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**PRELIMINARY
LEGISLATIVE
PROPOSALS
OF TERRITORIAL
DEPARTMENTS**

TERRITORY OF HAWAII

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PRELIMINARY

LEGISLATIVE PROPOSALS

OF TERRITORIAL DEPARTMENTS

Submitted to the
Governor of Hawaii

LEGISLATIVE REFERENCE BUREAU

APR 9 1959

TERRITORY OF HAWAII

Compiled and Digested by the
Legislative Reference Bureau
University of Hawaii
Honolulu, Hawaii

April, 1958

PREFACE AND SUMMARY

On February 5, 1958, Governor William F. Quinn held a meeting of the heads of the territorial departments and agencies in Iolani Palace. At that meeting he requested each department to submit, by April 1, its proposals for legislation affecting its activities so that there might be timely consideration of these proposals in advance of the 1959 session of the territorial legislature. To facilitate an examination of their chief features, it was suggested that the proposals be in outline, rather than in the form of detailed legislative bills.

By the middle of April, 104 proposals had been received from 24 departments, including two originating in the Governor's office. These proposals, as submitted by the departments and agencies included in the Governor's request, are set forth in full in this report. The report itself is divided into three parts. Part I presents the various proposals in tabular form for quick reference; Part II digests each proposal individually; and Part III sets forth the proposals as they were submitted by the departments. The proposals are listed by department in each part of the report.

Several of the ideas for legislative action propose new programs; many suggest expansions of existing governmental functions; and a few contemplate transfers of functions between public agencies. Many of the proposals require the expenditure of additional public funds and a few anticipate savings through reduced costs. In several instances it is not yet possible to estimate these program costs or savings. Totalling the costs of proposals for which estimates are available, it is found such costs range from approximately \$7,000,000 to \$9,000,000 for the biennium 1959-61. Table 1 details the proposals and figures included in this grand total. Table 2 lists other proposals involving funds, but which are not included in Table 1 because no estimates are available or because it is otherwise impracticable to tabulate them.

This compilation of the departmental proposals was undertaken at the request of Governor Quinn. Except to achieve some uniformity of style, no changes have been made in editing the materials submitted by the departments -- and of course the Legislative Reference Bureau has no policy position on these, or any other, legislative proposals.

Proposals from other departments included in the Governor's request which are submitted too late for inclusion in this report will be compiled in a supplement.

Robert M. Kamins, Director
Legislative Reference Bureau

April 25, 1958

Table 1

PROPOSALS INVOLVING FUNDS FOR WHICH PRELIMINARY
ESTIMATES FOR 1959-61 HAVE BEEN PROVIDED

A. Proposals Requiring Additional Funds

No.	Subject of Proposal	Estimated Funds 1959-61	Means of Financing
1a	Western Interstate Compact for Higher Education ..	\$ 17,000	Gen. fund
2a	Interstate Compact for Parolees and Probationers .	1,600	Hawaii Prison System Fund
4b	Setting export requirements for flowers and foliage	12,000	Gen. fund
4c	Establishing commodity marketing program	5,000	Gen. fund
8a	Readjustment of civil service salary schedule	2,558,844	Gen. fund
15a	Creation of Water Pollution Control Board	12,000	Gen. fund & fed. grants
15f	Rehabilitation of released Hansen's disease patients	100,000	Gen. fund
16a	Office expenses of High Sheriff	9,000	Gen. fund
19f	Disposal of remains of indigent deceased	500	Gen. fund
20b	Unemployment compensation for government employees	200,000	Gen. fund
25a	New salary schedule for teachers and principals ..	5,500,000	Gen. fund
26c	Maintenance of public lands prior to sale	25,000	Gen. fund
27c	Regulation of motor vehicles serving public	94,190	Gen. fund & license fees
33b	Fire safety program for government buildings	33,072	Fire insur- ance tax
34a	Increased University faculty salaries	1,500,000	Gen. fund
34c	Equipment for new U. H. men's dormitory	45,000	Gen. fund
34d	New food processing department at U. H.	77,049	Gen. fund
34e	New experiment station in Hilo-Puna-Volcano Area .	311,335	Gen. fund
34f	New animal pathology department at U. H.	49,504	Gen. fund
37a	New administrative office of judiciary	45,404	Gen. fund
37b	Additional law clerk for Supreme Court	9,145	Gen. fund
Total estimated cost of proposals		\$10,605,643	

Table 1 (Continued)

B. Proposals Producing Additional Revenues or Savings for Territory

<u>No.</u>	<u>Subject of Proposal</u>	<u>Estimated Funds 1959-61</u>	<u>Means of Financing</u>
15f	Rehabilitation of Hansen's disease patients (savings)	\$ 50,000	Gen. fund
16a	Office expenses of High Sheriff (added revenues) .	38,000	Gen. fund
32a	Charging counties for collection of county taxes (savings)	<u>1,600,000</u>	Gen. fund
	Total added revenues and savings	<u>\$ 1,688,000</u>	

C. Proposals for Which Less Costly Alternatives Are Available

<u>No.</u>	<u>Subject of Proposal</u>	<u>Estimated Funds 1959-61</u>	<u>Means of Financing</u>
8a	Readjustment of civil service salary schedule, difference between alternatives	\$ 1,950,576	Gen. fund
27c	Regulation of motor vehicles serving public, difference between alternatives	<u>54,819</u>	Gen. fund
	Total savings possible under less costly alternatives	<u>\$ 2,005,395</u>	

* * * * *

SUMMARY

Total estimated cost of proposals	\$10,605,643	
Less total added revenues and savings ~	<u>1,688,000</u>	
Total maximum cost, if all proposals accepted	\$8,917,643	
Less total savings possible under less costly alternatives	<u>- 2,005,395</u>	
Total minimum cost, if all proposals accepted		<u>\$6,912,248</u>

Table 2.

PROPOSALS INVOLVING FUNDS, BUT NOT
INCLUDED IN TABLE 1.

<u>Proposal Number</u>	<u>Subject of Proposal</u>	<u>Explanation</u>
15d	Increased embalmers special fund fees	Would produce added \$250 annually to administer licensing of embalmers
15e	Change in care of Hansen's disease patients	Would produce undetermined savings
15g	Repatriation of resident indigent patients	Would produce undetermined savings
15h	Reduced number of Board of Health meetings outside Honolulu	Would produce undetermined savings
16b	Increased fees for process servers	Added costs would be borne by litigants
16c	Increased mileage allowance for process servers	Added costs would be borne by litigants
18a	Liberalized financing of Housing Authority revenue bonds	Would allow present surplus rental revenues to be used to subsidize new housing
18c	Continuance of certain emergency housing programs	Continued revenues would be used for new housing
19q	Creation of committee to study penal code and procedures and make report	No estimate of cost available

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PART I

SUMMARY OF DEPARTMENTAL PROPOSALS FOR GOVERNOR'S 1959 LEGISLATIVE PROGRAM

<u>PURPOSE</u>	<u>MEANS</u>	<u>FUNDS REQUIRED 1959-1961</u>	<u>RELATED PROPOSALS</u>	<u>OTHER AGENCIES AFFECTED</u>
<u>1. Governor's Office</u>				
a.oTo participate in Westerno Interstate Commission foro Higher Education.o	Authorize Territory to enter into interstate compact.	\$17,000 (general fund, recurring)	None	University of Hawaii
b.oTo permit counties to is- sue bonds without legis- lative action or special referendum.o	Expand powers of boards of supervisors.	None	5a	County governments
<u>2.oSecretary of Hawaii</u>				
a.oTo expand interstate com- pact for parolees ando probationers to includeo territories as well aso states.o	Include Alaska, D.C., Puerto Rico, and Virgin Islands in compact.	\$1,600 initially; \$1,500 thereafter (revolving fund-- Hawaii Prison System)	None	Circuit Courts, Board of Paroles and Pardons, Hawaii Prison System
<u>3. Aeronautics Commission, Hawaii</u> -- no proposals submitted.				
<u>4. Agriculture and Forestry, Board of</u>				
a.oTo regulate advertising of of fresh fruits ando vegetables.o	Authorize establishment of standards and require ad- vertising to be in accord with them.	None	None	None
b.oTo provide minimum export standards for flowers ando foliage.o	Strengthen present law by authorizing establishment of specific standards.	\$12,000 (general fund, recurring)	None	Plant Quarantine Inspectors

<u>PURPOSE</u>	<u>MEANS</u>	<u>FUNDS REQUIRED 1959-1961</u>	<u>RELATED PROPOSALS</u>	<u>OTHER AGENCIES AFFECTED</u>
c.o To provide means for orderly marketing of certain agricultural commodities.o	Authorize initiation of procedures for marketing orders, advertising, etc.	\$5,000 initially (general fund); fees will support \$10,000 biennial costs thereafter.	None	None
d.o To encourage growth of commercial timber on private lands.o	Replace present requirements with grant of tax exemption for forest lands until timber is cut.	None	None	Tax Office
5.o <u>Attorney General</u> o				
a.o To put statutory limit on county bonds automatically in accord with Congressional changes.o	Delete statutory references to specific debt limit.	None	1b	County governments
6.o <u>Budget, Bureau of the</u> -- no proposals submitted.o				
7.o <u>Civil Defense Agency</u> o				
a.o To prevent expiration of Civil Defense and Emergency Act on June 30, 1959.o	Extend deadline to June 30, 1961.	None	None	None
b.o To insure continuity of government in emergency in event both Governor and Secretary become incapacitated.o	Provide at least three additional persons in line of succession to Governor's emergency power.	None	None	None
c.o To clarify Civil Defense Director's legal authority under Disaster Relief Act.o	Amend law to grant director similar power granted to Governor and political subdivisions.	None	None	All departments rendering disaster relief assistance.

<u>PURPOSE</u>	<u>MEANS</u>	<u>FUNDS REQUIRED 1959-1961</u>	<u>RELATED PROPOSALS</u>	<u>OTHER AGENCIES AFFECTED</u>
<u>8. Civil Service, Department of</u>				
a. To provide more equitable, uniform, and internally consistent salary schedule.	Readjust step and salary ranges to achieve more effective schedule.	Min.-\$608,268; max.-\$2,558,844 (general fund)	None	All
b.e To provide more effective compensation plan by enabling it to reflect territorial fiscal requirements and views of interested parties.	Create continuous review process utilizing Budget Bureau review and public hearings.	None	None	All, Budget Bureau
c. To make definition of "re-employment list" more adequate by including all reasons for placement thereon.	Broaden scope of definition to include two reasons presently omitted.	None	None	All
d.e To enable qualified employees to credit temporary service time against probationary period.	Amend law to change definition of "initial probation period."	None	None	All
e.e To enable Civil Service Commission to benefit from experience gained by members from service on commission.	Eliminate prohibition against immediate reappointment.	None	None	None
f.e To exclude obviously unfitted candidates from consideration for civil service positions.e	Broaden basis for declaring ineligibility for appointment.	None	None	All
g.e To remove present conflict between initial appointments provision and longevity payments provision.	Amend longevity payment provision to conform to other provision.	None	None	All

<u>PURPOSE</u>	<u>MEANS</u>	<u>FUNDS REQUIRED</u> <u>1959-1961</u>	<u>RELATED</u> <u>PROPOSALS</u>	<u>OTHER AGENCIES AFFECTED</u>
h.eTo make compensation lawe more equitable as it af-fects employees exempte from civil service.e	Clarify increment and longevity payment provi-sions affecting exempt employees.	None	None	All, but Hawaiian Homes Commission and Harbor Commission specifically.
i.eTo liberalize vacation policy affecting certaine temporary employees toe enable them to earne vacation time.e	Remove qualified temporary employees from vacation exception provision.	None	None	All
j.eTo liberalize maternity leave provisions to ac-commodate prevailing employee preferences.e	Permit employee to desig-nate period of leave, not to exceed 12 months.	None	None	All
k.eTo remove present ambi-guities in law covering promotions without ex-amination.e	Amend law to clarify present provisions.	None	None	All
l.eTo clarify authority ande simplify procedure for transferring employees subject to lay-off.e	Amend law to put transfer authority clearly in Civil Service Department.	None	None	All
m.eTo place Territory in equal competitive posi-tion to recruit per-sonnel.	Authorize Director to con-sider salaries paid by other employers as factor in assigning classes to salary ranges.	None	None	All
n.eTo provide equitable com-pensation for employees regularly required to worke in excess of 40 hours pere week.e	Provide overtime pay at hourly rates for such employees.	None	None	Primarily those involving insti-tutional care

PURPOSE	MEANS	FUNDS REQUIRED 1959-1961	RELATED PROPOSALS	OTHER AGENCIES AFFECTED
9.e <u>Commission on Children and Youth</u> -- no proposals submitted.e				
10. <u>Comptroller</u>				
a.e To improve procedure fore periodic count of money and securities in territorial treasury.e	Clarify respective responsibilities of Treasurer and Comptroller; require annual, not quarterly, count.	None	None	Territorial Treasurer
b.e To establish policy fore retention and disposal of territorial accounting records.e	Require Comptroller to establish policy.	None	24a	Public Archivist, Records Disposal Committee
c.e To place in more appropriate agency responsibility for auditing certain guardianship accounts of circuit court clerks.e	Transfer function from Comptroller to Bank Examiner.	None	None	Bank Examiner; Circuit Courts.
11. <u>Economic Planning and Coordination Authority</u> -- no proposals submitted.				
12. <u>Employees' Retirement System</u> -- no proposals submitted.				
13. <u>Harbor Commissioners, Board of</u> -- no proposals submitted.				
14. <u>Hawaiian Homes Commission</u> -- no proposals submitted.				
15. <u>Health, Department of</u>				
a.e To improve administration of present water pollution control program.e	Create Water Pollution Control Board in Board of Health.	\$12,000 per biennium (general fund and available federal grants)	None	Department of Agriculture and Forestry, Harbor Commission, Planning Office, and Attorney General
b.e To improve effectiveness of present sanitary control laws requiring health certificates to obtain licenses.	Expand coverage to include businesses selling beef or pork.	None	None	County treasurers

<u>PURPOSE</u>	<u>MEANS</u>	<u>FUNDS REQUIRED 1959-1961</u>	<u>RELATED PROPOSALS</u>	<u>OTHER AGENCIES AFFECTED</u>
c.e To prohibit production and use of marihuana.e	Repeal law permitting such production and use under certain conditions.	None	None	County police departments
d.e To raise requirements fore embalmer's license, and toe increase renewal fees toe cover administrative costs.e	Require one year's apprenticeship for license and raise annual fee from \$5 to \$10.	Would increase embalmer's special fund by about \$250 per year	None	None
e.e To give Board of Healthe greater discretion ine transfer and discharge ofe Hansen's disease patients.e	Empower Board to transfer patients between hospitals and to discharge recovered patients.	Undetermined savings through reduced costs	None	Territorial Employment Office, Department of Public Welfare
f. To improve rehabilitation program for released Hansen's disease patients.	Replace domiciliary maintenance with disability compensation for such patients.	\$100,000 (general fund, recurring); offset by immediate \$50,000 savings	None	Department of Public Welfare
g.e To provide transportatione for resident chronically ill indigent patients wishing to return to native country or state.e	Place residents under provision now applicable to aliens and non-residents.	Probably will produce savings	None	Department of Public Welfare, tuberculosis sanatoria, Department of Institutions
h. To eliminate unnecessary and costly number of Board of Health meetings at Hansen's disease facilities.	Reduce required number of meetings at such facilities from 6 to 2.	Save undetermined amount of travel expenses	None	None
i.e To simplify and improve procedures of transferring employees from one department to another.e	Eliminate transfer of vacation credit funds between departments.	None	None	All departments and agencies
j. To make legal terminology consistent with moderne usage in health field.e	Change "chiropracist" to "podiatrist."	None	None	None

PURPOSE	MEANS	FUNDS REQUIRED 1959-1961	RELATED PROPOSALS	OTHER AGENCIES AFFECTED
k.rTo place responsibility for veterans' funeral expense vouchers in most appropriate territorial agency.r	Transfer function from Board of Health to Council on Veterans Affairs.	None	None	Council on Veterans Affairs
<u>16.High Sheriff</u>				
a.rTo provide High Sheriff with funds to cover necessary administrative expenses (e.g., clerk, equipment, supplies, etc.)r	Increase Circuit Court filing fees 50¢ per item, to be deposited in general fund with minimum earmarked for Sheriff's office.	\$9,000 (general fund, recurring); but increased filing fees would add \$19,000 annually to general fund	None	Court clerks and territorial finance officers
b.rTo provide more adequate compensation for serving subpoena.r	Increase fee from \$1 to \$2 to equal fees for other services.	None (cost only to litigants using services).	None	None
c.rTo provide more adequate compensation to process servers for use of own automobiles.r	Increase mileage allowance from 10¢ to 15¢ per mile.	None (cost only to litigants)	None	None
<u>17.Historical Sites, Commission on</u>				
a.rTo improve organizational effectiveness by bringing ex-officio secretary into closer relationship to Commission.r	Change position from executive-secretary of HVB to archivist.	None	None	Hawaii Visitors Bureau, Public Archives
<u>18.Housing Authority, Hawaii</u>				
a.rTo facilitate financing of Housing Authority revenue bonds.r	Enable Housing Authority to use present surplus revenues to subsidize new housing.	Surplus rental revenues from existing housing to be used for new housing.	None	None

<u>PURPOSE</u>	<u>MEANS</u>	<u>FUNDS REQUIRED</u> <u>1959-1961</u>	<u>RELATED</u> <u>PROPOSALS</u>	<u>OTHER AGENCIES AFFECTED</u>
b.s To give Housing Authoritys more effective controls over special funds involved in issuance of revenue bonds.s	Exempt such special funds from Budget Bureau control.	None	None	Budget Bureau
c.s To continue certain necessary housing programs scheduled to expire on June 30, 1959.s	Extend deadline to June 30, 1965.	Special funds - continued rental revenues to be used for new housing.	None	None
<u>19. Institutions, Department of</u>				
<u>(Division of Parole and Home Placement)</u>				
a.s To facilitate rehabilitation of wards of Division of Training Schools by broadening employment opportunities.	Exempt wards from minimum wage law.	None	None	None
<u>(Waimano Home)</u>				
b.s To prohibit acceptances of non-residents to Waimano Home.	Amend law to include such prohibition.	None	None	None
<u>(Territorial Hospital)</u>				
c.s To participate as members of Interstate Compact on Mental Health.	Authorize Territory to ratify mental health compact.	None	None	None
d.s To facilitate recruitment for positions in certain federally financed projects.s	Broaden present civil service exemptions.	None	None	Civil Service Department
e.s To make hospital terminology in R.L.H. 1955 consistent with modern usage.s	Change "institutional care" to "mental hospital treatment"	None	None	None

<u>PURPOSE</u>	<u>MEANS</u>	<u>FUNDS REQUIRED 1959-1961</u>	<u>RELATED PROPOSALS</u>	<u>OTHER AGENCIES AFFECTED</u>
f.sTo provide legal meanss for disposition of re- mains of indigent de- ceased.s	Authorize Territorial Hospital to bury remains of indigent deceased.	\$500 (general fund)	None	Department of Health
g.sTo remove present un- certainty as to whens examination is required during emergency admis- sion process.s	Revise law to clarify situation.	None	None	None
h.sTo simplify procedure ofs commitment of mentally ill persons to Terri- torial Hospital.s	Authorize committing judges to defer financial statement until after admission.	None	None	Committing judges and magistrates
i.sTo clarify basis upons which physician may certify as to need fors commitment to mentals hospital.s	Amend law to indicate clearly justification for such certification.	None	None	None
j.sTo provide treatment fors convalescent patients.s	Authorize Director of In- stitutions to establish special facilities for convalescent patients.	None	None	None
k.sTo enable hospital tos assume rehabilitation ass proper function of treat- ment program.s	Broaden scope of authority to include rehabilitation.	None	None	None
l.sTo provide for treatments of mentally ill prison inmates in facilitiess with proper security safeguards.s	Provide such treatment at Oahu Prison rather than at Territorial Hospital.	None	None	None

PURPOSE	MEANS	FUNDS REQUIRED 1959-1961	RELATED PROPOSALS	OTHER AGENCIES AFFECTED
<u>(Prison System)</u>				
m.o To improve cumbersome legal procedure for transferring prisoners to other type institutions.	Revise law to reflect long-standing operational practice in Department of Institutions and to allow agreement with Department of Health.	None	None	Department of Health (Hansen's disease patients)
n.o To increase effectiveness of inmate classification committee.o	Change membership of committee to include classification director and chaplain.	None	None	Noneo
o.o To simplify maintenance of commutation records.o	Delete requirement for "Commutation Book" with separate page per prisoner.	None	None	None
p.o To broaden scope of permissible activities for prisoners on Maui beyond that of gorse control.o	Revise law to give proper attention to gorse control but permit other essential activities.	None	None	None
q.o To provide basis for reforming penal code and procedures to reflect modern philosophy and conditions.o	Create qualified committee to review penal laws and to submit report.	Not estimated	None	Circuit Courts, Board of Parole and Pardons, law enforcement agencies
<u>(Board of Paroles and Pardons)o</u>				
r.o To provide more uniform and equitable system of determining minimum terms of imprisonment.o	Vest such determination in Board of Paroles and Pardons instead of Circuit Courts.	None	None	Circuit Courts
<u>20. Labor and Industrial Relations, Department of</u>				
a.o To provide unemployment insurance benefits over longer period of unemployment.o	Extend duration of benefits and increase minimum qualifying wages.	None	None	None

<u>PURPOSE</u>	<u>MEANS</u>	<u>FUNDS REQUIRED</u> <u>1959-1961</u>	<u>RELATED</u> <u>PROPOSALS</u>	<u>OTHER AGENCIES AFFECTED</u>
b.o To provide unemployment insurance for territorial and county employees.o	Extend coverage of employment security law, with government reimbursing unemployment trust fund.	\$200,000 (general fund, recurring)	None	All territorial and county agencies
c.o To protect income of employees hired for jobs outside Territory.o	Extend coverage of unemployment insurance to such persons when hired by employers subject to Hawaii Employment Security Law.	None	None	None
d.o To provide identical disqualification rules for agricultural and non-agricultural workers under unemployment insurance laws.o	Amend Agricultural Unemployment Compensation Act to provide same disqualification provisions as under Employment Security Act.	None	None	None
e.o To permit non-profit organizations to hire temporary or part-time personnel without coming under Employment Security Law.o	Exclude from coverage employees making less than \$100 per quarter working for organizations exempt from the federal income tax.	None	None	None
f.o To provide some unemployment insurance benefit for persons who are disqualified only by lacking "a few dollars" in qualifying wages.o	Establish step-down of two benefit levels for such persons.	None	None	None
g.o To provide equal treatment for employees suspended for misconduct.o	Provide for disqualification for periods of one to five weeks, as with other non-voluntary unemployment.	None	None	None
h.o To permit closer, more equitable calculation of employers' contributions.o	Increase number of rate steps from seven to ten.	None	None	None

<u>PURPOSE</u>	<u>MEANS</u>	<u>FUNDS REQUIRED</u> <u>1959-1961</u>	<u>RELATED</u> <u>PROPOSALS</u>	<u>OTHER AGENCIES AFFECTED</u>
i.cTo safeguard minimum balances in unemployment compensation trust fund.c	Provide that reduced rates of employer contributions are not allowed if fund is less than 5 per cent of total annual payrolls for five preceding years.	None	None	None
j. To encourage timely payments by employers of unemployment insurance contributions.	Deny employers delinquent in contributions privilege of paying reduced rates.	None	None	None
k.cTo clarify provisionsc of employment securityc laws.	Change term "commissioner", in certain sections, to "director"; delete "do not" in Sec. 6 of Act 74, S.L.H. 1957.	None	None	None
<u>21. Library of Hawaii</u> --- have communicated they have no proposals to submit to 1959 session.				
<u>22. Military Departmentc</u>				
a.cTo bring military lawsc of Hawaii up to date.c	Amend statutes to bring into conformity with modern concepts and existing federal laws.	None	None	None
b.cTo place private secretary to adjutant-generalc on same basis as private secretaries of otherc department heads.c	Remove secretary from civil service coverage.	None	None	Civil Service
<u>23. Planning Office, Territorial</u> --- no proposals submitted.c				
<u>24. Public Archives, Board of Commissioners ofc</u>				
a.cTo clarify and centralizec control of records disposal.c	Remove present ambiguities and dispersion of authority in records disposal program.	None	10b	All departments and agencies.

