

**LRB**  
**PUBLICATIONS**  
**1963 - 1989**

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Price: \$3.00



## FOREWORD

In March 1963, the predecessor to the present Legislative Reference Bureau (LRB), which was then a part of the University of Hawaii, published a compilation entitled "Reports of the Legislative Reference Bureau: an Annotated Bibliography." That compilation was "prepared as an aid to legislators, government officials and others who may desire research data on specific subjects or who may wish more general information on Bureau publications." Although it was "anticipated that supplements to this bibliography and cumulations will be issued periodically", somehow that anticipation never came to pass...until now.

The present LRB has undertaken this special project to fulfill the intentions of Tom Dinell as expressed in his Foreword back in 1963. This compilation is divided into reports issued when the Bureau was under the University of Hawaii (1963 - June 1972) and those issued after the Bureau became a legislative agency (July 1972 - 1989). The synopses are presented chronologically by years with a table of contents listing studies by title and an index listing the short titles collected under subject headings. These modifications are designed to improve the usefulness of this volume.

Although these reports span some twenty-six years, we believe that legislators, legislative and executive staff, and others interested in public policy issues may find much information that can be put to use today. In many instances, the observations made and recommendations given may still be generally applicable if conditions have not changed substantially. In other instances, the observations made and recommendations given can be applied by analogy to similar situations occurring in related areas. In yet another application, difficulties that have been observed to exist can be avoided if problems can be recognized beforehand for it has been said, "Those who do not study history are doomed to repeat their mistakes."

The studies covered in this compilation were requested by 7 Acts, 20 Senate Concurrent Resolutions, 3 House Concurrent Resolutions, 36 Senate Resolutions, and 64 House Resolutions.

This compilation is dedicated to the many professionals who have given of themselves in countless hours of research, synthesis, writing and rewriting to complete the assignments reported herein. We hope that their legacy will be of future benefit to all who use this publication.

Samuel B. K. Chang  
Director

February 1990

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## **SUMMARIES OF PUBLICATIONS**

**Prepared by the  
Legislative Reference Bureau  
State of Hawaii  
Under the University of Hawaii  
September 1963 - June 1972**

Persons interested in acquiring copies of any of these reports should contact the LRB Library (State Capitol, Room 005, Honolulu, Hawaii 96813). Titles which are out of print may be borrowed from the Library.

1963

Year-Round Operations of Educational Institutions and the Implications for Hawaii. Mildred D. Kosaki and Irene T. O. Nakamura. 108 p. September 1963.

An examination of the feasibility of operating Hawaii's public elementary and secondary schools on a year-round basis. Also includes some studies on calendar modifications for institutions of higher education.

The University of Hawaii Summer Sessions and a Tuition Differential. Irene T. O. Nakamura. 34 p. December 1963. (H.B. No. 872, HSCR 525).

A study of the likely impact of a tuition differential on nonresident summer session students and whether the summer sessions were truly self-supporting or whether a state general fund subsidy was involved. If the summer sessions are "truly self-supporting", then the imposition of an out-of-state tuition differential would be for non-economic purposes unless it were accompanied by a reduction in resident tuition.

Co-signing: Law and Practices of Consumer Cash Loans and Consumer Installment Credit by Lending Institutions in Hawaii. Patricia K. Putman. 17 p. December 1963. (H.R. No. 88 (1962)).

The general rule of law is that a co-signer is liable for the full amount of the principal plus interest and any costs of collection when the principal borrower or installment purchaser defaults and is found to be judgment proof. This study examined the various aspects of the co-signer problem relative to consumer cash loans and installment credit, including pertinent law, a survey of certain practices by lending institutions, and potential remedial measures, both legislative and administrative.

1964

The Hawaiian Homes Program: 1920-1963. Tom Dineil, Robert H. Horwitz, Herman S. Doi, Michael A. Meriwether, and Allan A. Spitz. 1964. (H.R. No. 87 (1962)).

The study of the Hawaiian Homes Program consists of the following reports:

- (1) The Hawaiian Homes Program: 1920-1963. A Concluding Report. 52 p. February 1964. (Out of print)

This concluding report presents an overview of the Hawaiian Homes program from its inception to the present (1964) and considers a number of proposals for its future development.

During the period 1920-1963, the program has been burdened by a number of handicaps, including the allocation of inferior lands for agricultural homesteads, inadequate financing, and the failure of the program's administration to develop a theory of rehabilitation applicable to the urban developments--toward which the chief impetus of the program has been directed in recent decades. Reduction of these and other obstacles, resolution of inconsistencies in the program and the adoption of new approaches are discussed in this report.

- (1a) Legal Aspects of the Hawaiian Homes Program. Herman S. Doi. 72 p. February 1964. (Out of print)

This report on the legal aspects of the Hawaiian Homes program: (1) analyzes the contents of the Hawaiian Homes Commission Act of 1920 as it existed in 1963; (2) presents and explains the arguments that have been advanced for and against the constitutionality of the Act; (3) examines the implications of the Admission Act; and (4) analyzes the means of amending the Act. The provisions of the Act are organized and analyzed on a subject matter, rather than section-by-section basis. In discussing each subject, all available relevant legal materials have been brought together, including opinions of the Attorney General, court cases, and statutory material. To assist the reader in locating opinions and cases, an index of opinions and cases appears as an appendix.

- (1b) Land Aspects of the Hawaiian Homes Program. Allan A. Spitz. 47 p. January 1964.

This report examines the processes followed in selecting and administering the Hawaiian home lands and some of the results of those processes. It then analyzes the uses to which those lands have been put to achieve the ends of the program. Finally the report comments on such aspects of the program as the utility of community pastures and pineapple agreements and on such problems as those that emanate from the emphasis on non-agricultural homesteading.

- (1c) **Social Aspects of the Hawaiian Homes Program.** Allan A. Spitz and George Y. Won. 74 p. February 1964. (Out of print)

This report describes the social condition of the homesteaders who live on the Hawaiian home lands. It examines the homestead community and the manner in which their population characteristics and other social factors relate to each other.

- (1d) **The Maori Affairs Program.** V. Carl Bloede and Herman S. Doi. 42 p. January 1964. (Out of print)

This report describes the Maori Affairs Program of New Zealand. Many of the programs initiated by the New Zealand government are peculiar to New Zealand and may not be applicable to the Hawaiian scene. The reader is cautioned that in identifying those aspects or approaches utilized in the program which one thinks may be worthy of emulation in Hawaii, such aspect or approach must be thoroughly adapted and redesigned to meet local needs.

**Public Land Policy in Hawaii: Land Exchanges.** Robert H. Horwitz. 79 p. August 1964.

Traces public land policy from the monarchy, republic, the transition period from republic to territory, and the territory. Discusses the overall character of land exchanges from 1900-1962 and the legal doctrine of exchanges. Concludes with problems of appraisal, and retrospective and prospective considerations.

**Student Health Services at the University of Hawaii.** Tom Dinell and Irene T. O. Nakamura. 87 p. October 1964. (Out of print)

Prepared at the request of the University of Hawaii, the purpose of this report was to provide a basis for an adequate and sound student health services program at the university. Describes the responsibility of the university and the health needs of its students, the current (1964) university health services program, and recommends an approach which calls for utilization of both on-campus and off-campus medical services and facilities.

College and the Needy Student in Hawaii. Michael A. Meriwether, Dorothy Moore, and Irene Nakamura. 2 Vols. November 1964. (S.C.R. No. 57, S.D. 2 (1963)).

The basic discussion of financial aid for Hawaii's college age youth appears in volume I and the narrative and statistical appendices appear in volume II. Discusses the basic assumptions underlying a financial aid program for college age youth; the purpose of financial aid, the financial resources necessary to ensure every needy student in Hawaii the opportunity to attend college, qualifications for aid, aid limitation, type of aid, identifying individual need, measuring financial need, state financial aid as a last resource, and financial aid for private schools.

### 1965

Public Land Policy in Hawaii: The Multiple-Use Approach. William V. Frame and Robert H. Horwitz. 95 p. 1965. (Revised 1969).

A revised and expanded report on the multiple-use approach to management of Hawaii's natural resources to include commercial forestry programs; development of state park recreational areas for camping and lodge facilities; strengthening the ranching industry; and reforestation of range land to develop the water-bearing capacity of the land. Earlier publications related to public land policy included the following publications:

- (1) Hawaii's Public Land Laws: 1897-1963 (1963)
- (2) Land Exchanges (1964)
- (3) The Multiple-Use Approach (1965)

These studies presented a comprehensive historical analysis of public land policies and practices of the federal and state governments, with particular emphasis on a review and analysis of land policy in Hawaii from 1893 to 1963.

The 1963 legislative request for research on land policy in Hawaii was broadened and extended in 1965 through S.R. No. 128, which requested that the Bureau update its earlier study of Hawaii's "large private land owners and land use, giving special attention to the many important factors relating to our land resources". This legislative request resulted in the following publications:

- (1) Land Reserved for Public Use (1966)
- (2) Major Landowners (1967)
- (3) An Historical Analysis (1969)

The Ombudsman. 83 p. November 1965. (Out of print)

A description of the functions and responsibilities of an ombudsman, including examples of the ombudsman function in Sweden, Denmark, and New Zealand, an appraisal of the institution, and the feasibility of transplanting the institution in a state.

1966

Public Land Policy in Hawaii: Land Reserved for Public Use. Herman S. Doi, Robert H. Horwitz, Ronald K. L. Wong, Philip N. Marcus. 95 p. August 1966. (S.R. No. 128 (1965)). (Out of print)

A historical survey of public land management and policies of the federal government, state government, with particular emphasis on a review and analysis of Hawaii's public land policies during the period 1893 to 1964. Includes chapters on: gubernatorial use of proclamations and executive orders from 1904-1964, the present (1964) status of land under executive order, land reserved to the federal government, cancellation of executive orders, and the legal doctrine of executive orders.

