twelve months following the loan. The said loans shall be without interest. Loans to counties shall be made only upon the request of the county treasurer approved by the county board of supervisors. All loans shall be repaid upon the demand of the treasurer. In the absence of any demand, loans to counties shall be repaid before June 30th of the following year, pursuant to the following procedure: from time to time as tax moneys which are payable to the borrowing county are deposited in the treasury, the treasurer shall retain therefrom sufficient to cover the amounts of all loans, and shall reimburse

the general, special or revolving funds therewith. Likewise, when there are such excess moneys, the treasurer is authorized to make temporary transfers of same to the loan fund for the temporary uses thereof. The total of such transfers to the loan fund shall not exceed the sum of unissued general obligation bonds of the territory as authorized by the legislature. The general, special or revolving funds shall be reimbursed from the proceeds of bond sales upon the eventual issuance and sale of such bonds.

Sec. 5812. Power of counties to incur excess liabilities. Any provision of the law to the contrary notwithstanding, the board of supervisors of any county shall be authorized and empowered, with the prior approval of the governor and the director of the bureau of the budget of the territory, and upon such authority of the board, any duly authorized department, bureau, officer or employee of the county shall be authorized (a) to incur, authorize and contract, during any fiscal year, liabilities and obligations, whether payable during such fiscal year or not, for any and all purposes in excess of the moneys available for such purposes for such county during such year, provided, that in the case of the county of Hawaii, Kauai or Maui, the total liabilities and obligations incurred, authorized or

contracted during any fiscal year in excess of the moneys available to such county during such year shall not exceed one hundred thousand dollars, and in the case of the city and county of Honolulu shall not exceed two hundred and fifty thousand dollars, and (b) to pay such liabilities and obligations out of any moneys borrowed from the territory under the provisions of section 5811.

Sec. 5813. Revenues of certain agencies. All revenues or receipts, from whatsoever source, accruing to any regulatory board included under subdivision (8) of section 5804, shall be paid into the territorial treasury and credited to the general fund of the territory.

Sec. 5814. Advisory boards. The industrial research advisory council and the territorial planning board shall act as advisory agencies to the treasurer. The treasurer shall keep each of these agencies acquainted with the research, investigations and studies being undertaken or proposed to be undertaken by the other and by the department with a view to coordinating their activities, eliminating duplications, and aiding them to apply their respective resources to the greatest advantage of the territory. The industrial research

advisory council and the territorial planning board shall be independent agencies located within the department of treasury and commerce for the purpose of facilitating communication between them and with the other departments and agencies of the executive branch of the government, and for the achieving of the greatest efficiency in the performance of their respective functions.

The treasurer may request other executive officers of the territory to advise him with relation to matters which fall within the jurisdiction of his department but are also pertinent to the powers and duties of their respective offices. He may also create from time to time ad hoc citizen advisory committees to furnish counsel and advice concerning specific problems which have arisen within the jurisdiction of his department.

Sec. 5815. Contractual staff functions. The treasurer may contract with any regulatory board not included under subdivision (8) of section 5804, with the industrial research advisory council, and with the territorial planning board, to appoint, employ and supervise all employees of such boards or council, or those classes of employees specified by the contract, and render such other services with relation to staffing, the furnishing

of supplies and equipment therefor, the establishing and maintenance of offices and similar facilities, and the supplying of other services necessary for the functioning thereof as shall be specified in the contract.

Sec. 5816. Investigations by treasurer. The treasurer shall investigate and study the programs, practices and procedures of the respective regulatory boards, such investigation and study to be particularly concerned with personnel policies and practices of the boards, methods of registration or licensing and administrative procedure. He shall report to the governor and the legislature at each regular session of the legislature concerning such investigation and study, and make such recommendations concerning such programs, practices and procedures as he sees fit."

SECTION 2. Transfer of certain functions. All regulatory boards as defined in section 5801 of the Revised Laws of Hawaii 1945, as amended, and the board of health shall continue to have all the powers and shall exercise all of the functions and duties imposed upon them by law, except that the functions relating to the

appointment, employment, and administrative supervision of employees of boards included under subdivision (8) of section 5804 of the Revised Laws of Hawaii 1945, as amended, shall be exercised by the treasurer as provided by that section.

SECTION 3. Transfer of personnel. The treasurer is hereby authorized to transfer, from the office, board, commission, agency or council by which they are now employed, to the department of treasury and commerce, such employees as he may deem necessary whose employment is covered by chapters 2 and 3 of the Revised Laws of Hawaii 1945 and whose principal duties have been the performance of any function which has been, or may at any time be, assigned to the department of treasury and commerce in accordance with this Act. No such employee shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave or other employee benefits or

privileges by reason of such transfer, subject, however, thereafter to any changes in status made pursuant to chapter 2. Any permanent civil service employee of such office, board, commission, agency or council not so transferred shall, for each day following the termination of his services, receive termination pay, payable on a monthly basis, in an amount equal to one day's base pay for the position held at the time of severance, provided, however, (1) that said termination pay shall not exceed a total amount equal to eighteen days' base pay and, in addition, six days' base pay for each year of credited service with the territorial government; (2) that such termination pay shall not accrue on or after any day on which such employee is reemployed by any territorial agency or in any public or private service; and (3) that such termination pay shall not accrue following the date on which such employee refuses to accept an appoint-

ment to a position of equivalent classification in the territorial civil service. Any such employee shall have top priority in transfer or reemployment to any position in any other territorial agency for which he qualifies and he shall be first employed by such agency in the event of such an opening or vacancy in that agency.

Claims for termination pay shall be made to and approved by the director of the territorial civil service commission on such forms and with such supporting information as he may prescribe. Warrants in payment of such approved claims shall be drawn by the auditor and shall be paid out of the general revenues of the territory and there is hereby appropriated out of such general revenues sufficient moneys for this purpose.

SECTION 4. Repeal of conflicting laws. All laws or parts of laws inconsistent with the terms of this Act are hereby amended to conform to the provisions of this

Act.

SECTION 5. Short title. This Act may be cited as the "Treasury and Commerce Act of 1951".

SECTION 6. This Act shall take effect on July 1, 1951.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., May 8, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Hiram L. Fong
Speaker, House of Representatives.

Walter K. Ehrhorn
Clerk, House of Representatives.

1951 REG SENATE

**Senate Bill No.** 72

J

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO THE REORGANIZATION OF CERTAIN EXECUTIVE DEPARTMENTS OF THE GOVERNMENT; TRANSFERRING CERTAIN TAX FUNCTIONS TO THE TAX COMMISSIONER; AND AMENDING SECTIONS 5104, 8487 AND 8488 OF THE REVISED LAWS OF HAWAII 1945.

Introduced FEBRUARY 26 , 19 51, by

Senator BEN DILLINGHAM

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | COMMITTEE OF THE WHOLE SENATE |
| Third Reading in Senate | March 20, 1951 |

| | |
|---|---|
| First Reading in House | March 20, 1951 |
| Referred to | |
| Second Reading in House | March 21, 1951 |
| Referred to | COMMITTEE ON JUDICIARY. |
| Third Reading in House | May 9, 1951 |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. No. 72

AN ACT

RELATING TO THE REORGANIZATION OF CERTAIN EXECUTIVE DEPARTMENTS OF THE GOVERNMENT; TRANSFERRING CERTAIN TAX FUNCTIONS TO THE TAX COMMISSIONER; AND AMENDING SECTIONS 5104, 8487 AND 8488 OF THE REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. All powers and duties relating to the administration of the territorial inheritance and estate taxes, heretofore vested in the treasurer, are hereby transferred to the tax commissioner.

SECTION 2. Paragraph number 4 of Section 5104, Revised Laws of Hawaii 1945, is hereby amended by inserting, after the word "chapter" the words "or chapter 103" so that the paragraph will read as follows:

"4. Collection: He shall be responsible for the acts of all tax collectors, assistant tax collectors and their assistants, and for the collection of all taxes imposed by this chapter or chapter 103;"

SECTION 3. The second paragraph of Section 8487, Revised Laws of Hawaii 1945, is hereby amended in the following respects:

a. by substituting for the word "treasurer" appearing in line 2 and line 8 thereof, the words "tax commissioner"; and

b. by inserting, before the word "commissioner" appearing in lines 23 and 24 thereof, the word "insurance".

SECTION 4. Section 8488, Revised Laws of Hawaii 1945, is hereby amended by inserting, before the word "commissioner" appearing in line 2 thereof, the word "insurance".

SECTION 5. This Act shall take effect on July 1, 1951.

Introduced by:

Senator, 3rd District.

Honolulu, T. H.,
Feb. 26, 1951.

S. B. No. 72

A N  A C T

RELATING TO THE REORGANIZATION OF CERTAIN EXECUTIVE DEPARTMENTS OF THE GOVERNMENT; TRANSFERRING CERTAIN TAX FUNCTIONS TO THE TAX COMMISSIONER; AND AMENDING SECTIONS 5104, 8487 AND 8488 OF THE REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. All powers and duties relating to the administration of the territorial inheritance and estate taxes, heretofore vested in the treasurer, are hereby transferred to the tax commissioner.

SECTION 2. Paragraph number 4 of section 5104, Revised Laws of Hawaii 1945, is hereby amended by inserting, after the word "chapter" the words "or chapter 103" so that the paragraph will read as follows:

"4. Collection: He shall be responsible for the acts of all tax collectors, assistant

tax collectors and their assistants, and for the collection of all taxes imposed by this chapter or chapter 103;"

SECTION 3. The second paragraph of section 8487, Revised Laws of Hawaii 1945, is hereby amended in the following respects:

a. by substituting for the word "treasurer" appearing in line 2 and line 8 thereof, the words "tax commissioner"; and

b. by inserting, before the word "commissioner" appearing in lines 23 and 24 thereof, the word "insurance".

SECTION 4. Section 8488, Revised Laws of Hawaii 1945, is hereby amended by inserting, before the word "commissioner" appearing in line 2 thereof, the word "insurance".

SECTION 5. This Act shall take effect on July 1, 1951.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., March 20, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

Wilfred K. Tsukiyama
President of the Senate

Ellen D. Smythe
Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., May 9, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives

Walter E. Thiele
Clerk, House of Representatives

S. B. No. 72
H. D. 1

A N  A C T

RELATING TO THE REORGANIZATION OF CERTAIN EXECUTIVE DEPARTMENTS OF THE GOVERNMENT; TRANSFERRING CERTAIN TAX FUNCTIONS TO THE TAX COMMISSIONER; AND AMENDING SECTIONS 5104, 8487 AND 8488 OF THE REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. All powers and duties relating to the administration of the territorial inheritance and estate taxes, heretofore vested in the treasurer, are hereby transferred to the tax commissioner.

SECTION 2. Paragraph number 4 of section 5104 of the Revised Laws of Hawaii 1945 is hereby amended to read as follows:

"4. Collections: He shall be responsible for the acts of all tax collectors, assistant tax collectors and their assistants, for the collection of all taxes imposed by this title, except those which by law are to be collected by county treasurers, and for such other duties as are provided by law."

SECTION 3. The second paragraph of section 8487, Revised Laws of Hawaii 1945, is hereby amended in the following respects:

a. By substituting for the word "treasurer" appearing in line 2 and line 8 thereof, the words "tax commissioner"; and

b. By inserting, before the word "commissioner" appearing in lines 23 and 24 thereof, the word "insurance".

SECTION 4. Section 8488, Revised Laws of Hawaii 1945, is hereby amended by inserting, before the word "commissioner" appearing in line 2 thereof, the word "insurance".

SECTION 5. On the effective date of this Act, all records of the treasurer necessary to enable the tax commissioner to administer the provisions of chapter 103 of the Revised Laws of Hawaii 1945, shall by the treasurer be transferred to the tax commissioner, together with all forms, supplies, reference works and equipment directly related to or chiefly for use in connection with the functions transferred to the tax commissioner by this Act.

All employees whose principal duties have been the performance of functions by this Act transferred to the tax commissioner shall be transferred to the office of the tax commissioner. No such employee shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefits or privileges by reason of such transfer, subject, however, thereafter to any changes in status made pursuant to

chapter 2 or 3.

Any funds appropriated to the treasurer by the general appropriation Act for the biennium 1951-1953, which are for personnel having as their principal duties the performance of functions by this Act transferred to the tax commissioner, or for forms, supplies, reference works or equipment directly related to or chiefly for use in connection with such functions, hereby are reappropriated to and shall be expendable by the tax commissioner, and the director of the budget, with the approval of the governor, shall determine the amount of the funds so reappropriated.