<u>PURPOSE</u>	<u>MEANS</u>	<u>FUNDS REQUIRED 1959-1961</u>	<u>RELATED PROPOSALS</u>	<u>OTHER AGENCIES AFFECTED</u>
b.s To clarify certain powers of the Board of Commissioners of Public Archives.s	Add certain specific powers to general powers.	None	None	All departments and agencies
<u>25. Public Instruction, Department of</u>				
a.s To provide sufficiently high faculty salaries to attract and retain adequate numbers of qualified personnel.s	Raise present comparatively low salary schedule.	\$5,500,000 preliminary estimate (general fund, recurring)	None	None
b.s To make Advisory Board of Vocational Education more effective (note: no appointments have been made since 1945).s	Change composition of Board so as to provide functional representation in place of employer-employee basis.	None	None	None
<u>26. Public Lands, Department of</u>				
a. To remove restrictions placed by military upon lands returned to public lands of Territory.s	Request Congress to amend Organic Act to prevent military specifying civilian uses of returned lands.	None	None	None
b.s To return to Territory public lands set aside for federal use upon termination of original purpose for such use.	Request Congress to amend Organic Act to provide for such return of public lands.	None	None	None
c.s To provide for maintenance and reconditioning of public lands prior to sale.s	Create \$25,000 revolving fund for this purpose.	\$25,000 to set up revolving fund (from general fund or land revenues)	None	None

<u>PURPOSE</u>	<u>MEANS</u>	<u>FUNDS REQUIRED</u> <u>1959-1961</u>	<u>RELATED</u> <u>PROPOSALS</u>	<u>OTHER AGENCIES AFFECTED</u>
d.sTo remove requirement of specific consent for each assignment of mortgage and purchase of lands on foreclosure of homesteads, house lots, etc.s	Re-request Congress to amend Organic Act to allow general consent for such transactions.	None	None	None
e.sTo change definition of appraised value of remnant highway lands for sale to adjacent landowners and to apply such to both purchased and condemned lands.s	Request Congress to amend Organic Act for this purpose.	None	None	Territorial Highway Department
f.sTo change definition of remnant lands to make it more adequate.s	Request Congress to amend law to change "land-locked" to "unsuitable for development as separate unit."	None	None	None
<u>27. Public Utilities Commissions</u>				
a.sTo provide for greater effectiveness of members of Public Utilities Commission.s	Increase terms from 3 to 6 years.	None	None	None
b.sTo improve procedure for giving notice of rate increase hearings.s	Enable PUC to require public utilities to use regular billing procedure to notify customers.	None	None	None
c.sTo provide more effective regulation of all motor vehicles serving public by centralizing authority now divided between PUC and City and County of Honolulu.s	Centralize authority under: (a) new regulatory agency or (b) under Public Utilities Commission.s	Alternative (a): \$94,190; alternative (b): \$39,371 (general fund, recurring --supplemented by license fees)s	None	City and County of Honolulu, Honolulu Police Department

PURPOSE	MEANS	FUNDS REQUIRED 1959-1961	RELATED PROPOSALS	OTHER AGENCIES AFFECTED
<u>28. Public Welfare, Department of</u>				
a.e To enable Territory to qualify fully for federal funds for aid to blind.e	Amend law to conform to federal requirements.	None	None	None
b.e To obtain eligibility for federal matching welfare funds by meeting federal requirements.	Make parents liable for support of incompetent adults.	None	None	None
<u>29. Public Works, Department of</u>				
-- number of proposals prepared but not submitted in time for inclusion in this report. Will appear as supplement.				
<u>30. Sight Conservation and Work with the Blind, Board and Bureau of</u> -- no proposals submitted.				
<u>31. Survey Department</u> -- no proposals submitted.e				
<u>32. Tax Commissioner, Department of</u>				
a.e To enable Territory to charge counties for cost of tax collection.e	Withhold sums to cover costs from county tax funds collected.	\$800,000 annual saving by having counties bear tax collection costs	None	County governments
b.e To provide general exemp- tions under the property tax.e	Replace specific exemp- tions with general classifications of ex- empted properties.	None	None	None
<u>33. Treasury Department</u>				
a.e To broaden authorization for formation of non- profit corporations beyond present enumerated pur- poses.e	Amend law to allow forma- tion of non-profit corpo- rations for any lawful pur- pose.	None	None	Tax Office (indi- rectly, if at all)

PURPOSE	MEANS	FUNDS REQUIRED 1959-1961	RELATED PROPOSALS	OTHER AGENCIES AFFECTED
(Fire Marshal) b.eTo establish comprehensive fire prevention and protection program for government buildings.	Provide means for correcting noncompliances with fire safety standards.	\$32,772 (allocation from fire insurance premium tax)	None	None
(Insurance Bureau) c.eTo provide for licensing and regulation of title insurance companies, presently excluded from insurance law.	Amend Hawaii Insurance Law to include title insurance companies.	None	None	None
<u>34.University of Hawaii</u>				
a.eTo make University salaries sufficiently high to attract and retain good teachers and researchers.	Increase by 20 per cent faculty salaries established by Board of Regents.	\$1,500,000 (general fund, recurring)	None	None
b.eTo clarify legal position of Board of Regents in law suits.e	Provide that University may sue and be sued in its corporate name.	None	None	None
c.eTo provide second unit of Johnson Hall with equipment and furniture.e	Appropriate necessary funds.	\$45,000 (general fund)	None	None
d.eTo provide expanded research in canned and frozen food.e	Create Department of Food Processing and Utilization in Agricultural Experiment Station.	\$77,049 (general fund, recurring)	None	None
e.eTo establish agricultural experimental facilities in the Hilo-Puna-Volcano area.e	Appropriate funds for branch experiment station in Panaewa Forest Reserve with substations in Malama Forest Reserve and in Volcano area.	\$311,335 (general fund, recurring but at reduced cost)	None	None

PURPOSE	MEANS	FUNDS REQUIRED 1959-1961	RELATED PROPOSALS	OTHER AGENCIES AFFECTED
f.rTo provide research inr animal pathology to reducer losses in livestock and poultry industry.r	Establish Department of Animal Pathology in Agri- cultural Experiment Sta- tion.	\$49,504 (general fund, recurring but at reduced cost)	None	Board of Commissioners of Agriculture and Forestry
<u>35.Veterans Affairs, Council on</u> -- no proposals submitted.r				
<u>36.Water Authority, Hawaii</u>				
a.rTo resolve certainr statutory inconsisten- cies governing approp- riations for waterr development projects.r	Amend laws to remove present inadvertent legal restrictions.	None	None	Hawaii County Board of Water Supply
<u>37.Supreme Court</u>				
a. To provide for morer effective administration of operations of courts comprising judiciary of Hawaii.	Create administrative office of judiciary under chief justice.	\$45,404 (general fund, recurring)	None	All territorial courts
b.rTo provide adequate numberr of law clerks to Supremerr Court so that each of 3r justices might have sepa- rate clerk.r	Increase number of law clerks from 2 to 3.	\$9,145 (general fund, recurring)	None	None
<u>38.Juvenile Court</u> -- no proposals submitted.r				

PART II

DIGEST OF DEPARTMENTAL PROPOSALS FOR GOVERNOR'S 1959 LEGISLATIVE PROGRAM

1. GOVERNOR'S OFFICE

- a. Western Interstate Commission for Higher Education. Would permit Territory to compact with western states and Alaska so that, on a reciprocal basis, qualified students from Hawaii could enter graduate and professional schools of compacting jurisdictions. Three members from Hawaii would serve on commission. Cost: \$8,000 annual dues, plus \$500 annual miscellaneous expenses, from general fund.
- b. County bond powers. Would empower county boards of supervisors to authorize bond issues, within limits set by Congress, but without either legislative act or special referendum by voters of the county as now required. Would require presidential approval of county bonds only when otherwise required by federal statute. Proposal 5a is related.

2. SECRETARY OF HAWAII

- a. Interstate Compact for Parolees and Probationers. Would permit extension to Alaska, D.C., Puerto Rico and Virgin Islands of reciprocal arrangements for supervision of parolees and probationers, now in force between Hawaii and 26 states. Cost: \$1,600 in 1959-61 and sufficient funds in subsequent biennia to maintain \$1,500 revolving fund -- all from Hawaii Prison System fund. Would affect: (1) probation activities of Circuit Courts, (2) parole activities of Board of Paroles and Pardons, and (3) Hawaii Prison System fund.

3. AERONAUTICS COMMISSION, HAWAII -- No proposals submitted.

4. AGRICULTURE AND FORESTRY, BOARD OF

- a. Regulation of advertising of fresh fruits and vegetables. Would authorize Director of Division of Entomology and Marketing to establish standard definitions of size and quality for fresh fruits and vegetables and require retail advertising to cite grade and size. Enforcement would be on basis of complaints. Would entail no additional costs unless flowers and foliage were included (as proposed in 1957 session).
- b. Minimum export requirements for flowers and foliage. Would authorize Board of Commissioners of Agriculture and Forestry to adopt grades and standards for flowers and foliage to be exported, and provide for inspection and licensing of exporters. Would strengthen too general existing law. Cost: \$12,000, per biennium, from general fund.
- c. Marketing of certain agricultural commodities. Would authorize President of Board of Agriculture and Forestry to initiate procedure for adoption of marketing orders or agreements, promotion or advertising, or any proceeding authorized by the enactment, for specific agricultural commodities. Would also authorize assessment of fees from producers, processors, handlers, distributors. Cost for 1959-61: \$10,000, but would only require \$5,000 initial appropriation, becoming self-supporting thereafter out of fees collected.
- d. Tax exemption of forest land. Would promote production of timber of commercial value by granting real property tax exemption for private land planted in timber until timber is cut. At present landowner must surrender forest

lands to government for 20 years to obtain tax exemption. Program would be administered by Department of Agriculture and Forestry, but would affect activities of Tax Office.

5. ATTORNEY GENERAL

- a. County bond limits. Would delete references in R.L.H. 1955 to specific county debt limits (now expressed in terms of percentage of assessed value of property). Instead, reference would be to limits "as may be fixed from time to time by the Congress" in Organic Act. Also, would require presidential approval of county bonds only when required by Congress. (Draft bill and committee report already prepared and available.) Proposal 1b is related.

6. BUDGET, BUREAU OF THE - No proposals submitted.

7. CIVIL DEFENSE AGENCY

- a. Extension of Civil Defense and Emergency Act. Would prevent expiration of Civil Defense and Emergency Act, on June 30, 1959, by extending deadline to June 30, 1961. Conditions still require retention of legislation.
- b. Continuity of government in emergency. Would provide three alternative persons to proclaim civil defense emergency, prescribe rules having effect of law, and allocate funds if both Governor and Secretary of Hawaii become incapacitated. Under existing law certain powers are vested solely in Governor and would become inoperative in event both he and Secretary became incapacitated.
- c. Director's legal authority under Disaster Relief Act. Would make explicit that Director of Civil Defense Agency may act in same manner as Governor and other political subdivisions in cases of disaster relief, so as to remove doubt as to liability of volunteers and other departments assisting CDA in natural disasters.

8. CIVIL SERVICE

- a. Revision of civil service salary schedule. Would provide more effective civil service salary schedule by readjusting step and salary ranges to achieve: (1) adequate number of pay ranges, (2) uniformity in number of steps per salary range, (3) uniformity in percentage spread between minimum and maximum rates in salary ranges, (4) uniformity in percentage difference between minimum rates of each salary range, and (5) integration of pay rates among salary ranges whereby rates of higher steps in one range would be same as those of lower steps in next higher salary range. Minimum cost, next biennium: \$608,268 from general fund (if regular increment pay increases are by-passed 7/1/59, as economy measure); maximum cost: \$2,558,844 (if regular increment increases are allowed to go into effect 7/1/59 and 7/1/60).
- b. Compensation plan development and maintenance. Would provide more effective compensation plan by creating continuous review procedure which would: (1) subject plan to periodic review by Budget Bureau with power to raise or lower plan on overall basis in accordance with financial position of Territory, and

(2) provide for public hearings before Civil Service Commission prior to revisions and adjustments in compensation program. New review procedure would enable plan to reflect territorial fiscal requirements and views of all interested parties.

- c. Definition of "reemployment list." Would broaden definition of "reemployment list" to include two reasons for placement thereon which are presently omitted. Would have definition include: (1) employee reallocated to class with lower salary range, and (2) employee affected by decision of Commission in dismissal hearing.
- d. Definition of "initial probation period." Would change definition of "initial probation period" to enable qualified employees to count temporary service time as part of probationary period. Would apply to employee if: (1) hired initially from eligible list, and (2) later becomes eligible to retain temporary position on permanent basis.
- e. Reappointment of Civil Service Commissioners. Would enable Civil Service Commission to continue to benefit from experience gained by members from service on commission by removing present required two-year waiting period before members can be reappointed to commission.
- f. Ineligibility for appointment. Would enable elimination of obviously unfit candidates for certain positions by broadening present narrow basis upon which Civil Service Department may declare individual ineligible for appointment. In addition to felony and fraud in applying for civil service, excessive record of misconduct detrimental to service would also constitute grounds for ineligibility.
- g. Longevity payments. Would remove present conflict between provision on initial appointments and provision on longevity payments by amending latter to conform to former. Change would affect employees hired initially above minimum step and would make them ineligible for longevity payments until they had served sufficient time to equal eligibility period beginning at minimum step. At present five years at maximum step is only requirement.
- h. Increment and longevity payments for exempt employees. Would accord equal treatment to all employees covered by compensation law by removing present ambiguities in increment and longevity payments provisions as they affect employees under compensation law but exempt from civil service (e.g., Hawaiian Homes Commission, Harbor Commission, private secretaries to department heads, etc.). Such provisions do not seem to apply to such employees at present.
- i. Vacation time for temporary employees. Would liberalize vacation policy affecting certain temporary employees by enabling such employees to earn vacation credit from first day of employment. Would remove temporary employees from vacation exception provision if they: (1) were hired initially from eligible list, and (2) have been hired for specified period.
- j. Maternity leave. Would liberalize maternity leave provisions by replacing present limitation of six months leave prior to confinement and six months afterwards with option granted employee to designate leave period, not to exceed 12 months. Would accommodate employee preference to have more time afterwards and to use accumulated vacation time before confinement.

- k. Promotions without examination. Would amend law to remove present ambiguities in provisions relating to: (1) promotion without examination of employees by department heads, and (2) promotion without examination from unskilled to skilled positions.
- l. Transfer of employees subject to lay-off. Would clarify authority and simplify procedure for transferring employees subject to lay-off by authorizing Civil Service Department to transfer such employees to any positions at same or lower grade for which employees are qualified. Would eliminate necessity of using reemployment list to transfer employees to unrelated positions.
- m. Assigning classes to salary ranges. Would place Territory in equal competitive position to recruit personnel by authorizing Director to consider salaries paid by other employers as factor in assigning classes to salary ranges. At present only factor which may be considered is internal relationship between salary ranges of various classes within civil service.
- n. Overtime for institutional workers and others. Would provide equitable compensation for employees regularly required to work in excess of 40 hours per week (primarily institutional workers) by authorizing overtime pay for such employees based upon hourly rates for step and salary ranges being compensated. Would relieve pressure to up-grade positions to achieve equity. Would not affect compensatory time provision covering employees working overtime during emergency or periodic peak workload periods.

9. COMMISSION ON CHILDREN AND YOUTH - No proposals submitted.

10. COMPTROLLER

- a. Count of money and securities. Would more clearly require Treasurer to evaluate securities in territorial treasury and Comptroller (together with Tax Commissioner and Budget Director) to check adequacy of evaluation. Would reduce frequency of count from quarterly to annually.
- b. Disposal of accounting records. Would require Comptroller to establish policy, now lacking, for retention and disposal of accounting records by territorial agencies. Would affect archives and general records disposal program.
- c. Audit of Circuit Court clerks. Would transfer from Comptroller's office to Bank Examiner responsibility for making annual audit of accounts of Circuit Court clerks in their capacity as guardians of minors or insane persons having small estates, or as administrators of small estates. Transfer would place responsibility in more appropriate agency.

11. ECONOMIC PLANNING AND COORDINATION AUTHORITY - No proposals submitted.

12. EMPLOYEES' RETIREMENT SYSTEM - No proposals submitted.

13. HARBOR COMMISSIONERS, BOARD OF - No proposals submitted.

14. HAWAIIAN HOMES COMMISSION - No proposals submitted.

15.a HEALTH, DEPARTMENT OFa

- a.a Water Pollution Control Board. Would create Water Pollution Control Board in a Board of Health to assist in administering present control program by giving a representation to various government and private agencies with interest in a such program. Board would have five ex-officio members (Attorney General, a President of Board of Health, President of Board of Agriculture and Forestry, Manager of Harbor Commission, and Director of Territorial Planning and five a members appointed by Governor and representing specified industries. Board a would hold hearings and set quality standards to be enforced by staff of a Department of Health. Cost would be \$12,000 per biennium and financed from a general fund and available Federal Water Pollution Act grants. (Draft bill a already prepared and available.)a
- b. Sanitary certificate to sell beef or pork. Would expand coverage of present sanitary control laws by requiring sellers of beef or pork to obtain sanitary certificates from Board of Health before obtaining licenses from county treasurers to engage in such business. Similar requirements already affect bakeries, laundries, etc. Would not affect meat inspection program of Board of Agriculture and Forestry.
- c.a Prohibition of marihuana. Would strengthen prohibitions against production a and use of marihuana by repealing law allowing issuance of permits to engage in such production and use under certain conditions. No justification for a provision as there are no known medical or scientific uses of marihuana.a Repeal would lessen burden on local enforcement authorities.a
- d.a Licensing embalmers. Would raise requirements for embalmer's license by adding one year's apprenticeship to graduation from embalmer's school to qualify for such license. Would raise annual license renewal fee from \$5 to \$10, which would provide additional \$250 per year to embalmers' special fund to a cover rising administrative costs.a
- e. Transfer and discharge of Hansen's disease patients. Would empower Board of Health to transfer Hansen's disease patients between Hale Mohalu and Kalaupapa Settlement and would permit discharge of recovered patients. Patients released from Kalaupapa Settlement are authorized to spend balance of lives there at government expense, but not at Hale Mohalu. Savings could be realized from patients transferred to Hale Mohalu and discharged from there. Would affect Territorial Employment Office and Department of Public Welfare to extent discharged patients might need their assistance.
- f. Disability compensation for released Hansen's disease patients. Would replace present domiciliary maintenance of released Hansen's disease patients with disability compensation. Would improve rehabilitation program by enabling ex-patients to return to community without fear of economic insecurity and by enabling Board of Health to reduce more expensive domiciliary care program. Would create medical board to fix compensation, using standards based upon those of Bureau of Workmen's Compensation. Cost: \$100,000 per biennium in compensation payments from general fund, but accompanied by immediate \$50,000 saving in maintenance costs. Subsequent savings would probably make up difference. Program would replace welfare assistance to non-employable ex-patients.