Education in a Changing World of Work in a Democratic Society. Dorothy L. Moore Edlin. 157 p. December 1966. (H.R. No. 46, H.D. 1 (1964)).

Examines vocational and technical education in Hawaii's public secondary and technical schools including: (1) a description of the present objectives and programs; (2) an evaluation of the present programs in view of objectives; and (3) the development of potential goals.

1967

Trading Stamp Legislation. Charles K. Mark. 75 p. February 1967. (H.R. No. 76 (1966)).

Reviews and examines state laws regulating trading stamp operations with special attention being directed to the consumer protection aspects of such laws. Chapters cover pertinent features of trading stamp operations, analyses of trading stamp statutes, and other legal aspects such as fair trade laws, unfair sales practices act, attempts at prohibition, etc.

**Public Housing in Hawaii--The Evolution of Housing Policy.** Patrick A. Stanley and Roger Y. Dewa. 2 Vols. February 1967. (H.C.R. No. 56, S.D. 1 (1965)).

The first volume describes the development of housing goals as a matter of public policy and sets forth an analysis of the problems these goals have tried to solve. It discusses the value judgments public policy makers must consider in dealing with terms as "housing needs", "opportunities", "self-development", and "contributing to society". Volume II consists of appendices for the reader interested in the statutory, statistical, and bibliographic details of public housing.

**Public Land Policy in Hawaii: Major Landowners.** Robert H. Horwitz, Judith B. Finn, Marie Gillespie, and Karen T. Uemoto. 132 p. 1967 (Reprinted 1969). (S.R. No. 128 (1965)).

Title to nearly half of Hawaii's land is held by the state and federal governments. Inevitably, public land policy in Hawaii has direct and substantial bearing upon the ownership and use of privately-owned land. The report examines certain characteristics of private ownership of land in Hawaii. Chapters cover historical background; major private landowners, statewide; major private landowners by island; and major public landowners. Includes figures, maps, tables, and appendices.

**Hawaii Tax Rate Distribution Estimates.** Ronald F. Hoffman. 223 p. May 1967.

The objective of this study is to construct some estimates of the distribution of effective rates for Hawaii state and local taxes in 1960, and to indicate how the estimates are developed, that is, who pays how much of the Hawaii state and local taxes. The scope is restricted to positive or factual considerations in the sense that normative issues such as who ought to pay how much of the total tax bill are not treated.

1968

**Practical Guide to the Uniform Commercial Code in Hawaii, Articles 1,2,6, 7, and 9.** Stefan A. Riesenfeld. 290 p. January 1968.

This guide analyzes Articles 1, 2, 6, 7, and 9 in section-by-section detail with particular attention to the unitary approach of the Code, relationship of the Code to the Bankruptcy Act, reconciliation between the Code and other Hawaii statutes and references to leading cases and other authorities' interpretation of the Code.

**The Hawaii Wage and Hour Law; Employee Coverage and Economic Effects.** Charles K. Mark. 62 p. February 1968. (Act 168, Session Laws of Hawaii 1967).

A study on minimum wages in Hawaii, including the extent of wage and hour coverage for specific categories of employment, the extent of wage-hour violations, and economic effects of an increase in the minimum wage.

**Compliance of County Agencies with the Hawaii Administrative Procedure Act.** Sonia Faust. 50 p. February 1968. (H.R. No. 273 (1967)).

This report reveals the patterns of compliance with the Administrative Procedure Act found in the counties and attempts to present insights into reasons for lack of conformity where it exists. It was found that while most of the counties are substantially in compliance with the Administrative Procedure Act, there is some nonconformity which is in part due to confusion as to the applicability of the Administrative Procedure Act and in part due, to oversight.

**Quest for Compensatory Education in the State of Hawaii.** Irwin I. Tanaka, Masao Osaki, and John K. Uchima. 97 p. February 1968. (H.R. No. 184, H.D. 1 (1967)).

A joint report by the Bureau and the Department of Education. This study focuses on special educational programs for those whose educational deficiencies may be attributed to deprivations arising from social and economic causes. It does not include special education programs for the mentally retarded and physically handicapped. Because of accessibility, the sources of data on the compensatory programs examined are largely from the island of Oahu, and only limited references are made to programs operating on other islands of the State.

**Dental Care for the Indigent and Medically Indigent in the State of Hawaii.** Harriette Joesting. 97 p. March 1968. (S.C.R. No. 27 (1967)).

This study examines the inter-relationship between poverty, health care and dental care. It reviews the delivery of dental services to the indigent and how these services are paid for in Hawaii. It concludes that the major problems center on the cost of the program, how to deliver care, how best to administer the program, including extensive outreach and follow-up.

Regulation of Political Contributions. Roger Y. Dewa. 158 p. April 1968. (H.R. No. 276 (1967)).

This report describes and analyzes the dilemma confronting legislators...on the one hand, attempting to regulate participation of corporations and business interests that may exercise too great an influence on the political process by large campaign contributions; and on the other hand, attempting to increase public participation. This study deals primarily with federal and state legislation regulating political contributions, but it also examines the difficult problem involved in achieving the goal of broad based participation in the political process.

Hawaii Constitutional Convention Studies. Multivolumes. July 1968. (Out of print)

Introduction by Dr. Allan Saunders.

In addition to separate reports for Constitutional Convention Organization and Procedures, and Introduction and Article Summaries, each Article of the Constitution of the State of Hawaii is presented in a separate volume. Prepared for the 1968 Constitutional Convention members who considered amendments to the 1950 State Constitution.

Foreign Lenders and Mortgage Activity in Hawaii. George K. Ikeda. 53 p. November 1968. (H.R. No. 109 (1968)).

This study examines a proposed amendment to the 1961 foreign lenders law to include the federal savings and loan association as a foreign lender and the impact this amendment would have on the mortgage business in Hawaii. It reviews the background of foreign lenders in Hawaii and the economic impact of loan activities on the construction industry in the State. The study also discusses the possible inequities which arise from outside competition in the local savings and loan industry and which among the lending institutions in the mortgage market would be most affected.

1969

Survey of Population Data to see if Number of Individuals who are Eligible for Medical Assistance can be Determined. Kunio Nagoshi and Jack T. Nagoshi. 15 p. January 1969. (SCCR and HCCR No. 3 (1968)).

Reports on the nature of demographic data available in the State and whether the data can be used to ascertain the number of individuals who are eligible for assistance under the State medical aid program.

Intoxicating Liquor Laws in Hawaii and the Industry. Harold L. Wattel and Patricia K. Putman. 312 p. January 1969.

This report traces the history of liquor and liquor laws and their administration in Hawaii, analyzes the complexities of the economics of each level of the liquor industry, examines the liquor market and what is known of the patterns of liquor consumption, surveys liquor laws and economic experiences nationally, and concludes with a number of suggestions for legislative consideration in the format of a suggested recodification of Hawaii's Intoxicating Liquor Law.

Temporary Disability Insurance. Stefan A. Riesenfeld. 212 p. February 1969. (Act 198, Session Laws of Hawaii 1967).

This report consists of three main parts: (1) an analysis of the statutes establishing temporary disability insurance programs in other states and the experience with such programs; (2) a study of the scope of protection of that type in Hawaii under existing voluntary programs of various types and the adequacy of such protection; and (3) conclusions as to the need and advisability of enacting legislation establishing a compulsory program and proposals for the form and extent of such protection.

Credit Life and Credit Disability Insurance in Hawaii. George K. Ikeda and Patricia K. Putman. 52 p. February 1969. (S.R. No. 101 (1968)).

This report focuses upon the major problem areas in credit life and credit disability insurance, devices to protect the debtor as well as the creditor in credit transactions.

Chapters deal with: (1) credit insurance policy forms, coverage and rates, giving attention to the type of plans available, how premium rates are determined, and who bears the cost for such insurance; (2) credit insurance experience for Hawaii and findings of statistical studies based on information from the Insurance Division, Department of Regulatory Agencies; (3) abuses which have resulted from unregulated credit insurance transactions generally and in Hawaii.

Includes recommended legislation.

Nursing in Hawaii 1968. Harriette Joesting. 52 p. February 1969. (H.R. No. 45 (1968)).

A report to update a 1962 report on nursing and nursing education in Hawaii. Discusses the pressures on health services including the need for more health workers, rising medical costs, and health indices. Examines nursing personnel and nursing education for professional nurses, baccalaureate degree programs, associate degree programs, etc. Examines the nursing population in Hawaii and the nation.

Public Land Policy in Hawaii: An Historical Analysis. Robert H. Horwitz et. al. 200 p.  
August 1969. (S.R. No. 128 (1965)).

Publication of this report concludes a research program dealing with public land policy in Hawaii and undertaken by the Legislative Reference Bureau in 1963. In response to a request by Hawaii's State Legislature, the Legislative Reference Bureau sought to prepare a historical survey of public land policies and practices of the federal and state governments giving particular emphasis to a review and analysis of land policy in Hawaii from 1893 to the present. Three major monographs were prepared in response to this request: Hawaii's Public Land Laws: 1897-1963 (1963); Land Exchanges (1964); and The Multiple-Use Approach (1965). The legislative request for research on land policy in Hawaii was broadened and extended in 1965 through Senate Resolution Number 128, which requested that the Legislative Reference Bureau update its 1961 study of Hawaii's "large private land owners" inasmuch as "current data concerning land ownership and use are not sufficient to permit adequately informed major policy determinations affecting this vital community resource." Specifically, this Senate Resolution requested the Legislative Reference Bureau to study Hawaii's "large private landowners and land use, giving special attention to the many important factors relating to our land resources."