SECTION 6. This Act shall not be construed as affecting in any manner, to the detriment of the territory, any taxes, interest, penalties, or other liabilities, or obligations, existing, due or incurred prior to the

effective date of this Act, nor as affecting the liability of any person to prosecution for any misdemeanor or other criminal offenses committed prior to said effective date under any laws hereby amended; and all such taxes, interest, penalties, liabilities, obligations, misdemeanors and other offenses may be assessed, enforced, collected, prosecuted or punished, as the case may be, in the same manner, to the same extent and subject to the same conditions (except as to the substitution, in proper cases, of the tax commissioner and his subordinates in place of the treasurer and his subordinates), as if this Act had not been enacted; provided, further that in any actions or proceedings with respect to the tax imposed by chapter 103, pending when this Act takes effect, the tax commissioner automatically shall be substituted for the treasurer.

SECTION 7. This Act shall take effect on July 1, 1951.

THE HOUSE OF REPRESENTATIVES OF THE

TERRITORY OF HAWAII

Honolulu, T. H., May 19, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives.

Clerk, House of Representatives.

1951 REG SENATE

Senate Bill No. 73

Eng. for Hod. 5/3/51 h

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO THE ORGANIZATION OF CERTAIN EXECUTIVE DEPARTMENTS; TRANSFERRING THE BUREAU OF CONVEYANCES FROM THE TREASURY DEPARTMENT TO THE DEPARTMENT OF PUBLIC LANDS; AND AMENDING SECTIONS 12710 AND 12712, REVISED LAWS OF HAWAII 1945.

Introduced February 26, 1951, by

Senator BEN DILLINGHAM

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | COMMITTEE OF THE WHOLE |
| Third Reading in Senate | April 10, 1951. |
| First Reading in House | April 11, 1951 |
| Referred to | |
| Second Reading in House | April 12, 1951 |
| Referred to | COMMITTEE ON FINANCE. |
| Third Reading in House | May 1, 1951 |

ELLEN D. SMYTHE
*Clerk of the Senate*

Engross.

S. B. NO. 73

AN ACT

RELATING TO THE ORGANIZATION OF CERTAIN EXECUTIVE DEPARTMENTS; TRANSFERRING THE BUREAU OF CONVEYANCES FROM THE TREASURY DEPARTMENT TO THE DEPARTMENT OF (PUBLIC LANDS); AND AMENDING SECTIONS 12710 AND 12712, REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 12710, Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"Sec. 12710. Registrar; appointment; tenure; salary. There shall be a bureau in the department of (public lands) to be called the bureau of conveyances. A registrar of conveyances shall be appointed by the (commissioner of public lands), under the provisions of chapters 2 and 3, Revised Laws of Hawaii 1945, and shall be superintendent of the bureau. He shall receive such salary as shall be provided by law."

SECTION 2. Section 12712, Revised Laws of Hawaii 1945, is hereby amended by substituting for the word "treasurer" appearing in line 2 thereof, the words "(commissioner of public lands)".

SECTION 3. This Act shall take effect July 1, 1951.

Introduced by:

Senator, 3rd District.

Honolulu, T. H.,
Feb. 26, 1951.

VHK

S. B. No. 73
S. D. 2

A N  A C T

RELATING TO THE ORGANIZATION OF CERTAIN EXECUTIVE DEPARTMENTS; TRANSFERRING THE BUREAU OF CONVEYANCES FROM THE TREASURY DEPARTMENT TO THE DEPARTMENT OF PUBLIC LANDS; AND AMENDING SECTIONS 12710 AND 12712, REVISED LAWS OF HAWAII 1945.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 12710, Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"Sec. 12710. Registrar; appointment; tenure; salary. There shall be a bureau in the department of public lands to be called the bureau of conveyances. A registrar of conveyances shall be appointed by the commissioner of public lands, under the provisions of chapters 2 and 3, Revised Laws of Hawaii 1945, and shall be superintendent of the bureau. He shall receive such salary as shall be provided by law."

SECTION 2. Section 12712, Revised Laws of Hawaii 1945, is hereby amended by substituting for the word "treasurer" appearing in line 2 thereof, the words "commissioner of public lands".

SECTION 3. The officer engaged in the discharge of the duties of registrar of conveyances immediately prior to the effective date of this Act shall continue in his office and shall be deemed a member of the territorial civil service system, without loss of his vacation allowance, service credit, and other rights and privileges.

SECTION 4. All records, equipment, moneys, and personnel of the bureau of conveyances shall be transferred from the treasury department to the department of public lands, without loss of vacation allowance, service credit and other rights and privileges on the part of such personnel.

SECTION 5. This Act shall take effect July 1, 1951.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T.H., April 10, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

President of the Senate

Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE TERRITORY OF HAWAII

Honolulu, T. H., May 1, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives

Clerk, House of Representatives

# 1951 REG SENATE

Senate Bill No. 74

## The Legislature
of the
## Territory of Hawaii

# AN ACT

REQUIRING THAT COUNTIES MAINTAIN COMPLETE INVENTORY RECORDS.

| | | |
|---|---|---|
| Introduced | FEBRUARY 26 | , 19 51 , by |
| Senator | BEN DILLINGHAM | |

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

Com w/hse - Del

Filed HB 160 to pass

S. B. NO. 74

AN ACT

REQUIRING THAT COUNTIES MAINTAIN COMPLETE INVENTORY RECORDS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 116, Revised Laws of Hawaii 1945 is hereby amended by adding thereto the following sections:

"County Audits.

"Sec. 6023. By officers to supervisors. It shall be the duty of every person, including every officer, head of department, agent, employee and district superintendent of the public schools of any area in any county, having in his custody or under his control or in anywise using property belonging to the county, or property purchased with county funds, on or before August 15 of each year to prepare and file with the board of supervisors of the respective county a sworn return or inventory containing a full, true, detailed and complete list of items of all property of whatsoever nature (as of July 1 of each year for which such return or inventory is made) belonging to the county, and in the possession, custody, control or use of such person or the agency which he represents. Such inventory shall include the full cash value of each item according to the best knowledge of such person.

"Sec. 6024. Penalty. It shall be the duty of the auditor of each county to ascertain if inventories have been filed as required by the provisions of section 6023. Should any person fail to file the required inventory within the time prescribed, the auditor shall withhold the salary or wage due to such person until such inventory is filed.

"Sec. 6025. Duties of auditor. It shall be the duty of the auditor of each county to examine each return or inventory filed as required by section 6023 and to add thereto all, if any, items of property (with a statement of their full cash value) omitted therefrom and which under the provisions of said section should have been included therein. He shall make such corrections and alterations in the stated valuations as in his judgment may be required by truth and accuracy, and enter in books, kept for the purpose and classified for convenience and facility of reference, all of the property and valuations named in such inventories. Such books shall be available at all times for inspection by any taxpayer.

It shall be the duty of the auditor to charge the amounts of the inventories to proper accounts on the general ledgers of the county so that the values of the properties shall at all times be shown and appear in the balance sheet of the books of the county.

It shall be the duty of the county engineers to advise or assist the auditors of their respective counties as to the valuation of the property belonging to the county.

"Sec. 6026. Penalties; jurisdiction. Any officer or other person who shall fail to perform any of the duties imposed upon him by sections 1623-1625 of this chapter shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding five hundred dollars or by imprisonment for not exceeding six months. Jurisdiction is conferred upon each of the district magistrates to hear and determine all cases of alleged violations of any of such provisions committed within the judicial circuits within which the district for which such magistrate was appointed is situate."

SECTION 2. This Act shall take effect July 1, 1951.

Introduced by:

Senator, 2nd District.

Honolulu, T. H.,
Feb. 26, 1951.

# 1951 REG SENATE

Senate Bill No. 75

Filed 4/11/51
S. Com Rep. 86

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 302 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO EMINENT DOMAIN, SO AS TO PROVIDE FOR THE ACQUISITION OF REMNANTS OR OTHER PROPERTY IN EXCESS OF THAT NEEDED FOR THE PRIMARY PUBLIC USE OR IMPROVEMENT CONTEMPLATED UNDER CERTAIN CIRCUMSTANCES.

| | | |
|---|---|---|
| Introduced | FEBRUARY 26 | , 19 51 , by |
| Senator | BEN DILLINGHAM | |

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. 75

AN ACT

TO AMEND SECTION 302 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO EMINENT DOMAIN, SO AS TO PROVIDE FOR THE ACQUISITION OF REMNANTS OR OTHER PROPERTY IN EXCESS OF THAT NEEDED FOR THE PRIMARY PUBLIC USE OR IMPROVEMENT CONTEMPLATED UNDER CERTAIN CIRCUMSTANCES.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 302 of the Revised Laws of Hawaii 1945, is hereby amended by adding thereto the following new sentence:

"The Territory shall have the same power to acquire by eminent domain remnants, or such excess over that needed for the primary public use or public improvement contemplated, in cases where small remnants would otherwise be left or where other justifiable cause necessitates such taking to protect and preserve the contemplated improvement or public policy demands such taking in connection with such improvement, and to sell or lease such excess property as provided in the case of taking by eminant domain by a court under section 6101 and subject to the same limitations."

SECTION 2. If any portion of this Act or the application thereof to any person or circumstance is held unconstitutional or invalid, the remainder of this Act or the application of such portion thereof to other persons and circumstances shall not be affected.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

FEBRUARY 1951

1951 REG SENATE

Senate Bill No. 76

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 5404 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED BY ACT 196 OF THE SESSION LAWS OF HAWAII 1947 (SERIES A-83), BY ADDING A NEW SUB-SECTION (d) THERETO EXEMPTING FROM THE FUEL TAX GASOLINE SOLD FOR USE IN AIRPLANES OPERATING OUT OF PRIVATE AIRPORTS IN THE TERRITORY OF HAWAII WHERE SUCH PRIVATE AIRPORTS ARE NOT SUPPORTED BY OR RECEIVE PUBLIC FUNDS.

Introduced FEBRUARY 26 , 19 51 , by
Senator BEN DILLINGHAM

| | |
|---|---|
| First Reading in Senate | February 26, 1951 |
| Referred to Printing Committee | February 26, 1951 |
| Second Reading in Senate | February 27, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. 76

AN ACT

TO AMEND SECTION 5404 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED BY ACT 196 OF THE SESSION LAWS OF HAWAII 1947 (SERIES A-83), BY ADDING A NEW SUBSECTION (d) THERETO EXEMPTING FROM THE FUEL TAX GASOLINE SOLD FOR USE IN AIRPLANES OPERATING OUT OF PRIVATE AIRPORTS IN THE TERRITORY OF HAWAII WHERE SUCH PRIVATE AIRPORTS ARE NOT SUPPORTED BY OR RECEIVE PUBLIC FUNDS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 5404 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended by adding thereto a new subsection to be numbered (d) and to read as follows:

"(d) Provided, further, that any tax on gasoline sold for use in or used for airplanes shall not be collected in respect to any gasoline shown to the satisfaction of the commissioner to have been used in airplanes operating out of private airports in the Territory of Hawaii where such private airports are not supported by, or receive public funds. The commissioner may require the keeping of such proper records and the submission of such evidence as he may deem necessary for such purpose."

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

FEBRUARY 26 1951

1951 REG SENATE

**Senate Bill No.** 77

CS

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO CIVIL SERVICE; AMENDING CHAPTER 2 OF THE REVISED LAWS OF HAWAII 1945 AS AMENDED.

| | | |
|---|---|---|
| Introduced | FEBRUARY 27 | , 1951 , by |
| Senator | HERBERT K. H. LEE | |

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | COMMITTEE ON JUDICIARY |
| Third Reading in Senate | April 23, 1951 |
| First Reading in House | April 23, 1951 |
| Referred to | |
| Second Reading in House | April 24, 1951 |
| Referred to | COMMITTEE ON CIVIL SERVICE. |
| Third Reading in House | May 8, 1951 |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. No. 77

AN ACT

TO EXEMPT THE POSITIONS OF LAW CLERKS TO THE JUSTICES OF THE SUPREME COURT FROM THE PROVISIONS OF CHAPTERS 2 AND 3 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO CIVIL SERVICE AND CLASSIFICATION.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Paragraph (n) of section 67 of the Revised Laws of Hawaii 1945 is hereby amended to read as follows:

"(n) One secretary or clerk for each justice of the Supreme Court and each judge of a circuit court; law clerks to the justices of the Supreme Court;"

SECTION 2. Section 105 of the Revised Laws of Hawaii 1945 is hereby amended in the following respects:

(a) By deleting the word "and" at the end of paragraph (12) of said section,

(b) By substituting a semicolon for the period at the end of paragraph (13) of said section and inserting immediately thereafter the word "and", and

(c) By adding a new paragraph at the end of said section to read as follows:

"(14) Law clerks to the justices of the Supreme Court."

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

H. W. Lee

HERBERT K. H. LEE
Senator, Third District

Honolulu, T. H.