- g. Repatriation of resident chronically ill indigent patients. Would provide transportation for indigent patients in Hansen's disease, tuberculosis, and chronic disease hospitals who are defined as residents under Act 90, S.L.H. 1957, but who wish to return to native country or state upon discharge. Transportation now available only to aliens and non-residents. Cost: average \$250 per person, but savings realized would more than cover such costs. Would affect patients in care of Department of Health, tuberculosis sanitarium, and Department of Institutions.
- h. Meetings of Board of Health. Would reduce number of required Board of Health meetings at Hansen's disease facilities. Of 12 regular annual meetings of Board, three must be held at Kalaupapa Settlement and three at Hale Mohalu. Change would require only one meeting at each. In lieu of other meetings, Board would be authorized to permit meetings of patients at each facility with member of Health Department staff or of Hansen's disease Advisory Committee and views expressed would be forwarded to Board. Reduction of transportation costs would mean undetermined savings. Not felt necessary or desirable to have half of Board meetings at Hansen's disease facilities.
- i. Transfer of vacation credit funds. Would eliminate transfer of funds representing accumulated vacation credits from one department to another when employee transfers. Bookkeeping operation rarely benefits department receiving funds while possibly seriously handicapping department making transfer. Would affect all departments and agencies, but would not affect vacation time of individual transferred employee.
- j. Changing "chiropodist" to "podiatrist." Would make legal terminology consistent with modern usage in health field by amending statutes to changed "chiropodist" to "podiatrist."
- k. Veterans' funeral expense vouchers. Would transfer responsibility of preparing veterans' funeral expense vouchers under certain conditions from Board of Health to Council on Veterans Affairs. Latter agency more appropriate to perform function assigned to Board of Health prior to creation of Council.

16. HIGH SHERIFF

- a. Administrative expenses; increased filing fees. Would correct present situation in which High Sheriff's office has no appropriated funds to cover necessary administrative expenses, such as clerk, equipment, supplies, etc. Would increase Circuit Court filing fees 50¢ per item, with funds being paid into general fund (producing annually additional \$19,000), and would earmark minimum amount for administrative expenses of High Sheriff (approximately \$9,000 in 1959-61 biennium).
- b. Increased fee for serving subpoena. Would provide more adequate compensation for serving subpoena by increasing fee from \$1 to \$2. Fee for service of all other processes is already \$2 and these do not place as great demand upon server as does subpoena. Fees payable by litigants.
- c. Increased automobile allowance. Would provide more adequate compensation to process servers for use of own automobiles by increasing mileage allowed from 10¢ to 15¢ per mile. Increased costs payable by litigants.

17.e HISTORICAL SITES, COMMISSION ONE

- a.e Secretary of Commission on Historical Sites. Would improve organizational effectiveness of Commission on Historical Sites by replacing executive secretary of Hawaii Visitors Bureau with Archivist as secretary of Commission. Archivist is regular territorial employee whose duties are very closely related to functions of Commission whereas such is not case of executive secretary of HVB. Archivist and executive secretary of HVB endorse proposal.e

18. HOUSING AUTHORITY, HAWAII

- a. Financing Housing Authority revenue bonds. Would amend law to facilitate financing of new Housing Authority revenue bonds by allowing issuance of bonds for new non-federal housing to be secured by net profits being realized from existing non-federal housing. Use of present surplus profits to subsidize new housing will make bonds saleable which are not now sufficiently attractive to investors.
- b. Removal of budgetary control of Housing Authority special funds. Would give Housing Authority more effective control over special funds involved in issuance of revenue bonds by exempting such funds from Budget Bureau control as provided in Act 320, S.L. 1957. If Act goes into effect July 1, 1959, as provided, it will place serious limitation on Housing Authority's ability to obligate funds.
- c.e Continuance of Part I, Housing Act of 1947. Would permit Housing Authority to continue temporary housing programs provided under Part I, Housing Act of 1947, beyond expiration date of June 30, 1959. Important because: (1) still pressing need for housing, and (2) rental revenues therefrom can be used to develop new housing. Would extend deadline to June 30, 1965.e

19. INSTITUTIONS, DEPARTMENT OF

(Division of Parole and Home Placement)

- a.e Exemption of wards from minimum wage law. Would facilitate rehabilitation of wards of Division of Training Schools by broadening employment opportunities through exemption from minimum wage law. Would take advantage of situations where foster parents can provide jobs in family businesses where wards can earn pocket money and gain experience but where foster parents cannot afford full minimum wage.e

(Waimano Home)

- b.e Commitment of non-residents to Waimano Home. Would enable Territory to avoid assuming responsibility for children committed to Waimano Home when such responsibility rightfully belongs to state of residence of parents temporarily in Territory by prohibiting commitment of non-residents. At present Waimano Home must accept any individual meeting commitment requirements.e

(Territorial Hospital)

- c.e Interstate Compact on Mental Health. Would authorize Territory to ratify Interstate Compact on Mental Health and thereby enter into reciprocal agreement with other states to insure treatment of mental patients regardless of

state residency and without accompanying transportation costs and legal entanglements. (Draft bill and supporting data are prepared and available.)

- d.a Civil service exemption of certain federally financed projects. Would facilitate recruitment for positions under certain federally financed projects by broadening present civil service exemptions to include training and limited term projects as well as research projects.
- e.a Change in hospital terminology. Would amend R.L.H. 1955 to change "institutional care" to "mental hospital treatment" in line with modern psychiatric phraseology.
- f.a Disposal of remains of indigent dead. Would authorize Territorial Hospital to dispose of remains (ashes) of indigent deceased patients by burial within grounds after elapse of reasonable period of time in which all efforts to locate relatives have failed. Present lack of authorization is causing disposal problem. In 1959-61 would cost \$500 for grading, grassing, and fencing burial plot and for grave markers.
- g.a Emergency admission to Territorial Hospital. Would clarify at what point during emergency admission process examination of patient is required. Present law makes this uncertain.
- h.a Commitment procedure; financial statement. Would facilitate commitment of a mentally ill persons to Territorial Hospital by authorizing committing judges to defer submission of financial statement until after admission. Requirement of prior submission of statement unnecessary as financial status is not a condition of commitment.
- i.a Commitment procedure; physician's certificate. Would amend law to indicate clearly justification for physician to certify as to need for mental hospital treatment of mentally ill persons unable to do so voluntarily.
- j.a Treatment of convalescent patients. Would enable treatment of convalescent patients by authorizing Director of Institutions to establish special facilities for convalescent patients. Present authorization extends only to establishment of special or separate wards.
- k.a Rehabilitation of patients. Would broaden hospital's scope of authority to enable it to assume rehabilitation as part of its program in line with modern concepts of treatment of mentally ill.
- l.a Treatment of mentally ill prison inmates. Would provide for treatment of a mentally ill prison inmates in facilities with proper security safeguards by permitting treatment at Oahu Prison instead of transfer of inmates to Territorial Hospital.

(Prison System)

- m.a Transfer of prisoners to other types of institutions. Would improve present cumbersome legal procedure for transferring prisoners to other types of institutions by revising law to: (1) reflect long-standing operational practices within Department of Institutions concerning transfers to Territorial Hospital, and (2) allow making agreement with Department of Health concerning transfers to Hansen's disease facilities.

- n.t Inmate Classification Committee. Would increase effectiveness of inmate classification committee by adding to its membership two important positions presently omitted by law, classification director and chaplain. Former probably most important member but law was not changed to add him to membership when position created several years ago.
- o. Maintenance of commutation records. Would simplify maintenance of commutation records by eliminating "commutation book" with separate page for each prisoner, as presently required by law. This cumbersome procedure serves no useful purpose as information is readily available in regular file folder of each prisoner.
- p.t Activities of prisoners on Maui. Would enable prisoners on Maui to engage in other essential activities besides gorse control. Would remove present limit of other activities to projects authorized by legislature, and would enable Director to assign activities with due consideration being given to importance of gorse control.
- q.t Review of penal code and procedures. Would provide basis for reforming penal code and procedures to reflect modern philosophy and conditions by creating qualified committee to review whole body of penal laws and to submit its recommendations. Cost: not estimated.

(Board of Pardons and Paroles)

- r. Determination of minimum terms of imprisonment. Would provide for more uniform and equitable system of determining minimum terms of imprisonment by separating trial function of courts from rehabilitation function of parole system. Would shift final authority of determining minimum terms of imprisonment from Circuit Courts to Board of Pardons and Paroles.

20.t LABOR AND INDUSTRIAL RELATIONS, DEPARTMENT OF

- a. Extension of unemployment insurance benefits. Would extend duration of unemployment insurance benefits from 20 to 26 weeks and increase minimum qualifying wages from 30 to 35 times weekly benefit amount, so that qualifying wages exceed total potential benefits for longer period.
- b. Unemployment insurance for government employees. Would extend coverage of Employment Security Law to territorial and county employees; government—instead of making contributions—would reimburse unemployment trust fund for benefits paid. Cost: \$200,000 (estimated) per biennium, from general fund.
- c.t Unemployment insurance for out-of-territory employees. Would extend unemployment insurance coverage to employees hired, by employers subject to Hawaii Employment Security Law, to perform services solely outside Territory.
- d. Unemployment insurance benefits, agricultural workers. Would amend Agricultural Unemployment Compensation Act to provide disqualification provisions identical with those in Employment Security Law.
- e. Exclusion of certain employees from unemployment insurance. Would exclude from Employment Security Law services performed for charitable, educational, religious and other organizations exempted from the federal income tax, provided such service is performed for compensation not exceeding \$100 in a calendar quarter for any individual.

- f. Unemployment insurance benefits, marginal cases. Would provide step-down of two benefit levels for persons whose earnings in their high quarter during base period are sufficient to entitle them to benefits, but who lack a few dollars in qualifying wages and so presently are excluded from benefits entirely.
- g. Unemployment insurance, disqualification. Would disqualify employees from receiving benefits for periods of one to five weeks if suspended for misconduct, rather than disqualifying them completely.
- h. Unemployment insurance contribution, steps. Would increase from seven to ten number of rate steps in schedule of employers' contribution rates, so as to permit closer and more equitable calculation of rate.
- i. Unemployment insurance contributions, reduced rates. Would prohibit reduced (less than maximum) contribution rate by any employer whenever balance in unemployment compensation fund is less than five per cent of total payrolls, of all employers, for five preceding years.
- j. Unemployment insurance contributions of delinquent employers. Would prohibit reduced (less than maximum) rate of contribution being granted to employers delinquent in payment of contributions.
- k. Technical corrections in employment security laws. Change term "commissioner" to "director" (in Secs. 93-72 through 93-74, R.L.H. 1955); delete words "do not" in Sec. 6 of Act 74, S.L.H. 1957.

21. LIBRARY OF HAWAII - Have communicated they have no proposals to submit to 1959 session.

22. MILITARY DEPARTMENT

- a. Military laws of Hawaii. Would make number of minor changes in military laws of Hawaii to bring them into conformity with modern concepts and existing federal law. Chapters 352, 353, 354, and 355 would be revised.
- b. Civil service exemption for private secretary to Adjutant-General. Would remove private secretary to Adjutant-General from civil service coverage and place her on same basis as private secretaries to other department heads. Exemption of certain confidential positions is in accord with present personnel policy.

23. PLANNING OFFICE, TERRITORIAL - No proposals submitted.

24. PUBLIC ARCHIVES, BOARD OF COMMISSIONERS OF

- a. Disposal of records. Would amend Sections 7-7 and 7-8, R.L.H. 1955, to clarify and strengthen general law relating to records disposal and to achieve uniform and centralized control over records disposal by placing full authority in Committee on Records Disposal.
- b. Powers of Board of Commissioners of Public Archives. Would amend Section 13-5, R.L.H. 1955, to clarify certain powers of Board of Commissioners of Public Archives by: (1) making Archives depository of all records of official bodies and agencies going out of existence and (2) enabling board to claim and receive public records falling into private possession.

25. PUBLIC INSTRUCTION, DEPARTMENT OF

- a. New salary schedule for teachers and principals. Would raise salary schedule of teachers and principals to levels more in line with comparable mainland school systems to place Territory in better position to attract and retain sufficient qualified teaching personnel. Preliminary estimates place cost at \$5,500,000 for 1959-61.
- b. Advisory Board of Vocational Education. Would enable Advisory Board of Vocational Education to become more effective by changing its composition from employer-employee basis to functional representation basis. (Note: No appointments have been made to Board since 1945.)

26. PUBLIC LANDS, DEPARTMENT OF

- a. Removal of restrictions on military lands returned to Territory. Would remove restrictions placed by military upon lands returned to public lands of Territory by requesting Congress to amend Organic Act for this purpose. (Frequent practice has been to specify permissible civilian uses of lands declared surplus and returned to Territory.) Would cancel all present restrictions and prohibit future ones.
- b. Return of public lands upon termination of original purpose for federal use. Would require return to Territory of public lands set aside for federal use upon termination of original purpose for which lands were set aside by requesting Congress to amend Organic Act for this purpose. Original purpose in many cases has long since terminated, but lands still remain under federal control for other uses.
- c. Maintenance of public lands prior to sale. Would create revolving fund to cover cost of maintaining and reconditioning public lands prior to time they are placed on market. Cost: \$25,000 in 1959-61 to set up revolving fund (from general fund or public land revenues); lesser amounts thereafter.
- d. General consent for certain transactions. Would remove requirement of specific consent for qualified holders of land interests (house lots, homesteads, etc.) to mortgage, assign, or acquire on foreclosure, and would allow general consent for such transactions. Would request Congress to amend Organic Act for this purpose. Such request now pending but has not been acted upon by Congress.
- e. Sale of highway remnants to adjacent owners. Would define appraisal value of remnant highway lands for sale to adjacent owners, on appraisal but without auction, to include value resulting from incorporation of such lands with adjacent land, and would apply rule to land purchased as well as condemned by Territory. Would request Congress to amend Organic Act to achieve this purpose.
- f. Change definition of remnant lands. Would make definition of remnant lands more adequate by requesting Congress to amend P.L. 869, 84th Congress, 2d Session, to change "land-locked" to "unsuitable for development as a separate unit." Would enable sale to adjacent owners of remnants which do not meet present technical requirements, but are nevertheless remnants.

27. PUBLIC UTILITIES COMMISSION

- a. Length of terms of Commissioners. Would provide for greater effectiveness of members of Public Utilities Commission by lengthening their terms of office from three to six years and thus take advantage of experience gained from service on Commission.
- b. Procedure for giving notice of rate increase hearings. Would improve procedure for notifying customers of hearings to be held before Public Utilities Commission to consider rate increases by enabling Commission to require public utilities to notify their customers of such hearings through regular billing procedures of public utilities.
- c. Regulation of motor vehicles serving public. Would provide for more effective regulation of all motor vehicles serving public by centralizing authority now divided between Public Utilities Commission and City and County of Honolulu. Would centralize authority either under (a) new regulatory agency or under (b) Public Utilities Commission. Cost in 1959: alternative (a) - \$94,190; alternative (b) - \$39,371. Cost of salaries and other operating expenses would come from general fund, supplemented by license fees collected under regulation program.

28. PUBLIC WELFARE, DEPARTMENT OF

- a. Aid to blind. Would enable Territory to qualify fully for federal funds for aid to blind by amending statutes to conform to federal requirements. Would repeal Act 87, S.L.H. 1957, amending Section 108-36, R.L.H. 1955, and would amend section differently to clarify what earned income may be excluded from consideration in determining aid payments.
- b. Support of incompetent adults by parents. Would meet federal grant requirement by making parents of incompetent adults liable for their support. Matching funds unavailable unless state law imposes such duty upon parents.

29. PUBLIC WORKS, DEPARTMENT OF - Number of proposals prepared but not submitted in time for inclusion in this report. Will appear as supplement.

30. SIGHT CONSERVATION AND WORK WITH THE BLIND, BOARD AND BUREAU OF - No proposals submitted.

31. SURVEY DEPARTMENT - No proposals submitted.

32. TAX COMMISSIONER, DEPARTMENT OF

- a. Charge for county tax collections. Would enable Tax Commissioner to require counties to reimburse Territory for costs of administering property tax and for proportional share of general excise and fuel taxes, both of which are collected by Tax Commissioner but shared with counties. In 1957, cost to counties would have been approximately \$769,000--\$587,000 for property tax, \$172,000 for general excise and \$10,000 for fuel tax.
- b. Generalizing property tax exemptions. Would establish general categories of exemptions from the real property tax (for private schools, churches, charitable institutions, etc.), replacing the 69 paragraphs of exemptions listed in the present laws, many of which designate by name exempted organizations.

33. TREASURY DEPARTMENT

- a.e Formation of non-profit corporations. Would broaden authorization for formation of non-profit corporations by permitting non-profit corporations to form for any lawful purpose rather than just for establishment and conduct of cemeteries, colleges, seminaries, churches, libraries, or any other benevolent, charitable, or scientific associations. Would probably require amendment of Organic Act as well as R.L.H. 1955.e

(Fire Marshal)

- b. Fire safety of government buildings. Would establish comprehensive fire prevention and protection program for government buildings by providing Fire Marshal with sufficient means to correct noncompliances with accepted fire safety standards. Less than half such buildings now meet standards. Would entail comprehensive survey and inauguration of regulations, etc. Cost: \$32,772 in 1959-61 (to be allocated from fire insurance premium tax), but reduction of fire hazards represents considerable potential savings to general fund.

(Insurance Bureau)

- c.e Licensing and regulation of title insurance companies. Would provide for licensing and regulation of title insurance companies--presently excluded from Hawaii Insurance Law--by amending law to place such companies under supervision of Insurance Bureau, as is case of other types of insurance companies. (Draft bill already prepared and available; submitted as SB 641 and HB 795 in 1957 session.)e

34. UNIVERSITY OF HAWAII

- a.e Increase in faculty salaries. Would increase University of Hawaii faculty salaries, established by Board of Regents, by 20 per cent--paralleling recent, similar increases on the west coast--in order to attract and retain good teachers and researchers. Cost: estimated additional \$1,500,000 from general fund in 1959-61.e
- b. Suits by and against University. Would clarify legal position of Board of Regents by providing that "the University may sue in its corporate name and shall be subject to suit only in the manner provided for suits against the Territory," instead of "the Board of Regents may sue and be sued in its official name."
- c.e Equipment for men's dormitory. Would appropriate \$45,000 from general funds for furniture and equipment of second unit of Men's Memorial Dormitory (Johnson Hall). Construction of dormitory planned from federal loan, to be repaid from rentals. Federal funds not available for equipment.e
- d.e Food Processing and Utilization Department. Would authorize University of Hawaii to establish Department in Agricultural Experiment Station to carry on, and expand, research of Food Processing Laboratory--already on campus. Cost: estimated \$77,049 (including \$62,049 for staff, \$15,000 for supplies and equipment) in 1959-61 and subsequent biennia--from general fund.e

e.e Agricultural Experiment Station, Hawaii. Would establish branch station of Agricultural Experiment Station in Panaewae Forest Reserve, near Hilo, with sub-stations in Malama-ki Forest Reserve and Volcano area. Research would be directed toward returning to cultivation in shortest time areas covered by lava flows. Staff costs estimated at \$85,900 for 1959-61 and \$115,000 in subsequent biennia; non-recurring improvement and equipment costs estimated at \$185,435; biennial operating costs would approximate \$40,000. Cost: \$311,335 in 1959-61; \$155,000 (approximate) in subsequent biennia (general fund).e

f.e Department of Animal Pathology. Would establish Department of Animal Pathology in Agricultural Experiment Station to conduct research on animal diseases, particularly those afflicting livestock and poultry; office, laboratory and animal hospital facilities to be provided, cooperatively, by Board of Commissioners of Agriculture and Forestry. Cost: staff, estimated at \$29,504 for 1959-61 and \$30,000 for subsequent biennia; non-recurring improvements, estimated at \$10,000; biennial operating costs \$10,000. Total of \$49,504 requested for 1959-61 from general fund.e

35. VETERANS& AFFAIRS, COUNCIL ON - No proposals submitted.

36.e WATER AUTHORITY, HAWAIIe

a.e Legal restrictions on water development projects. Would resolve certain statutory inconsistencies governing appropriations for water development projects resulting from Act 150, S.L.H. 1957. Due to wording of Act, funds could not be released for use for certain authorized projects (including Kona water development, Lalamilo extension of Waimea irrigation project, and Kauai domestic water development). Would amend law to overcome these legal technicalities and to clarify authorization to transfer Kona project to Hawaii County Board of Water Supply upon its completion.e

37. SUPREME COURT

a. Creation of administrative office of judiciary. Would create administrative office of judiciary of Hawaii--subject to general supervision and direction of Chief Justice--to obtain information, make recommendations, and generally assist Chief Justice in coordinating, centralizing, and directing administrative operations of courts comprising judiciary of Hawaii. Staff requirements for such office would be 1 administrative officer, 1 administrative analyst, and 1 stenographer with salaries totaling \$42,000 (approximate) per biennium; other costs for 1959-61 would amount to \$4,000 (approximate). Total costs next biennium: \$45,404; costs slightly less in subsequent biennia.

b. Increase in Supreme Court law clerks. Would provide adequate number of law clerks to Supreme Court so that each justice might have separate clerk by increasing present number of law clerks from 2 to 3. Additional cost in 1959-61 from general fund: \$9,145 (for salary and expenses); approximately same amount in subsequent biennia.

38.e JUVENILE COURT - No proposals submitted.e

PART III

PROPOSALS AS SUBMITTED BY DEPARTMENTS FOR GOVERNOR&S 1959 LEGISLATIVE PROGRAM

1. GOVERNOR'S OFFICE

a.e Western Interstate Commission for Higher Education

Purpose: Larger college enrollments make it increasingly difficult for the graduates of Hawaii's schools to gain admission to mainland professional schools. If Hawaii joins the Western Interstate Commission for Higher Education, its students will have access to institutions of higher learning in the western states offering programs in medicine, dentistry, public health, veterinary medicine and other fields under arrangements made by the W.I.C.H.E.

Means: Enactment of legislation by which the Territory enters into a compact with Alaska and the western states which are members of the Western Interstate Commission for Higher Education.

Costs: \$8,000 annual dues to Western Interstate Commission for Higher Education, plus \$500 annually for incidental expenses of three Hawaii commissioners (whose travel costs are borne by W.I.C.H.E.).

Financing: General fund

Other departments affected: University of Hawaii

b. County Bond Powers

Purpose: To empower each county board of supervisors to authorize issue of bonds of that county, within limits set by Congress, but without requiring--as under present law--either legislative act or special referendum by voters of that county.

Means: Amend R.L.H. 1955 to provide that by ordinance the board of supervisors of any of the four counties may authorize the issue of bonds within the limit set for that county by Congress. Provide that presidential approval of county bonds be obtained only when required by federal statute.

Amendments required to existing law: Amend sections 139-1, 139-3 and 139-9.e

Other departments affected: County governments

Note: See proposal 5a.