Three additional monographs were prepared in response to the 1965 legislative request: Land Reserved for Public Use (1966); Major Landowners (1967); and An Historical Analysis (1969). These monographs were designed in part to complement the intensive and sustained research programs of the Land Study Bureau of the University of Hawaii, as well as the work of the Planning Office of Hawaii's Department of Land and Natural Resources and other governmental agencies.

Real Estate Investment Trusts and Chapter 207, Hawaii Revised Statutes. George K. Ikeda.  
23 p. October 1969 (H.R. No. 268 (1969)).

An extension of the 1968 Bureau study: "Foreign Lenders and Mortgage Activity in Hawaii", which examines real estate investment trusts to see if they should be included in the definition of foreign lenders.

Compliance of State Agencies with the Hawaii Administrative Procedure Act. Richard F. Kahle, Jr. 67 p. November 1969. (S.R. No. 16 (1969)).

Studies the patterns of compliance with the Administrative Procedure Act by state agencies and presents insights into the reasons for the lack of conformity where it exists.

1970

**Trial of Traffic Cases in Hawaii.** Richard J. Richardson. 53 p. January 1970. (S.R. No. 102 (1968)).

This report explored the organizational structure of courts which try traffic cases in Hawaii and makes some 29 specific recommendations as to how the trial of traffic violations in Hawaii can be improved.

**New Patterns of Health Care: The Physician's Assistant.** Millicent Kim. 83 p. January 1970. (S.C.R. No. 9 (1969)). (Out of print)

Studies the need for certification standards to facilitate the employment of a new field of health specialists, the physician's assistant. Examines the physician's assistant concept, what other states are doing, its relevance to Hawaii, and some of the available alternatives regarding certification standards for this health occupation.

**Feasibility Study on the Consolidation and Placement of State Police Functions and Powers.** Annette Y. Miyagi. 37 p. February 1970. (S.R. No. 205 (1969)).

This report examines those functional areas in six executive departments in which departmental officers are vested with powers similar to a "police officer" and concludes with an analysis of the feasibility of centralizing or consolidating these enforcement functions. Finds that total consolidation of state police functions and personnel in one department is not feasible but partial consolidation may be.

**Rules of the Road for Motor Vehicle Drivers in Hawaii: A Comparative Report.** Patricia K. Putman. 365 p. July 1970.

This study is a section-by-section comparison of the comparable provisions of the Uniform Vehicle Code, each county ordinance, and state law dealing with rules of the road. Following the sectional comparisons is a recommendation for possible legislation, including the enactment of a statewide traffic law and the adoption of supplementary traffic ordinances by the respective counties.

**The Land Use Law Revisited: Land Uses Other than Urban.** Samuel B. K. Chang and Bina M. Chun. 62 p. December 1970. (S.R. No. 295, S.D. 1 (1970)).

The object of this report was to study the feasibility of amending the land use law to provide greater protection for the lands that have been designated for other than urban uses. The report begins with a description of the background of the land use law. It then reviews land uses, other than urban and future implications including a review of four major research studies published between 1967 and 1970. Chapter III assesses the effectiveness of the land use law in meeting its objective by examining all petitions for boundary changes for the four counties between 1961 and 1970.

**Professional and Occupational Regulatory Boards and Commissions of the State of Hawaii.** Annette Y. Miyagi. 83 p. December 1970. (H.R. No. 152, H.D. 1 (1970)).

This study examines the twenty-seven professional and occupational regulatory boards and commissions within the administration of the Department of Regulatory Agencies, except the Public Utilities Commission in order to determine the extent to which these bodies are functioning and performing as intended by law. Discusses the composition and organization, objectives and functions of professional regulatory boards and occupational regulatory boards.

**A Feasibility Study: Day Care Center at the University.** Lois Fukuda. 54 p. December 1970. (S.R. No. 323 (1970)).

This study explores the need for a day-care center on the Manoa campus based on a survey of the needs of undergraduate married students enrolled at the University of Hawaii during Fall 1970 and a survey of child care facilities within a five-mile radius of the campus. Concludes with an economic feasibility of establishing a day-care center at the university campus.

**The Feasibility of Charging Private Consulting Firms for Time and Services Rendered by State Employees.** Carole M. Ikeda. 24 p. December 1970. (S.R. No. 6 (1970)).

The major objective of this study is to provide recommendations for maximum efficiency and to reduce costs to the State in the purchase of private consulting services by the State, such as audits, management surveys, engineering cost or feasibility studies and other research. Excludes contracts for purchase of construction, medical and legal services, and engineering and architectural services involving design and planning. Includes a review of the policies of other states and Hawaii and the applicability of certain alternatives, such as the charging of the time and services rendered by state employees to private consulting firms under contract with the State.

Feasibility of Regulating Public Tax Preparers. Richard F. Kahle, Jr. 20 p. December 1970. (H.R. No. 360 (1970)).

Includes a survey of tax preparers in Hawaii to determine the availability, qualifications, and financial responsibility of the tax preparers. Includes an examination of questionnaires received from forty-four of forty-nine states.

Hawaii Penal Code. Patricia K. Putman. 55 p. (Addendum 8 p.) December 1970. (S.R. No. 340 (1970)).

Presents an overview of the proposed Hawaii Penal Code, a draft submitted by the Judicial Council of Hawaii's Committee on Penal Law Revision, including a review of some of the innovative features of the code. Contains a brief survey of penal law revision in the United States and discusses the proposed draft in relation to the findings and recommendations of recent notable presidential and national commissions that have dealt with crime, civil disorder, urban problems, and violence.

1971

The Law of Landlord and Tenant in Hawaii: A proposed Residential Landlord-Tenant Code. Patricia K. Putman. 72 p. March 1971. (H.R. No. 355 and S.R. No. 279, S.D. 1 (1970)).

This study describes the existing law applicable to residential landlords and tenants; proposes a new law that would codify and reform the legal incidents of the relationship in a manner intended to be fair to landlords and to tenants and consistent with the latest decisions of the Hawaii Supreme Court.

Prepaid Health Care in Hawaii. Stefan A. Riesenfeld. 97 p. January 1971. (Act 198, Session Laws of Hawaii 1967) (Addendum includes appendix: survey questionnaire).

Presents a historical review of compulsory health insurance in the United States and examines the need for legislative action in Hawaii by examining the estimated size of the coverage gap (number of employees who have no health insurance coverage). Recommendation includes a proposed bill.

Hawaii Law School Study. Norman Meller and Carla Ley. 105 p. 1971.

A cost benefit analysis of establishing a law school at the University of Hawaii, including a discussion of the need for lawyers in Hawaii, the shape of a law school curriculum, and alternative types (models) of law schools for Hawaii.

Licensure of Foreign Dental Graduates. Ann M. F. Morimoto. 66 p. January 1971. (S.R. No. 291 (1970)).

An examination of the major issues involved in the licensure of foreign dental graduates and an assessment of the feasibility of removing the American degree requirement from the licensure laws.

Special Education in Hawaii, Parts I and II. Management Analysis Center, Inc. 2 Vols. March and December 1971. (H.B. No. 1260, SCCR No. 23, and HCCR No. 20 (1970)).

Part I details the organizational structure of agencies, both public and private, involved in special education. Part II presents analyses and recommendations in resolving organizational issues and in implementing an effective and efficient special education program for Hawaii.

## 1972

New Car Warranties. Richard F. Kahle, Jr. 71 p. 1972. (H.R. No. 20 (1970)).

This report attempts to pinpoint the reasons for poorly conditioned cars and inadequate service and suggest possible solutions to the problem.

The Implications of Year-Round Education for Hawaii's Public Schools. Carole M. Ikeda. 88 p. February 1972. (H.R. No. 116, H.D. 1 and S.C.R. No. 74, H.D. 1 (1971)).

This report studies the feasibility of rescheduling the public school year as a solution to the rising expenses and financial crisis in the public schools. The three approaches examined were the: (1) "summer program plans"; (2) "year-round school plans"; and (3) "extended school year plans". Includes an analysis of a state opinion survey of parents, teachers, and educational officers.

Cooperative Associations in Hawaii; A Future in Hawaiian Agriculture. Lois Fukuda. 88 p. February 1972. (H.R. No. 92, H.D. 2 (1971)).

A study to recommend incentives for farmers to join agricultural cooperatives. The emphasis of this report is in diversified agriculture, omitting pineapple and sugar production.

Feasibility Study: State Acquisition of Bishop Museum. Samuel B. K. Chang, Jean A. Funatsu, and Kenneth K. Mihata. 95 p. February 1972. (S.R. No. 31, S.D. 2 (1971)). (Out of print)

Contains a history of the Bernice P. Bishop Museum, a survey of selected mainland museums, and an analysis of the legal aspects of governmental acquisition.

## **SUMMARIES OF PUBLICATIONS**

**Prepared by the Office of the  
Legislative Reference Bureau  
State of Hawaii  
Under the Legislature  
July 1972 - December 1989**

Persons interested in acquiring copies of any of these reports should contact the LRB Library (State Capitol, Room 005, Honolulu, Hawaii 96813). Titles which are out of print may be borrowed from the Library.

1972

**A Study Concerning the Relationships Between Certain New Car Dealers and Their Wholesale Distributors.** Richard F. Kahle, Jr. 25 p. December 1972. (S.R. No. 284 (1972)).

This report includes an analysis of national and local experience with respect to the practices and procedures within the motor vehicle industry in Hawaii regarding unfair competition or other abuses which may exist as a result of Hawaii's practice of permitting wholesalers to compete with retailers in the sale of new motor vehicles directly to the consumer.