S. B. No. 77
S. D. 1

A N  A C T

RELATING TO CIVIL SERVICE; AMENDING CHAPTER 2 OF THE REVISED LAWS OF HAWAII 1945 AS AMENDED.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 2 of the Revised Laws of Hawaii 1945, as amended, is further amended in the following respects:

1. By amending section 67, paragraph (n) to read as follows:

"(n) One secretary or clerk for each justice of the supreme court and each judge of a circuit court; one law clerk for each justice of the supreme court;".

2. By amending section 74, paragraph (d) to read as follows:

"(d) One first deputy or first assistant of an elective officer; board or commission members or heads of departments whose

appointments are required under the laws of the Territory or by ordinances of the city and county to be made by the mayor and confirmed by the board of supervisors of the city and county; one first deputy or first assistant of every such head of a department;".

3. By deleting paragraph (h) of section 74.

4. By amending section 77, paragraph (d) to read as follows:

"(d) One first deputy or first assistant of an elective officer; board or commission members or heads of departments whose appointments are required under the laws of the Territory or by county ordinances to be made by the chairman of the board of supervisors and confirmed by the board of supervisors of the county; one first deputy or first assistant of every such head of a department;".

5. By deleting paragraph (g) of section 77.

SECTION 2. Nothing in this Act contained shall be construed to change the civil service status of any officer or employee now in service.

SECTION 3. This Act shall take effect upon its approval.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., April 23, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

President of the Senate

Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., May 8, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives.

Clerk, House of Representatives.

# 1951 REG SENATE

Expsed ERH 5/2/51

Senate Bill No. 78

CS

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO EXEMPT CERTAIN POSITIONS IN THE DEPARTMENT OF PUBLIC INSTRUCTION FROM THE PROVISIONS OF CHAPTER 3 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO CLASSIFICATION.

Introduced FEBRUARY 27, 1951, by

Senator HERBERT K. H. LEE

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | COMMITTEE ON JUDICIARY |
| Third Reading in Senate | April 24, 1951 |
| First Reading in House | April 24, 1951 |
| Referred to | |
| Second Reading in House | April 25, 1951 |
| Referred to | COMMITTEE ON CIVIL SERVICE. |
| Third Reading in House | April 30, 1951 |

ELLEN D. SMYTHE
*Clerk of the Senate*

Engross

S. No. 78

AN ACT

TO EXEMPT CERTAIN POSITIONS IN THE DEPARTMENT OF PUBLIC INSTRUCTION FROM THE PROVISIONS OF CHAPTER 3 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO CLASSIFICATION.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Paragraph (4) of section 105 of the Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"(4) Teachers, principals, specialists not engaged in instructional work, supervisors, including supervising principals and district superintendents, directors and chief administrative personnel and their assistants under the department of public instruction, but secretarial and clerical employees, cafeteria managers and helpers, and personnel not engaged in supervision or direction of instructional work shall be subject to the provisions of this subtitle;"

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

H. K. H. Lee

HERBERT K. H. LEE
Senator, Third District

Honolulu, T. H.

S. B. No. 78
S. D. 1

A N  A C T

TO EXEMPT CERTAIN POSITIONS IN THE DEPARTMENT OF PUBLIC INSTRUCTION FROM THE PROVISIONS OF CHAPTER 3 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO CLASSIFICATION.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Paragraph (4) of section 105 of the Revised Laws of Hawaii 1945, is hereby amended to read as follows:

"(4) Teachers, principals, specialists not engaged in instructional work, supervisors, assistant superintendent, deputy superintendents, district superintendents, directors and assistant directors under the department of public instruction, but secretarial and clerical employees, cafeteria managers and helpers, when not combined with teaching, shall be subject to the provisions of this chapter."

SECTION 2. This Act shall take effect upon its approval.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T. H., April 24, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

President of the Senate

Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE TERRITORY OF HAWAII

Honolulu, T. H., April 30, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives

Clerk, House of Representatives

1951 REG SENATE

**Senate Bill No.** 79

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 4019 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO THE CONVEYANCE OF MENTALLY ILL PERSONS TO THE TERRITORIAL HOSPITAL.

Introduced February 27, 1951, by
Senator THELMA AKANA HARRISON

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | COMMITTEE ON PUBLIC HEALTH |
| Third Reading in Senate | April 17, 1951. |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

AN ACT

TO AMEND SECTION 4019 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, RELATING TO THE CONVEYANCE OF MENTALLY ILL PERSONS TO THE TERRITORIAL HOSPITAL

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 4019 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended to read as follows:

"Sec. 4019. Conveyance to hospital. The judge or magistrate by whom any mentally ill person is ordered to be hospitalized at the hospital may appoint and order a proper person to convey such mentally ill persons to any hospital in Honolulu which is licensed for the care of the mentally ill, for subsequent conveyance to the hospital. If such mentally ill person is a woman, such proper person shall be her father, husband, brother, or son or a woman of reputable character and mature age. The expenses of conveying such mentally ill person to, and caring for such mentally ill person at, such licensed hospital shall be borne by the county in which such judge or magistrate is sitting. The department of institutions shall convey such mentally ill person from such licensed hospital to the hospital and pay all the expenses of conveying such mentally ill person from such licensed hospital to the hospital."

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

Thelma Akang Harrison

Senator, 3rd District

✓

mms

1951 REG SENATE

Senate Bill No. 80

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND ACT 63 (SER. E-48) OF THE SPECIAL SESSION LAWS OF HAWAII 1949, RELATING TO THE HAWAII CIVILIAN CONSERVATION CORPS.

Introduced February 27, 1951, by

Senators: M. R. AGUIAR, JR. & JOHN B. FERNANDES

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. NO. 80

AN ACT

TO AMEND ACT 63 (SER. E-48) OF THE SPECIAL SESSION LAWS OF HAWAII 1949, RELATING TO THE HAWAII CIVILIAN CONSERVATION CORPS.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Act 63 (Ser. E-48) of the Special Session Laws of Hawaii 1949 is hereby amended in the following respects:

(a) By deleting the words "seventeen and twenty-three" from the first sentence of section 6 thereof and substituting therefor the words "sixteen and twenty";

(b) By amending section 11 thereof to read as follows:

"Section 11. There is hereby appropriated from the general revenues of the Territory not otherwise appropriated the sum of $500,000 to carry out the purposes of this Act, which shall be expendable upon vouchers approved by the president.";

(c) By repealing sections 12 and 13 thereof; and

(d) By renumbering section 14 as section 12.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

M. R. Aguiar Jr.
MANUEL AGUIAR, JR.
Senator, Fourth District

John B. Fernandez
Senator Fourth District

Honolulu, Hawaii
Feb 27th, 1951

1951 REG SENATE

Senate Bill No. 81

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND SECTION 550 REVISED LAWS OF HAWAII 1945, RELATING TO VACATIONS OF PUBLIC OFFICERS AND EMPLOYEES.

Introduced FEBRUARY 27, 19 51, by

Senators HERBERT K. H. LEE, TOSHIO ANSAI, BEN DILLINGHAM AND WILLIAM J. NOBRIGA

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. NO. 81

AN ACT

TO AMEND SECTION 550, REVISED LAWS OF HAWAII 1945, RELATING TO VACATIONS OF PUBLIC OFFICERS AND EMPLOYEES.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 550 of the Revised Laws of Hawaii 1945 is hereby amended by amending the words "fifty-four" appearing in line 18 thereof to read "seventy-five."

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

Senator 3rd District

Honolulu, T. H.
Feb. 27, 1951.

1951 REG SENATE

Senate Bill No. 82

# The Legislature
of the
# Territory of Hawaii

## AN ACT

AMENDING CHAPTER 15, REVISED LAWS OF HAWAII 1945, RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE TERRITORY OF HAWAII.

Introduced FEBRUARY 27, 19 51, by

Senators HERBERT K. H. LEE, TOSHIO ANSAI, BEN DILLINGHAM & WILLIAM J. NOBRIGA

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. NO. 82

AN ACT

AMENDING CHAPTER 15, REVISED LAWS OF HAWAII 1945, RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE TERRITORY OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 15, Revised Laws of Hawaii 1945, is hereby amended by amending subsection 8 of section 708 thereof to read as follows:

> "8. Ordinary death benefit. Upon the receipt of proper proofs of the death of a member there shall be paid to his estate or to such person having an insurable interest in his life as he shall have nominated by written designation duly executed and filed with the board: (a) his accumulated contributions and, if the member has had one or more years of creditable service, and no pension be payable under the provisions of subsection 9 of this section, in addition thereto, (b) an amount not less than one-half, nor more than whole, of the compensation earnable by him during the year immediately preceding his death, to be computed as follows: Fifty per centum of such compensation for the first year, plus two and sixty-three hundredths per centum of such compensation for each additional year, of creditable service, provided, that for twenty or more years of creditable service, such additional amount shall be equal to the compensation earnable by him during the year immediately preceding his death."

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

SENATOR 3rd DISTRICT

Honolulu, T. H.
Feb. 27, 1951.

1951 REG SENATE

**Senate Bill No.** 83

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND CHAPTER 15 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE TERRITORY OF HAWAII.

Introduced FEBRUARY 27, 1951, by

Senators HERBERT K. H. LEE, TOSHIO ANSAI, BEN DILLINGHAM AND WILLIAM J. NOBRIGA

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. NO. 83

AN ACT

TO AMEND CHAPTER 15 OF THE REVISED LAWS OF HAWAII 1945, RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE TERRITORY OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 15 of the Revised Laws of Hawaii 1945, as amended, is hereby amended as follows:

(a) By amending the definition of the term "employee" contained in section 701 to read as follows:

> "'Employee': any regular and permanent employee or officer of the Territory or any county whose business is devoted exclusively to the service of the Territory or county, including inspectors, workers employed and compensated on an hourly or daily basis, principals, teachers and special teachers regularly employed in the public schools, and members of the legislature who elect to be so classified. The board shall determine who are employees within the meaning of this chapter."

(b) By amending subsection 1 of section 703 to read as follows:

> "1. Except as otherwise provided in this section, all employees of the Territory or any county on July 1, 1945, shall be members of the system on such date, and all persons who shall thereafter enter or re-enter the service of the Territory or any county shall become members at the time of their entry or re-entry. Per diem employees shall become eligible for membership on January 1, 1952 and all per diem employees in service on January 1, 1952 shall become members as of that date and all per diem employees who shall thereafter enter or re-enter the service of the Territory or of any county shall become members at the time of their entry or re-entry. Members of the legislature shall become eligible for membership on July 1, 1951. Any member of the legislature in service on July 1, 1951, or thereafter entering or re-entering the legislature, may become a member upon his own election. No member shall receive any pension or retirement allowance from any other pension or retirement system supported wholly or in part by the Territory or any county."

(c) By adding a new section 704.02 to follow after section 704.01 and to read as follows:

"Sec. 704.02. Service while per diem employee. 1. Under such rules and regulations as the board may adopt each per diem employee who first becomes eligible to become a member on January 1, 1952 and who becomes a member prior to January 1, 1954, shall file on a form approved by the board a detailed statement of all service as an employee rendered by him prior to January 1, 1952 for which he claims credit. The board shall verify as soon as practicable the period of services therein claimed and shall allow credit therefor as prior service, anything to the contrary in this chapter notwithstanding.

2. Under such rules and regulations as the board may adopt, any member of the system on July 1, 1951 who rendered service in the capacity of a per diem employee subsequent to January 1928 and prior to his date of membership for which no credit has been allowed, shall prior to January 1, 1952 file on a form approved by the board a detailed statement of all such service. The board shall verify as soon as practicable the period of service therein claimed and shall allow credit therefor as membership service, anything to the contrary in this chapter notwithstanding."

(d) By adding a new section 704.03 to follow after 704.02 and to read as follows:

"Sec. 704.03. Service while a member of the legislature. Under such rules and regulations as the board may adopt any member of the legislature who elects to become a member prior to July 1, 1951 shall file, on a form approved by the board, a detailed statement of all service as a member of the legislature rendered by him prior to January 1, 1952 for which he claims credit and which is not otherwise creditable to him under the provisions of this Act. The board shall verify as soon as practicable the period of service therein claimed and shall allow credit therefor as prior service, anything to the contrary in this chapter notwithstanding."

SECTION 2. There is hereby appropriated out of the general revenues of the Territory not otherwise appropriated the sum of

($_____) for the biennium ending June 30, 1953 toward the provision of the benefits for service arising from the

provisions of this Act. As a part of the actuarial valuation of the liabilities of the employees' retirement system of the Territory for the year 1952, the amount of liability on account of this additional service shall be determined and the amount of such liability remaining shall be ascertained. The amount so ascertained shall be reported to the legislature and an amount not less than the biennial payment which over a period of four biennia would completely cover the remaining liability shall be included in the appropriation request for the retirement system when it is presented to the legislature. So long as at least the biennial payments herein prescribed are made, full benefits shall be payable and only in the event that the legislature shall fail to make such biennial appropriations shall the benefits thereafter payable on account of such service be reduced to the amounts which can thereafter be paid from the funds remaining from the appropriations made for such purpose.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

Hiram Fong

Senator 2nd District

Honolulu, T. H.