2.e SECRETARY OF HAWAII

a.e Interstate Compact for Parolees and Probationers

Purpose and justification: To include Alaska, District of Columbia, Puerto Rico and the Virgin Islands in the existing Compact authorized by Act 236, S.L. 1957. The Compact, now in force between all of the 48

states and between Hawaii and 26 states as of this writing, provides a business-like method by which each state or territory assists the other in supervising probationers and/or parolees within their areas. Our attorney general holds that our enabling legislation permits compacts only with the states, and certain of the states have found need to also amend their statutes to embrace such compacts with territories. We suggest keeping pace with the rest of the nation in assuring mutual helpfulness regarding persons convicted of crime who may be on probation or parole.

Means: Opinion of the attorney general suggesting needed legislation has been prepared and is available.

Staff needs: None. This is based on experience over the past 20 years in which we have served various states in supervising their parolees in Hawaii, many of whom are our own local persons.

Costs:

- A. During 1959-61: \$100.00 for printing of required compact forms, postage, and Compact Administrators Association dues.
1500.00 transportation costs in returning violators and in attending mainland conferences.
- B. During subsequent biennia: Only such funds as would be necessary to assure a revolving fund of \$1500.

Financing: Special funds of Hawaii Prison System

Amendments required to existing law: Amend Act 236, S.L. 1957 as suggested in attorney general's opinion referred to above.

Activities of other departments affected by this proposal:

- (1) Probation activities of various circuit courts.
- (2) Parole activity of Board of Pardons and Paroles.
- (3) Special funds of Hawaii Prison System.

3. AERONAUTICS COMMISSION, HAWAII - No proposals submitted.

4. AGRICULTURE AND FORESTRY, BOARD OF

a. Regulation of Advertising of Fresh Fruits and Vegetables

Purpose and justification: To protect honest purveyors and consumers of fresh fruits and vegetables by requiring grade and other factors to be quoted whenever price is quoted in advertisements.

Means: Authorizes the Director of the Division of Entomology and Marketing to establish and promulgate standard definitions of quality and size, and prohibits persons from advertising without showing standard quality and size.

Staff needs: None additional, since enforcement will be only on the basis of complaint unless flowers and foliage are added as was done in the 1957 session.

Costs:

A. During 1959-61: None additional if enforcement is on basis of complaint, and if flowers and foliage are not added.

B. During subsequent biennia: Probably none, but would depend on number of complaints received during 1959-61 biennium.

Financing: None necessary if flowers and foliage are not added.

Note: During the 1957 session S. B. No. 864 was inadvertently an administration-sponsored bill and made very little progress. H. B. No. 1124, a different version of the bill met with better success, but was not enacted.

b. Minimum Export Requirements for Flowers and Foliage

Purpose and justification: To protect and develop export markets for flowers and foliage by preventing the export of inferior quality Hawaii-grown flowers and foliage and prevent use of inferior packages or packaging materials.

Means: Authorizes Board of Commissioners of Agriculture and Forestry to adopt grades and standards for flowers and foliage, and to adopt rules and regulations establishing minimum export requirements for flowers and foliage and packaging thereof, provides for certification of flowers and foliage and should provide for licensing of exporters. The present draft does not include such a licensing provision.

Staff needs: To start one inspector full time and one inspector half time.

Costs:

A. During 1959-61: About \$12,000 for salaries.e

B. During subsequent biennia: Probably about \$12,000.00.e

Financing: From general fund.

Amendments required to existing law (Organic Act or statutes): Chapter 22, Part II, Sections 22-20 to 22-24 inclusive by deleting therefrom in all instances references to flowers and foliage and by adding new sections to cover flowers and foliage with a new definition for commercial exporter as it applies to handlers of flowers and foliage.

Activities of other departments affected by this proposal: None, but cooperation of Plant Quarantine inspectors would be needed for enforcement.

Note: Certain members of the industry are now studying this law with the view of revising it and introducing it in the 1959 session.

c.e Marketing of Certain Agricultural Commodities

Purpose and justification: To provide a vehicle by means of which orderly marketing of certain agricultural commodities can be accomplished and to provide for promotion and advertising by members of a specific agricultural industry.

Means: Authorizes the President of the Board of Commissioners of Agriculture and Forestry to initiate the procedure for adoption of marketing orders or agreements, promotion or advertising or for any proceeding authorized by the Act, for any specific agricultural commodity and authorizes assessment of fees.

Staff needs: In addition to administrator already on payroll; 1 accountant and 1 stenographer.

Other needs: Office supplies to be purchased as needed.

Costs:

A. During 1959-61: \$10,000 for salaries and supplies.o

B.o During subsequent biennia: Unknown. There could be a vast increase depending on how much various provisions of the Act were used.o

Financing: Fees collected from producers, processors, handlers or distributors (not to exceed 2-1/2%, 4% or 6-1/2% of gross dollar volume of sales. Fees to be kept in approved depository). It is suggested that an appropriation of about \$5,000.00 be made to get this started. After starting, it should be self-supporting.

Activities of other departments affected by this proposal: None, but cooperation with the Extension Service of the University of Hawaii will be necessary.

Note: As indicated by House Resolution No. 126 of the 29th Session of the Legislature, this bill will probably be introduced by certain legislators in the 30th Session.

d.o Tax Exemption of Forest Lando

Purpose and justification: To encourage growth of commercial timber on private lands throughout Territory, so adding to the economic base.

Means: Present law (Act 234, Session Laws of Hawaii 1957) requires a private landowner to surrender his forest lands to government for 20 years or more in order to obtain real property tax exemption on these lands--and then pay to the government, at the end of the surrender period, the value of timber planted during the period.

Repeal this provision; instead enact provision granting property tax exemption to any private lands which are planted in timber for which there is a commercial market, the exemption to continue with respect to any parcel until the trees on it are cut. Program to be supervised by Board of Agriculture and Forestry.

Amendments required to existing law (Organic Act or statutes): Section 4 of Act 234, S.L.H. 1957.

Activities of other departments affected by this proposal: Tax Office, property tax assessment; additional assessor may be required.

5. ATTORNEY GENERAL

a.t County Bond Limitst

Purpose: Amend laws governing issuance of county and municipal bonds to be in accordance with 1956 federal statutes, which increased Honolulu debt limit from 5 to 10% of assessed value of realty in county (maximum issued in single year increased from 1 to 2%) and deleted requirement of Presidential approval of city-county bonds.

Means: Amend Revised Laws of Hawaii 1955 to provide that:

(a) County boards of supervisors be authorized to issue bonds in amount not to exceed the maxima set by Congress. (So amended, the statute would automatically reflect any future changes in the county debt limits.)

(b)tPresidential approval of bonds be required (by territorialt statute) only when federal statutes require it.t

Amendments required to existing law: Amend Sections 139-1, 139-3 and 139-9, Revised Laws of Hawaii 1955.t (Draft bill and committee report already prepared and available.)t

6. BUDGET, BUREAU OF THE -- No proposals submitted.

7. CIVIL DEFENSE AGENCY

a.t Extension of Civil Defense and Emergency Actt

Purpose and justification: The Civil Defense and Emergency Act, which gives the Governor wide emergency powers and sets up the Civil Defense Agencies, terminates on June 30, 1959, unless the termination date is extended by the 1959 Legislature.

Means: Amendment to Civil Defense and Emergency Act (Act 268, S.L.H. 1951).

Amendments required to existing law: Amend Chapter 359, Section 32, Revised Laws of Hawaii 1955, (Act 268, S.L. 1951), as amended by Act 58, S.L. 1957 to extend the expiration date from June 30, 1959 to June 30, 1961.t

Activities of other departments affected by this proposal: Continuation of cooperation and assistance given Civil Defense Agencies.

b. Continuity of Government in Emergency

Purpose and justification: The Civil Defense and Emergency Act prohibits the Governor from delegating the following powers:

- (1) To proclaim a civil defense emergency period.
- (2) To prescribe rules or regulations having the force and effect of law.
- (3) To make allotments of funds appropriated or available for the purpose.

If the Governor were incapacitated, the Secretary of the Territory, as Acting Governor, could take the above actions. However, if the

Governor and Secretary were both incapacitated, which might well happen in a disaster of the magnitude for which the Civil Defense Law was enacted, no one could activate the Civil Defense Law. All major emergency actions authorized by that law taken by the Director of TCDA and cooperating agencies would have no legal basis, laying them open to torts, damage suits, etc.

It is, therefore, imperative that the next Legislature amend the law so that the Governor can appoint at least three stand-by persons who would be authorized to declare a State of Emergency in the event, and only then, that the Governor and Secretary are both incapacitated during an enemy attack. Such persons might well include the President of the Senate and the Speaker of the House if the Governor and the Legislators agree that such a provision should be written into the Law.

Means: Amendment to Civil Defense and Emergency Act.

Amendments required to existing law: Amend Chapter 359, Section 5, paragraphs (a), (b) and (c) so that the Governor may appoint at least three persons (numbered one, two and three) who would be authorized to take the actions outlined in above mentioned paragraphs (a), (b) and (c) if, and only if, the Governor and the Secretary are both incapacitated from doing so.

Activities of other departments affected by this proposal: Would assure territorial department heads that they were acting under proper legal authority in any actions taken to assist the Civil Defense Agencies following an enemy attack.

c. Director's Legal Authority under Disaster Relief Act

Purpose and justification: This Act authorizes the Governor and political subdivisions to exercise any and all of their powers that relate to disasters resulting from enemy attacks in order to provide disaster relief in natural disaster. It does not specifically give the same authority to the Director of TCDA.

Although the intent of the Act to give the Director, TCDA, such authority seems clear, some civil defense volunteers acting under the direction of the Director feel that the fact that such authority is not specifically spelt out clouds the issue and they are fearful of having damage suits against them for actions taken without proper legal authority during natural disasters before the Governor has declared a State of Emergency. They also question whether volunteers who are hurt while working under civil defense direction during such periods would be certain of receiving compensation awards.

Means: Amendment to the Disaster Relief Act.

Amendments required to existing law: Amend Act 358, Section 11, Revised Laws of Hawaii 1955 (Act 218, S.L. 1951), to include the Director of the Territorial Civil Defense Agency among those who are given the same powers in natural disasters as they have in enemy attack emergencies.

Activities of other departments affected by this proposal: Territorial departments assisting Civil Defense in natural disasters at the request of the Director of TCDA would have more legal protection against damage suits and torts against them.

a. Revision of Civil Service Salary Schedulea

Purpose: To revise existing salary schedule by providing for: (1) a number of pay ranges which it is believed will meet the needs of the service better, (2) uniformity in the number of pay steps in salary ranges, (3) uniformity in the percentage spread between minimum and maximum rates for each of the various salary ranges, (4) uniformity in the percentage difference between minimum rates for salary ranges, and (5) integration of pay rates whereby pay rates for certain steps in a higher salary range will be the same as for those of certain steps in the next lower salary range.

Means: Amend Chapter 4, R.L.H. 1955, as amended, to achieve the above purposes.

Costs:

For the 1959-61 biennium:

(a) Proposal No. 1 - Minimum Costa

\$1,396,992.00 - Change-over cost from existing to proposed schedule
1,022,364.00 - Increment pay increase on 7/1/60; no increment pay increase on 7/1/59 as an economy measure
\$2,419,356.00
- 1,811,088.00 - LESS cost of increment pay increases for biennium under existing salary schedulea
\$ 608,268.00 - NET ADDITIONAL COSTa

(b) Proposal No. 2 - Normal Costa

Same as for "(a)" above except that increment pay increases to be paid on both 7/1/59 and 7/1/60.a

\$ 608,268.00 - Cost per "(a)" abovea
1,950,576.00 - Cost of increment pay increase for an additional year
\$2,558,844.00 - NET ADDITIONAL COST

Note: The above cost estimates are offered as guides since the pay rates which will make up the proposed salary schedule are being discussed with the Governor of Hawaii. The above cost estimates represent computations made in late 1956 to determine the additional cost in changing over from the Act 2, S.S.L. 1956, salary schedule to a specimen integrated salary schedule of 41 salary ranges with five steps in each salary range.

Financing: By legislative appropriation from the general revenues of the Territory.

Amendments required to existing law: Amend Section 4-10, R.L.H. 1955, as amended.

Activities of other departments affected by this proposal: Budgets of agencies financed in whole or in part from self supporting territorial revenues or from federal funds may need revision.

b. Compensation Plan Development and Maintenance

Purpose and justification: To develop and maintain compensation plan which will reflect realistically needs and desires of territorial administration, territorial employees, and general public by providing continuous review procedure which will (1) provide greater participation of fiscal authorities in setting pay schedules and (2) provide much more adequate method of obtaining views of all interested parties—employees, unions, department heads, and general public. Repricing programs have a direct effect upon the finances of the Territory; hence it is important that such a program should be reviewed by fiscal authorities, from the stand-point of the availability of funds, of the commitments of funds made, and of anticipated revenues. Similarly, there is no adequate systematic means of obtaining all relevant views and information. Effectiveness of compensation plan can be greatly increased if these needs can be accommodated.

Means: Amend Chapter 4, R.L.H. 1955, to provide: (1) for periodic review of compensation plan by Budget Bureau, on behalf of Governor, with Bureau having authority to readjust plan on overall basis—either up or down—in accordance with financial position of Territory and (2) for public hearing procedure before Civil Service Commission where all interested parties may present views for further consideration prior to installation of revisions and adjustments in compensation plan.

Amendments required to existing law (Organic Act or statutes): Amend Chapter 4, R.L.H. 1955, as indicated.

Activities of other departments affected by this proposal: Budget Bureau in particular, and all other departments in general.

c. tDefinition of "Reemployment List"

Purpose and justification: To make definition of "reemployment list" more complete. At present it omits two additional reasons permitting placement upon reemployment list.

Means: Amend Sec. 3-11 (1), R.L.H. 1955, to broaden scope of definition to include: (1) employee in position reallocated to class with lower salary range - Sec. 3-21 (t), R.L.H. 1955; (2) employee affected by decision of Commission in dismissal hearing - Sec. 3-25, R.L.H. 1955.

Amendments required to existing law (Organic Act or statutes): Amend Sec. 3-11 (1), R.L.H. 1955, as indicated.

Activities of other departments affected by this proposal: All departments and agencies.

d. tDefinition of "Initial Probation Period"

Purpose and justification: To change definition of "initial probation period" so as to permit temporary service time being credited to probationary period under certain conditions. This is to avoid requiring qualified employee to serve six-month probationary period as if he were entirely new when he may already have filled position satisfactorily as temporary employee.

Means: Amend Sec. 3-11 (p), R.L.H. 1955, to give new employee probationary period credit for any period of temporary service if: (1) he had been hired initially from eligible list, and (2) he is later eligible for retention in position on permanent basis.

Amendments required to existing law (Organic Act or statutes): Amend Sec. 3-11 (p), R.L.H. 1955, as indicated.

Activities of other departments affected by this proposal: All departments and agencies.

e.d Reappointment of Civil Service Commissioners

Purpose and justification: To increase effectiveness of Civil Service Commission by allowing it to benefit from knowledge, continuity and maturity acquired through experience on commission. Present prohibition against immediate reappointment denies to merit system services of those probably best qualified to understand and deal with problems of civil service. Full effectiveness of member frequently not reached until toward end of first term when he then becomes ineligible for reappointment.

Means: Amend Sec. 3-12, R.L.H. 1955, so as to delete two-year waiting period prior to reappointment to commission.

Amendments required to existing law (Organic Act or statutes): Amend Sec. 3-12, R.L.H. 1955, as indicated.

f. Ineligibility for Appointment

Purpose and justification: To broaden basis for declaring ineligibility for employment in particular positions or departments so as to eliminate candidates for appointment who are obviously unfit but who cannot be disqualified on basis of present grounds specified by law. Felony and fraud in applying for civil service are only such grounds now.

Means: Amend Sec. 3-21 (j), R.L.H. 1955, so as to include excessive record of misconduct detrimental to performance in position or department, as determined by civil service department, as additional ground for disqualifying person for employment in such position or department.

Amendments required to existing law (Organic Act or statutes): Amend Sec. 3-21 (j), R.L.H. 1955, as indicated.

Activities of other departments affected by this proposal: All departments and agencies.

g. Longevity Payments

Purpose and justification: To remove conflict between section on initial appointments and section on longevity payments. First provides that no employee hired initially above minimum step is entitled to further increment increase until he may have served sufficient time to warrant such increase as if he were hired at minimum step. Latter provides longevity increase after five years at maximum step although employee may have been hired initially at maximum step. It seems appropriate to make latter provision consistent with first.

Means: Amend Sec. 4-9, R.L.H. 1955, so that it will be consistent with Sec. 4-6 by requiring that employees hired initially above minimum step to be ineligible for longevity payment until they have served sufficient time to equal eligibility period if hired initially at minimum step.

Amendments required to existing law (Organic Act or Statutes): Amend Sec. 4-9, R.L.H. 1955, as indicated.

Activities of other departments affected by this proposal: All departments and agencies.

h. Increment and Longevity Payments

Purpose and justification: To clarify coverage of compensation law in regard to employees exempt from civil service relative to increment and longevity payments. Certain exempt employees are placed under compensation law, but it is ambiguous as to whether they are subject to increment and longevity provisions of compensation law. It is desirable that all employees under compensation law be accorded equal treatment.

Means: Amend Sections 4-1 (g) and 4-9, R.L.H. 1955, to make clear that exempt employees subject to compensation law are also subject to specific provisions relating to increment and longevity payments.

Amendments required to existing law (Organic Act or statutes): Amend Sections 4-1 (g) and 4-9, R.L.H. 1955, as indicated.

Activities of other departments affected by this proposal: All departments and agencies, but specifically Hawaiian Homes Commission and Harbor Commission.

i. Vacation Time for Temporary Employees

Purpose and justification: To liberalize vacation policy in regard to certain temporary employees by allowing them to earn vacation credit from first day of employment. Many temporary employees are hired for as long as 12 months or more and feel strongly that denial of vacation credits is discriminatory.

Means: Amend Sec. 5-30, R.L.H. 1955, so as to remove from present vacation exception list employees who are hired initially from eligible list and who are appointed for specified period of time.

Amendments required to existing law (Organic Act or statutes): Amend Sec. 5-30, R.L.H. 1955, as indicated.

Activities of other departments affected by this proposal: All departments and agencies.

j. Maternity Leave

Purpose and justification: To liberalize maternity leave so as to permit employee to designate period of leave, not to exceed 12 months. Present law divides one-year leave into six months before and six months after confinement by limiting period after confinement to maximum of six months. Experience shows employees prefer shorter period before and longer period afterwards. A large number prefer full 12 months afterward, using accumulated vacation time for leave prior to confinement. From management point of view, it is easier to find temporary replacements for one year periods than for shorter periods of time.

Means: Amend Sec. 3-21 (o), R.L.H. 1955, to give employee option of designating period of maternity leave, not to exceed 12 months.

Amendments required to existing law (Organic Act or statutes): Amend Sec. 3-21 (o), R.L.H. 1955, as indicated.

Activities of other departments affected by this proposal: All departments and agencies.

k.t Promotion without Examination

Purpose and justification: To clarify present provisions relating to promotions without examination. Law should clearly state: (1) that department head may promote without examination only employees in his department, and (2) that a qualified employee promoted without examination from unskilled to skilled position need only to pass performance test and to have been employed by Territory for one year to qualify for such promotion. Present language on those two points is ambiguous.

Means: Amend Sec. 3-21 (e), R.L.H. 1955, so as to make clear the above two points.

Amendments required to existing law (Organic Act or statutes): Amend Sec. 3-21 (e), R.L.H. 1955, as indicated.

Activities of other departments affected by this proposal: All departments and agencies.

l.t Transfer of Employees Subject to Lay-off

Purpose and justification: To clarify authority to transfer employees subject to lay-off to any other class at same or lower grade for which employees are qualified. Present provisions would seem to limit transfers to closely related positions. In cases of unrelated positions departure from service seems to be required with reemployment possible only through placement on reemployment list. Present procedures are needlessly complicated and may work unnecessary hardship on laid-off employees who are qualified to fill vacancies elsewhere.

Means: Amend Sec. 3-21 (g), R.L.H. 1955, so as to make it clear that Civil Service Department may move employees subject to lay-off to any other positions at same or lower grade for which they are qualified.

Amendments required to existing law (Organic Act or statutes): Amend Sec. 3-21 (g), R.L.H. 1955, as indicated.

Activities of other departments affected by this proposal: All departments and agencies.

m.t Assigning Classes to Salary Ranges

Purpose and justification: To place Territory in an equal competitive position to recruit personnel by permitting consideration of salaries paid by other employers as factor in determining assignment of classes to salary ranges. Under present law, only factor which may be considered is internal relationship between various classes within territorial civil service.

Means: Amend Sec. 4-4, R.L.H. 1955, to authorize Director of civil service to consider salary ranges of outside employers in determining assignment of classes to salary ranges. Consideration of this factor would be in addition to factor of internal relationship between various classes.

Amendments required to existing law (Organic Act or statutes): Amend Sec. 4-4, R.L.H. 1955, as indicated.

Activities of other departments affected by this proposal: All departments and agencies.

n.r Overtime for Institutional Workers and Others

Purpose and justification: To provide equitable compensation for employees regularly required to work in excess of 40 hours per week. Some positions, particularly those involving institutional care, require more than 40 hours duty per week but there is no means at present of compensating such overtime with result that there is constant pressure to upgrade positions to achieve equity.

Means: Amend Chapter 4, R.L.H. 1955, (probably by adding new section) to provide for overtime pay for positions where normal operations require work in excess of 40 hours per week, with such overtime to be on basis of hourly rates for particular step and salary range being compensated. This should not affect provision for compensatory time to compensate employees required to work overtime during emergency or periodic peak workload periods.

Amendments required to existing law (Organic Act or statutes): Amend Chapter 4, R.L.H. 1955, as indicated.

Activities of other departments affected by this proposal: All departments and agencies.