1973

**Financial Vicissitudes of the Bernice P. Bishop Museum.** Jean Funatsu and Carole M. Ikeda. 49. p. January 1973. (S.R. No. 257 (1972)). (Out of print)

This study deals with the fiscal dilemma of museums in general and the services rendered to the general public by the Bishop Museum in particular. It provides a discussion of the Museum's special services to various governmental institutions and agencies, and recommendations on the methods of providing financial assistance to the Museum.

**Elderly Affairs.** Bina M. Chun. 279 p. February 1973. (Act 202, Session Laws of Hawaii 1972).

A study of the aging population in Hawaii, including programs and services, population, economic needs, education, employment, transportation, health, housing, and comprehensive services. Includes an out-of-state survey.

**In-Migration as a Component of Hawaii Population Growth: Its Legal Implications.** David R. Hood and Bella Z. Bell. 90 p. March 1973. (Act 202, Session Laws of Hawaii 1972).

This study: (1) collects available demographic and socio-economic data regarding Hawaii in-migration; (2) particularizes, based upon collected data, some aspects of the problem of in-migration as it relates to population stabilization; (3) identifies the special governmental demands relating to in-migration as, for example, in education, crime, transportation, employment, public assistance, housing, and health; (4) formulates alternative legislative and other policy measures to influence in-migration; and (5) evaluates the constitutionality of policies recommended.

**Child Care in Hawaii: An Overview.** Lois Fukuda. 284 p. April 1973. (Act 202, Session Laws of Hawaii 1972).

This study provides an overview of the area of child care as it affects children between the ages of birth and four years. An inventory of state services depicts the present level of services. A profile on children, their families, and child care patterns is drawn from statistics available in studies and surveys and from census data information. Various program models are described along with cost facts to provide basic information as to programs established in other areas of the country and in the State.

#### 1974

**Window to the Sea: A Study of the Waikiki Aquarium.** Bina M. Chun. 239 p. January 1974. (S.R. No. 151, H.R. No. 410, H.D. 1 (1973)).

This study presents a general overview of marine resources in Hawaii and the role of the Aquarium; describes various types of model aquariums across the nation; discusses the results of an out-of-state survey of other aquariums and the development of an optimum system; explains and evaluates the current operations of the aquarium; discusses what has been determined to be community needs and the uses of the aquarium; provides an aquarium program evaluation and alternatives for action, future directions, and alternatives for future action.

**Creditor's Remedies.** Richard F. Kahle, Jr. 140 p. February 1974.

This study sets forth those Supreme Court cases and cases in Hawaii and other jurisdictions to determine what legislation is needed to conform Hawaii's statutes to the court decisions of Sniadach v. Family Finance Co., 395 U.S. 337 (1969) and Fuentes v. Shevin, 407 U.S. 67 (1972) which require notice and an opportunity to be heard before a debtor's assets can be seized by a creditor. Contains suggested legislation.

Sanctify the Scales; A study of Consumer Protection in Hawaii. Bina M. Chun. 195 p. January 1975. (S.R. No. 233 (1974)).

This study begins with a discussion of what is occurring outside the State in the field of consumer protection, continues with what exists among governmental agencies in the State, considers current operations of the Office of Consumer Protection, evaluates how that office is meeting the needs of consumers and fulfilling its role, suggests structural and organizational changes, and concludes with a discussion of future trends and alternatives for future actions.

Vocational Education in Hawaii; an Examination of its Administration. Carole M. Ikeda and Lois Fukuda. 130 p. February 1975. (H.R. No. 275 (1974)).

This report examines:

- (1) The fulfillment of certain legal responsibilities under state law and federal regulations by the State Board for Vocational Education;
- (2) The use of federal funds for secondary and post-secondary vocational programs;
- (3) The administrative relationships between the Office of the State Director for Vocational Education and the University of Hawaii system;
- (4) The implementation of the State Master Plan for Vocational Education;
- (5) The follow-up of recommendations made by the State Advisory Council on Vocational and Technical Education.

Feed for Hawaii's Livestock Industry; Some Problems and Prospects. Charles H. Nishimura 124 p. March 1975. (H.R. No. 315, H.D. 1 (1974)).

The principal finding of the study is that problems confronting Hawaii's livestock producers are the result of or relate to four basic factors: (1) national and international factors over which Hawaii's livestock producers have little or no control; (2) problems which are unique to livestock producers in the State over which they have little or no control; (3) problems which are amenable to solution by local initiative but which will require both short-term and long-range support from the state and local governments; and (4) problems which are amenable to solution by concerted and affirmative action by the producers themselves.

Hawaii's Commission on Children and Youth; an Assessment of its Organization, Management, and Operation. Charles H. Nishimura, Lloyd K. Migita, Sally A. Hood, and Robert S. N. Young. 134 p. October 1975. (Act 195, Session Laws of Hawaii 1975). (Out of print)

This report is an examination of the organization, management, and operation of the Hawaii State Commission on Children and Youth. Two principal findings were that the Commission on Children and Youth has been deficient in carrying out its lawful mandates and that a major revamping of the commission's organization, systems, and processes is a clear necessity if legislative goals for children and youth programs are to be fulfilled.

Prepaid Legal Services and Hawaii. Richard F. Kahle, Jr. 87 p. December 1975. (S.C.R. No. 54, H.D. 1 (1975)).

This report gathers into one place numerous writings on prepaid legal services concerning its history and development, the types of prepaid legal service plans and considerations in developing such plans, and the legal problems which have been resolved and which yet remain to be resolved at the national and state level.

1976

Privileged Communication and Counseling in Hawaii. Samuel B. K. Chang, Richard F. Kahle, Jr., James J. McCarthy, and Calvin Azama. 143 p. February 1976. (S.C.R. No. 55 and S.R. No. 263 (1974)). (Out of print)

This study discusses the theoretical basis for a grant of privilege, outlines how generally the four counseling groups (school counselors, public health nurses, social workers, and outreach counselors) perform their functions, and makes observations on the positions of the affected groups and others with whom they interact with respect to a grant of privilege. Concludes with a discussion of the problems of the counseling professions with suggestions and recommendations as to solutions of the problems which apparently exist and a recommendation as to whether or not privilege status should be granted.

A Study of Hawaii's General Excise Tax on Warranty Parts and Labor. Lester J. Ishado. 31 p. November 1976. (S.C.R. No. 113 (1976)).

This study contains an analysis, findings, and recommendations concerning the levying of the general excise tax on credits received by new car dealers from the car manufacturers for amounts expended in meeting the manufacturer's new car warranty.

A Study of Problems in the Condominium Owner-Developer Relationship. 72 p. December 1976. (S.R. No. 439, S.D. 1 (1976)). (Out of print)

A joint report by the Office of Consumer Protection, the Office of the Legislative Reference Bureau, and the Real Estate Commission. This study was limited to problems potentially significant to the largest number of condominium owners and developers dealing with developer control, mixed uses, disclosure and consumer education, warranties, and consumer remedies. Includes a proposed reorganization of the Horizontal Property Regimes Law enacted in 1975.

Hawaii State Veterans Home: A Feasibility Study. Calvin Azama. 136 p. January 1977. (H.R. No. 294 (1976)).

This study focused on two major factors: cost and need of a state veterans home. Other relevant factors included: the kinds and conditions of Veterans Affairs aid, immediate and long-range need, and state policy, fiscal condition, and social obligation.

#### 1977

Towards a Definition of Death. Christine Mukai, Hilary K. Josephs, and Linda Luli Nakasone. 181 p. January 1977. (S.R. No. 432, S.D. 1 (1976)). (Out of print)

A study on whether Hawaii should enact a statutory definition of death. Discusses brain function criteria of death, and resuscitative actions and the determination of death. Includes recommended statutory text.

Iolani Palace Complex: Some Directions for the Future. Samuel B. K. Chang, Lloyd Migita, Ethel Chong, Sally Hood, and Muriel Taira. 186 p. February 1977. (S.B. No. 535, H.D. 1, C.D. 1 (1975)).

The question asked in the resolution requesting the study was "Who should manage Iolani Palace?" The question was unanswerable because the character of Iolani Palace was not sufficiently defined, i.e. there was no policy decision made as to what Iolani Palace is meant to be. The study does cover the management and operation of Iolani Palace, including background and history of Iolani Palace, restoration of the Palace, findings relating to the planning process for the restoration, operation, and management of the Palace.

The Feasibility of Job Sharing by Public Employees in Hawaii; Some Preliminary Considerations. Charles H. Nishimura, Lloyd K. Migita, and Stanley K. Okinaka. 133 p. July 1977. (H.R. No. 406, H.D. 1 (1977)).

This report is an initial effort to identify the salient characteristics and issues undergirding the concepts and practices in job-sharing, and to furnish certain guidelines for performing the follow-up study on job-sharing.

A Study of Hawaii's General Excise Tax on Commissions. Lester Ishado. 60 p. December 1977. (S.R. No. 456, S.D. 1 (1977)).

A study on the applicability of the excise tax to various occupations operating on commissions, including insurance solicitors, general agents and subagents. The focus of this study is on the ability to pass on the tax, i.e. whether there are any laws prohibiting the passing on of the tax, and not whether due to agreements or business practices the taxpayer decides not to pass on the tax.

Standing and Time Limitations to Bring Environmental Actions. Lester Ishado. 86 p. December 1977. (H.R. No. 678, H.D. 1 (1977)).

This study is primarily concerned with who may bring environmental actions to enforce statutes or rules relating to the physical surroundings such as the earth, air, and water, and the classification and use of land. Statutes relating to the protection of animal, bird, and vegetable life, protection of fish and plant life, protection of marine life, junkyard control, and regulation of outdoor advertising were omitted from this study.

## 1978

Hawaii Unemployment Insurance Benefit Financing System: A Review of Two Proposals. Lloyd Migita. 116 p. February 1978. (S. R. No. 379 (1977)).