Feb 27, 1951.

Robert Ansai

Ben Dillingham

William J. Noa

1951 REG SENATE

Senate Bill No. 84

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO PUBLIC OFFICERS AND EMPLOYEES, AND AMENDING CHAPTERS 2, 3 AND 11 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, CONCERNING CIVIL SERVICE, CLASSIFICATION, COMPENSATION, QUALIFICATIONS AND ORGANIZATIONS OF SUCH PERSONNEL.

Introduced FEBRUARY 27 , 1951 , by

Senators HERBERT K. H. LEE, TOSHIO ANSAI, BEN DILLINGHAM AND WILLIAM J. NOBRIGA

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. No. 84

AN ACT

RELATING TO PUBLIC OFFICERS AND EMPLOYEES, AND AMENDING CHAPTERS 2, 3 AND 11 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED, CONCERNING CIVIL SERVICE, CLASSIFICATION, COMPENSATION, QUALIFICATIONS AND ORGANIZATIONS OF SUCH PERSONNEL.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Chapter 2 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended to read as follows:

"Sec. 61. Purpose of this chapter. It is hereby declared to be the purpose of this chapter to establish in the Territory and in each of the Counties a personnel system based on merit principles and scientific methods governing the appointment, promotion, transfer, lay-off, removal and discipline of public officers and employees.

"Sec. 62. Uniform interpretation. All questions requiring the construction or interpretation of any of the provisions of this chapter or of chapter 3 shall be submitted to the attorney general of the Territory for his opinion. It shall be the duty of the attorney general to render his opinion upon such questions when requested by the head of any department of the Territory or any county.

"Sec. 63. Uniform administration. It is the intent of the legislature that civil service and classification in the Territory and the several counties shall be as uniform as practicable. In order to promote such uniformity, the several personnel directors and commissioners of the territorial and county departments of civil service shall meet not less frequently than once every six months at the call of the personnel director of the Territory.

"Sec. 64. Agreements between territorial and county departments. The several departments of civil service of the Territory and the counties are hereby authorized to enter into agreements for the joint administration of such matters as may be practicable or consistent with the provisions of this chapter and chapter 3, including the conducting of examinations and other procedures for the establishment of eligible lists. All eligible lists established under such agreements shall be as fully effective as those established separately.

"PART I. CIVIL SERVICE FOR TERRITORY.

"Sec. 65. Definitions.

"As used in this subtitle, unless the context clearly requires otherwise:

"(a) 'Commission' means the Civil Service Commission of the Territory;

"(b) 'Territorial service' means all offices and other positions in the public service of the Territory;

"(c) 'Department' includes any department, court, board, commission or agency of the Territory;

"(d) 'Appointing authority' means a person or department having power to make appointments or changes in status of employees in the territorial service;

"(e) 'Classified service' includes all positions in the territorial service not exempted by the provisions of section 73;

"(f) 'Class' or 'class of positions' means a group of positions in the classified service sufficiently alike in duties, authority and responsibilities that the same qualifications may reasonably be required for, and the same examination and the same schedule of pay can be equitably applied to, all positions in the group, and all positions in such group may be treated alike for all other purposes of personnel administration;

"(g) 'Promotional examination' means an examination for positions in a particular class, admission to which is limited to regular employees in the classified service;

"(h) 'Open-competitive examination' means an examination for positions in a particular class, admission to which is not limited to persons employed in the classified service;

"(i) 'Open-competitive list' means a list of persons who have been found qualified by an open-competitive examination for appointment to a position in a particular class;

"(j) 'Promotional list' means a list of persons who have been found qualified by a promotional examination for appointment to a position in a particular class;

"(k) 'Reemployment list' means a list of persons who have been regular employees in a particular class and who are entitled to have their names certified for appointment to a position in that or a closely related class;

"(l) 'Eligible list' means a list of persons who have been found qualified by an examination for appointment to a position in a particular class, such a list being either open-competitive, promotional or reemployment;

"(m) 'Eligible' means a person whose name is on an active eligible list;

"(n) 'Regular employee' means an employee who has been appointed to a position in the classified service in accordance with the provisions of this subtitle and has successfully completed his initial probation period;

"(o) 'Initial probation period' means a period of not less than six months nor more than one year from the beginning of an employee's service in the classified service;

"(p) 'New probation period' means any probation period other than that defined in paragraph (o);

"(q) 'Position' means a group of current duties and responsibilities, assigned or delegated by competent authority, requiring the full-time or part-time employment of one person;

"(r) 'Director' means the personnel director whose position is established by section 70.

"Sec. 66. Department of civil service. There is hereby created a department of civil service of the Territory, which shall include the personnel director as its administrative head and a commission consisting of three members. Whenever in any law, rule or ordinance of the Territory or any county, or of any agency of the Territory or any county, reference shall be made to the civil service commission or the personnel classification board of the Territory, the same shall be deemed to refer to the department created by this subtitle.

"Sec. 67, Organization, Compensation and meetings of commission.

"(a) The members of the commission shall be persons in sympathy with the application of merit principles to public employment. They shall be appointed by the governor in the manner prescribed by paragraph 1 of section 80 of the Organic Act and shall hold office for six years; provided, however, that of the members first appointed, one shall be appointed for a term of two years, one for a term of four years and one for a term of six years. The successors of the members initially appointed shall be appointed for a term ending six years from the date of the expiration of the term for which his predecessor was appointed, except that a person appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed for the remainder of such term. Each member shall serve until his successor has been appointed and has qualified. Not more than two members of the commission shall belong to the same political party. The commission shall elect a chairman from its members annually. Any commissioner may be removed by the governor in the manner prescribed in paragraph 1 of section 80 of the Organic Act, upon conviction of any felony or misdemeanor involving moral turpitude, or for neglect of duty or malfeasance in office, but for no other cause.

"(b) Each member of the commission shall be paid compensation at the rate of ten dollars per day for each day's actual attendance in the hearing of an appeal, but not to exceed, in the aggregate, one hundred dollars in any month and be reimbursed for his necessary traveling expenses incurred in the performance of his duties under this subtitle, provided that when any member shall be required to travel from any island to another island in the Territory in the performance of such duties, he shall be allowed, in addition to his transportation fares, ten dollars a day to cover all other expenses.

"(c) The commission shall meet at least once each month at such place as shall be made available for such purpose by the governor and at such times as may be designated in advance by the commission and at such other times as may be specially designated by the chairman, the director or the governor. All meetings of the commission shall be open to the public. Any two of the members shall constitute a quorum.

"Sec. 68. General powers and duties of commission. The commission shall have authority:

"(a) To represent the public interest in the improvement of personnel administration in the classified service;

"(b) To assist the director in fostering the interest of institutions of learning and civic, professional and employee organizations in the improvement of personnel standards in the classified service;

"(c) To advise the governor and the director on policies and problems concerning personnel administration;

"(d) To hear and decide appeals from any action of the director under the provisions of this subtitle or of Part I of chapter 3, as well as from dismissals, demotions and suspensions as hereinafter provided. The findings and decision of the commission shall be final on all appeals.

"(e) To make any investigation which it may consider desirable concerning the administration of personnel in the classified service, including any matter respecting the enforcement or effect of the provisions of this subtitle or the rules and regulations prescribed thereunder, or the action or failure to act of any officer or employee with respect thereto.

"Sec. 69. Political activities prohibited. No person who occupies any elective or appointive office or other position under the territorial or county government shall be eligible for membership on, or be a member of, the commission and no member shall, during his term of office, serve as an officer or committee member of any political party organization, or present himself as a candidate or be a candidate for nomination or election to any public office at any election. The office of any member who shall violate any of the foregoing provisions shall be conclusively presumed to have been abandoned and vacated by reason thereof, and, upon so finding as a fact, the governor shall appoint a qualified person to fill such vacancy. The finding of the governor shall be conclusive in all actions and proceedings and upon all officers and courts.

"Sec. 70. Personnel director. The governor shall appoint a personnel director, who shall be the head of the department of civil service. At the time of his appointment, the director shall be thoroughly familiar with the principles and methods of personnel administration generally used by those in charge of employment work for large public and private employers. He shall be a person of good repute, competent, with actual experience in public personnel administration and shall be in sympathy with the application of merit principles and scientific methods to public personnel administration. The director shall be a member of the classified service but may be removed by the governor upon conviction of any felony or misdemeanor involving moral turpitude, or for neglect of duty or malfeasance in office, but for no other cause.

"Within thirty days after the existence, for any reason of a vacancy in the office of the director, the commission shall appoint a special examining committee of three persons to conduct an examination for the position. No person shall be appointed to such committee unless he shall have knowledge of, and be in sympathy with, the principles of a merit system in public personnel administration. Within thirty days after it is appointed, the examining committee shall hold a competitive examination in accordance with the provisions of this subtitle and on the basis of such examination, shall establish an eligible list of persons found qualified for appointment as director. The civil service commission shall thereupon certify to the governor the names of those who have passed the examination, and the governor shall select one of the persons standing among the highest five. The examining committee shall have the same powers and duties with respect to the conduct of the examination and establishment of the eligible list as are vested in or imposed upon the director under the provisions of this subtitle with respect to other positions in the classified service. Every eligible list for director shall expire one year after it is established. Whenever in any law, rule or ordinance of the Territory or any county, or of any agency of the Territory or any county, reference shall be made to the director of personnel or personnel director of the Territory, the same shall be deemed to refer to the personnel director provided by this section.

"Sec. 71. Duties and powers of director. The director, as head of the department, shall direct and supervise all its administrative and technical activities. All actions of the director shall be final, subject only to such action as the commission may take upon appeal therefrom. He shall file with the governor a written report, at least once in each year, in such form as may be directed by the governor, which report may be incorporated in the commission's report to the governor. In addition to the duties imposed upon him elsewhere in this subtitle, it shall be his duty and authority:

"(a) To attend all meetings of the commission and to act as its secretary and keep minutes of its proceedings;

"(b) To establish and maintain a roster of all persons in the classified service, in which shall be set forth, as to each, the class of position held, the salary or pay, any change in class, title, pay or status, and any other necessary data;

"(c) To perform all of the functions and duties prescribed by chapter 3;

"(d) To appoint such assistants and employees as may be necessary to assist him in the proper performance of his duties and for which appropriations shall have been made by the legislature, which positions shall be subject to the provisions of this subtitle and chapter 3;

"(e) To foster and develop, in cooperation with appointing authorities and others, programs for the improvement of employee efficiency, including in-service and supplementary training and grievance procedures;

"(f) To encourage and exercise leadership in the development of effective personnel administration within the several departments in the classified service and to make available the facilities of the department of civil service to this end;

"(g) To investigate from time to time the operation and effect of this subtitle and of the rules adopted hereunder and to report his findings and recommendations to the commission and the governor;

"(h) To perform any other lawful acts which he may consider necessary or desirable to carry out the purposes and provisions of this subtitle.

"The director shall designate an assistant or employee of the department of civil service as his deputy. In case of the absence of the director or his inability from any cause to discharge the powers and duties of his office, such powers and duties shall devolve upon his deputy. The director may select officers or employees in the territorial service to act as subject-matter consultants in the preparation and rating of examinations. An appointing authority shall excuse any officer or employee in his department from his regular duties for the time required for his work as a subject-matter consultant. Officers and employees shall not be entitled to extra pay for services as such consultants but shall be entitled to reimbursement for necessary traveling and other expenses.

"Sec. 72. Service to counties. Subject to the rules of the department of civil service, the director may enter into agreements with any county to furnish services and facilities of the territorial department of civil service to such county in the administration of civil service in such county. Any such agreement shall provide for the reimbursement to the Territory of the reasonable cost of the services and

facilities furnished, as determined by the director. All counties are hereby authorized to enter into such agreements.