9. COMMISSION ON CHILDREN AND YOUTH - No proposals submitted.

10.r COMPTROLLER

a.r Count of Money and Securities

Purpose and justification: Territorial law (Sec. 34-51) requires the Comptroller, Tax Commissioner, and Budget Director to make a quarterly count of money and securities in the territorial treasury. The count includes depository securities, whose value (under Sec. 133-3) shall be determined by the Treasurer. The purposes of this proposal are: (1) to clarify the respective responsibilities of the Treasurer and of the departments conducting the count, and (2) to reduce the frequency of the count required by law.

Means: Make statutory language clearly express that (1) the Treasurer shall currently obtain valuation data necessary for insuring that minimum deposits required by Section 133-3 are currently maintained and (2) that the Comptroller (together with the Tax Commissioner and Budget Director) shall examine the procedures and bases of valuation used by the Treasurer. Provide that the scope of the examination (conducted in the course of the count of money and securities) shall be determined by the Comptroller, who shall use such auditing procedures as he deems necessary.

Amend Section 133-3 to delete requirement of quarterly count. Instead, require complete annual count, supplemented by such additional examinations --complete or partial--as the Comptroller deems necessary.

Amendments required to existing law (Organic Act or statutes): Amendments to Sections 34-51 and 133-3, as indicated above.

Activities of other departments affected by this proposal: Activities of Treasurer's office in maintaining securities for deposits of territorial funds.

b.o Disposal of Accounting Records

Purpose and justification: In the absence of a policy governing their retention, accounting records continuously pile up in territorial agencies, creating storage problems which in some cases are acute. This proposal would create means of establishing a policy and alleviating the problem.

Means: Require the Comptroller to establish policy for the retention and disposal of accounting records kept by the various territorial agencies.

Amendments required to existing law (Organic Act or statutes): Amendment of Section 7-8, or insertion of section dealing specifically with accounting records.

Activities of other departments affected by this proposal: Disposition of government records by Archivist and disposal committee created by Section 7-8, R.L.H. 1955.

c.o Audit of Circuit Court Clerks

Purpose and justification: Territorial law requires annual audits by the Comptroller of "the accounts and transactions of the clerks of the Circuit Courts in their official capacity as guardians of minors or insane persons having small estates or as administrators of small estates." This function is extraneous to the regular work of the Comptroller's office.

Means: Transfer responsibility for making the audit from the Comptroller to the Bank Examiner.

Amendments required to existing law (Organic Act or statutes): Amendment of Section 317-60.

Activities of other departments affected by this proposal: Bank Examiner; Circuit Courts, guardianships by clerks.

11.o ECONOMIC PLANNING AND COORDINATION AUTHORITY - No proposals submitted.o

12. EMPLOYEES' RETIREMENT SYSTEM - No proposals submitted.

13. HARBOR COMMISSIONERS, BOARD OF - No proposals submitted.

14. HAWAIIAN HOMES COMMISSION - No proposals submitted.

15.e HEALTH, DEPARTMENT OF

a.e Water Pollution Control Board

Purpose and justification: To create a water pollution control board in the Board of Health on which would be represented government and private agencies with an interest in the control of water pollution.

Territorial statutes have proven adequate to secure the correction of water pollution problems affecting health. However, questions arise from time to time concerning the best use of waters receiving waste discharges. For example, is the best use of a shore water, such as the waters along the Hamakua Coast, the receipt of mill wastes, or is it some other use, such as fishing or recreational? A decision as to the nature of the best use has a direct bearing on the extent of treatment the waste would undergo to meet the quality standards that would be needed to maintain the suitability of the receiving waters for the best use. The proposed board would hear evidence on these kinds of problems and set quality standards to be maintained for receiving waters. The enforcement of the standards would be through the staff of the Board of Health. Similar legislation has been found effective in mainland states.

Means: Adoption of a statute establishing a Water Pollution Control Board in the Board of Health, giving the Board power to gather evidence, hold hearings and set standards of water quality for waste disposal control purposes and to enforce such standards through the agency of the Board of Health and its staff.

Staff needs: 1 Secretary. Technical, legal or other services shall be performed by personnel of the Department of Health and other territorial departments, agencies and offices.

Costs: \$8,000 for salaries; \$4,000 for incidental expenses

Financing: From Federal Water Pollution Act funds as long as these are made available by Congress, then by Territorial General Fund appropriations.

Amendments required to existing law (Organic Act or statutes): None; a new statute is proposed. (Draft bill is already prepared and available.)e

b. Sanitary Certificate to Sell Beef or Pork

Purpose and justification: To require all persons who sell beef or pork to acquire a sanitary certificate from the Board of Health and to require that no license shall be issued by the City and County Treasurer or a County Treasurer to any person to sell beef or pork unless a sanitary certificate of the Board of Health is presented to the Treasurer by the applicant. This request is made to assure that any existing market, shop, location or premises are in a sanitary and fit condition to continue to carry on the business of selling beef or pork before a license is issued. This will also prevent the operation and the issuance of a license to a new operator for such market, shop, location and premises before an inspection is made by a representative of the Board of Health to see whether it is in a sanitary and fit condition to sell beef or pork. This will

also provide a more efficient and added means to assist in the enforcement of the public health regulations of the Board of Health in the area of food sanitation. This requirement will also give the operators of such markets, shops, and premises a greater sense of responsibility and awareness of the public health requirements of good food handling practices for the protection of the consuming public.

Business licenses are not required by law for the sale of fish, lamb, poultry, and poi (Sections 155-54 and 155-82, R.L.H. 1955). However, business licenses are required for the following types of establishments and the pertinent statutes also require sanitary certificates before county authorities may issue such licenses.

Revised Laws of Hawaii, 1955:

Section 155-54 -- Establishments, shops and premises used to manufacture, compound or prepare any confections, cakes, breadstuffs or other food products intended for sale and for human consumption.

Section 155-56 -- Laundry and dyeing and cleaning shops.

Section 155-61 -- Lodging house, tenement house, hotel, boarding house and restaurant.

Section 155-101 -- Steam Laundry.

These requirements provide the Board of Health with a very effective tool to use in securing compliance with sanitation standards.

Means: Amend present statutes to require the presentation of a sanitary certificate from the Board of Health to the City and County or County Treasurer before a license is issued to sell beef or pork in each taxation district.

Amendments required to existing law (statutes): Section 155-42 of R.L.H. 1955 to be amended: "No license shall be issued except upon a certificate of the Board of Health stating that, after examination made, it appears that such shop, building or other premises are in a sanitary and fit condition to sell beef or pork."

Activities of other departments affected by this proposal: None, except to the extent that a Treasurer may not issue a license except upon presentation of a sanitary certificate. The meat inspection program of the Department of Agriculture and Forestry is not affected by this proposal.

c. Prohibition of Marihuana

Purpose and justification: No justification for cultivating marihuana. We know of no medical or scientific use of marihuana. Federal procedures allow defendants in marihuana violations an opportunity to show whether they are licensed to traffic in marihuana. There has not been a single case where the defendant was able to produce such an authorization.

U. S. Treasury Regulations No. 1, relative to the importation, manufacture, production, compounding, sale, dealing in, dispensing, prescribing, administering, and giving away of marihuana (Act of August 2, 1937; Public Law No. 238, 75th Congress), govern traffic in marihuana as a tax law. Fibre and seed producers are subject to this law as enforced by the Federal Narcotics Bureau.

In the Territory of Hawaii, only one such license was ever issued and that was to the now defunct Waimea Plantation Hospital on Kauai. The other day the Federal Narcotics Agent in Honolulu requested the undersigned to check this licensee and to take inventory of supplies at the hospital.

On a previous visit to Kauai, the undersigned checked and found that the only reason for the hospital possessing such a license was due to an oversight on the part of a former bookkeeper who routinely filed for all narcotic permits under the law at that time and since then, they automatically renewed their permit annually.

No marihuana is legally cultivated on Kauai nor is there a need for any marihuana by-product. This statement was obtained from the physician in charge of the hospital at that time.

For an individual to obtain such a license at this time would be like pulling hen's teeth. No factory for fibre production is in existence in the territory and none is contemplated in the future. Treated seeds (bird seed) can be obtained in local stores.

Finally, this deletion will actually place less of a burden on local authorities enforcing narcotic laws. It would be very simple to rule out legal production from the illegal by the simple presentation of a Federal permit by the alleged violator. (Abel S. Fraga, Narcotics Control Section)

Means: Sec. 52-24, R.L.H. 1955 permits the planting, cultivation, etc. of marihuana for medicinal and scientific purposes. It is recommended that this provision be deleted as indicated in the Note below. The proposed amendment will not conflict with controlling federal regulations.

Amendments required to existing law (Organic Act or statutes): Amending Chapter 52-24, Cannabis sativa, Marihuana.

Activities of other departments affected by this proposal: Police.

Note: Change in law requested is to delete all of the remaining sentences following the words "or compounding" in line 43 of page 541, R.L.H. 1955 and to add the following: "provided that nothing in this section shall apply to those licensed by the federal agency controlling narcotic traffic"

d.r Licensing Embalmers

Purpose and justification:

A.r To provide apprentice training of one year before a graduate of an embalmer's school is eligible to take the examination for licensing as a full fledged embalmer. At present, a graduate of an embalmer's

school (usually a nine months course) does not have to serve as an apprentice embalmer. There is a strong feeling among island embalmers that this is not correct and that the young graduate should have additional practice under a licensed embalmer.a

B.a To increase deposits in the embalmers' special fund for the use of the Health Department in administering statutes and regulations pertaining to embalmers and funeral establishments. In addition to increased costs of travel and supplies, a new Board of Health regulation (1958) requires one or more inspection visits annually to each funeral establishment.

Means:

A.a Authorizes the Board of Health to require one year of apprenticeship before a graduate of an embalmer's school may take the examination for an embalmer's license.

B.a Increases the embalmer's license renewal fee from \$5 to \$10.a Since there are 50 licensed embalmers, this measure will augment the embalmers' special fund by \$250 annually. At a meeting on February 25, 1958 at which seven of the ten funeral establishments on Oahu and one from Kauai were represented, it was unanimously agreed by embalmers and funeral directors that this increase in fees was justified.

Amendments required to existing law: A change in wording of Section 72-I of R.L.H. 1955 and a change in the amount of fee specified in Section 72-3 of R.L.H. 1955.a

e.a Transfer and Discharge of Hansen's Disease Patientsa

Purpose and justification: To return to the Board of Health certain administrative responsibilities concerned with admissions, transfers and releases of patients, to, between, and from hospitals operated by the Health Department as provided by Section 50-17, R.L.H. 1955.

Means: By permitting transfer of patients between Hale Mohalu Hospital and Kalaupapa Settlement only with the approval or consent of the Board of Health, and permitting the discharge of recovered patients.

Costs:

(1)a During 1959-61: Savings of the costs of hospitalization for each patient retained at Hale Mohalu Hospital who is released from there instead of at Kalaupapa Settlement where he is now authorized to spend the balance of his life at government expense.

(2)a During subsequent biennia: Savings of the costs of hospitalization for the balance of his life for each person rehabilitated by reason of the application of this measure.

Amendments required to existing law (Organic Act or statutes): Amendment required to Section 50-12, R.L.H. 1955 to permit the Board of Health to transfer patients between hospitals and to discharge them from the hospital when they have recovered.

Activities of other departments affected by this proposal: Some of the discharged patients may need assistance from the Territorial Employment Office and from the Department of Public Welfare.

f.oDisability Compensation for Released Hansen's Disease Patients

Purposes and justification: There are at present 149 patients who have recovered sufficiently from Hansen's disease to be released from compulsory isolation. About 30 will require continuing domiciliary care, but about 120 who are partially or totally disabled would be able to return to the community if they received compensation for their disabilities. The chief deterrent to rehabilitation of these patients and their departure from the Settlement is their economic insecurity and their fear of becoming welfare cases. The cost of maintaining Kalaupapa Settlement for a large number of medically released patients is about \$11.00 per day per person or about \$4,000 per year. It is believed that about ten blind and about 30 or more other totally or partially disabled persons would apply for disability compensation during the biennium. Their departure would result in an immediate saving in expenses and permit a reduction in staff at the Settlement.

Means: Released patients now residing at Kalaupapa and desiring to obtain disability compensation upon departure from the Settlement would have the degree of their disability evaluated by a medical board consisting of physicians of whom at least one should be a specialist in a field related to one or more of the major disabilities with which the patient is affected. The standards for determining total disability or the degree of partial disability would be as nearly as possible the same as those used by the Bureau of Workmen's Compensation. Determination of eligibility for compensation and the amounts to be awarded would be made prior to departure from the institution and would continue during the period of absence. Periodic re-examination is provided for, and the recipient becomes ineligible for compensation payments upon readmission to any government institution of a custodial, correctional, or therapeutic character. In order to encourage patients to take advantage of the provisions of this proposal, a trial period is provided for.

Costs:

A. During 1959-61: \$100,000 for compensation. With immediate savings of \$50,000 in allowances and later savings in salaries by reduction in staff.

B. During subsequent biennia: \$100,000 per biennium with additional amounts to be requested if the savings resulting from application of this legislation show this form of support for ex-patients to be preferred both economically and socially to the present method of providing complete domiciliary care.

Financing: Initially from general fund appropriations, to become self liquidating as savings exceed expenses.

Amendments required to existing law (Organic Act or statutes): New sections required to existing law. This is a new departure from past practice of maintaining institution care for life for ex-Hansen's disease patients.

Activities of other departments affected by this proposal: This program would replace welfare assistance for non-employable ex-patients.

g. Repatriation of Resident Chronically Ill Indigent Patients

Purpose and justification: To provide funds for transportation of indigent patients who have become residents of Hawaii according to the definitions in Act 90, S.L. 1957, but who desire to return to their native country or state upon discharge from hospitals where they have undergone hospitalization at government expense.

Means: By amendment to Act 90, S.L. 1957, permit the use of appropriated funds by hospitals wherein the patient was treated, or by the Board of Health for the payment of all or part of the costs of transporting to their native country or state, patients who have become public charges by reason of prolonged hospitalization at government expense and who desire to return to their native country or state even though they have technically become residents of Hawaii according to definitions established in Section 2, Act 90, S.L. 1957.

Costs: Costs would in most instances be less than one month's additional hospitalization or two months on the welfare rolls of the Territory.

A.eDuring 1959-61: About \$250 per person within appropriated funds.e

B.eDuring subsequent biennia: The same.e

There would be immediate monthly savings to the hospital or the Welfare Department for the balance of the biennium equal to or half as great as the cost of transportation incident to the application of this amendment.

Financing: Financing would come from funds appropriated to the hospital wherein the patient was treated, or from funds received by the Board of Health under the provision of Section 1, Act 90, S.L. 1957.

Amendments required to existing law (Organic Act or statutes): Amendment to Act 90, S.L. 1957 by the addition of another section to this act.

Activities of other department affected by this proposal: Activities of the Department of Public Welfare, Tuberculosis Sanatoria, and chronic disease hospitals operated under the Department of Institutions in addition to hospitals operated under Health Department jurisdiction would be affected.

h.eMeetings of Board of Healthe

Purpose and justification: The Board of Health holds 12 regular meetings annually. By Section 50-4, R.L.H. 1955 it is required to hold three meetings at Kalaupapa Settlement and three at Hale Mohalu. It is not believed to be either necessary or desirable that six of its 12 annual meetings be held at Hansen's disease hospitals. It is proposed that one quorum meeting be held at Kalaupapa Settlement, and one at Hale Mohalu annually, and that, in lieu of the other meetings, the Board be permitted to authorize

two meetings of patients at each place to be held by a member of the Health Department staff or by a member of the Hansen's Disease Advisory Committee. The patients are to be given opportunity to be heard, and the minutes of the additional meetings are to be forwarded for the attention of the Board at subsequent regular meetings.

Means: Authorize the Board of Health to designate a Health Department staff member or a Hansen's Disease Advisory Committee member to hold meetings of patients at Hale Mohalu and Kalaupapa Settlement in lieu of the hitherto required meetings except for one annual quorum meeting of the Board at each place.

Costs:

(1) During 1959-61. None additional to funds currently budgeted. There will be savings in transportation costs since fewer persons will need to travel to the meetings.

(2) During subsequent biennia: None

Amendments required to existing law (Organic Act or statutes): Sec. 50-4, R.L.H. 1955 to be amended.

i. Transfer of Vacation Credit Funds

Purpose and justification: The purpose of this proposal is to remove the requirement of transferring funds representing accumulated vacation credits from one department to another when an employee transfers. Under existing law, when an employee transfers from one department to another within the territorial government, the department from which he is transferred must pay to the other department a sum representing accumulated vacation credits at the time of transfer. This procedure has little merit since the Territory does not maintain an accrual system of accounting which would hold in reserve such accumulated vacation credits. Departments from which an employee is transferred are frequently handicapped by requiring to pay large sums to another department while the other department is not able to use such funds except in very rare cases where the employee resigns within the same fiscal period.

An example may perhaps best describe the problem. Employee X transfers from Department A to Department B on June 1, 1958 with accumulated vacation worth \$780. Out of a twelve month allocation, Department A must pay the individual for eleven months then pay Department B \$780. Department B on the other hand receives \$780 on June 1 which it does not need and this sum will be lapsed on June 30. It seems a rather needless procedure for Department A to pay Department B funds for which it has no need. The same problem would be involved in the event an employee transferred in any other month although it might not appear so dramatic.

This proposal will not jeopardize Department B because while it has an obligation to allow the employee vacation, this merely costs loss of service and does not cost additional funds.

Means: This proposal would be accomplished by amendment to existing law as described under "Amendments required to existing law" below.

Amendments required to existing law: Section 5-36, R.L.H. 1955, should be amended as follows:

(1) The clause "and such department's or agency's appropriation shall be charged for such vacation by transfer of funds or otherwise" appearing after the word "transferred" on line 6 of Section 5-36 should be deleted.

(2) The phrase "together with any other funds previously transferred or encumbered" appearing after the word "employed" on line 12 of Sec. 5-36 should be deleted.

Activities of other departments affected by this proposal: All departments would be relieved of the necessity of transferring vacation credits. This would simplify work by eliminating an accounting procedure which is more of a hinderance than a help.

j. Changing "Chiropodist" to "Podiatrist"

Purpose and justification: There is a national trend to use the word "podiatrist" in place of "chiropodist." The national foot specialists' organization has already changed its name, substituting "podiatry" for "chiropody." The local foot specialist group has requested that the Board of Health institute legislation to effectuate this change in terminology in our local statutes to keep up with the times.

Means: Amendment to statutes.

Amendments required to existing law (Organic Act or statutes): Amendment to the following: Section 46-15 R.L.H. 1955; Act 316, Section 46-15.1 and Section 46-15.2, S.L. 1957.

k. Veterans' Funeral Expense Vouchers

Purpose and justification: Section 348-5, R.L.H. 1955, places upon the Board of Health the responsibility of preparing vouchers for the funeral expenses of veterans under certain conditions. The purpose of this legislative proposal is to transfer this responsibility to the Territorial Council on Veterans Affairs. At the time this responsibility was placed upon the Board of Health the Territorial Council on Veterans Affairs was not in existence. Since this agency handles all the veterans' affairs, it is felt that this function should also be their responsibility.

Means: This transfer of responsibility would be accomplished by amendment to existing law as detailed below.

Amendments required to existing law: Section 348-5, R.L.H. 1955, should be amended as follows:

The words "Territorial Council on Veterans Affairs" should be substituted for the words "Board of Health" on lines 9 and 10 of the first paragraph of this section.

Activities of other departments affected by this proposal: The Territorial Council on Veterans Affairs would be affected by this proposal but the workload involved is insignificant. They are much better prepared to handle these matters than the Board of Health.

16. HIGH SHERIFF

a. Administrative Expenses; Increased Filing Fee

Purpose and justification: The Office of the High Sheriff does not have any appropriation for administrative expenses, supplies, or clerical services. The only appropriation is for the salary of the High Sheriff. Present office equipment is on loan from the Budget Bureau.

Means: Increase the filing fees in the Circuit Courts by 50¢ for each item, such increased amounts to be deposited in the General Fund, with a minimum to be earmarked for the use of the High Sheriff's office.

Staff needs: One clerk-stenographer.

Other needs (land, equipment, supplies etc.): Desks and chairs, typewriters, adding machine, mimeograph machine, and office supplies.

Costs:

(1) Approximately \$9,000.00 for 1959-61 biennium, for clerk's salary, equipment, supplies.

(2) Thereafter, somewhat less, for clerk's salary and supplies.

Financing: From increase in court filing fees.

Amendments required to existing law (Organic Act or statutes): Sec. 219-5, R.L.H. 1955.

Activities of other departments affected by this proposal: None except for accounting procedures of court clerks and territorial financial officers.

Note: On the basis of process filed in the Circuit Court for the years 1955-56-57, an amount in excess of \$19,000.00 annually can be realized by this proposal.

b. Increased Fee for Serving Subpoena

Purpose and justification: Serving officers now allowed \$2 for serving summons and other process, \$1 for serving a subpoena. A subpoena is usually more pressing from point of time, calling for appearance of witness within a few hours, the same day or the next, so that the serving officer has to drop other matters.

Means: Increase fee for serving a subpoena from \$1 to \$2.

Financing: Payable by litigants using services of serving officers.

Amendments required to existing law (Organic Act or statutes): Sections 219-4, 219-8, R.L.H. 1955.

c. Increased Automobile Allowance

Purpose and justification: The cost of operating automobiles has risen with the general rise in the cost of living. Serving officers own, operate and service their own vehicles.

Means: Increase the mileage allowance from 10¢ to 15¢ per mile.

Financing: Payable by litigants using services of serving officers.

Amendments required to existing law (Organic Act or statutes): Sections 219-4, 219-8, R.L.H. 1955.

17. HISTORICAL SITES, COMMISSION ON

a. Secretary of Commission on Historical Sites

Purpose and justification: To make the territorial Archivist the secretary of the Historical Sites Commission. The law creating the Commission named the Executive Secretary of the Hawaii Visitors Bureau as the secretary of this Commission. Experience has shown that the work can be carried on much better by a regular territorial employee whose duties are closely related to the work of the Commission. For several years the Archivist as a member of the Commission has acted as secretary.