A review of the alternate systems for financing the State's unemployment insurance program--one based on a modification of the current reserve ratio system, which taxes employers based on the reserves they have accumulated in their unemployment insurance accounts since becoming employers and the second proposal, the benefit ratio system, which assesses employers based on the benefits paid to their former employees during the last three years. Includes suggested legislation.

Sunset: The Concept and its Experience. Calvin Azama. 107 p. April 1978. (H.R. No. 409 (1977)). (Out of print)

A study of various sunset legislation of other states and their experiences with it. The sunset concept is a system to force legislative oversight of agencies or programs. Agencies or programs are automatically terminated with reestablishment only by a positive act of the legislature, and only after review of the agencies or programs. The burden of reestablishment is placed on the agencies subject to legislative review.

The Feasibility of Integrating Human Services in Hawaii: Some Issues, Problems, and Opportunities. Charles H. Nishimura and Stanley K. Okinaka. 262 p. August 1978. (S.R. No. 133 (1976)).

A study of the concepts, practices, and experiences generally associated with the phrase "human services integration". Finds that the concepts, strategies, and experiences relating to the term human services lack a universally recognized or accepted definition and the term is used to refer to one or more of a number of people-oriented services in the traditional helping social services including programs and services which address problems in health, education, manpower development, vocational rehabilitation, nutrition, consumer counseling, and mental health, among others.

Hawaii Constitutional Convention Studies. Richard F. Kahle, Jr. Editor. Multivolumes. 1978.

Presents in understandable form many of the possible issues and the arguments on both sides of such issues that the delegates to the Constitutional Convention of 1978 would consider. In addition to separate reports for Constitutional Convention Organization and Procedures, and Introduction and Article Summaries, each Article of the Constitution of the State of Hawaii is presented in a separate volume, following the format of the 1968 Con-Con studies. The article on taxation and finance is by the Legislative Auditor and the article on collective bargaining is by the Industrial Relations Center, University of Hawaii.

## 1979

Generic Drug Substitution: Feasibility for Hawaii. Calvin Azama. 204 p. February 1979. (S.R. No. 272 (1978)).

This report concentrates on two issues of generic drug substitution:

- (1) Whether chemically equivalent drug products are therapeutically equivalent, and
- (2) Whether cost-savings are realized by permitting generic substitution.

Includes results of survey of 582 physicians and 175 pharmacists on the issue of a nonmandatory substitution law.

**Preserving the Quality of Life in Hawaii: A Strategy for Population Growth Control.** Craig Kugisaki, Cheryl Keiko Hetherington, and Michael C. Davis. 220 p. March 1979. (S.R. No. 166 (1978)).

This report was designed to understand population growth and its impact on the quality of life. Chapters cover evidence of growth, forecasting population growth, defining the population growth problem, and strategies for managing growth.

**Equality of Rights; Statutory Compliance.** Sheila Y. Yee. 73 p. November 1979. (H.R. No. 19 (1977)). (Out of print)

This report identified statutes which were determined to be discriminatory: (1) on the basis of sex; (2) are facially neutral, but in application having a disproportionately adverse effect on members of one sex; and (3) use sex specific terms reflecting archaic attitudes or practices which discriminate on the basis of sex.

1980

**Economic Security for Older Persons in Hawaii: Some Issues, Problems, and Opportunities.** Charles H. Nishimura, Gail M. Kaito, and Lianne L. U. Lai. 192 p. February 1980. (S.C.R. No. 75 (1977)).

Addresses the concern of the legislature relating to the income needs of older residents of the State. Highlights the key issues relating to an income support program for Hawaii's older population, and suggests policy and program alternatives for the Legislature's consideration.

1981

Directory of Administrative Rules. Ken H. Takayama. (As of September 30, 1981).

The purpose of this directory is to serve as a "finding aid" for state administrative agency rules. Unlike a conventional subject index, this directory is the functional equivalent of a detailed table of contents.

Good Samaritan Food Donation Statutes. Ann Masako Ogata. 40 p. October 1981. (H.R. No. 456, H.D. 1 (1981)). (Out of print)

This report traces the history of the good samaritan concept, describes the provisions contained in the enacted good samaritan food donation statutes, and recommends provisions to be included if a statute is adopted in Hawaii.

1982

Review of the Implementation of the Hawaii Correctional Master Plan. Susan Claveria. 76 p. January 1982. (H.R. No. 132 (1981)).

A fact-finding report on the status of the corrections master plan implementation.

Condominium Conversions in Hawaii. Laura Moffat. 96 p. January 1982. (H.R. No. 26, H.D. 1 (1981)).

The report is divided into four major parts. Part I discusses the effects of condominium conversions in Hawaii by presenting data on Hawaii's conversion activity and its beneficial and detrimental effects. Part II focuses on existing legislation in Hawaii, if any, and elsewhere, which regulates condominium conversion activity. Part III presents an analysis of likely constitutional issues raised by laws regulating condominium conversions, and Part IV presents the Bureau's findings and recommendations.

Marine Resources and Aquaculture Programs in the State of Hawaii. Ann Masako Ogata. 43 p. December 1982. (S.R. No. 186 (1978)).

The report traces the role of the ocean and the practice of aquaculture in ancient Hawaii, the surge of interest in marine and aquaculture affairs since the 1969 publication of Hawaii and the Sea and sets forth the present status of the marine resources and aquaculture programs in Hawaii's state government.

A Review of Hawaii's General Excise Tax on Commissions Focusing on Sales Representatives. Susan Chock. 34 p. December 1982. (S.C.R. No. 88 (1982)).

This report studies the general excise taxation of the commissions of sales representatives, specifically reviewing the general excise taxation of the commissions of insurance agents.

Directory of Administrative Rules Filed In Administrative Rules Format. Ken H. Takayama. October 1, 1981 - August 31, 1982 and Table of Statutory Sections Implemented. 183 p. (Undated). (Out of print)

Serves as a "finding aid" for state administrative agency rules. This directory will constitute the primary finding aid until publication of a full administrative rules index is completed.

1983

A Department of Corrections for Hawaii: A Feasibility Study. Susan K. Claveria. 87 p. January 1983. (S.R. No. 124 (1982)).

Explores the validity of certain assumptions about the problems in Hawaii's correctional system by: (1) identifying the problems in the correctional system; (2) ascertaining whether a change in organizational structure is the appropriate remedy; and (3) determining whether establishing a department of corrections is feasible.

Hawaii Legislators' Handbook, 8th Ed. Richard F. Kahle, Jr. 120 p. March 1983. (Supplement: July 1987).

Includes the Senate and House Rules for the Twelfth Legislature, an index and footnote reference to the main volume and updated appendices.

The 1987 Supplement includes legislative compensation and allowances.

Directory of Administrative Rules Filed in Administrative Rules Format. September 1, 1982 - August 31, 1983 and Tables of Disposition, Table of Statutory Sections Implemented. Ken H. Takayama. 159 p. (Undated).

Serves as a "finding aid" for state administrative agency rules. This directory constitute the primary finding aid until publication of a full administrative rules index is completed.

#### 1984

Regulation of Physical Therapy in Hawaii. Deborah Day Emerson. 46 p. February 1984. (H.R. No. 287 and S.R. No. 122 (1983)).

A study on the advisability of establishing a board under the Department of Commerce and Consumer Affairs to license physical therapists and physical therapist assistants and regulate the practice of physical therapy.

A Home Equity Conversion Program for Hawaii's Elderly Homeowners. Gail M. Kaito. 90 p. February 1984. (H.R. No. 19 (1983)).

Examines the home equity conversion programs in operation in Buffalo, New York, Musashino City, Tokyo, Japan, and other examples such as reverse mortgage loans and sale-leasebacks which have the potential for generating high lifetime income to the senior homeowner with lower risk than a split-equity program modeled on Buffalo's HELP program.

Motorcycles under the Hawaii No-Fault Law. Susan K. Claveria. 83 p. March 1984. (H.R. No. 391 (1983)).

Examines the effects of excluding motorcycles from the State's no-fault law, including effects on medical insurance rates, military coverage, and other consequences.

1985

The Feasibility of Environmental Reorganization for Hawaii. Susan K. Claveria and Gail M. Kaito. 145 p. January 1985. (S.C.R. No. 135 and H.C.R. No. 78 (1984)). (Out of print)

The scope of this study was limited to pollution control and related programs rather than "all matters of environmental quality" as requested by the resolutions. Programs in wildlife protection, land use, and water resource management were omitted. The study focused on the pollution control-related functions performed by the Department of Health, the Department of Agriculture, and the planning, coordination, and education functions of the Office of Environmental Quality Control, the Environmental Council, and the University of Hawaii Environmental Center. The primary objectives of the study were to: (1) identify the problems of the current organizational structure in administering Hawaii's pollution control programs; (2) ascertain whether or not the problems warrant structural reorganization to create a new agency; and (3) propose options for reorganization, if warranted.

Third-Party Reimbursement of Clinical Social Workers. Claire M. Marumoto. 61 p. February 1985. (S.R. No. 143, S.D. 1 (1984)).

Examines the possibility and advisability of including clinical social workers in federal and state insurance plans in response to the request that the Bureau study the most feasible means of implementing legislative changes to permit the reimbursement of clinical social works under Medicare, Medicaid, and Hawaii insurance laws.

Statewide Standardized Testing Program of the Department of Education. Christina Uebelein. 71 p. November 1985. (H.R. No. 335 (1985)).

This study considers how well Hawaii's testing program provides decision makers with the kinds of information they need, and whether the information is provided in a timely manner and in an economically efficient way.

After presenting an overview of competency-based education and achievement testing, the report describes Hawaii's statewide standardized testing program and presents the results of a survey of the opinions of educators about the tests. The report concludes with findings and recommendations based upon the information gathered.