"Sec. 73. Classified service and exemptions. The classified service to which this subtitle shall apply shall comprise all positions in the territorial service now existing or hereafter established, except the following positions:

"(a) Commissioned and enlisted personnel of the national guard of Hawaii as such, and positions in the national guard of Hawaii which are required by territorial or federal laws or regulations, or orders of the national guard, to be filled from such commissioned or enlisted personnel;

"(b) Positions filled by persons employed by contract to render a special or temporary service for the Territory where such contract is certified by the director to be for a service which, from its nature and all other circumstances surrounding its fulfillment, can in the public interest be performed better under contract than by an employee in the classified service;

"(c) Positions filled by the legislature of the Territory or by either house or any committee thereof;

"(d) Employees in the office of the governor and household employees at Washington Place;

"(e) All directors or heads of departments or bureaus whose appointments are made or approved by the governor;

"(f) Positions filled by popular vote;

"(g) Officers and members of any board, commission or other territorial agency whose appointments are required by law to be confirmed by the senate of the Territory;

"(h) Judges, referees, receivers, masters, jurors, jury commissioners, notaries public and attorneys appointed by a territorial court for a special temporary service;

"(i) One secretary or clerk for each justice of the supreme court and each judge of a circuit court;

"(j) Assistant and deputy attorneys general;

"(k) Teachers, principals, specialists not engaged in instructional work and supervisors, including supervising principals and district superintendents, under the department of public instruction, but secretarial and clerical employees, cafeteria managers and helpers and administrative personnel not engaged in instructional work shall be subject to the provisions of this subtitle;

"(l) Members of the faculty of the university of Hawaii, including research workers, extension agents, personnel engaged in instructional work and chief administrative personnel of the university, but other administrative personnel, secretarial and clerical employees and cafeteria managers and helpers shall be subject to the provisions of this subtitle;

"(m) Inspectors of election, election clerks and other election employees;

"(n) Positions filled by inmates, kokuas, patients, students and beneficiaries of territorial institutions, including positions filled by persons by reason of their membership in a religious order in the division of hospitals and settlements of the department of health;

facilities furnished, as determined by the director. All counties are hereby authorized to enter into such agreements.

"Sec. 73. Classified service and exemptions. The classified service to which this subtitle shall apply shall comprise all positions in the territorial service now existing or hereafter established, except the following positions:

"(a) Commissioned and enlisted personnel of the national guard of Hawaii as such, and positions in the national guard of Hawaii which are required by territorial or federal laws or regulations, or orders of the national guard, to be filled from such commissioned or enlisted personnel;

"(b) Positions filled by persons employed by contract to render a special or temporary service for the Territory where such contract is certified by the director to be for a service which, from its nature and all other circumstances surrounding its fulfillment, can in the public interest be performed better under contract than by an employee in the classified service;

"(c) Positions filled by the legislature of the Territory or by either house or any committee thereof;

"(d) Employees in the office of the governor and household employees at Washington Place;

"(e) All directors or heads of departments or bureaus whose appointments are made or approved by the governor;

"(f) Positions filled by popular vote;

"(g) Officers and members of any board, commission or other territorial agency whose appointments are required by law to be confirmed by the senate of the Territory;

"(h) Judges, referees, receivers, masters, jurors, jury commissioners, notaries public and attorneys appointed by a territorial court for a special temporary service;

"(i) One secretary or clerk for each justice of the supreme court and each judge of a circuit court;

"(j) Assistant and deputy attorneys general;

"(k) Teachers, principals, specialists not engaged in instructional work and supervisors, including supervising principals and district superintendents, under the department of public instruction, but secretarial and clerical employees, cafeteria managers and helpers and administrative personnel not engaged in instructional work shall be subject to the provisions of this subtitle;

"(l) Members of the faculty of the university of Hawaii, including research workers, extension agents, personnel engaged in instructional work and chief administrative personnel of the university, but other administrative personnel, secretarial and clerical employees and cafeteria managers and helpers shall be subject to the provisions of this subtitle;

"(m) Inspectors of election, election clerks and other election employees;

"(n) Positions filled by inmates, kokuas, patients, students and beneficiaries of territorial institutions, including positions filled by persons by reason of their membership in a religious order in the division of hospitals and settlements of the department of health;

"(o) Positions filled by persons employed on a fee, contract or piecework basis who may lawfully perform their duties concurrently with their private business or profession or other private employment and whose duties require only a portion of their time, if it is impracticable to ascertain or anticipate the portion of time to be devoted to the service of the Territory;

"(p) Positions specifically exempted from the provisions of this subtitle by any other law.

"Sec. 74. Rules and regulations; policies and standards.

"The director shall prescribe a code of rules and regulations to carry out the provisions of this subtitle which, after public notice and public hearing before the commission and upon approval by the governor, shall have the force and effect of law. Such rules and regulations may be amended or repealed in like manner as the same were adopted. Any rules or regulations restricting political activities by employees shall uniformly apply to the Territory and all counties. Such rules and regulations shall, among other things, as nearly as the conditions of good administration shall warrant, conform to the following provisions:

"(a) There shall be competitive examinations for testing the fitness of applicants for positions in the classified service. Such examinations shall be practical in their character and so far as possible shall provide for ascertaining the physical and educational qualifications, experience, knowledge and skill of applicants and their relative capacity and fitness for the proper performance of the characteristic duties of the class of positions in which they seek to be employed. All examinations shall be public and, except as otherwise provided in this section, free and open to all citizens of the Territory, but with such limitations as to health, physical condition, age, sex, education, training, experience, habits and character as the director may deem necessary and proper for the class for which the examination is to be given. Examinations may be oral or written, or partly oral and partly written, and may include tests of manual skill and physical strength or evaluations of training and experience backgrounds. All examinations shall be under the control of the director, or such other suitable person or persons as he may designate to conduct them.

"(1) Such examinations may be promotional examinations, which shall be limited to regular employees of the classified service, whenever in the opinion of the director the same is practicable and for the best advantage of the public service. Promotional examinations may be either intra-departmental or inter-departmental in scope. Whether a promotional examination is to be intra-departmental or inter-departmental shall be decided by the director on the basis of sufficiency of competition as defined by rule. Ample notice of such examinations shall be given in such manner as the director may determine.

"(2) Examinations shall be open-competitive whenever in the opinion of the director they are for the best advantage of the public service. In making such determination, the director shall take into consideration sufficiency of competition within the classified service as well as the requirements of the class for which such examinations are to be conducted. Notice of such examinations shall be given by posting a written statement thereof in the office of the department of civil service and by publishing one or more advertisements thereof in a newspaper of general circulation throughout the Territory. A period of at least fifteen days from the date of such first publication shall be allowed for the filing of applications. The director may, if he deems it necessary because of lack of sufficient competition or any other reason, extend the time for the filing of applications.

"(3) Non-Competitive examinations may be given in case acceptable persons do not apply after notice has been given of an examination.

"(b) Except as otherwise specifically provided by law, all vacancies and new positions in the classified service shall be filled in the manner prescribed in this paragraph. Whenever there is a position to be filled, the appointing authority shall request the director to submit a list of eligibles. The director shall thereupon certify a list of five eligibles, or such lesser number as may be available, taken from eligible lists in the following order: first, the promotional list or lists, second, the reemployment list or lists, and third, the open-competitive list or lists. The director shall submit eligibles in the order that they appear on the eligible lists. The order in which eligibles are placed on eligible lists shall be fixed by rule. The appointing authority shall make appointment only from the list of eligibles certified to him. In the event that the appointing authority finds no person acceptable to him on the list certified by the director, he may request the director to submit a new list, in which event the director shall submit a new list of eligibles selected in like manner, provided that the appointing authority states his reasons in writing for rejecting each of the eligibles on the list previously certified to him and such reasons are deemed sufficient by the director. Eligible lists, other than reemployment lists, shall be effective for not more than one year unless extended by the director.

"(c) All employees shall successfully serve an initial probation period before becoming members of the classified service. In addition, membership in the classified service shall require that the employee shall have been appointed in accordance with law and have satisfied all requirements for employment, including those prescribed by section 451. A member who is promoted or transferred to another position in the classified service may be required to serve a new probation period in his new position, but he shall be entitled to all the rights and privileges of a member of the classified service, except the right to appeal in case of a dismissal from the new position (as distinguished from dismissal from the service) for inefficiency in the new position, in which case he shall be returned to his former position.

"(d) No person in the classified service shall be obliged to contribute to any political fund or to render any political service, nor shall he be removed or otherwise prejudiced for refusing to do so.

"(e) No person in the classified service shall use his official authority or influence to coerce the political action of any person or body.

"(f) Prompt notice shall be given to the director in writing by all appointing authorities of all appointments, terminations of employment, transfers, resignations, demotions and dismissals, and of the date thereof, and a record of the same shall be kept by the director.

"(g) No person who has been convicted of any crime involving moral turpitude, or who has been guilty of infamous or disgraceful conduct, or who has committed or attempted any deception or fraud in connection with any examination, shall be eligible for any appointment in the classified service.

"(h) Every member of the classified service, shall be entitled to hold his position during good behavior, subject to suspension, demotion, or dismissal only as provided in this subtitle and in the rules and regulations of the department of civil service. Resignations shall be in writing. In case an employee resigns without submitting his resignation in writing, the department head shall, within fifteen days following such resignation, file with the director a statement showing such termination of employment.

"(i) Whenever any employee who has been performing his duties in a satisfactory manner, as shown by the records of the department of civil service or the agency in which he has been employed, is laid off because of lack of work or lack of funds, or has resigned in good standing with the consent of the appointing authority and the director, he shall have the right to have his name placed on the appropriate reemployment list for a period of two years thereafter, provided that he files a written application for reemployment within ninety days after such termination. The director may strike the name of a person on any reemployment list or refuse to certify his name on any list of eligibles if he finds, after giving him notice and an opportunity to be heard, that such person is no longer able to perform the necessary duties satisfactorily.

"(j) If necessary to prevent stoppage of public business or inconvenience to the public, but not otherwise, the director may authorize the filling of a position by a provisional appointment pending the establishment of an eligible list. Such provisional appointments shall continue only until the establishment of an eligible list and in no case shall such appointment exceed a total of ninety days in any twelve months period. No person shall receive more than one provisional appointment in any twelve months period. Short-term appointments not to exceed ten days may be authorized to fill positions temporarily in any serious emergency when it is not practicable to ascertain whether there is an eligible list, or to make a careful selection therefrom, or to secure the director's authorization to make a provisional appointment.

"(k) There may be separate eligible lists for different kinds of unskilled labor and separate registration lists of unskilled labor for particular departments, institutions, districts or localities. Applicants seeking to have their names placed on such registration lists may be required to pass such examination as the director may deem proper or necessary with respect to physical and mental condition, ability to labor, capacity and habits.

"(l) Any employee, who has been granted a leave of absence by the appointing authority with the approval of the director in order to pursue a course of instruction, to engage in research or otherwise to improve his ability and increase his fitness for public employment, and who in fact has carried out the plan stated by him at the time such leave was requested, shall have the right to return to his position at the expiration of his leave of absence. Leaves of absence may be granted by the appointing authority with the approval of the director for other reasons, but in such cases the employee shall have such rights of reemployment or otherwise as may be provided by rule.

"(m) Provision shall be made for the exchange and transfer of employees in the classified services of the Territory and the counties, including exchanges between the Territory and any county or between counties, and transfers from the Territory to any county or vice versa or from any county to any other county.

"(n) There shall be a uniform plan for the exchange of employees within the classified services of the Territory and the counties with the employees of any state or subdivision thereof. The following conditions shall govern such exchanges:

"(1) Each person coming to the Territory on exchange shall have qualifications equal to those of the employee who is exchanged for him.

"(2) The person exchanged from the Territory shall have served within the Territory as an employee of the Territory or county, as the case may be, not less than three years before the beginning of the exchange period.

"(3) In the selection of employees for exchange from the Territory, preference shall be given to persons born in the Territory.

"(4) The person exchanged by any state or subdivision thereof shall hold in the government of such state or subdivision a position which is equivalent to the position of the employee for whom he is exchanged.

"(5) The person exchanged from the Territory shall be paid his regular salary by the Territory or county, as the case may be, but nothing in addition thereto.

"(6) The Territory or county, as the case may be, shall not pay any traveling or other expenses of any person or employee exchanged to or from the Territory on any contract of exchange, and this prohibition shall apply to all traveling, transportation, board, lodging or other expenses incidental to or arising out of such exchange.

"(7) The Territory or county, as the case may be, shall not pay any compensation to any person coming to the Territory under any contract of exchange; provided, however, that in any case where the person exchanged from the Territory becomes incapacitated or for any reason leaves his exchange position during the period of the exchange, the Territory or county may pay the visiting exchange person an amount not to exceed the salary rating of the person exchanged from the Territory, until the end of the exchange period or until such time as some adjustment satisfactory to the Territory or county is made. Contracts of exchange shall provide that in a corresponding situation, the exchanging state or subdivision thereof may pay compensation to the employee exchanged from the Territory.

"(8) No such exchange shall be for a period in excess of one year.

"(o) Any employee who has been employed by the Territory or any county for eight consecutive years may, upon application to and with the approval of both his department head and the director, be granted a sabbatical leave of absence for not more than one year, provided that the two years of employment next preceding such application shall have been with the same department. Such employee shall have the right to return to his position at the expiration of the sabbatical leave of absence. The resulting vacancy shall be filled by the appointment of a substitute for a period not to exceed the duration of the leave. Such substitute shall be paid the minimum compensation provided by law for the position. The difference between the minimum compensation and the actual compensation received by the employee at the time such leave was granted shall be paid to him upon his return to his position in monthly installments for a period equal to his leave, but no such installment shall be payable unless he returns to his position and remains in the employ of the department which granted him the leave. An employee on sabbatical leave shall not engage in any form of employment except such as shall tend to promote his professional education and training and as shall be approved by his department head, and every such employee shall devote at least two thirds of the period of leave to such educational activities as will contribute to the value of his services to the Territory or the county employing him. An employee granted sabbatical leave pursuant to the provisions hereof shall not by reason thereof be deprived of any accumulated vacation allowance or sick leave, but shall accrue no additional vacation allowance or sick leave during the period of such leave. Upon the employee's return from sabbatical leave he shall have the same salary rating that he had at the time of taking such leave and his increment date shall be advanced equivalent to the duration of the leave.

"Sec. 75. Suspensions; demotions; dismissals; appeals to commission.

"(a) An appointing authority may, for disciplinary purposes, suspend any employee without pay for such length of time as he considers appropriate but not exceeding thirty days at any one time nor more than sixty days in any calendar year. No suspension for a period of five consecutive days or more shall take effect unless the appointing authority first gives the employee a written statement setting forth the specific reasons upon which such suspension is based and files a copy of such statement with the director. With the approval of the director, an employee may be suspended for a period longer than thirty days pending the investigation or trial of any charges against him.

"(b) An appointing authority may dismiss or demote any employee when he considers that the good of the service will be served thereby. No person holding any position in the classified service shall be suspended, demoted or dismissed from his position on racial, religious or political grounds. Dismissals may be made only for such causes as will promote the efficiency of government service.

"(c) No dismissal or demotion of a regular employee shall take effect unless at least ten days before the effective date thereof the appointing authority shall have given to such employee a written statement setting forth the specific reasons upon which such dismissal or demotion is based and files a copy of such statement with the director.

"(d) Any regular employee who is suspended for a period in excess of five days, or dismissed or demoted, may appeal to the commission within twenty days after receipt of notice of such suspension, dismissal or demotion. Upon such appeal, both the appealing employee and the appointing authority shall have the right to be heard publicly, present evidence and be represented by counsel, who shall have the right to examine and cross-examine witnesses. At the hearing of such appeals technical rules of evidence shall not apply. If the commission shall find that the action appealed from was taken by the appointing authority for any political, religious or racial reason, the employee shall be reinstated to his position without loss of pay for the period of his suspension or separation therefrom. In all other cases, if the commission shall find that the charges are not substantiated, the commission may order that the employee be reinstated in his position without loss of pay, but if the commission shall find that the charges are substantiated, the commission shall sustain the action of the appointing authority, provided that the commission may modify the action of the appointing authority if it shall find that the circumstances of the case so require and may thereupon order such disposition of the case as it may deem just.

"Sec. 76. Appeals from action of director. As to any matter within the scope of this subtitle, any person suffering legal wrong because of any action by the director, or adversely affected or aggrieved by such action, shall be entitled to appeal to the commission. The appeal shall be made within twenty days after such person has notice of the action of the director but in any event not later than sixty days after the action was taken by the director, and shall be heard in a manner similar to that provided in paragraph (d) of section 72.

"Sec. 77. Subpoenas; oaths. The commission and each member thereof shall have such powers as may be provided by law with respect to compelling the attendance of witnesses and administering oaths to witnesses, and as to all matters within the scope of his authority, the director shall have similar powers.

"Sec. 78. Refusal or failure to make reports, etc. Every officer and employee, including any appointing authority, shall promptly make such reports and file such statements as may be required by the provisions of this subtitle or the rules and regulations prescribed thereunder. In case any officer or employee shall refuse or fail within the

prescribed, or within a reasonable time to make any such report or file any such statement, the director may notify the auditor of such refusal or failure, and upon such notification, the auditor shall withhold any compensation payable to such officer or employee until such time as the director shall notify the auditor in writing that such officer or employee has made such report or filed such statement.

"Sec. 79. No salary or compensation payable to person appointed in violation of subtitle. No officer of the Territory whose duty it is so to do shall authorize the drawing, signing or issuing of any warrant on the treasury or other disbursing agency of or for the Territory or against any funds available for such purpose for the payment of any salary or compensation to any person in the public service of the Territory whose appointment or retention has not been in accordance with this subtitle and the rules and regulations in force thereunder. Any salary or wage paid contrary to the provisions of this subtitle and the rules and regulations established thereunder may be recovered from any person approving such payment or from any officer authorizing the signing or countersigning of a voucher, payroll, check or warrant for such payment in an action maintained by any taxpayer who is a citizen. All moneys recovered in any action brought under this section shall be paid into the treasury of the Territory. Any person employed or appointed contrary to the provisions of this subtitle and the rules established thereunder, whose payroll or account is refused certification, shall have an action of debt against such officer or officers employing or appointing him or attempting to employ or appoint him for the amount due by reason of such employment or purported employment and the cost of such action. No public officer or officers, during the time of his or their official service or thereafter, shall be reimbursed by the Territory for any sum paid or recovered in any such action.

"Sec. 80. Membership of classified service. All regular employees and all other employees having a permanent appointment in the classified service pursuant to law shall constitute the membership of the classified service, provided that no employee shall be entitled to membership in the classified service unless he shall have been appointed in accordance with law and have satisfied all requirements for employment, including those prescribed by section 451, and provided further, that no period of service as an employee under contract shall be deemed to satisfy the term of residence prescribed by section 451.

"PART II. CIVIL SERVICE FOR THE CITY AND COUNTY OF HONOLULU.

"Sec. 81. Department of civil service. There is hereby created a department of civil service for the city and county of Honolulu, which shall include a personnel director appointed by the mayor as its head and a commission of three members appointed by the mayor with the approval of the board of supervisors.

"Sec. 82. Classified service. All positions in the public service of the city and county, except the following positions, shall be included in the classified service of the city and county:

"(a) The administrative assistant to the mayor, if any, and the private secretary to the mayor;

"(b) Positions filled by persons employed by contract to render a special temporary service for the city and county where such contract is certified by the director to be for a service which from its nature can better be performed by other than an employee in the classified service;

"(c) Officers elected by public vote;

"(d) Members of any board, commission or other city and county agency and heads of departments whose appointments are required under the laws of the Territory or ordinances of the city and county to be made by the mayor and confirmed by the board of supervisors of the city and county;

"(e) Chief of police;

"(f) Manager, board of water supply;

"(g) District magistrates;

"(h) Institutional inmate or patient employees in city and county institutions;

"(i) Deputy city and county attorneys and assistant or deputy public prosecutors.

"Sec. 83. Provisions of part I applicable. Except as otherwise specifically provided in this subtitle, all of the provisions of the preceding subtitle (part I of this chapter) shall apply to the city and county and shall be deemed a part of this subtitle, for which purpose wherever reference is made in the preceding subtitle to the "Territory", or "governor" or the "legislature", they shall be construed to mean the city and county, the mayor and the board of supervisors, respectively, and references therein to the "director" and the "commission" shall mean the director and the commission provided for in section 81; provided, however, that section 72 shall not be deemed a part of this subtitle.

"PART III. CIVIL SERVICE FOR COUNTIES OF HAWAII, KAUAI AND MAUI.

"Sec. 84. Department of civil service. There is hereby created a department of civil service for each of the counties of Hawaii, Kauai and Maui, which shall include a personnel director appointed by the chairman of the board of supervisors of the respective county as its head and a commission of three members appointed by the chairman with the approval of the board of supervisors of the respective county.

"Sec. 85. Classified service. All positions in the public service of each county shall be included in the classified service of such county, except the following positions:

"(a) Private secretary for the chairman of the board of supervisors;

"(b) Positions filled by persons by contract to render a special temporary service for the county where such contract is certified by the personnel director to be for a service which from its nature can better be rendered by other than an employee in the classified service;

"(c) Officers elected by public vote;

"(d) Board or commission members or heads of departments whose appointments are required under the laws of the Territory or by county ordinances to be made by the chairman of the board of supervisors and confirmed by the board of supervisors of the county;

"(e) Chief of police;

"(f) District magistrates;

"(g) Institutional inmate or patient employees in county institutions and students in schools;

"(h) Deputy county attorneys.

"Sec. 86. Provisions of part I applicable. Except as otherwise specifically provided in this subtitle, all of the provisions of part I of this chapter shall apply to each of the counties of Hawaii, Kauai and Maui and shall be deemed a part of this subtitle, for which purpose whenever reference is made in part I to the "Territory", the "governor" or the "legislature", they shall be construed to mean each of said counties

and the respective chairman of the board of supervisors and the board of supervisors, respectively, and references to the "director" and the "commission" shall mean the director and the commission provided for in section 84 for each county, provided that section 72 shall not be deemed a part of this subtitle.

"PART IV. CERTAIN ACTIONS UNLAWFUL.

"Sec. 87. Prohibitions and penalties. No recommendation of any person who shall apply for examination or appointment to any office or position under the provisions of this chapter which may be given by an elected officer of the Territory or any county except as to the ability or character of the applicant, shall be received or considered by any person concerned in the giving of any examination or the making of any appointment under this chapter.

"It shall be unlawful for any candidate for election to any public office or for any officer or employee of the Territory or of any County directly or indirectly to solicit or assess any contribution or assessment for any political purpose whatever from any member of any classified service created under this chapter.

"No person shall, in any room or building occupied in the discharge of official duties by any officer or employee of the Territory or of any County, solicit in any manner whatever or receive any contribution of money or other things of value from any officer or employee for any political purpose whatever.

"No officer or employee of the Territory or of any county shall discharge, promote or demote or in any manner change the status or compensation of any other officer or employee or promise or threaten so to do for giving or withholding or neglecting to make any contribution of money or other things of value for any political purpose whatever.

"No officer or employee of the Territory or of any county shall directly or indirectly hand over to any other officer or employee any money or other things of value on account of or to be applied to the promotion of any political object whatever.

"No officer or employee of the Territory or of any county shall discharge, promote or demote or in any manner change the status or compensation of any other officer or employee because of the political or religious actions or beliefs of such other officer or employee or for the failure of such other officer or employee to take any political action for any political purpose whatever or to advocate or fail to advocate the candidacy of any person seeking an elective office.

"Any person who shall be guilty of violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon a conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding one year, or by both such fine and imprisonment.

"PART V. EMPLOYEE ORGANIZATIONS; VETERANS PREFERENCE.

"Sec. 88. Membership in organizations; grievances and proposals. Membership in any association or other organization of public employees not affiliated with any outside organization imposing an obligation or duty upon them to engage in any strike, or proposing to assist them in any strike, by any person in the classified service, or the presenting by any such person or groups of persons of any grievance or proposal to the legislature or any public officer or body, shall not constitute or be cause for reduction in rank or compensation or removal from said service. The right of any individual officer or employee in the classified service, or any group of officers or employees, or of officers and employees, to present grievances or to petition for redress of grievances

to the legislature or any member thereof, or any other public officer or body, shall not be denied or interfered with. Further, no person in said service shall be required as a condition of employment or promotion to be a member of any association or organization.

For the purpose of submitting to the legislature and its committees and members, and all other public officers and bodies, proposals concerning compensation, hours of employment and other conditions of employment, the employees shall be authorized to select and designate, in the manner hereinafter provided, one association or organization as their sole and exclusive representative. Upon the written petition of not less than five hundred employees, the secretary of the Territory shall conduct and supervise an election to determine which association or organization shall be so selected and designated. The secretary shall give notice of such election by publishing notice thereof for three successive weeks (three insertions) in a newspaper of general circulation in the Territory published in Honolulu, the first to be not less than ninety days before the date of election. Any association or organization that is nominated by the written petition of not less than five hundred employees shall be placed on the ballot; provided, however, that no such association or organization shall be placed on the ballot unless and until all of the officers, agents or other persons speaking for or on behalf of such association or organization have subscribed to the oath or affirmation provided by chapter 13 of the Revised Laws of Hawaii 1945, as amended, and filed the same with the secretary. The petition for election hereinabove referred to and the petition for nomination may be combined and the signatures made applicable to each petition. In the event that only one association or organization is nominated, no election shall be held and such association or organization shall be the sole and exclusive representative of the employees for the purposes hereinabove stated. Otherwise, there shall be an election by secret ballot. The secretary shall be authorized to prescribe rules and regulations (which shall not be subject to the provisions in chapter 11 respecting rules and regulations) governing the balloting so as to preserve secrecy and prevent fraud in the cast-of ballots. The association or organization receiving a majority of the votes cast shall be designated as the sole and exclusive representative of the employees for the purpose hereinabove stated. If no association or organization shall receive a majority of the votes cast, a new ballot shall be taken between the two associations or organizations receiving the highest number of votes. Not oftener than once a year and only upon the written petition of not less than five hundred employees, a new election may be held. The term "employees" as used in this paragraph shall mean and include all officers and employees of the Territory and its political and municipal subdivisions except teachers and other persons holding certificates issued under the provisions of chapter 28, who shall be authorized to select and designate in like manner another association or organization to represent them for such purposes.

"Sec. 89. Veteran's Preference.

"(a) As used in this section: 'Veteran' means any person who has served during any period when the United States was at war, in any branch of the United States military or naval establishment and been honorably separated therefrom or honorably discharged from active service and placed in reserve;

"'Disabled veteran' means any veteran who is suffering from any physical disability rated as service connected and incurred during any period when the United States was at war, as certified by the Veterans Administration or any retirement board of any branch of the armed forces of the United States, and;

'Deceased serviceman' means any veteran or disabled veteran who has deceased as the result of service incurred injury, or any person who would have been a veteran or disabled veteran except for the fact that he deceased before separation or discharge from the branch of the United States

military or naval establishment in which he was serving at the time of his decease while the United States was at war;

(b) In any open competitive examination, but not in any promotional examination, given pursuant to this chapter, the following credits shall be given to the following persons:

(1) To each candidate who is a veteran (other than a disabled veteran), a credit of five per cent of the total credits specified for such examination;

(2) To each candidate who is a disabled veteran, a credit of ten per cent of the total credits specified for such examination;

(3) To each candidate who is the wife of a disabled veteran neither in government service nor a candidate, or who is the widow of a deceased serviceman (provided she shall not have remarried), a credit of ten per cent of the total credits specified for such examination.

The credits provided for herein shall be added to the credits attained in examination and the total of such sum shall be used in determining the rank of eligibles, provided that the credits authorized herein shall be granted only when the credits attained in examination satisfy the minimum passing grade."

SECTION 2. Chapter 3 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended in the following respects:

(a) In Section 101 thereof, delete the definition of the word "board" and substitute therefor the following: "'Director' means the personnel director;".

(b) Amend section 102 thereof to read as follows:

"Sec. 102. Appeals to commission. The civil service commission shall be authorized to hear and decide appeals taken from any action by the director under the provisions of this subtitle. The appeal shall be made within twenty days after the person affected by the action of the director has notice of such action, but in any event not later than sixty days after the action was taken by the director. Such appeals shall be heard in a manner similar to that provided in paragraph (d) of section 75. In the discharge of their duties under this subtitle the members of the commission shall be entitled to compensation and allowances for travel and other expenses as are provided with respect to the performance of their duties under chapter 2."

(c) Amend paragraph (1) of section 103 thereof to read as follows:

"(1) To make all necessary rules and regulations not inconsistent with the provisions of this subtitle which, after public notice and public hearing before the commission and upon approval by the governor, shall have the force and effect of law."

(d) Delete paragraph (14) of section 103 thereof and substitute therefor the following:

"In the hearing and determination of the matters within the scope of this subtitle, the commission and each member thereof shall have such powers as may be provided by law with regard to compelling the attendance of witnesses and administering oaths to witnesses, and as to all such matters within the scope of his authority, the director shall have similar powers. The director may appoint such assistants and employees as may be necessary to assist him in the proper performance of his duties under this subtitle and for which appropriations shall have been made by the legislature. Such positions shall be in the classified service and subject to the provisions of this subtitle."

(e) Delete words "of the territorial personnel classification board" in lines 1 and 2 of Section 104 thereof and insert in lieu thereof the words "promulgated pursuant to section 103."

(f) Wherever reference is made to the personnel classification board in section 103 to 116, inclusive, of said chapter 3, the words "board", "it" and "its" and words of similar import referring to such board shall be deleted and in lieu thereof the words "director", "he" and "his" or other appropriate terms referring to the personnel director shall be substituted therefor.

(g) Insert a new section to be numbered Sec. 111.01 and to read as follows:

"Sec. 111.01. Requests for classification or reclassification to be expedited. All appointing authorities shall expedite transmission of requests for classification or reclassification of positions with specific recommendations for action, and in no event shall such transmission be delayed more than sixty (60) days.

(h) Amend the first paragraph of section 118 thereof to read as follows:

"Except as to section 105, all of the provisions of Part I of this chapter shall apply to the city and county of Honolulu and shall be deemed a part of this subtitle. For that purpose, the terms 'Territory', 'governor' and 'legislature' shall mean the city and county, the mayor, and the board of supervisors of the city and county of Honolulu, respectively, and references to the civil service commission and the personnel director shall be taken to mean the civil service commission and the personnel director of the city and county provided for by section 81." Notwithstanding any other provisions of this subtitle to the contrary:".

(i) Amend section 120 thereof to read as follows:

"Except as to section 105, all of the provisions of Part I of this chapter shall apply to the county of Maui and shall be deemed a part of this subtitle.

For that purpose, the terms 'Territory', 'governor' and 'legislature' shall mean the county of Maui, the chairman of the board of supervisors, and the board of supervisors, respectively, and reference to the civil service commission and the personnel director shall be taken to mean the civil service commission and the personnel director of the county of Maui provided for by section 84."

(j) Amend section 122 thereof to read as follows:

"Except as to section 105, all of the provisions of Part I of this chapter shall apply to the county of Kauai and shall be deemed a part of this subtitle. For that purpose, the terms 'Territory', 'governor' and 'legislature' shall mean the county of Kauai, the chairmen of the board of supervisors, and the board of supervisors, respectively, and references to the civil service commission and the personnel director shall be taken to mean the civil service commission and the personnel director of the county of Kauai provided by section 84."

(k) Amend section 124 thereof to read as follows:

"Except as to section 105, all of the provisions of Part I of this chapter shall apply to the county of Hawaii and shall be deemed a part of this subtitle. For that purpose, the terms 'Territory', 'governor' and 'legislature' shall mean the county of Hawaii, the chairman of board of supervisors, and the board of supervisors, respectively, and reference to the civil service commission and the personnel director shall be taken to mean the civil service commission and the personnel

director of the county of Hawaii provided for by subtitle 84."

SECTION 3. Section 451 of the Revised Laws of Hawaii 1945 is hereby amended by amending paragraph (b) thereof to read as follows:

"(b) That for the purpose of filling a position for which no competent person with the foregoing qualifications applies within ninety days after the first publication of an advertisement of such position or a notice of an examination therefor, which advertisement or notice shall have been published more than once, and not oftener than once a week, in a newspaper of general circulation in the Territory, a person without such qualifications may, with the approval of the governor where the compensation for such employment is paid out of territorial funds, or with the approval of the mayor or chairman of the board of supervisors where the compensation for such employment is paid out of county funds, be employed under a contract for a period not exceeding one year, but not otherwise;".

SECTION 4. The several directors of personnel of the Territory and the several counties who are holding office on the effective date of this Act shall continue in office, subject to removal as provided in section 1 of this Act. Likewise, the members of the civil service commissions of the Territory and the several counties shall continue in office for the remainder of their respective terms of office unless sooner removed as provided in section 1 of this Act. All persons employed by the civil service commissions on the effective date of this Act shall be continued in employment, subject to the provisions of this Act, by the respective departments of civil service. All records of the civil service commissions shall be transferred to the respective departments of civil service.

SECTION 5. This Act shall take effect _____.

INTRODUCED BY:

Senator, 3rd District

Honolulu, T. H.

Feb 27, 1951.

1951 REG SENATE

Senate Bill No. 85

Holdover

# The Legislature
of the
# Territory of Hawaii

## AN ACT

PROVIDING AN OPTIONAL DEATH BENEFIT UPON DEATH OF CERTAIN MEMBERS OF THE EMPLOYEES' RETIREMENT SYSTEM; AMENDING PARAGRAPH 8 OF SECTION 708 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED.

Introduced FEBRUARY 27 , 19 51, by

Senators WENDELL F. CROCKETT & TOSHIO ANSAI

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

SB 85

AN ACT

PROVIDING AN OPTIONAL DEATH BENEFIT UPON DEATH OF CERTAIN MEMBERS OF THE EMPLOYEES' RETIREMENT SYSTEM; AMENDING PARAGRAPH 8 OF SECTION 708 OF THE REVISED LAWS OF HAWAII 1945, AS AMENDED.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

Section 1. Paragraph 8 of Section 708 of the Revised Laws of Hawaii 1945 as amended, is hereby amended by adding at the end thereof the following:

"It is provided that in the case of a member eligible for retirement who dies in service, if the person entitled to receive a death benefit shall so elect, he shall receive the death benefit he would have received if such member were retired at the time of his death."

Section 2. This Act shall take effect upon its approval.

Honolulu, Hawaii.
February 1951.

INTRODUCED BY:

Wendell F. Crockett
Senator, Second District.

Senator, Second District.

1951 REG SENATE

Senate Bill No. 86

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO REPEAL ACT 393 OF THE SESSION LAWS OF HAWAII 1949, RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY.

| | | |
|---|---|---|
| Introduced | FEBRUARY 27 | , 1951, by |
| Senator | JOHN G. DUARTE | |

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S.B. No. 86

AN ACT

TO REPEAL ACT 393 OF THE SESSION LAWS OF HAWAII 1949, RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Act 393 of the Session Laws of Hawaii 1949 is hereby repealed.

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

John L. Dwork

Senator, Second District
February , 1951.

1951 REG SENATE

**Senate Bill No.** 87

# The Legislature
of the
# Territory of Hawaii

## AN ACT

MAKING AN APPROPRIATION FOR LANAI HIGH SCHOOL, COUNTY OF MAUI.

Introduced FEBRUARY 27 , 19 51 , by

Senator JOHN G. DUARTE

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

Maui

ELLEN D. SMYTHE
*Clerk of the Senate*

SB 87

AN ACT

MAKING AN APPROPRIATION FOR LANAI HIGH SCHOOL, COUNTY OF MAUI.

BE IT ENACTING BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. There is hereby appropriated from the general revenues of the Territory, not otherwise appropriated, the sum of two hundred and fifty thousand dollars for the construction of new buildings for Lanai High School, county of Maui, including the preparation of plans and the acquisition of equipment therefore. The aforesaid appropriation shall be in addition to any appropriation made for the same purpose by any other law.

SECTION 2. The moneys appropriated by this Act shall be expended upon warrants issued by the territorial auditor upon vouchers approved by the Superintendent of Public Works.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:
John L Duarte

Honolulu, T. H.
Feb. 27, 51

1951 REG SENATE

Senate Bill No. 88

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AUTHORIZE THE LEGISLATIVE REFERENCE BUREAU TO MAKE ADMINISTRATIVE STUDIES AND SURVEYS FOR LEGISLATIVE USE OF ALL GOVERNMENTAL DEPARTMENTS AND AGENCIES, TERRITORIAL AND COUNTY, AND MAKING AN APPROPRIATION THEREFOR.

Introduced FEBRUARY 27 , 1951 , by

Senator JOHN G. DUARTE

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | |
| Third Reading in Senate | |
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

88

AN ACT

TO AUTHORIZE THE LEGISLATIVE REFERENCE BUREAU TO MAKE ADMINISTRATIVE STUDIES AND SURVEYS FOR LEGISLATIVE USE OF ALL GOVERNMENTAL DEPARTMENTS AND AGENCIES, TERRITORIAL AND COUNTY, AND MAKING AN APPROPRIATION THEREFOR.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. The Legislative Reference Bureau shall study and prepare reports on the administrative organization and methods of operation of all departments, bureaus, agencies, boards, commissions, offices, independent establishments, and instrumentalities of the Territory and of the several counties to the end of supplying the territorial legislature with current information with relation thereto.

Whenever indicated, the Legislative Reference Bureau may conduct a survey of any territorial or county department, bureau, agency, board, commission, office, independent establishment, or instrumentality for the purpose of considering the feasibility of and making recommendations concerning:

(1) Administrative reorganizations, consolidations and modifications of line or staff functions in accordance with the best principles of public administration;

(2) Clarifying powers and duties, determining the nature of hiatuses in grants of administrative authority, and eliminating duplication and overlapping of services, activities, and functions;

(3) Cooperative performance of functions by both territorial and county officers and agencies, including the contracting for the performance of services by one for the other;

(4) Eliminating unnecessary expenditures consistent with the most efficient performance of government services, activities and functions.

lpa

SECTION 2. The Director of the Legislative Reference Bureau shall consult with the President of the Senate and the Speaker of the House of Representatives of the Legislature of the Territory of Hawaii to arrange an order of priority in conducting the administrative studies and surveys authorized by this Act and shall change such priority from time to time as they shall indicate will best serve the needs of the territorial legislature.

The President of the Senate shall designate one senator in each county who shall keep the Legislative Reference Bureau informed of matters affecting territorial and county governmental organization and administration within that county and who shall serve as the liaison with the territorial legislature with regard to administrative studies and surveys conducted therein by the Legislative Reference Bureau.