Means: Make the territorial Archivist secretary of the Commission in place of the Executive Secretary of HVB.

Costs: None. Archives is already doing the work and no additional staff or funds would be needed.

Amendments required to existing law (Organic Act or statutes): Amend Section 14-7, R.L.H. 1955, by substituting "Territorial Archivist" for "Executive Secretary of Hawaii Visitors Bureau."

Activities of other departments affected by this proposal: The Secretary of HVB agrees wholeheartedly with this proposed change.

18. HOUSING AUTHORITY, HAWAII

a. Financing Housing Authority Revenue Bonds

Purpose and justification: To amend present statutes to permit the Authority to issue revenue bonds secured by the revenues of existing non-federal housing as well as of new projects to be constructed. Bond counsels advise that revenue bonds for new non-federal housing are not saleable, because they do not furnish adequate security for investors. However, the sale of such bonds would be feasible if the net profits realized from existing non-federal housing were used to subsidize the new housing that would be provided under revenue bonds. This means of financing new projects was suggested by the Veterans, Housing, Police and Military Affairs Committee during the 1957 Legislative Session.

Means: By amendatory legislation, authorize the Authority to use revenues from projects constructed to subsidize other projects to be constructed without federal aid.

Other needs (land, equipment, supplies, etc.): None, except normal development needs, if it is financially feasible to develop a project under this method of financing.

Costs: General Fund - none. Rental revenues in excess of expenses to be used as subsidy.

Financing: The development of a project to be much the same as done under federal requirement at the present time, however, prior to development, the Authority would develop a brochure establishing the financial

feasibility of the project including the rental revenues in excess of expense from existing projects other than federally aided already constructed. The HHA would then attempt to sell revenue bonds at the appropriate time.

Amendments required to existing law (Organic Act or statutes):

(a)dEither a new statute or amendments to the Housing Act of 1949, Part II, and possibly of Sections 137-50 et. seq. (the General Revenue Bond Law) would be required before revenues from the existing projects could be pledged to support the revenue bonds contemplated.

(b)dSection 77-38, R.L.H. 1955 provides that when the Governor determines that the need for such housing for the purposes of the act no longer exists, the project shall become subject to and administered by the Authority under Chapter 74 and if revenue bonds are to be issued any determination by the Governor under Section 77-38 could not be made until after the bonds are paid off. Accordingly, Section 77-38 should be amended.

(c)dSection 137-53, R.L.H. 1955, provides a maximum maturity date of 30 years for revenue bonds. In order for the Authority to issue revenue bonds for a 40-year maturity, Section 137-53 would have to be amended accordingly.

(d)dThe General Revenue Bond Law (Section 137-50 et. seq.) makes no specific provision for the issue of refunding revenue bonds. Such a provision would be desirable.

(e)dIn order to pledge other revenues it may be that amendments are required to Section 77-9 to 77-12 inclusive, and to Section 77-20.

One bond counsel firm has stated: "If the presently existing projects were not constructed under the Housing Act of 1947 we would want to make sure that some territorial statute specifically permits the Authority to retain all revenues from the existing projects and to apply such revenues as required for maintenance and operation and to support any one or more revenue bond issues for new projects. Such a provision is necessary because all of the existing projects were constructed with funds appropriated from the Territory's General Fund and we would want to be sure that no claim could be made after the issue of new revenue bonds that any part of the revenues from the existing projects must be returned to the Territory's General Fund."

b.dRemoval of Budgetary Control of Housing Authority Special Funds

Purpose and justification: To provide for bond issues under Section 77-36, R.L.H. 1955, by removal of the Hawaii Housing Authority from provision of Act 320, S.L. 1957. It was proposed by the Committee on Veterans, Housing, Police and Military Affairs of the House during the 1957 session that the Authority use funds from projects other than federal projects to subsidize new construction not included in the federally low-rent subsidized program. In order for the Authority to obligate and commit its special funds they could not be under the control of a third party.

See Proposal a.

Means: By removal from provisions of Act 320, S.L. 1957 to permit the Authority to obligate funds for construction and payment of bonds and interest. Act 320 had as its purpose the placing of special funds under Budget Bureau control. The Budget Bureau was charged with making a study of all special funds and it is to report the findings of its study to the 1959 session of the Territorial Legislature.

Costs: General Fund, none, as special funds are derived from rent, etc.

Financing: No change from present status.

Amendments required to existing law: Section 10 of Act 320 to be amended as follows:

Delete "but as to the Hawaii Housing Authority it shall be applicable only as of July 1, 1959." Substitute in lieu of the deletion: "No provision of this Act shall be applicable to the Hawaii Housing Authority."

Activities of other departments affected by this proposal: None, except the removal of the control from the Bureau of the Budget.

c. Continuance of Part I, Housing Act of 1947

Purpose and justification: To amend present statutes, i.e. Part I, Housing Act of 1947, to allow the Authority to continue to develop and administer housing for the purposes of said Part I, Housing Act of 1947, Until June 30, 1965.

The present termination date is June 30, 1959, and the extension is to provide for the continued operation of P ahala Emergency Homes, NASKA Veterans Homes, Hilo Veterans Homes, Kapala~~la~~ Emergency Homes, Manoa War Homes and other housing administered or developed under this part. The critical housing shortage now existing in the City of Honolulu does not permit the termination of emergency housing, other than Manoa War Homes. Further, additional housing may be developed from proceeds in the Housing Authority Revolving Fund established in Part I, Housing Act of 1947.

To provide for the continued operation of Manana, Halawa, Red Hill and John Rodgers Veterans Homes, which are now under lease from the U.S. Government, Department of the Navy. Without the extension of the powers granted by Part I, Housing Act of 1947, it may not be possible for the Authority to enter into such a contract with the Navy for the continued operation of these units, approximately 1700.

Means: By amendatory legislation, authorize the Authority to continue to develop and administer housing for the purposes of said Part I, Housing Act of 1947, until June 30, 1965.

Other needs (land, equipment, supplies, etc.): None, except normal development needs, if it is financially feasible to develop additional housing under this part.

Costs: General Fund -- none. Rental revenues deposited in the Revolving Fund would be used for construction and development of additional units.

19.a INSTITUTIONS, DEPARTMENT OFa

(Division of Parole and Home Placement)a

a. Exemption of Wards from Minimum Wage Lawa

Purpose and justification: To open, as a result, additional jobs in homes where foster parents operate a private family business which cannot afford to pay the minimum wage but able to provide pocket money, perquisites, training and assistance in the rehabilitation program, especially for wards who are unable to compete in the labor market because of age, inexperience, lack of qualification and/or low mentality.

Means: Authorize the Director of Institutions to set up standards for wards of Division of Training Schools as described in Section 80-20, R.L.H, 1955.

Amendments required to existing law (Organic Act or statutes): Add section, exempting wards of Division of Training Schools from minimum wage and spell out authority placed with Director of Institutions as in Section 80-20.

(Waimano Home)

b.a Commitment of Non-residents to Waimano Homea

Purpose and justification: Since the law mandates acceptance of any individual as a patient at Waimano who meets the commitment requirements, Waimano is required to accept non-residents as well as residents. As a result people having temporary employment in the islands can have their children committed without further obligation since it is virtually impossible to keep track of them once they leave the islands. The care of such children rightfully is the responsibility of the state of the parents' residency.

Means: Amend the law by prohibiting acceptance of non-residents.

Amendments required to existing law (Organic Act or statutes): Amend Section 82-4, R.L.H. 1955, by inserting the phrase "except a non-resident" after the word "person" appearing in line 2.

(Territorial Hospital)

c. Interstate compact on Mental Health

Purpose and justification: To provide a reciprocal agreement with those states which have ratified a mental health compact. The main benefit of the compact insures a mental patient of care and treatment regardless of state residency. This will avoid transfer and accompanying transportation costs and the legal entanglements that sometimes occur.

Means: Legislative ratification

Amendments required to existing law (Organic Act or statutes): New legislation required. (Draft bill is already prepared and available.)

d. Civil Service Exemption of Certain Federally Financed Projects

Purpose and justification: To broaden scope of federally financed projects by making it possible to employ professional people for short-term periods. Due to recruitment problems such employment can be accomplished more readily if professionally qualified people are exempted from civil service.

Means: Amend law.

Amendments required to existing law (Organic Act or statutes): Amend Section 3-20 (r), R.L.H. 1955 as amended by Act 110 of the S.L. 1957 by inserting a comma after the word "research" followed by the phrase "training or limited term projects." The word "research" appears in the second paragraph of Section 1 of Act 110.

e. Change in Hospital Terminology

Purpose and justification: The term "institutional care" wherever used should be changed to "mental hospital treatment" to conform with modern psychiatric phraseology. This is in line with and an extension of the changes in terminology authorized by Act 337 of the Session Laws of Hawaii, 1949.

Means: Amend Chapter 80.

Amendments required to existing law (Organic Act or statutes): Amend Chapter 80, R.L.H. 1955, by substituting the phrase "mental hospital treatment" for "institutional care" wherever it appears.

f. Disposal of Remains of Indigent Deade

Purpose and justification: Provide legal means for Territorial Hospital to dispose of the remains or ashes of indigent deceased patients.

Means: Authorize Territorial Hospital to dispose of indigent deceased patients by burial within grounds within a reasonable time after all efforts have been made to locate relatives.

Costs: During 1959-61: \$500 for grading, grassing, fencing burial plot and grave markers.

Financing: General fund

Amendments required to existing law (Organic Act or statutes): Add new section to Chapter 80, R.L.H. 1955.

Activities of other departments affected by this proposal: Department of Health - see Section 46-13 (f) and (h), R.L.H. 1955.

g. Emergency Admission to Territorial Hospital

Purpose and justification: Clarification of Section 81-27 to determine at what point during emergency admission examination of patient is required.

Means: Revise present law.

Amendments required to existing law (Organic Act or statutes): Amend Section 81-27, R.L.H. 1955.

h. Commitment Procedure; Financial Statement

Purpose and justification: To defer financial inquiry procedure in court commitments of mentally ill persons since this is a fiscal rather than a medical matter. Financial status is not a condition of commitment.

Means: Authorize committing judge or magistrate to require financial statement of committed patient not less than ten (10) days after admission.

Amendments required to existing law (Organic Act or statutes): Section 81-21, R.L.H. 1955, to be amended by deleting last paragraph and substituting therefor a statement embodying the meaning indicated under "Means" above.

i. Commitment Procedure; Physician's Certificate

Purpose and justification: To provide physician with justification for attesting to a condition of mental illness when mentally ill person is unable to do so voluntarily.

Means: Amend Section 81-19, R.L.H. 1955.

Amendments required to existing law (Organic Act or statutes): Amend Section 81-19, R.L.H. 1955, by substituting the phrase "stating in his, her or their professional opinion such person is mentally ill to an extent requiring mental hospital treatment, and because of such illness, lacks sufficient insight or mental capacity to make responsible application therefor" for the phrase beginning with the word "stating" and ending with the word "care."

j. Treatment of Convalescent Patients

Purpose and justification: Provide legal means for the establishment of convalescent facilities or clinics.

Means: Authorize Director of Institutions to establish special facilities for convalescent patients.

Costs: None -- already included in overall hospital budget.

Amendments required to existing law (Organic Act or statutes): Revise Section 81-12, R.L.H. 1955, by adding the phrase "facilities or clinics" after the word "wards" appearing in line 2, and adding to the last sentence, the phrase "and special facilities for the treatment of convalescent patients."

k. Rehabilitation of Patients

Purpose and justification: Make rehabilitation a legal function of the hospital in line with modern concepts of treatment of the mentally ill.

Means: Specify rehabilitation in hospital definition.

Amendments required to existing law (Organic Act or statutes): Amend Section 81-2, R.L.H. 1955, by inserting the phrase "for the reception, hospitalization, treatment, and rehabilitation of mentally ill persons."

l.t Treatment of Mentally Ill Prison Inmate

Purpose and justification: To provide proper security facilities for observation and treatment of criminally insane and other psychotic prison inmates. Present law provides for the transfer of such inmates to the Territorial Hospital for such purposes. The Hospital has neither adequate security facilities nor the trained security force to handle such patients.

Means: Amend law to provide such observation and treatment at Oahu Prison.

Amendments required to existing law (Organic Act or statutes): Amend Section 83-19, R.L.H. 1955.

(Prison System)

m.t Transfer of Prisoners to Other Types of Institution

Purpose and justification: Requirement in Section 83-19 is cumbersome and contrary to long-standing operational practice. This section requires, in order to transfer a prison inmate to the Territorial Hospital, that the prison's physician should ask the Director to apply to the Governor for authorization of transfer. In actual practice, a visiting psychiatrist from the Territorial Hospital makes the initial recommendation. The prison's physician does not enter the picture. Then, by approval of the Warden and Medical Director of the Hospital and with notification to the Director's Office, the transfer is effected.

Means: The above procedure has been found to be very efficient and should be authorized as standard practice.

Amendments required to existing law (Organic Act or statutes): Section 83-19, R.L.H. 1955, should be amended to permit the above procedure.

Activities of other departments affected by this proposal: Division of Territorial Hospital, Department of Institutions.

Note: Section 83-20 prescribes a similar cumbersome procedure in transferring prisoners afflicted with Hansen's disease to Kalaupapa. The section should be modified so that the transfer might be effected by agreement between the Department of Institutions and the Department of Health.

n. Inmate Classification Committee

Purpose and justification: The Classification Committee referred to in Section 83-17, omits mention of the most important member of that committee. Several years ago, a Classification Director was hired but the

wording of the law has not been changed so as to reflect his position. The Chaplain should also be included and we so recommend.

Means: Amend law.

Amendments required to existing law (Organic Act or statutes): Section 83-17, R.L.H. 1955, to be amended to include as members of the Classification Committee of the Prison, the following: Warden, Deputy Warden, Classification Director, Education Director, Senior Security Captain, Chief of the Production Unit and Chief of the Construction and Maintenance Unit, and Chaplain.e

o.e Maintenance of Commutation Recordse

Purpose and justification: Section 83-45 requires that a suitable book be maintained which bears the title of the "Commutation Book" and in which a separate page is kept for recording the commutation awarded to each prisoner. In actual practice, an inmate's record of commutation earned, together with reasons therefor and subsequent forfeitures or restorations is kept in his file folder and is readily available with the rest of the case material whenever it is needed. To maintain a separate book with a separate page for each prisoner will be a cumbersome procedure that serves no useful purpose.

Means: Section 83-45 should be modified to omit reference to a "Commutation Book" with a separate page for each prisoner.

Amendments required to existing law (Organic Act or statutes): Section 83-45, R.L.H. 1955, to be amended as above.e

p. Activities of Prisoners on Maui

Purpose and justification: The law, as written, requires the prisoners on Maui to have, as their primary duty, gorse control work on the island. Although this is an extremely important consideration, it cannot be considered the primary duty. As now written, the work in the gardens, piggery and other essential work about the camp is illegal unless such projects are authorized by the legislature.

Means: Section 83-21.5 needs to be rewritten to give proper attention to gorse control without overlooking the many other essential activities.

Amendments required to existing law (Organic Act or statutes): Section 83-21.5, R.L.H. 1955, to be amended as suggested above.e

q. Review of Penal Code and Procedures

Purpose and justification: Review all laws pertaining to above for the purpose of modernization in order to make same compatible with present philosophy and conditions.

Means: Provide for commission or committee of qualified people to make study and recommendations.

Activities of other departments affected by this proposal: Circuit Courts, Board of Paroles and Pardons, City and County law enforcement agencies.

(Board of Paroles and Pardons)

r.e Determination of Minimum Terms of Imprisonment

Purpose and justification: To vest in the Board of Paroles and Pardons sole authority for determining minimum terms of imprisonment. Involved, as the Board sees it, is the matter of the control of persons convicted of crime. Persons in prison have, by due process of law and subject to the rights of appeal and re-trial, been determined to be felons. They are, therefore, temporarily removed from society as we know it, and it seems most reasonable to be within the province of a department of the government, quite outside that of the courts, to determine how long they shall be incarcerated and when they shall be released and the system under which they are to be released. The Board believes, too, that more uniform and equitable sentences will result if the matter is committed to a central group of persons.

Means: Remove final authority which now rests with the judges of the various circuits, vesting same in the Board of Paroles and Pardons.

Amendments required to existing law: Section 258-52, R.L.H. 1955, as amended, will need to be further amended.

Activities of other departments affected by this proposal: The minimum sentence activity of the circuit courts will be affected by this proposal.

20. LABOR AND INDUSTRIAL RELATIONS, DEPARTMENT OF

a.e Extension of Unemployment Insurance Benefit

Purpose and justification: Extend the duration of benefits from the present 20 weeks to 26 weeks on a uniform basis, and increase the minimum qualifying wages from 30 to 35 times the weekly benefit amount so that qualifying wages will exceed total potential benefits for the longer duration.

Means: Amend the Employment Security Law to effectuate the purpose.

Amendments required to existing law: Section 93-21, R.L.H. 1955, to be amended.

b.e Unemployment Insurance for Government Employees

Purpose and justification: Extend coverage under the employment security law to territorial and county employees under a plan whereby the government, instead of paying contributions, would reimburse the unemployment trust fund the amount of unemployment insurance benefits paid and charged against it.

Means: Amend the Employment Security Law to effectuate purpose.

Costs: Estimate for biennium - \$200,000 for payment of unemployment insurance benefits.

Financing: From legislative appropriation.

Amendments required to existing law: Section 93-7, R.L. H. 1955, to be amended. New sections may have to be added.

Activities of other departments affected by this proposal: All territorial and county agencies will have additional duties of filing wage and separation reports, etc.

c. Unemployment Insurance for Out-of-Territory Employees

Purpose and justification: Extend unemployment insurance coverage to employees hired to perform services solely outside the territory by employers subject to the Hawaii Employment Security Law.

Means: Amend the Employment Security Law to effectuate purpose.

Amendments required to existing law: Sections 93-3 through 93-5, R.L.H. 1955, to be amended.

d. Unemployment Insurance Benefits, Agricultural Workers

Purpose and justification: Provide for identical disqualification provisions in the Agricultural Unemployment Compensation Act as provided in the Employment Security Law.

The same social policy and purpose of unemployment insurance program upon which the Employment Security Law is founded is also the basis of the Agricultural Unemployment Compensation Act. No distinction should be made in the imposition of disqualification upon claimants.

Means: Amend Act 74, S.L. 1957 to effectuate purpose.

Amendments required to existing law: Section 14 of Act 74, S.L. 1957 to be amended.

e. Exclusion of Certain Employees from Unemployment Insurance

Purpose and justification: To provide for an exclusion from coverage under the employment security law, service performed for organizations exempt from income tax under Section 501 of the Federal Internal Revenue Code if such service is performed for compensation not exceeding \$100 per individual in any calendar quarter.

Means: Amend the Employment Security Law to effectuate purpose.

Amendments required to existing law: Section 93-7(i)(1)(i), R.L.H. 1955, to be amended.

f. Unemployment Insurance Benefits, Marginal Cases

Purpose and justification: To provide a step-down of two benefit levels for persons whose earnings in their high quarter during the base period are sufficient to entitle them to benefits, but who lack a few dollars in qualifying wages and so are excluded from benefits entirely.

Means: Amend the Employment Security Law to effectuate purpose.e

Amendments required to existing law: Section 93-21, R.L.H. 1955, to be amended.

g.e Unemployment Insurance, Disqualificatione

Purpose and justification: Provide for disqualification for periods of one to five weeks of employees suspended for misconduct. Under the present law employees who are discharged for misconduct are disqualified for unemployment insurance benefits. Imposition of similar disqualification upon employees who are suspended for a certain period because of misconduct connected with work is justifiable inasmuch as such temporary unemployment is not voluntary.

Means: Amend Employment Security Law to effectuate purpose.

Amendments required to existing law: Section 93-29(b), R.L.H. 1955, to be amended.

h. Unemployment Insurance Contributions, Steps

Purpose and justification: Provide at least ten rate steps in the schedule of contribution rates instead of the present seven. Narrower intervals between rates are more equitable since they reflect changes in employers' experience more accurately. Under the present schedule a slight change in an employer's experience might cause his rate to double.

Means: Amend the Employment Security Law to effectuate the purpose.

Amendments required to existing law: Section 93-67, R.L.H. 1955, to be amended.

i.e Unemployment Insurance Contributions, Reduced Ratee

Purpose and justification: Provide that no employer shall have a reduced rate of contributions if the unemployment compensation fund is less than 5% of the total annual payrolls of all employers for the five preceding years.

Means: Amend the Employment Security Law to effectuate purpose.

Amendments required to existing law: Section 93-65(c), R.L.H. 1955, to be amended.

j.e Unemployment Insurance Contributions of Delinquent Employerse

Purpose and justification: Provide for denial of reduced rate to delinquent employers under the Employment Security Law.

Records show that many employers delinquent in the payment of contributions continue to maintain favorable low rates of contributions. Denial of reduced rate to delinquent employers would encourage prompt payment of contributions.

Means: Amend the Employment Security Law to effectuate purpose.

Amendments required to existing law: Section 93-65, R.L.H. 1955, to be amended.

k. Technical Correction in Employment Security Law

Purpose and justification: Functions and duty of collection of delinquent contributions were transferred from the Tax Commissioner to the Director in 1957. Some doubt exists presently in the interpretation of the Employment Security Law with respect to the authority of the Director in certain areas regarding his collection duties. The term "commissioner" used in certain statutory sections of the Employment Security Law should be changed to read "director."

Section 6 of Act 74, S.L. 1957, contains a technical error. The words "do not" should be deleted.

Means: Amend the Employment Security Law and the Agricultural Unemployment Compensation Act to effectuate purpose.

Amendments required to existing law: Sections 93-72 through 93-74, R.L.H. 1955, as amended, and section 6 of Act 74, S.L. 1957, to be amended.

21. LIBRARY OF HAWAII -- Have communicated they have no proposals to submit to 1959 session.

22. MILITARY DEPARTMENT

a. Military Laws of Hawaii

Purpose: To make minor changes in the military laws to bring them in conformity to present day concepts and to existing federal laws.