The Flexible Working Hours Program for State Employees. Karl K. Motoyama. 92 p.  
November 1985. (H.R. No. 195, H.D. 1 (1984)).

Based on the experiences of the federal government and other organizations, study finds flexible work hours is an effective means of improving employee morale, decreasing tardiness and absenteeism, and increasing productivity. Observes that state departments do not actively promote participation in flexible hours to employees.

Also determines that although flexible work hour programs can improve the quality of work life, the ability of such work programs to reduce traffic peaking and congesting in the State, specifically on Oahu, is very limited.

1986

Temporary Teachers Appointment Agreement of the Department of Education. Linda K. Goto.  
100 p. January 1986. (H.R. No. 221, H.D. 1 (1985)).

This study traces the historical development and implementation of the temporary teachers appointment agreement program; the circumstances and impact of the adoption of the 1985 revision to School Code Regulation 5102; the legal, collective bargaining, and cost issues pertaining to temporary teachers; and results of surveys sent to both probationary and temporary teachers here in Hawaii about the temporary teacher program and of surveys distributed among labor relations boards and school districts regarding the temporary teacher situation nationally. The report concludes with findings and recommendations regarding both the temporary teacher program and the teacher appointment program of the Department of Education.

Post-Retirement Increases in the Employees' Retirement System of Hawaii. Claire M. Marumoto. 111 p. January 1986. (H.R. No. 133, H.D. 1 (1985)).

This report discusses post-retirement increases generally and as they are applied in the retirement systems of the federal and private sectors and the other states as bases for comparison with, and as possible alternatives to, the present post-retirement allowance formula in the Employees' Retirement System.

**The Establishment of an Independent University of Hawaii at Hilo.** Joyce D. Kahane. 112 p. January 1986. (H.R. No. 119, H.D. 1 (1985)).

A jointly written report by the Bureau and the Department of Planning and Economic Development (now, Department of Business and Economic Development). The Bureau reports on the historical background of higher education in the United States in general and in Hawaii in particular, and the issue of the "frustration" of the University of Hawaii at Hilo as part of the larger University of Hawaii system.

**How to Research Constitutional, Legislative, and Statutory History in Hawaii.** Richard F. Kahle, Jr. 91 p. July 1986.

Discusses how a bill becomes law; how to follow a bill during the legislative session; researching the legislative history of statutes; short cuts in legislative research; useful tables; and constitutional convention proceedings.

**An Examination of Child Abuse and Neglect Services in Hawaii.** Christina Uebelein. 73 p. September 1986. (H.R. No. 147, H.D. 1 (1986)).

A study prepared in response to a request to examine the lack of coordination in child abuse and neglect services. The report makes recommendations in four sections: (1) organizational structure; (2) program administration; (3) service delivery; and (4) budget making.

**The Residential Landlord-Tenant Code.** Claire M. Marumoto. 113 p. December 1986. (H.R. No. 96 (1986)).

The focus of this report is on suggested amendments to the residential landlord-tenant code, with supporting chapters on the rental market, court cases, and types of landlord-tenant complaints filed with the office of consumer protection. A legislative history of the code is included as an appendix.

**Definition of an "Independent Contractor" under Hawaii's Labor Laws.** Linda K. Goto. 181 p. January 1987. (H.R. No. 145, S.D. 2 (1986)).

This study sought to develop a uniform definition of "independent contractor" to be applicable to title 21, Hawaii Revised Statutes, relating to employment security, workers' compensation, temporary disability insurance, and prepaid health care laws. The Bureau found that the issue of a uniform definition of "independent contractor" for these four labor laws is spurious. The three part ABC test present in the employment security statute and the temporary disability insurance and prepaid health care administrative rules is the test uniformly used to differentiate between a covered employee and an independent contractor under these three laws. Regarding determinations under the workers' compensation law, the Department of Labor and Industrial Relations appears to have adopted a test of "economic reality" rather than the "relative nature of the work" test which is more well-established in the workers' compensation field. However, both of these tests have similar analyses to the ABC test and all three of these tests ("economic reality", "relative nature of the work", and the ABC test) are departures from the common-law-master-servant test. Accordingly, uniformity in the definition of "independent contractor" among these four labor laws does not appear to be the critical issue underlying this study.

**The Molokai Irrigation System: A Management Study.** Joyce D. Kahane. 84 p. January 1987. (S.R. No. 98, S.D.1 (1986)).

An examination of the management of the Molokai Irrigation System including its physical facilities, interviews with government representatives, extension agents, visitor industry executives, and a survey of farmers who depend on the water supplied by the system. Makes specific recommendations to improve the system.

**Assuring Dignity In Long-term Care for the Elderly.** Susan K. Claveria. 92 p. February 1987. (H.R. No. 177, H.D. 1 (1986)).

The focus of this report is narrow. It examined the concept of using a tax credit for long-term care insurance as one type of incentive to encourage people to provide for themselves rather than relying on government assistance. The report recommends that:

- (1) Whether or not a tax credit is enacted, the State must assume a more active role in consumer education.
- (2) If the legislature decides to implement a tax credit, it should be done in conjunction with the enactment of a law like the model law of the National

Association of Insurance Commissioners which establishes guidelines for the sale of long-term care policies.

- (3) Because long-term care insurance in its present form is a financing mechanism primarily aimed at relieving the cost burden of institutional care, a tax incentive for premiums paid for such insurance is just one method of possibly alleviating the Medicaid burden.

**Compendium of State Ocean and Marine Related Policies.** Thomas S. Brennan and Ken H. Takayama. 1 Vol. February 1987. (H.R. No. 246 (1986)). (Out of print)

Collection of references to state statutes, administrative agency rules, functional plans, and other documents used by state agencies in formulating ocean and marine-related policies. Recommendations are also included with regard to the feasibility of enacting, organizing, or otherwise publishing these state policies in a particular manner.

**Convention Center Site Selection Study.** Calvin Azama. 103 p. Appendices. February 1987. (S.R. No. 133, (1986)).

An examination of the following factors relating to the selection of a convention center for Honolulu: (a) market factors; (b) site factors; (c) development factors; (d) planning and land use factors; (e) local impact factors. Developed a final ranking and recommendations for the following sites: Ala Wai Golf Course, Fort Armstrong, Fort DeRussy, and Waikiki Shell/Kapiolani Park.

**Bus Transportation for Public School Students on Oahu.** Karen Essene. 85 p. November 1987. (H.R. No. 96, H.D. 1 (1987)).

This report examined state school bus service in the Honolulu, Central, and Windward departmental school districts on Oahu to determine the adequacy of the present school bus program, the appropriateness of the program's current rules, the role of public school student transportation on Oahu's traffic congestion, and traffic relief projects, and the potential costs and benefits of expanding the school bus program.

**Sponsorship of State Commemorative Medallions: A Feasibility Study for Hawaii.** Samuel B. K. Chang. 93 p. November 1987. (H.R. No. 208, H.D. 1 (1987)).

This report examines the trends, both nationally and internationally, of the production and sale of precious and nonprecious coins and medallions as a revenue-raising device of national and state governments. Discusses factors to be considered in the minting and marketing of precious and nonprecious coins and medallions. Makes recommendations in the event the legislature decides to go ahead with a medallion program and includes an annotated draft of proposed legislation.

**Ownership Patterns of Land Beneath Hawaii's Condominiums and Cooperative Housing Projects.** Colleen C. Sakai. 92 p. November 1987. (S.R. No. 25, S.D. 1 (1986)).

An examination of the ownership patterns of lands beneath Hawaii's residential condominiums and cooperative housing projects to determine whether an oligopoly of landowners exists. The data indicated that the great majority of those who live in leasehold condominiums and cooperatives do not own them.

**Two Land Recording Systems.** Jean Kadooka Mardfin. 58 p. December 1987. (H.R. No. 47, H.D. 1 (1987)). (Out of print)

An examination of the regular land recording system and the Torrens, or land registration system in Hawaii. The examination determined that the two recording systems are not interchangeable and that they cannot be combined into a single system for land recordation and clearing title to land.

**The Sugar Industry in Hawaii: An Action Plan.** Joyce D. Kahane and Jean Kadooka Mardfin. 69 p. December 1987. (H.R. No. 216, H.D. 2 (1987)).

An examination of the condition of the sugar industry in Hawaii including a discussion of the sugar industry's problems and opportunities. The report contains a specific action plan in order to retain the viability of the industry in Hawaii.

1988

**Ohana Zoning: a Five Year Review.** Susan Ekimoto Jaworowski. 108 p. January 1988. (S.C.R. No. 88 (1987)).

This report investigates the state-mandated "ohana zoning" law, in which a second home may be placed on a single family lot despite county zoning ordinances if certain requirements are met. The purpose of the law and the county experiences with it are analyzed. The report notes that the intended beneficiaries of the law are unclear, and suggests options for modifying the law once the purpose is clarified.

**State Funding for the Bishop Museum.** Joyce D. Kahane. 118 p. January 1988. (S.C.R. No. 56 (1987)).

This report examines the feasibility of designating the Bishop Museum as the State Museum for Natural and Cultural History with an annual line item appropriation for the operation of the Museum, and considers state acquisition of Museum real estate properties that are of cultural and historic significance to the State. The study primarily focuses on the question of state funding to the museum.

**Small Business: Current Problems and Opportunities.** Sanford Inouye. 140 p. January 1988. (S.C.R. No. 102, S.D. 1 and H.R. No 260, H.D. 1 (1987)).

The report identifies and reviews problems and issues of high priority concerns of small businesses in Hawaii and existing business programs and services available to small businesses in the State, as well as identifies and reviews various business development programs and services for small business which have been established in other jurisdictions.