SECTION 3. Each department, bureau, agency, board, commission, officer, independent establishment, and instrumentality of the government of the Territory and of the government of each county shall make such studies and reports, and furnish such information, suggestions, estimates, and statistics as may be requested by the Legislative Reference Bureau, in writing, to carry out and effectuate the purposes of this Act.

SECTION 4. The sum of $75,000, or so much thereof as is necessary, is hereby appropriated from the general revenues of the Territory not otherwise appropriated to be expended by the Legislative Reference Bureau in carrying out the provisions of this Act. With the approval of the director of the bureau of the budget, the Legislative Reference Bureau may contract for such services, studies, or reports as deemed advisable and as will assist in carrying out the purposes of this Act.

SECTION 5. This Act shall take effect upon its approval.

INTRODUCED BY:

John L Duarte

Honolulu, T. H.

Feb. 27 '51

1951 REG SENATE

Senate Bill No. 89

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO AMEND ACT 232, SESSION LAWS OF 1949, RELATING TO THE OFFICE HOURS AND HOURS OF WORK OF OFFICERS AND EMPLOYEES OF THE TERRITORY OF HAWAII, THE SEVERAL COUNTIES AND THE BOARDS AND COMMISSIONS THEREOF.

Introduced FEBRUARY 27, 19 51, by

Senators BEN DILLINGHAM AND TOSHIO ANSAI

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. No. 89

AN ACT

TO AMEND ACT 232, SESSION LAWS OF 1949, RELATING TO THE OFFICE HOURS AND HOURS OF WORK OF OFFICERS AND EMPLOYEES OF THE TERRITORY OF HAWAII, THE SEVERAL COUNTIES AND THE BOARDS AND COMMISSIONS THEREOF.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 1 of Act 232, Session Laws of 1949, is hereby amended by amending the first paragraph thereof to read as follows:

"Section 1. All offices of the Territory, its political subdivisions (which term shall mean and include the city and county of Honolulu and the counties of Maui, Hawaii and Kauai), and the independent boards or commissions of both, shall be open continuously for the transaction of public business between the hours of 8:00 in the morning and 4:00 in the afternoon on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, and between the hours of 8:00 in the morning to 12:00 noon on Saturdays, except as otherwise provided in or under this Act. With the approval of the governor as to territorial offices, or the mayor or chairman of the board of supervisors as to offices of the political subdivisions, or the chairman of any independent board or commission as to the office of such boards or commission, offices shall be closed on Saturdays if neither the public convenience nor the work of the office will suffer thereby, in which

case the office shall remain open until 4:30 o'clock on each week-day. Further, as to offices which are not closed on Saturdays, the head of the office, with approval as aforesaid, may so arrange the working hours of personnel so as to remain open on Saturdays with a skeleton force, in which case the office shall remain open until 4:30 o'clock on each week-day, and the working hours of personnel shall be so arranged that each employee averages forty hours per week."

SECTION 2. This Act shall take effect upon its approval.

INTRODUCED BY:

1951 REG SENATE

**Senate Bill No.** 90

5

# The Legislature
of the
# Territory of Hawaii

## AN ACT

TO REMOVE THE DISCRIMINATION AGAINST WOMEN IN THE MATTER OF JURY SERVICE IN THE TERRITORY HAWAII.

Introduced February 27 , 1951 , by

Senator MARY K. ROBINSON

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | COMMITTEE ON JUDICIARY |
| Third Reading in Senate | April 24, 1951 |

| | |
|---|---|
| First Reading in House | April 24, 1951 |
| Referred to | |
| Second Reading in House | April 25, 1951 |
| Referred to | COMMITTEE ON JUDICIARY. |
| Third Reading in House | May 4, 1951 |

ELLEN D. SMYTHE
*Clerk of the Senate*

S. B. NO. 90

AN ACT

TO REMOVE THE DISCRIMINATION AGAINST WOMEN IN THE MATTER OF JURY SERVICE IN THE TERRITORY OF HAWAII

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 9791 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended by deleting the word "male" in the third line of said section.

SECTION 2. Any other law relating to jurors in the Territory is hereby amended so as to remove any discrimination against women and shall be construed to apply without regard to sex.

SECTION 3. This Act shall take effect upon the enactment of an appropriate amendment to the Hawaiian Organic Act by the Congress of the United States.

INTRODUCED BY:

Mary K. Robinson

MARY K. ROBINSON
Senator, Third District

Honolulu, Hawaii
Feb. 27, 1951

S.B.No. 90
S. D. 1

A N  A C T

TO REMOVE THE DISCRIMINATION AGAINST WOMEN IN THE MATTER OF JURY SERVICE IN THE TERRITORY OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF HAWAII:

SECTION 1. Section 9791 of the Revised Laws of Hawaii 1945, as amended, is hereby further amended by deleting the word "male" in the third line of said section.

SECTION 2. Any other law relating to jurors in the Territory is hereby amended so as to remove any discrimination against women and shall be construed to apply without regard to sex.

SECTION 3. This Act shall take effect as of the opening day of the term of the circuit courts of the several circuits of the Territory of Hawaii, after the enactment of an appropriate amendment to the Hawaiian Organic Act by the Congress of the United States.

THE SENATE OF THE TERRITORY OF HAWAII

Honolulu, T.H., April 24, 1951

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-Sixth Legislature of the Territory of Hawaii.

President of the Senate

Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE
TERRITORY OF HAWAII

Honolulu, T. H., May 4, 1951.

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Territory of Hawaii.

Speaker, House of Representatives.

Clerk, House of Representatives.

1951 REG SENATE

Senate Bill No. 91

# The Legislature
of the
# Territory of Hawaii

## AN ACT

RELATING TO THE OPERATION OF AUTOMOBILE PARKING SPACES IN THE CIVIC CENTER AREA, CITY AND COUNTY OF HONOLULU.

Introduced FEBRUARY 27 , 1951 , by

Senator BEN DILLINGHAM

| | |
|---|---|
| First Reading in Senate | February 27, 1951 |
| Referred to Printing Committee | February 27, 1951 |
| Second Reading in Senate | February 28, 1951 |
| Referred to | |
| Third Reading in Senate | |

| | |
|---|---|
| First Reading in House | |
| Referred to | |
| Second Reading in House | |
| Referred to | |
| Third Reading in House | |

Oahu

ELLEN D. SMYTHE

*Clerk of the Senate*

S.B. . 91

AN ACT

RELATING TO THE OPERATION OF AUTOMOBILE PARKING SPACES IN THE CIVIC CENTER AREA, CITY AND COUNTY OF HONOLULU

BE IT ENACTED by the Legislature of the Territory of Hawaii:

Section 1. Use of automobile parking space in Iolani Palace grounds, Aliiolani block, or any other grounds in the Honolulu Civic Center area under the jurisdiction of the superintendent of public works shall be as follows: Ten per cent of the total number of parking spaces in any block shall be for use of official visitors to buildings within the block for periods not to exceed one and one-half hour, such use to be without charge; sufficient spaces shall be assigned for use of territorially-owned vehicles and for the vehicles of the governor and secretary of Hawaii, such use to be without charge; any remaining space to be assigned by the superintendent of public works, first, to privately-owned automobiles for which an allowance is paid by the Territory; second, to privately-owned vehicles belonging to employees of the Territory; and, finally, to any other privately-owned vehicles.

Section 2. A reasonable charge, as determined by the superintendent of public works, shall be made for parking spaces for all privately-owned vehicles, such charge to be collected monthly in advance and all realizations to revert to the general fund of the Territory of Hawaii.

Section 3. Parking spaces in the Iolani Palace circle shall be reserved for use of the Territorial Legislature, when in session, and may be reserved for other special occasions at the direction of the governor.

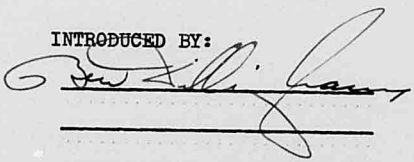
Section 4. Nothing in this Act is intended to preclude use of these areas by the general public on Sundays, holidays or between the hours of 5:00 P.M. and 7:00 A.M.

Section 5. Any parking in violation of the provisions of this Act shall be considered a misdemeanor and punishable by a fine not to exceed one hundred dollars or imprisonment not to exceed 30 days.

Section 6. Any existing rules or regulations covering the operation of these parking areas are superseded by this Act.

Section 7. This Act shall take effect July 1, 1951.

INTRODUCED BY:



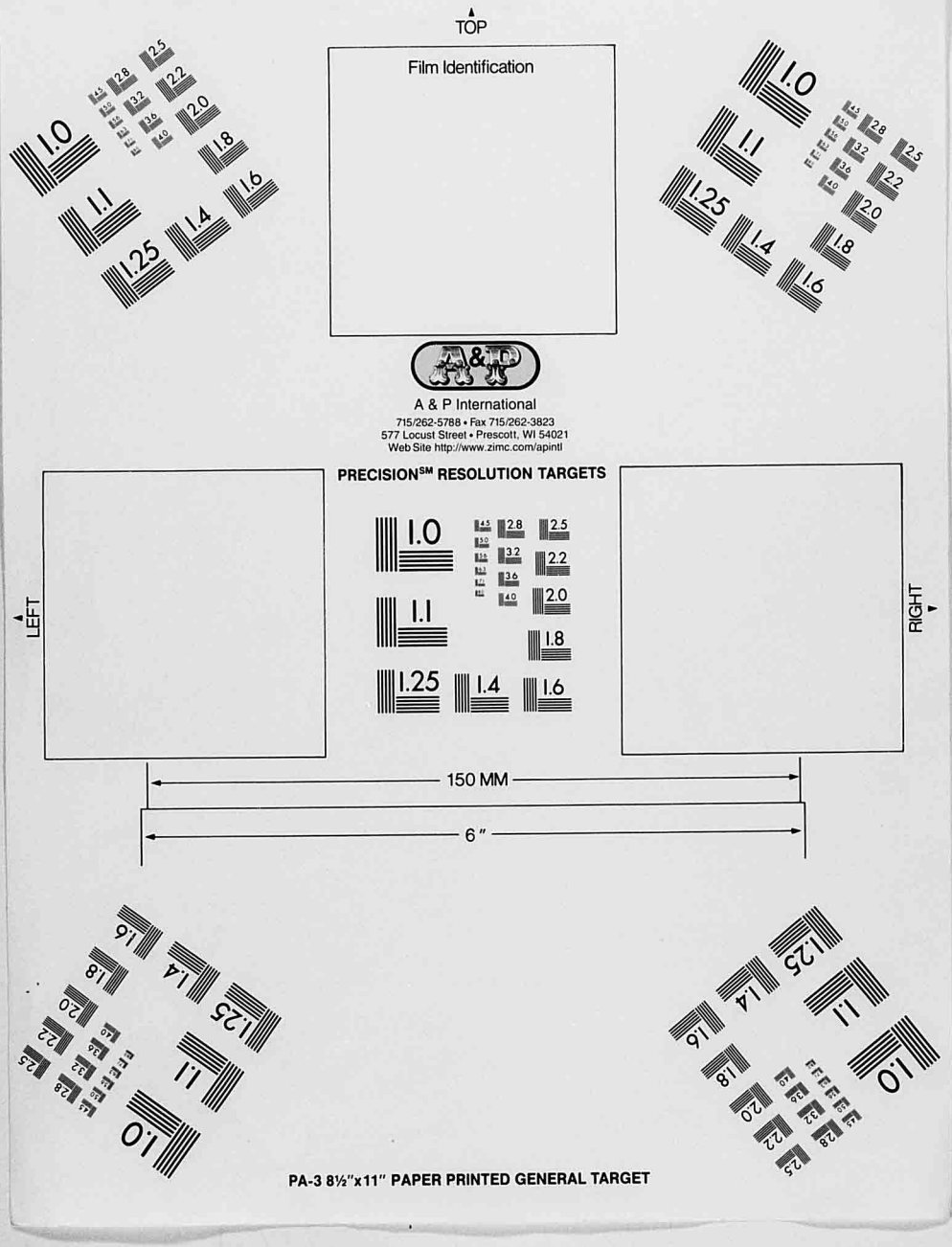



CERTIFICATION

I HEREBY CERTIFY THAT THE MICROPHOTOGRAPH APPEARING IN THIS REEL OF FILM ARE TRUE COPIES OF THE ORIGINAL DOCUMENTS.

2003
DATE

Lapaz Cacal
SIGNATURE OF OPERATOR


TOP
Film Identification
A & P International
715/262-5788 • Fax 715/262-3823
577 Locust Street • Prescott, WI 54021
Web Site http://www.zimc.com/apintl
PRECISION℠ RESOLUTION TARGETS
LEFT
RIGHT
150 MM
6 ″
PA-3 8½″x11″ PAPER PRINTED GENERAL TARGET

DENSITY TARGET