Amendments required to existing law: Sections 352, 353, 354, and 355, R.L.H. 1955, to be amended. It is contemplated that Section 353 be repealed in its entirety and a new section written.

b. Civil Service Exemption for Private Secretary to Adjutant-General

Purpose: To remove the position of private secretary to the head of the Military Department from Civil Service control.

Amendment required to existing law: Paragraph (o), Section 3-20, R.L.H. 1955, be amended specifying the Adjutant-General of Hawaii in addition to those department heads listed under the Organic Act.

23. PLANNING OFFICE, TERRITORIAL -- No proposals submitted.

24. PUBLIC ARCHIVES, BOARD OF COMMISSIONERS OF

a. Disposal of Records

Purpose and justification: To make the laws on records disposal more uniform and to centralize the control of records disposal. The general

law on records disposal does not supersede the specific laws which were passed prior to it, nor does it supersede any specific laws that may be passed in the future. The result is only a partial control by the Committee on Records Disposal over records. Furthermore, disposal of records after microfilming is approved by a different board than when not microfilmed.

Means: Amend the laws on records disposal to give the Committee on Records Disposal authority over all territorial records.

Costs: None; work can be done with present Archives staff.

Amendments required to existing law (Organic Act or statutes): Amend Section 7-8, R.L.H. 1955, to state that this section supersedes all specific provisions on records disposal. Amend Section 7-7, R.L.H. 1955, to substitute the Committee on Records Disposal, for the Board of Commissioners of Public Archives.

Activities of other departments affected by this proposal: A complete list of specific provisions for records disposal is not available. Among the departments concerned would be the Comptroller, Tax Commissioner, examining agencies, Department of Labor and Industrial Relations and the courts.

b. Powers of Board of Commissioners of Public Archives

Purpose and justification: To clearly define the powers of the Board to collect territorial records. The Archives should have the power to claim territorial records of agencies going out of existence and to obtain records which have illegally been removed from public offices. These two powers are included in most archival laws.

Means: Amend the law on the Archives to include, but not be limited to:

(a) Receiving all records of official bodies, agencies, etc., going out of existence or otherwise becoming defunct, with such papers and records to be disposed of as otherwise provided.

(b) Claiming and receiving any public records belonging to the Territory, or any of its subdivisions, which have fallen into private possession.

Staff needs: None; work can be done with present Archives staff.

Amendments required to existing law (Organic Act or statutes): Amend Section 13-5, R.L.H. 1955, to include the powers listed above.

Activities of other departments affected by this proposal: All territorial agencies would be affected, insofar as their records are concerned.

25. PUBLIC INSTRUCTION, DEPARTMENT OF

a. New Salary Schedule for Teachers and Principals

Purpose and justification: To present an equitable salary schedule to the legislature. The Hawaii teachers' salary schedule is low in com-

parison with comparable systems throughout the country; because of this we are having difficulty in obtaining trained teachers to fill the needed positions due to turnover and increased enrollment. Even our local University of Hawaii graduates are beginning to accept positions on the Mainland immediately after graduation because of our comparatively low salary schedule.

Means: Change the amounts in the existing salary schedule.

Staff needs: The present staff plus the additional teachers needed for the increased enrollment which will be approximately 5,000 pupils during each year of the biennium.

Costs: During 1959-61 - \$5,500,000

Financing: From general fund appropriation.

Amendments required to existing law: Section 38-31, R.L.H. 1955.

b.i Advisory Board of Vocational Education

Purpose and justification: The present law which sets up an Advisory Board of Vocational Education is not composed on a basis of functional areas but is set up on an employer-employee basis. We think it would serve the purpose much better if it is set up for the areas in which it is to advise, such as, trade and industry, agriculture, business, and home-making.

Means: Change the existing law.

Amendments required to existing law: Section 42-23, R.L.H. 1955, needs to be amended.

26. PUBLIC LANDS, DEPARTMENT OF

a.i Removal of Restrictions on Military Lands Returned to Territory

Purpose and justification: When the armed services decide that public lands set aside to them are surplus to their needs and may be returned to the Territory, in many instances they declare such lands to be surplus and yet secure a provision in the presidential executive order returning them that if they are not used for a specific civilian purpose, they then return to the military. Obviously, this is in conflict with the fact that the lands of Hawaii should be only set aside and used for federal agencies when the need for such use exists. It is further in conflict with the whole idea of the United States government that the military should always be controlled by the civilian government by permitting in the instance of such returns the military to dictate the civilian use of public lands of the Territory of Hawaii which they have declared surplus to their needs.

Means: Secure statute by the Congress at the request of the legislature of the Territory of Hawaii. Cancel such conditions subsequent in presidential executive orders in the past and forbid them in the future.

Amendments required to existing law: Amend Section 91 of the Organic Act.

b.eReturn of Public Lands upon Termination of Original Purpose for Federal Usee

Purpose and justification: In the case of all of our public lands set aside for the use of the armed forces which we seek to have returned to the Territory, the specific use for which they were sought has long since terminated, and has been replaced by no other use which would have justified an initial setting aside for the use of the armed services. If such lands could be restored to the Territory on the termination of the use for which they were set aside, enormously valuable land would be restored to the Territory, and the interminable wrangling with the armed forces would end.

Means: Request by legislature to Congress to secure restoration of public lands set aside to federal agencies when the purpose for which they were set aside has terminated.

Amendments required to existing law: Include the foregoing restriction in Section 91 of the Organic Act.

c. Maintenance of Public Lands Prior to Sale

Purpose and justification: To provide for maintenance and reconditioning of public lands prior to putting them on the market and while they are being held by the Territory. For example, sometimes the grass grows so high that it becomes a fire hazard to surrounding areas, particularly in the residential areas.

The fund should also be available for reappraisals on leases in cases where the leases provide for redetermination of rentals at fixed periods.

Means: An appropriation to be expended by the Commissioner.

Costs: (a) During 1959-61, \$25,000.00 to constitute a revolving fund.
(b) Except to sweeten the revolving fund, no further amounts needed.

Financing: Funds from sale or leasing of public lands, or from general fund.

Amendments required to existing law: A separate statute for this purpose would be adequate.

d.eGeneral Consent for Certain Transactionse

Purpose and justification: In this era of credit it is difficult to secure mortgage money for construction, particularly on homesteads and house lots sold under restrictive conditions of public lands, which would require approval to every assignment whether of or sale under mortgage.

Means: A provision for a general consent to assignments of mortgages and to purchase of the land on foreclosure sales by anyone qualified under the Organic Act would solve this problem.

Amendments required to existing law: Secure resolution of legislature asking amendment of Section 73(g) of the Organic Act.

Comment: JR 49, Session Laws of Hawaii 1957, covered this, but has not been ratified or enacted by the Congress.

e.e Sale of Highway Remnants to Adjacent Ownerse

Purpose and justification: Questions arise from time to time concerning values set upon the sale of highway and other remnants to adjacent owners which are not sold at public auction but upon appraised value. The appraised value should take into consideration the values resulting from identification with the adjoining land.

The law should provide for land purchased as well as condemned.

Means: Secure the request of our legislature to the Congress to enact a law to define the appraised value of a remnant sold to an abutting owner upon appraisal but without public auction as including any value resulting from incorporation in the adjacent land, and to include land purchased as well as that condemned by the Territory.

Amendments required to existing law: Amend Section 73 of the Organic Act by Congress; see P.L. 478, 84th Congress, 2d Session; P.L. 869, 84th Congress, 2d Session.

Activities of other departments affected by this proposal: Territorial Highway Department.

f. Change Definition of Remnant Lands

Purpose and justification: The recent law (P.L. 869, 84th Congress, 2d Session) passed by the Congress permitting the sale of land-locked remnants of land to adjacent owners has failed in one of its major purposes as many of such remnants are unsuitable for development as units, yet are not land-locked within the meaning of the statute. This should be amended by substituting for the words "land-locked" the words "unsuitable for development as a separate unit" or equivalent language.

Means: Secure a request from the territorial legislature for the amendment by the Congress of the law.

Amendments required to existing law: Amendment by Congress of P.L. 869, 84th Congress, 2d Session.

27.e PUBLIC UTILITIES COMMISSIONe

a. Length of Terms of Commissionerse

Purpose and justification: At present Public Utilities Commission members are appointed for three-year terms. A longer term of office would give the public better service through better knowledge of the intricate workings of public utility regulation; would also enable members to serve on national board.

Means: Amend Sec. 104-2 of R.L.H. 1955 to provide for six-year terms of office in lieu of present three-year terms.

Amendments required to existing law (Organic Act or Statutes): Sec. 104-2, R.L.H. 1955.

b. Procedure for Giving Notice of Rate Increase Hearings

Purpose and justification: It is desirable to insure that subscribers to services of public utilities be notified of public hearings involving changes in rates.

Means: Enact statutory provision to require that a public utility which has requested an increase in rates notify its customers of public hearings on the subject through the company's billing procedure.

Amendments required to existing law (Organic Act or statutes): Add provision to Sec. 104-11, R.L.H. 1955.

c. Regulation of Motor Vehicles Serving Public

Purpose and justification: There is at present no centralized control over motor vehicles serving the public. About 900 taxicabs operate on Oahu, probably less than half on a full-time basis, with the remainder operating only during peak hours or "at will." Cabs operating full time do not realize adequate returns to develop sound businesses.

Rural Oahu is serviced inadequately by licensed private vehicles serving as common carriers. Kailua-Kaneohe, with over 26,000 people, depends upon 77 licensed private vehicles with average age of nine years. Leeward Oahu, with over 78,000 civilians and 15,000 servicemen, depends on two bus companies and 35 independent operators.

Control is decentralized. The Public Utilities Commission regulates transportation exclusive of taxicabs; "taxicabs" are defined to include practically all motor vehicles except buses. City ordinances regulate taxicabs but exclude some vehicles. Enforcement of county ordinances is placed on an already overworked police department.

Means: Enact legislation to create a regulatory body to control all motor vehicle carriers serving the public or, in the alternative, place such control in the Public Utilities Commission. (Suggested pattern: Colorado Legislation)

Staff needs: (a) If new agency, would require three to five board or commission members, executive secretary (1), clerical staff (3), and inspector-investigators (2).

(b) If under P.U.C., would need one staff assistant to director, plus one clerk-stenographer, and two inspector-investigators.

Other needs (land, equipment, supplies, etc.): Office space, desks, other supplies.

Costs:

(a) If new agency, \$94,190.00 for first biennium.

	<u>First Fiscal Year</u>	<u>Second Fiscal Year</u>	<u>Biennium Total</u>
A. <u>Personal Service</u>			
<u>Commission</u>			
5 Board Members	--	--	--
<u>Administration</u>			
1 Executive Secretary, SR-250	\$ 8,172	\$ 8,364	\$16,536
1 Account Clerk, SR-90	3,408	3,528	6,936
1 Clerk, SR-30	2,712	2,796	5,508
1 Clerk-Stenographer, SR-60	3,060	3,144	6,204
<u>Motor Vehicle</u>			
1 Inspector I, SR-130	4,176	4,296	8,472
1 Investigator I, SR-150	4,572	4,692	9,264
Total Personal Service Account	<u>\$26,100</u>	<u>\$26,820</u>	<u>\$52,920</u>
B. <u>Current Expense</u>			
\$1,500 per month	<u>\$18,000</u>	<u>\$18,000</u>	<u>\$36,000</u>
C. <u>Equipment</u>		\$ 1,000	\$ 1,000
Desks	\$ 1,210		1,210
Files	1,600		1,600
Chairs	500		500
Typewriter	660		660
Duplicating Machine	300		300
Total Equipment Account	<u>\$ 4,270</u>	<u>\$ 1,000</u>	<u>\$ 5,270</u>
<u>GRAND TOTAL</u>	<u>\$48,370</u>	<u>\$45,820</u>	<u>\$94,190</u>

(b) If under P.U.C., \$39,371.00 for first biennium.

	<u>First Fiscal Year</u>	<u>Second Fiscal Year</u>	<u>Biennium Total</u>
<u>A. Personal Service</u>			
liStaff Assistant, SR-19i	\$ 5,412	\$ 5,544	\$10,956
liInvestigator I, SR-15i	4,572	4,692	9,264
liInspector I, SR-13i	4,176	4,296	8,472
liClerk-Stenographer, SR-6i	3,060	3,144	6,204
	<u> </u>	<u> </u>	<u> </u>
Total Personal Service Account	<u>\$17,220</u>	<u>\$17,676</u>	<u>\$34,896</u>
 <u>B. Current Expense</u>			
Increase in Mileage, 2 Positions *@ \$50 each per month	\$ 1,200	\$ 1,200	\$ 2,400
	<u> </u>	<u> </u>	<u> </u>
 <u>C. Equipment</u>		\$ 1,000	\$ 1,000
Desks	\$ 555		555
Chairs	300		300
Typewriter	220		220
	<u> </u>	<u> </u>	<u> </u>
Total Equipment Account	<u>\$ 1,075</u>	<u>\$ 1,000</u>	<u>\$ 2,075</u>
 <u>GRAND TOTAL</u>	<u>\$19,495</u>	<u>\$19,876</u>	<u>\$39,371</u>

*Inspector and Investigator Positions.

Financing: General fund at outset, subsequently to be financed, in part, from licensing fees. Increase in licensing fee.

Amendments required to existing law (Organic Act or statutes): Amend appropriate section of Chapter 104, particularly section 104-1 and possibly 104-21, 104-27, Chapter 126 of R.L.H. 1955 and Act 151, S.L. 1957.

Activities of other departments affected by this proposal: Honolulu Police Department, City and County of Honolulu, and Counties of Maui, Hawaii and Kauai.

28. PUBLIC WELFARE, DEPARTMENT OF

a. Aid to Blind

Purpose and justification: To conform to federal requirements contained in Section 1109 of the Social Security Act.

Means: Amend Section 108-36, R.L.H. 1955, as amended.

Amendments required to existing law (Organic Act or statutes): Repeal Act 87, S.L. 1957, and insert the following phrase between the words "applicant" and "the" as the same appear on line 20 of Section 108-36 of R.L.H. 1955: "or any other individual for assistance under the federal categories of Old Age Assistance, Aid to the Blind, Aid to Dependent Children or Aid to the Permanently and Totally Disabled,".

b. Support of Incompetent Adults by Parents

Purpose and justification: To make parents of incompetent adult persons liable for their support. Federal matching moneys are not available for payments made to parents of incompetent adult persons unless state law imposes duty to support upon such parents.

Means: Amend Act 173, S.L. 1957.

Amendment required to existing law (Organic Act or statutes): Add the following sentence after sentence ending in "person and property" in Section 1, Act 173, S.L. 1957: "As such, they shall have the duty to care support and maintain him to the extent of their financial ability."

29. PUBLIC WORKS, DEPARTMENT OF - Number of proposals prepared but not submitted in time for inclusion in this report. Will appear as supplement.

30. SIGHT CONSERVATION & WORK WITH THE BLIND, BOARD AND BUREAU OF - No proposals submitted.

31. SURVEY DEPARTMENT - No proposals submitted.

32. TAX COMMISSIONER, DEPARTMENT OF

a. Charge for County Tax Collections

Purpose and justification: At the present time, the total cost of assessing, billing, collecting and administering all taxes, including

shared taxes distributed to county governments according to standing statutes, is borne by the general fund revenues of the Territory. While no detailed cost accounting system is maintained for each kind of tax, on the average, it costs about three and three-quarters cents to collect one dollar of real property tax, which is a 100% realization of the counties, about one and one-quarter cents to collect one dollar of general excise, consumption and compensating taxes of which one per cent of the tax base of all collections made at the rate of two and one-half per centum or higher is allocated to the counties, and one-quarter cent to collect one dollar of fuel tax.

Based on the above, the cost to the Territory in 1957 to collect counties' taxes was as follows:

<u>Kind of Tax</u>	<u>County Collections</u>	<u>Rate Per \$100</u>	<u>Cost</u>
Real Property	\$15,650,207	\$3.75	\$586,833
General Excise, etc.	13,728,072	1.25	171,601
Fuel	<u>4,153,101</u>	.25	<u>10,382</u>
Total	\$33,531,380		<u>\$768,866</u>

The Department of Labor and Industrial Relations pays the Territory for collecting the Employment Security Tax based on a proportional cost.

Special funds of various territorial departments and agencies are charged five per cent of all receipts for the purpose of defraying the prorated estimate of central service expenses of government.

It is only proper that cost in collecting shared taxes be borne by the respective counties.

Means: Legislation.

Financing: Additional cost to counties.

Amendments required to existing laws: Section 132-19, R.L.H. 1955.

b. Generalizing Property Tax Exemptions

Purpose and justification: Section 128-18 of the Revised Laws of Hawaii 1955 contains 69 paragraphs of specific exemptions from real property tax, many of which are for organizations designated by name. This section should be redrafted so as to set up general classifications of exemptions.

Means: Legislation.

Amendments required to existing law: Section 121-18, R.L.H. 1955.

33. TREASURY DEPARTMENT

a. Formation of Non-profit Corporations

Purpose and justification: To provide that non-profit corporations may be formed for any lawful purpose and not only for the establishment and

conduct of cemeteries, colleges, seminaries, churches, libraries or any other benevolent, charitable or scientific associations, as set forth in Section 172-16, R.L.H. 1955. Many persons desire to form non-profit corporations for athletic purposes, community associations, trade associations, and other clubs, in order to obtain limited liability, but cannot do so under the present law as the activities do not come within the scope of the said Section 172-16.

Means: Amend corporation law.

<u>Staff needs:</u>	)	
	)	
<u>Other needs:</u>	)	Not applicable. Can be administered with
	)	staff and budget; otherwise, requested for
<u>Costs:</u>	)	Treasurer's Office.
	)	
<u>Financing:</u>	)	

Amendments required to existing law: Sections 172-16, -17, and -116, R.L.H. 1955 to be amended. Other sections may have to be added. Section 55 of the Organic Act may also have to be amended.

Activities of other departments affected by this proposal: None, except that the Tax Office might be affected indirectly.

(Fire Marshal)

b. Fire Safety of Government Building

Purpose and justification: "To establish a comprehensive fire protection and fire prevention program for the reduction and prevention of loss or damage to buildings and contents and for safeguarding persons working in and using various governmental buildings."

Findings of Ebasco Survey: Less than 50% of buildings comply with fire protection and fire prevention standards. Deficiencies found in the following areas:

- (1) Structural - A preponderance of combustible construction
 - Open stairways or shafts
 - Shingle roofs
 - Combustible extensions or finish detracting from otherwise fire-resistive buildings
 - Fire doors lacking
 - Substandard wiring installation
- (2) Occupancy - Undesirable housekeeping features
 - Improper storage of volatile combustibles
 - Vaults, etc., not provided where needed
 - Waste paper storage or disposal unsatisfactory
 - Improper stove clearances

- (3) Protection - Fire alarm system lacking or deficient
 Extinguisher protection inadequate
 Standpipe extension needed
 Augmented water supply or outside protection imperative
 Automatic sprinkler installation indicated
 Fire brigade and/or monitors desirable
 Fire escape lacking

Means: Scope of Survey - Approximate Number of Buildings Involved:

Government Agency	Oahu	Hawaii	Maui & Molokai	Kauai	Totals
1. Dept. of Public Instr.	500	260	170	80	1010
2. Dept. of Institutions	73	12	3	---	88
3. University of Hawaii	100	5	2	---	107
4. Bd. of Agr. & Forestry	12	6	3	1	22
5. Dept. of Health	15	4	5	3	27
6. Haw. Aeronautics Comm.	72	75	89	11	247
7. Haw. Housing Authority	242	46	12	---	300
8. National Guard	98	22	7	6	133
9. Libraries	7	3	2	1	13
10. Miscellaneous	50	10	5	4	69
Totals	1169	443	298	106	
Grand Total					2016

Staff needs: Estimated that services of two additional qualified men would be needed.

Approximate length of time for two men to conduct survey. (Factors that may affect length of time to effectively and properly conduct survey.)

- (1) Location of building or buildings.
- (2) Travel distance.
- (3) Number of buildings involved at a given location.
- (4) Nature of occupancy.
- (5) Time required for reporting of findings and recommendations.

Costs: A. During 1959-61: \$21,372 for salaries.

During subsequent biennia: That amount plus increments.

B. Other Current Expenses: \$4,400 (Est.)

C. Equipment: \$1,000 (Est.)

D. Motor Vehicles: \$5,000 (Est.)

Financing: (1) Allocation of portion of fire insurance premium tax.

(2)eGeneral Fund. (Reduction of fire hazards would tend to decrease the possibility of fire, thereby effecting considerable potential savings to government.)

Amendments required to existing law: None. However, it may entail prescribing the following:

Methods of Carrying out Objective:

(1)eAppointment of a Central Committee representative of the major units of government.e

(2)eDetermine specific composition and number of members to serve on this Committee.e

(3)eDetermine responsibility of this Central Committee. (Following areas may be considered areas of responsibility:e

(a)eFormulation of policies to be issued by the Governor's office.e

(b)eProvide complete survey by qualified fire protection and safety engineer of every building owned or occupied by the territorial agencies.)e

(Insurance Bureau)

(c)eLicensing and Regulation of Title Insurance Companies

Purpose and justification: To provide for the licensing, regulation and supervision of title insurers transacting business in the Territory. Title insurers and title insurance are presently excluded from the Hawaii Insurance Law, Chapter 181, R.L.H. 1955, which provides for the regulation of all other types of insurers and which became effective January 1, 1956. The legislation provided herein is essentially H.B. No. 1291, H.D. 1 (1955 Legislature) which was intended as a companion bill to the Hawaii Insurance Law to cover the title insurance business, but which failed to pass. Certain minor refinements were added to the bill which was introduced in the 1957 Legislature and which also failed to pass. ("Short Form" S.B. No. 641 and "Long Form" H.B. No. 795.) Thus, this Act is necessary to provide for the regulation of the title insurance business by the insurance commissioner, as was the case from 1917 to 1956. The specialized nature of the title insurance business makes it desirable to create a separate chapter incorporating regulatory provisions peculiar to the business and, by reference, those provisions of the Hawaii Insurance Law which are as properly applicable to title insurers as to all other insurers.

Means: Authorize the insurance commissioner to administer a new chapter providing for the regulation of title insurers and title insurance. Provision is made for (a) Minimum licensing requirements: paid-in capital, \$100,000; guarantee fund deposit, \$100,000; maintenance of

surplus or reserve fund, 10% of premiums collected until fund reaches 25% of subscribed capital stock.

(b)t Operating requirements: Purchase and valuation of title plants; payment of dividends; publication of title and examination fee schedules operation of subsidiary escrow and title examination companies; payment of commissions; examination of insurers and subsidiary abstracting companies; bases for suspension or revocation of license.

(c)t Application of Hawaii Insurance Law: General powers and duties of insurance commissioner relative to the transacting of insurance; licensing requirements other than (a) above; valuation of assets and liabilities; investments; fees and taxes; agency licensing requirements; general insurance policy provisions; unfair trade practices; merger and liquidation.

<u>Staff needs:</u>	)	Not applicable. Chapter can be administered with
	)	staff and budget otherwise requested for Insurance
<u>Other needs:</u>	)	Bureau operation. Only three title insurers are
	)	presently licensed. The insurers and their agents
<u>Costs:</u>	)	are presently, and will continue to be, subject to
	)	taxes and fees applicable to all other insurance
<u>Financing:</u>	)	licensees.

Amendments required to existing law: Add a new chapter.

Note: It is not contemplated that any change in the 1957 bill will be required. Copy of bill is available for easy reference. The bill is patterned closely after the California law and has the approval of the licensees affected.

34. UNIVERSITY OF HAWAII

(a)t Increase in faculty salaries

Purpose and justification: To increase the salaries of employees classified by the Board of Regents by 20 per cent. Faculty salaries have been increased by Mainland institutions at a greater rate than at the University of Hawaii. In Washington, Oregon, and California, during the past year, faculty salaries have been increased by from 20 to 25%. The University of Hawaii draws the greater portion of its faculty from the Mainland and is in direct competition with Mainland institutions. When these institutions pay higher salaries than the University of Hawaii, it becomes impossible to recruit the necessary new and replacement faculty members.

Means: Increase the rate of compensation for personnel of the University of Hawaii, established by the Board of Regents of the University, pursuant to Section 44-8 and 44-10, R.L.H. 1955, as amended and in effect on July 1, 1959, by 20 per cent as of July 1, 1959.

Costs: During 1959-61 -- \$1,500,000. (Note: This is an estimate; exact figures cannot be compiled until completion of 1959-61 Budget Requests.)

Financing: From general fund appropriation.

(b) Suits by and against University

Purpose and justification: Act 144, S.L.H. 1957, established the University of Hawaii as a body corporate but did not amend Section 44-5, R.L.H. 1955, which provides that "the Board of Regents may sue and be sued in its official name." The statutory provision should be clarified by amending Section 44-5.a

Means: Amend Section 44-5, R.L.H. 1955, to read:

"Sec. 44-5. Suits. The University may sue in its corporate name and shall be subject to be sued only in the manner provided for suits against the Territory, and any liability incurred in a suit against the University shall be the liability of the Territory."

Amendments required to existing law (Organic Act or statutes): Amend Section 44-5, R.L.H. 1955.

c. Equipment for Men's Dormitory

Purpose and justification: The University of Hawaii has applied for a loan of \$437,000 from Housing and Home Finance Agency for the construction of the second unit (Unit B) of the Men's Memorial Dormitory (Johnson Hall). The first unit of the dormitory was constructed with bond funds authorized by the 1955 legislature. The second unit will provide 116 beds for male students at the University of Hawaii. If Housing and Home Finance Agency approves the loan, it will be possible to amortize the cost over a period of 40 years and construct the dormitory without cost to the Territory. Housing and Home Finance Agency cannot loan money for furniture and equipment. Housing and Home Finance Agency, before approval of the loan, requires assurance that the dormitory will be fully equipped and ready for occupancy, and that income available will be sufficient for all operating expenses and service of the loan. The joint income from Frear Hall and Johnson Hall (including the new unit) will be sufficient to pay for operating expenses and for servicing of the loan requested. It will not be sufficient to pay for the equipment and furnishings, and these must be provided from other sources.

The cost of furnishings and equipment has been estimated on the basis of the cost of furnishing and equipping the first unit. Both construction cost and equipment cost of the first unit were provided by Act 273, S.L.H. 1955. Enactment of this legislation will enable the University of Hawaii to add the second unit of Johnson Hall to its dormitory facilities at the cost to the Territory of the purchase price of the equipment alone.

Means: Appropriate \$45,000 for the purchase of furniture and equipment for the second unit of Johnson Hall, University of Hawaii, this money to be expended when the University constructs such a dormitory unit.

Costs: Biennium 1959-61 -- \$45,000.

Financing: From general fund appropriation.

(d) Food Processing and Utilization Departments

Purpose and justification: The Food Processing Laboratory, originated by IRAC and supported by EPCA, has been transferred to the Board of Regents of the University of Hawaii with financial support ending June 30, 1959. The continuation of this laboratory will be dependent upon further legislative action.

The proposed Department of Food Processing and Utilization would serve the people of Hawaii more broadly than heretofore by conducting research as follows: (1) by developing new techniques of food processing and packaging; (2) by conducting research on new and improved food products, including tropical fruits, vegetables, and animals; (3) by conducting basic investigations on the maintenance of quality in preserved foods, both canned and frozen; and (4) by conducting research on the utilization of surplus foodstuffs and agricultural by-products through alternative uses.

The creation of a Department of Food Processing and Utilization in the HAES would provide the means whereby competent staff could be recruited and maintained because such staff would have the same rights and privileges as other members of the University, thereby providing for continuity in research; and the broader charter of this department would better enable the University of Hawaii to serve the many agricultural activities of the Territory.

Means: Authorize the University of Hawaii to establish in its Agricultural Experiment Station a Department of Food Processing and Utilization for the purposes as indicated under "Purpose and justification," above.

Staff needs: Food technologist (either research or associate researcher grade, depending on availability); two assistant food technologists; one assistant in food technology (1/2 time); one laboratory assistant (SR-7); and one stenographer (SR-7).

Other needs: None. Office, laboratory, and other research facilities are available in the University of Hawaii by virtue of the transfer of the Food Processing Laboratory from the EPCA.

Costs:

A. During 1959-61: \$18,000 for the food technologist; \$27,200 for the two assistant food technologists; \$3,625 for the assistant in food technology (1/2 time); \$6,864, laboratory assistant (SR-7); and \$6,360, stenographer (SR-7); \$15,000 for supplies, equipment, and other operations.

B. During 1961-63 and subsequent biennia: As shown above in item A plus increments.

Financing: Financing from general fund appropriation initially; federal grants may become available as a consequence of contracts and through other federal funds appropriated to the Hawaii Agricultural Experiment Station by congressional action.

(e) Agricultural Experiment Station, Hawaii:

Purpose and justification: Providing for the establishment and operation of a branch station of the Hawaii Agricultural Experiment Station in the Panaewa Forest Reserve near Hilo, Hawaii, with substations in the Malama-ki Forest Reserve and the Volcano area adjacent to the Volcano farm lots, and making an appropriation therefor.

The experimental branch station and substations established pursuant to this Act shall be operated to determine those agricultural uses the volcanic soils of the area, and of similar areas elsewhere in the Territory, may best be put. Emphasis in research shall be given to the development of techniques whereby volcanic flows may be returned to profitable agricultural use in the shortest period of time and to crops whose cultivation may replace sugar cane, the production of which has been diminishing in the Hilo-Puna area. It has been estimated that during 1957 a total of 2,192 acres, exclusive of sugar cane, were under cultivation there. Among these, 500 acres were devoted to coffee; 400, to papaya; 50, to acerola; 1,132, to macadamia; and 50, to lilikoi. Farmers have encountered problems in the culture and production of these crops and others due to lack of basic and applied information, and they have petitioned the Hawaii Agricultural Experiment Station to conduct agricultural investigations to assist them in their problems. There are approximately 80,000 acres of Aa land in the Hilo-Puna-Volcano areas, of which approximately 64,800 acres has not been put to useful agricultural production. If this unused acreage could be developed even at present productive capacities, the added gross income from the export of horticultural crops may equal \$37.5 million per annum.

Means: Authorize the University of Hawaii to establish a branch station of the Hawaii Agricultural Experiment Station in the Panaewa Forest Reserve near Hilo with substations in the Malama-ki Forest Reserve and the Volcano area adjacent to the Volcano farm lots.

Staff needs: Position and classification symbol: Panaewa Branch Station - Assistant horticulturist R(c), assistant plant physiologist R(c), farm foreman (SR-9), nurseryman II (SR-9), farm laborer II (SR-7); and a mobile labor force for the three locations including three farm laborers I (SR-5) and four general laborers I (SR-3). Malama-ki Substation - Farm foreman (SR-9) and farm laborer II (SR-7). Volcano Substation - Farm foreman (SR-9) and farm laborer II (SR-7).

Other needs: A. Title B, Other Current Expense Requirements: \$40,000 per biennium
B. Title C, Field and Special Equipment: \$46,685
C. Title E, Permanent Improvements: \$134,500
D. Title F, Motor Equipment: \$4,250

Costs:

- (1) During 1959-61: \$30,400 will be required during the first year of the biennium for the hiring of certain of the staff indicated i under "Staff needs," above. During the second year of the bienium, i a total of \$55,500 will be needed. The operational cost of thei substation to meet current estimated expenses will be \$40,000 fori

the biennium. Nonrecurring costs needed to establish the branch and substations are as follows: \$46,685 for field and special equipment; \$134,500, permanent improvements; and \$4,250, motor equipment. These requirements are itemized in "Appendix A."

(2) During 1961-63 and Subsequent Biennia: Salaries for the above named staff and a biennial operational budget of \$40,000.0

Financing: Financing from general fund appropriation initially. Federal grants, while not presently available, may become available as a consequence of congressional action that may be applied to this research facility for salaries and operation. Federal funds cannot be applied towards capital improvements on experimental substations.

Activities of other departments affected by this proposal: Favorable endorsement by the Governor of the Territory of Hawaii in transferring portions of the Panaewa and Malama-ki Forest Reserves as well as territorial land in the Volcano area to the Regents of the University of Hawaii for the establishment of these agricultural research facilities.

It is anticipated that the Departments of Agronomy and Soil Science, Horticulture, Plant Physiology, Plant Pathology, Vegetable Crops and Entomology of the Hawaii Agricultural Experiment Station will use these branch and substations for experimental purposes.

APPENDIX A

Title C: Field and Special Equipment

Office equipment, including 3 sets of metal desks, chairs and file cabinets (Surplus, if available)	\$ 1,000.00
Furniture for staff residence, including bedroom and living room furniture (Surplus, if available)	1,000.00
One household type refrigerator (Surplus)	50.00
One tracklayer tractor, D-4 (Surplus)	500.00
Three farm tractors with accessories	18,000.00
Two power sprayers with accessories for insect and plant disease control	2,000.00
Three power sprayers for weed control (power takeoff from tractor)	1,500.00
One dissecting stereoscopic microscope with accessories	600.00
One compound microscope with accessories	1,000.00
One forced draft electric drying oven	1,300.00
One analytical Torsion balance	325.00
One 5 kilo balance	450.00
One Torsion balance (500 grams capacity)	90.00
One chainomatic balance	550.00
One hand refractometer	220.00
One Kjeldahl distillation and digestion unit (12 flasks)	2,200.00
One muffle furnace	600.00
One colorimeter	350.00
One Wiley Mill, large	600.00
One Wiley Mill, small	200.00
One calculator	1,000.00

One demineralizer	300.00
One flame photometer and attachments	2,100.00
One autoclave, electric	1,700.00
One incubator	350.00
One sterilizer, mobile	1,000.00
Three weather stations, including hygrothermographs, thermometers, rain gauges, actinometers and shelters	2,100.00
One forage-type drying oven	1,600.00
One set--level, tripod, rod and chain	500.00
Miscellaneous equipment such as ladders, tools, etc.	1,500.00
Laboratory supplies and chemicals	2,000.00
Total	\$46,685.00

Title E: Permanent Improvements

Panaewa Branch Station

One residence for farm foreman (needed for research project security and continuity)	\$ 7,000.00
One 3-bedroom residence for visiting staff members, including bathroom and living room	7,500.00
One research building with laboratories for plant physiology and plant pathology and offices for three permanent staff members, 1,800 square feet	40,000.00
One quonset-type buildings, minimum 1,200 square feet for research in Horticulture and Vegetable Crops (concrete floor, plumbing and electricity included)	8,000.00
One quonset-type building, as above, for research in Agronomy and Soils Science	8,000.00
One storage and machine shed, 30' x 80', to house field and greenhouse equipment	7,500.00
One lath house, 50' x 50', including benches and potting facilities	4,500.00
One glasshouse, minimum 800 square feet	5,000.00
One walk-in cold storage unit	2,500.00
Electric power and water storage facilities	2,500.00
Access roads	3,000.00
Fences	4,000.00

Volcano Substation

One residence for farm foreman (needed for research project security and continuity)	7,000.00
One quonset-type building for storage and machine shed	2,500.00
Electric power and water storage facilities	2,500.00
Access roads	1,000.00
Fences	1,500.00

Malama-ki Substation

One residence for farm foreman (needed for research project security and continuity)	7,000.00
One quonset-type building for storage and machine shed	2,500.00
Electric power (Delco) and water storage facili- ties	4,000.00
Access roads	3,000.00
Fences	4,000.00
Total	\$134,500.00

Title F: Motor Equipment

Panaewa Branch Station

One sedan (Surplus)	\$ 500.00
One truck (flat bed) with trailer (Surplus)	750.00
One jeep, 4-wheel drive (Surplus)	500.00
One 1/2-ton truck (Surplus)	500.00

Volcano Substation

One jeep, 4-wheel drive (Surplus)	500.00
One 1/2-ton truck (Surplus)	500.00

Malama-ki Substation

One jeep, 4-wheel drive (Surplus)	500.00
One 1/2-ton truck (Surplus)	500.00
Total	\$ 4,250.00

f.r Department of Animal Pathology

Purpose and justification: Animal production in Hawaii accounts for approximately three-fourths of all income from agriculture, exclusive of sugar and pineapple. Despite this fact, the University of Hawaii and all other territorial agencies are doing no full-time research on the animal disease problems which reduce livestock and poultrymen's profits which in turn raises consumers' costs.

The Division of Animal Industry of the territorial Board of Agriculture and Forestry has done much fine work in the past in developing techniques of disease diagnosis and eradication. This division has been hampered by lack of personnel and funds to conduct urgently needed research. It is logical that the Hawaii Agricultural Experiment Station should conduct research in animal pathology to better assist the territorial Board of Agriculture and Forestry in reducing losses due to disease among Hawaii's livestock and poultry industries.

Means: Authorize the University of Hawaii to establish in its Agricultural Experiment Station a Department of Animal Pathology for the purpose of conducting research on animal disease problems, particularly relating to livestock and poultry.

Staff needs: One animal pathologist (either researcher or associate researcher grade, depending on availability), and a microbiologist (SR-15).

Other needs: Office, laboratory, and animal hospital facilities to be provided on a cooperative basis by the Division of Animal Industry of the territorial Board of Agriculture and Forestry.

Costs:

- A. During 1959-61: \$20,240 for the animal pathologist; \$9,264 for the microbiologist; and \$10,000 for supplies, equipment, and other operations; a sum of \$10,000 will be needed to modify and improve facilities at the territorial Board of Agriculture and Forestry to accommodate this research activity.

B. During 1961-63 and subsequent biennia: Salaries for the research pathologist and microbiologist and a biennial operational fund of \$10,000.

Financing: Financing from general fund appropriation initially; federal grants, while not presently available, may become available as a consequence of congressional action that may be applied to this research facility. ,

Activities of other departments affected by this proposal: Acceptance and cooperation by the Board of Commissioners of Agriculture and Forestry.

35. VETERANS' AFFAIRS, COUNCIL ON - No proposals submitted.

36. WATER AUTHORITY, HAWAII

a. Legal Restrictions on Water Development Projects

Purpose and justification: Certain statutory provisions relating to the Hawaii Water Authority appear inconsistent:

(1) Sec. 8(f) of Act 150, S.L.H. 1957, attempts to define the method of repayment for advances from general obligation bonds issued for three projects:

Sec. 8(a) 3-a, Kona Water Development
Sec. 8(a) 3-e, Lalamilo Extension of Waimea Irrigation Project
Sec. 8(a) 4-u, Development of Domestic Water System on Kauai

The general language of Sec. 8(f) applies to irrigation water, and therefore would apply to the Lalamilo Extension project only [Sec. 8(a) 3-e].

(2) Act 22, S.L.H. 1957, authorizes the Hawaii Water Authority to construct domestic water projects only when directed to do so with respect to specific projects. Attorney General has ruled that Hawaii Water Authority cannot carry out development work for "domestic water" on Kauai [Sec. 8(a) 4-u]. In spite of wording of Sec. 8(a) 4-u, legislative intent believed to permit detailed engineering and geological surveys for proposed Kokee irrigation project (subject, however, to the development of domestic water which is not within the scope of the presently proposed project).

(3) Although Act 150 does not so state, there was some thinking in the legislature that the water development and transmission system at Kona would be constructed by the Water Authority and turned over to the Hawaii County Board of Water Supply for operation when completed. If such a procedure should be followed, the responsibility for repaying the Territory for its advance of bond funds should be made by the Hawaii Board of Water Supply. If the Water Authority is to make these repayments then it will be necessary for the Authority to sell water at wholesale to the County of Hawaii for resale through their distribution system.

This conceivably could be worked out but it is not properly covered by Act 150. Since section 8(f) of Act 150 refers to irrigation, it is not applicable to the Kona domestic water project.

Means: Amend Sec. 8(f) of Act 150, S.L.H. 1957, to accomplish the following:

(1)fPermit the repayment of bond costs for construction over a period of 40 years after a development period for either domestic water or irrigation projects (Patterned after the provision of Act 109, S.L.H. 1957).

(2)fChange the wording of Sec. 8(a) 4-u from "Development of domestic water system" to "Development of irrigation facilities."

(3)fPermit but not mandate the transfer to the Hawaii Board of Water Supply of the water development and transmission facilities at Kona constructed by the Authority, with the provision that if a transfer is effected the Board of Water Supply will assume the responsibility for the repayment.

Amendments required to existing law (Organic Act or statutes): Amend Sec. 8(f) of Act 150, S.L.H. 1957 in foregoing respects.

37. SUPREME COURT

a.fCreation of Administrative Office of Judiciaryf

Purpose and justification: Creation of administrative office of the judiciary of Hawaii, subject to the general supervision and direction of the Chief Justice, to obtain information for and make recommendations to him and generally assist him in coordinating, centralizing, and directing the administrative operations of the courts comprising the judiciary of Hawaii.

Section 5 of ARTICLE V of the proposed Constitution for the State of Hawaii provides for the office of administrative director for the judiciary of Hawaii and should the administrative office of the judiciary of Hawaii be created it will be fully adaptable to Hawaii as a state.

For the general improvement and effective responsible direction of the administration of the courts of the Territory of Hawaii.

(1)fExamine the state of the dockets of the courts, obtain information as to any needs for assistance; prepare uniform and up-to-date statistical data and reports of the business of the courts and advise the Chief Justice to the end that proper action may be promptly taken. Compile information on lapse of time between initial filing and final disposition of cases in trial courts and between docketing and disposition of appeals in the Supreme Court.

(2)fObtain from them estimates of budget requirements of the several courts; examine, review and revise such estimates with representatives of the respective courts concerned, with the view to making their several

estimates consistent and equitable; and finally presenting to the Chief Justice, with recommendations, such estimates as collectively constituting a unified budget for the courts of record of Hawaii.

N. B. — This would be helpful to the courts and also to the legislature. (The district courts are not included because the cost of those courts is met by the respective counties.)

(3) ~~t~~Examine the statistical systems of the courts and make recommendations to the Chief Justice for a uniform system of judicial statistics; collect from the courts and report to the Chief Justice statistical and other data concerning the business of the courts.

(4) ~~t~~Examine the administrative methods of the courts and make recommendations to the Chief Justice for their improvement; attend to such other matters as may be assigned by the Chief Justice and assist the latter by keeping him informed of the operations of the courts, severally.

Staff needs: One administrative officer (SR-31 A and B); one administrative analyst (SR-19 A and B); and one stenographer III (SR-8 A and B).

Other needs:

"B" Other Current Expenses \$1,090
"C" Equipment \$2,842

Costs:

- A. During 1959-61 Biennium: \$41,472 for salaries.
- B. During subsequent biennia: base salaries plus increments.

Financing: General fund.

Amendments required to existing law: Amend Title 26 of R.L.H. 1955, by amending Chapter 213.

Activities of other courts affected by this proposal: This proposal will contribute to the general improvement of the judiciary of Hawaii, by coordinating the operations and centralizing the administration of the courts.

b. Increase in Supreme Court Law Clerks

Purpose and justification: It has been found by experience that two law clerks, however able and energetic, cannot adequately serve the three justices, because each of the latter is, from time to time, and at the same time requiring the services of a law clerk to check authorities and citations pertinent to different cases, the writing of the opinions in each of which shall — in accordance with the practice of the court — have been assigned to the justices severally. Thus, when all three justices are working at the same time, on opinions assigned to each severally, as they now do, a conflict of needs arises as to the use of the services of the two law clerks.

Based upon information available, the highest state appellate court of most or all of the states of the United States, as well as the federal appellate courts, have a law clerk for each justice or judge thereof. Even the District Court of the United States for the District of Hawaii has a law clerk for each of the two judges.

Staff needs: One Supreme Court law clerk (SR-13 A and B)

Other needs: "C" Equipment \$673

Costs:

A. During 1959-1961 Biennium: \$8,472 for salaries.

B. During subsequent biennia: base salaries plus increments.

Financing: General fund.

Activities of other courts affected by this proposal: This proposal will contribute to the improvement of the judiciary.

38. JUVENILE COURT - No proposals submitted.