**Utility-Financing of Energy Conservation: A Short-Term Approach to Hawaii's Oil Dependency.** Charlotte A. Carter-Yamauchi. 106 p. January 1988. (H.R. No. 14, H.D. 1 (1987)).

Reviews Hawaii's energy situation and potential for developing alternate energy sources. Concludes that energy conservation offers a cost-effective, readily available, and environmentally benign strategy for meeting the State's energy needs. Presents an overview of existing utility-sponsored energy conservation programs and discusses elements that should be considered in developing a utility-sponsored conservation program. Includes findings and proposed legislation for a pilot project to evaluate the benefit of similar programs in Hawaii.

Public Use and Access in the Diamond Head Crater. Charles H. Nishimura. 48 p. April 1988. (S.R. No. 79, S.D. 2 (1987)).

A study to determine the feasibility of establishing a golf facility inside Diamond Head Crater. The study concluded that in 1978 the Hawaii legislature established a Diamond Head State Monument Park so that development of a golf facility is not feasible nor legally permissible.

Sanitary Landfills in Hawaii (with a case study of Puu Palailai). Warren Iwasa. 108 p. May 1988. (S.R. No. 168, S.D. 1 (1987)).

This study first reviews chapter 11-58, Hawaii Administrative Rules, the state Department of Health's Administrative Rules on solid waste management control and its predecessor rules, the complaints by residents who live near the Puu Palailai Sanitary Landfill made directly to the DOH's Pollution Investigation and Enforcement Branch and complaints expressed public testimony at a hearing on S.R. No. 168 (1987). Some residents of the Ewa Neighborhood Board, and Kapolei Neighborhood Unit 6 were interviewed by the researcher.

Recommendations include changes to administrative rules, for better definitions, standards for siting, design, and construction of sanitary landfills, among others.

Extent of Tort Liability Among Nonprofit Sports Organizations in Hawaii. Jean Kadooka Mardfin. 81 p. May 1988. (H.R. No. 395, H.D. 1 (1987)).

This report surveyed nonprofit sports organizations in Hawaii to determine the frequency of tort claims against these organizations and the effect, if any, on volunteers who work with these groups. The survey indicated that the liability issue is not a concern and none of the responding organizations, whether insured or not, had experienced any claims made on behalf of an injured party against any volunteer associated with the organization.

An Examination of Alleged Inadequacies in Pet Lodges. Susan Ekimoto Jaworowski. 18 p. 1988. (H.R. No. 151, H.D. 1 (1987)).

A review of the problems with the pet lodge/boarding kennel industry in Hawaii revealed that none of the consumer complaint agencies had received any current complaints concerning these facilities. The researcher's tour of most of the Oahu kennels failed to find significant or widespread problems. The report concludes that the resolution was inspired by an isolated consumer complaint and that there does not appear to be a need for regulation based on current practices.

**Trash: A Commentary on a Proposal.** Charlotte A. Carter-Yamauchi and Susan Ekimoto Jaworowski. 126 p. 1988. (H.R. No. 455 (1987)).

This report analyzes a specific proposal to reduce litter through: (1) a recycling program for glass bottles, plastic beverage containers, and aluminum cans, to be established in public high schools; and (2) a tax on disposable plastic and paper containers from take-out food establishments. General issues in recycling and litter reduction are also discussed.

**Access to Confidential Records in a State Archives.** Jean Kadooka Mardfin. 53 p. October 1988. (H.R. No. 11 (1988)).

An examination of the various federal and state statutes relating to the retention and dissemination of confidential records maintained by a public archives. Included among the recommendations are sample contract formats allowing the state archives to handle each question of access on a case-by-case basis, and a sample statute which would lift confidentiality after a specified period of time, such as 75 years after creation of the record.

**Hawaii Administrative Rules Directory.** Ken H. Takayama. 227 p. October 1988.

This directory lists only those rules filed with the lieutenant governor in the Hawaii Administrative Rules format before May 1, 1988. It serves as a functional equivalent of a detailed table of contents to the Hawaii Administrative Rules.

**A Comparative Study of the Utilization and Effects of Commercial Leases and Operating Licenses in Hawaii.** Jerry L. Coe. 116 p. November 1988. (S.C.R. No. 235, S.D. 1, H.D. 1 (1988)).

A report on the utilization and effects of operating licenses and commercial leases of a short-term or indeterminate nature where other than a standard lease is used. Specifically looks at the situation at the International Market Place, proposed site of a Convention Center. Conclusions were that there is no immediate need for corrective legislative action on the subject of commercial landlord-tenant or license relationships, but the Department of Commerce and Consumer Affairs should establish a clearinghouse to receive complaints of alleged oppressive, unfair or exploitive business practices arising out of commercial lease licenses.

**Pharmaceutical Assistance for the Elderly.** Susan K. Claveria. 46 p. November 1988. (S.C.R. No. 25 (1988)).

Explores the feasibility of establishing a program offering direct financial assistance to the elderly in Hawaii in the purchase of prescription drugs with incomes too high to receive public medical assistance. From a survey of other state programs, the report finds that a statewide pharmaceutical assistance program can be very costly to administer and maintain and, as such, must be tailored to a state's needs and resources. In the absence of a demonstrated need for such a program in Hawaii, the report recommends against the establishment of a program until accurate data can be obtained concerning the drug use and expenditure patterns of the elderly in Hawaii and assessment can be made of the Medicare outpatient prescription drug program.

**Employer-Assisted Dependent Care.** Nell Cammack. 72 p. November 1988. (H.R. No. 25, H.D. 1 (1988)).

This study focuses on the care of preschool children of working parents and covers the related public policy issues; key elements of the dependent care market and program options for employers; current rules and statutes of Hawaii and other states; and special federal and state tax provisions for dependent care expenses. Options for state policymakers with regard to the work force generally and to state employees specifically are identified.

**Feasibility of Establishing a State Veterans Facility for Veterans as a Distinct Group of the Elderly.** Peter G. Pan. 153 p. December 1988. (S.C.R. No. 49 and H.R. No. 320 (1988)).

A study on the availability and accessibility of adult residential care homes, intermediate care facilities, and skilled nursing facilities for veterans throughout the State, including a review of the need for and the availability of beds. Determined that this was not a study where the central issue is the feasibility of establishing a state veterans facility, but one of making a public policy choice that the long-term care of veterans is more a state rather than a federal responsibility. Discusses four unresolved policy areas:

- (1) Whether long-term care of veterans is a state or federal responsibility;
- (2) Whether a state home facility should admit veterans as a distinct segment of the elderly or all elderly without differentiation of subgroups;
- (3) Whether the State should simply take advantage of federal veterans affairs funding or order its long-term care priorities and appropriate expenditures accordingly;

- (4) Whether a state veterans home should be given priority over implementing alternatives to long-term care such as ARCHs, or other skilled nursing or intermediate care facilities.

1989

Guide to Government in Hawaii, 9th Ed. Claire M. Marumoto. 194 p. January 1989.

Discusses the structures and functions of state and county departments, and the agencies of the federal government having offices in Hawaii. Organizational charts of the state and county governments are included. Supplemented by Directory of State, County, and Federal Officials, as of February 15, 1989.

Intrafamily Child Sexual Abuse: Exploring Sentencing Alternatives to Incarceration. John James McMahon. 75 p. January 1989. (S.C.R. No. 107, S.D. 1 and S.R. No. 117, S.D. 1 (1988)).

A study of the post-conviction sentencing alternatives to incarceration that can be applied by the criminal justice system in cases of intrafamily child sex abuse. The study found that an evaluation of the effectiveness of sentencing alternatives was unfeasible due to: (1) the complexity and ambiguity of the variables; (2) the limitations of empirical data on the causes, effects, treatment, prevention, and legal management of child sexual abuse; and (3) the limited resources and expertise of the Bureau.

The study recommended that the Children's Advocacy Center of the Judiciary:

- (1) Develop more precise definitions of intrafamily and extrafamily child sexual abuse, including the definitions for "family" and "child".
- (2) Implement the current system for tracking the progress of intrafamily and extrafamily child sexual abuse cases through the child protective and criminal justice systems, focusing particularly on improving Hawaii's capacity to measure recidivism.
- (3) Evaluate the costs, benefits, and feasibility of implementing a medical program designed to inform children and adults of children's right to be free from sexual abuse and of where to turn for help.

Another recommendation was that proponents of any new legislation establishing, expanding, or enhancing alternatives to incarceration for convicted intrafamily sexual abusers

of children should carefully evaluate whether to include not only intrafamily offenders but also extrafamily offenders in the pool of potentially eligible offenders.

Access to Property Insurance in Areas Susceptible to Natural Disasters. Lorna Loo. 56 p. January 1989. (H.R. No. 434 (1987)).

This study discusses the unavailability of property insurance that is faced by Hawaii residents whose properties are located in areas with a high exposure to the hazard of lava flow. This study also describes the inadequacy of insurance to cover the losses experienced by residents from extensive water damage from Hurricane Iwa in 1982 and the heavy rains on New Year's Eve, December 31, 1987. The property insurance plans in effect in other states are reviewed, and certain plan provisions are considered for application in Hawaii if a property insurance plan is adopted. The study further presents public policy considerations for assessing whether the limited availability of property insurance in Hawaii is best addressed by the adoption of a property insurance plan.

Parental or Family Leave in Hawaii. Warren Iwasa. 126 p. February 1989. (H.R. No. 273, H.D. 1 (1988)).

A study to determine the feasibility of statutorily mandating employers to grant employees a parental or family leave. The study focused mainly on a proposal that would be limited to employers with 50 or more employees, and on unpaid leave of no more than 18 weeks or 10 weeks. Includes findings from survey results. Recommendations discussed the feasibility and appropriateness of mandating parental leave given such factors as political acceptability, employer exemption for small firms, a qualifying period, duration of unpaid leave, prior notice to the employer by the employee, effect on employment benefits, etc. Points out the need for more data collection regarding family leave and parental leave by relevant state agencies.

Condominium Governance--An Examination of Some Issues. Charlotte A. Carter-Yamauchi. 119 p. March 1989. (S.C.R. No. 100, S.D. 1, H.D. 1 (1988)).

A study of various problems concerning the governance of condominiums, including issues such as:

- (1) Are there reasonable controls on the use and treatment of condominium association funds?
- (2) Are current fiscal audits of association funds adequate?
- (3) Do owners receive adequate information regarding use of their maintenance fees?

- (4) Is the process for selection of association boards of directors fair and reasonable?
- (5) Are there adequate checks and restraints to prevent the abuse of power by board members, managing agents, or managers?
- (6) Are there adequate avenues of information to boards and owners concerning condominium laws and rules?
- (7) What is the extent of grievance problems experienced by condominiums with reference to items (1) through (5) above?

The study included input from the State's newly appointed condominium specialist in the Department of Commerce and Consumer Affairs.

Recommendations include:

- (1) Education of the condominium community of their rights, duties, and obligations;
- (2) Amending the condominium law to require adequate notice of board meetings, granting rulemaking authority to the Real Estate Commission, giving the commission authority to enforce compliance, and eliminating the ability of an association to waive the audit of association financial statements;
- (3) Requiring countersignatures on association checks;
- (4) Repealing the broker license requirement for managing agents and instead require all managing agents to be certified and licensed;
- (5) Requiring fidelity bonding of managing agents;
- (6) Requiring the registration of all condominium associations and have the Real Estate Commission determine what information is necessary for it to administer and enforce the bonding requirement.

Collateralization Requirements for State Deposits. Jensen M. Uchida. 82 p. March 1989. (H.R. No. 246 (1988)). (Out of print)

A study that examines the State's public deposit collateralization requirements to determine whether higher yields can be realized on state fund deposits through the adoption of less stringent standards without sacrificing deposit security. The study examines the theory and history behind public deposit collateralization, the current state of financial institutions in the United States, the State's public deposit protection law, public deposit collateralization programs in other jurisdictions, and the deposit collateralization proposals submitted by several financial institutions currently accepting deposits of the State. The study concludes that sacrificing security for higher yields on public deposits is an unacceptable tradeoff.

Special Education in Hawaii - Some Current Problems. Junie Hayashi. 146 p. June 1989. (H.R. No. 281 and S.R. No. 89, S.D. 1 (1987)).

A study that addresses the concern that Hawaii was ranked lowest among all states and the District of Columbia in the percentage of students identified as handicapped, indicating deficiencies in the identification procedures or certification criteria. In particular, this study examines the state Department of Education's procedures for identifying special education students, the criteria used by diagnostic teams in determining the certification of special education students, and the difficulties encountered in attracting and maintaining qualified special services evaluation personnel. Recommendations include the establishment of more explicit, meaningful identification criteria and various methods to provide better compensation, training, and working conditions for special services evaluation personnel.

Pathfinders: Administrative Codes, Registers, and State Blue Books. Ken H. Takayama. 191 p. July 1989. (H.R. No. 9 (1988)).

A study of the feasibility of publishing a state administrative code, a state register, and a state blue book for Hawaii. Examines administrative rulemaking in Hawaii, administrative codes, registers, and blue books in other states, and develops estimates of needs for and costs of the publications. The study makes a number of findings and recommendations.

Hawaii Administrative Rules, Table of Statutory Sections Implemented. Paul M. Saito and Ken H. Takayama. 84 p. October 1989.

Supplements 1988 Hawaii Administrative Rules Directory and includes a table listing the state administrative agency rules that implement or interpret particular state statutes.

Some Aspects of Quality Assurance in Home Care for Hawaii's Elderly. Jean Kadooka Mardfin. 95 p. October 1989. (H.C.R. No. 309 and H.R. No. 333 (1989)).

An examination of the issues surrounding home care and how to assure quality care is provided to home bound elderly. Reviews the "black box" theory of home care and a 1987 state legislative proposal to regulate home care providers. Contains a brief discussion of the variety of home care providers in Hawaii. Identifies sources of elderly abuse based on current data, discusses the issue of quality, and recommends consumer education and responsibility.

Care of High Risk Infants in Hawaii. Peter G. Pan. 97 p. October 1989. (H.R. No. 316, H.D. 1 (1989)).

A study to determine the state of care in Hawaii for infants who are medically at high risk, including an examination of the types of facilities available to care for these children and the community-based, family-oriented, and other types of services available to these infants. In particular this study examined the risk factor of low birth weight infants (from birth to one year of age) in Hawaii which affects mortality and morbidity (illness or disability). Recommends more emphasis on cost-effective preventive care rather than on after-the-fact high technology remedial care.

Tax Credits and Care for the Elderly: The Public Policy Issues. Nell Cammack. 81 p. November 1989. (H.R. No. 13, H.D. 1 and H.R. No. 14, H.D. 1 (1989)).

A study that combines two requests to examine the use of state tax credits to (1) encourage individuals to purchase long-term care insurance, and (2) relieve families that care for the elderly who are ill. The report examines the public policy issues from the perspective of long-term care programs and in terms of the State's tax system, and finds that, under current conditions neither long-term care policies nor tax policies would be supported by enactment of the tax credits suggested. The report instead recommends using state resources to develop a comprehensive long-term care data base and, where appropriate, direct funding of the needs documented by the data.

Roads in Limbo: An Analysis of the State-County Jurisdictional Dispute. Susan Ekimoto Jaworowski. 135 p. November 1989. (H.R. No. 38, H.D. 2 (1989)).

This study analyzes the underlying causes for the state-county jurisdictional dispute over certain roads, in which both parties disclaim jurisdiction over these roads. The study examines the historical and legal roots of the problem and discusses the positions of the State and the counties as to the nature of the problem and how it can be resolved. Recommends that: (1) the State aid the counties in addressing their primary concerns over accepting the disputed roads by contributing funding and helping to temporarily shield the counties from liability during the transition period; (2) once the State does so, the disputed roads be assigned to the counties; and (3) a high-level joint state-county committee be formed to implement the assignment of jurisdiction and address subsidiary issues.

**Occupational and Physical Therapists in Public Schools: The Quest for Parity.** Susan K. Claveria. 112 p. November 1989. (S.C.R. No. 190, S.D. 1 (1989)).

Examines the feasibility of realigning the work and compensation schedules of Department of Health (DOH) occupational and physical therapists who serve handicapped students in the public schools to that of teachers. The report finds that parity is not feasible without the transfer of therapists to the Department of Education (DOE) and their reclassification to certificated personnel. The report recommends that: (1) no legislative action be taken unless the Legislature is willing to make the policy decision of transferring the school health services program to the DOE and to designate special services personnel as certificated personnel; (2) the governor examine current practices in adjusting work schedules of classified employees; (3) the DOE correct existing inequities in work and compensation schedules of special services personnel doing the same work; (4) the DOH and therapists reconsider their positions on the parity issue; and (5) the DOH take action to improve morale in the School Health Support Services Section.

**Declaratory Rulings and the Environmental Council.** Jensen M. Uchida. 67 p. December 1989. (S.C.R. No. 178, S.D. 1 (1989)).

A study that examines the uncertainty surrounding the Environmental Council's power to issue declaratory rulings on matters concerning Hawaii's environmental impact statement law. The study reviews the development of Hawaii's environmental impact statement law, the history behind the effort to authorize the Council to issue declaratory rulings to state and county agencies in judgment of their determinations, environmental impact statement laws in several other jurisdictions, the 1979 ruling by the Hawaii Supreme Court with regard to declaratory rulings, and several advisories directed to the Council from the state Attorney General with regard to the Council's use of this power. The study concludes that the controversy over the Council's power to overrule agency determinations has diverted the Legislature's attention from the real cause of the problem--the public's inability to participate in the decision-making process of state and county agencies with regard to the need to prepare an environmental impact statement. The study recommends that the Legislature consider the development of a process to facilitate public involvement at that stage.

**Hawaii Legislative Drafting Manual 8th Ed.** Revised by Ken H. Takayama. 121 p. December 1989.

Provides general guidelines for agencies and individuals who prepare measures for introduction in the Hawaii Legislature, as well as committee reports and other documents. Updates 7th edition of 1984.

**Rideshare Policies and Programs: A Review.** Junie Hayashi. 43 p. December 1989. (H.R. No. 145, H.D. 1 (1989)).

A study which reviews the State's progress in promoting ridesharing in the public and private sectors and factors which may conflict with the promotion of and participation in rideshare programs. In addition, the study discusses available alternatives to single occupant vehicle commuting which focus upon ridesharing. Recommends the Department of Transportation continue to follow through on its plans to establish a coordinated and comprehensive statewide rideshare program.

**Financing Higher Education: Alternative Planning and Savings Programs for Hawaii's Families.** Jean Polhamus Creadick. 153 p. December 1989. (H.R. No. 120 (1989)).

A study examining the facilitation of financial higher education in Hawaii. The report covers financial aid programs currently available to Hawaii college students, as well as prepaid and guaranteed tuition programs and college savings programs which have recently developed nationwide on both the state and federal levels. Explores threshold questions such as state constitutional limitations on state assistance to private schools and the strict federal regulation of financial aid administration by educational institutions utilizing federal financial aid programs. Outlines various policy considerations to be weighed and analyzed in designing any financial assistance program for higher education.

The study recommends against implementing a prepaid or guaranteed tuition program for the State of Hawaii. The study recommends that the Department of Budget and Finance continue making available state general obligation bonds to the general public, and that the Department consider reducing the face amount of such bonds from \$5,000 to smaller denominations, similar to U.S. Savings Bonds.

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