

FIFTY-SEVENTH DAY

Tuesday, April 8, 1975

The Senate of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, convened at 8:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Lamar P. Vincent of the International Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Hara and Rohlfling, who were excused.

The President announced that he had read and approved the Journal of the Fifty-Sixth Day.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 410 to 437) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 410), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 516, S.D. 1, and the Senate's request for a conference on the subject matter of said amendments, the Speaker appointed on April 7, 1975, Representatives Roehrig, Chairman, Yap, Cayetano, Lee, Carroll and Fong as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 411), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 591, S.D. 2, and the Senate's request for a conference on the subject matter of said amendments, the Speaker appointed on April 7, 1975, Representatives Yuen, Chairman, Machida, Abercrombie, Ho, Blair, Evans, Ikeda and Santos as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 412), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1732, S.D. 1, and the Senate's request for a conference on the subject matter of said amendments, the Speaker on April 7, 1975, appointed Representatives Sakima, Chairman,

Kunimura, Shito, Takamura, Ho, Ikeda and Santos as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 413), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 336, H.D. 1 and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Yap, Chairman, Lee, Naito and Hakoda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Nishimura, Chairman, Kuroda, Hara and Leopold as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 414), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 430, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Stanley, Chairman, Roehrig, Naito and Kamalii as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Nishimura, Chairman, Toyofuku, Chong and Leopold as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 415), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 612, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Uechi, Chairman, Naito and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 416), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 850, H.D. 1, and has requested a conference

on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Yamada, Chairman, Yap, Kondo, Lee, Roehrig, Carroll and Oda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Nishimura, Chairman, Kuroda, O'Connor and Leopold as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 417), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 851, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Yap, Chairman, Takamine, Uechi and Hakoda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Nishimura, Chairman, O'Connor and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 418), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 999, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Segawa, Chairman, Takamine, Naito, Stanley, Santos and Evans as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Chong, Chairman, R. Wong, Toyofuku and Saiki as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 419), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1597, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Yamada, Chairman, Kondo, Cobb, Lee, Hakoda and Carroll as Managers on the part of the House for the consideration of said amendments,

was placed on file.

In accordance therewith, the President appointed Senators Nishimura, Chairman, Chong, Ching and Saiki as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 420), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1852, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Yap, Chairman, Naito and Carroll as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Nishimura, Chairman, O'Connor and Leopold as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 421), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1874, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Uechi, Chairman, Takamine, Stanley and Fong as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Nishimura, Chairman, Kuroda and Leopold as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 422), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1875, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Yamada, Chairman, Yap, Kondo, Stanley, Fong and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Nishimura, Chairman, Young, O'Connor and Leopold as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 423), informing the Senate that pursuant to the disagreement

of the Senate to the amendments proposed by the House to Senate Bill No. 42, S.D. 2, and the Senate's request for a conference on the subject matter of said amendments, the Speaker appointed on April 7, 1975, Representatives Blair, Chairman, Kawakami, Inaba, Kihano, Machida, Kondo, Cobb, Cayetano, Ho, Clarke, Larsen, Kamalii and Oda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 424), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 637, S.D. 1, and the Senate's request for a conference on the subject matter of said amendments, the Speaker appointed on April 7, 1975, Representatives Lee, Chairman, Peters and Kamalii as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 425), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1046, S.D. 1, and the Senate's request for a conference on the subject matter of said amendments, the Speaker appointed on April 7, 1975, Representatives Stanley, Chairman, