

1 Federal and state courts, but I would think that Hawaii,
2 when that Constitution speaks of civil rights, civil
3 rights have been interpreted by the courts to include
4 public accomodations, the right to purchase and own pro-
5 perty, the right to travel freely from state to state, and
6 the whole group of personal rights which this section of
7 the Constitution is intended to cover.

8 THE CHAIRMAN: Delegate Hostetter.

9 DELEGATE HOSTETTER: But none do include dis-
10 crimination by the state or a state action clause. Is
11 this correct?

12 THE CHAIRMAN: Delegate Mitchell.

13 DELEGATE MITCHELL: Although the words "the
14 state" are not used, it is a state Constitution, and it
15 is the prohibition in each of these sections of these
16 various state Constitutions that go to the state.

17 Mr. Smith of our research staff has suggested
18 that I convey this information to you, Delegate Hostetter,
19 that these are the new state Constitutions which have been
20 elected and in each case, they have included the act of
21 discrimination language, but in the old New York Constitution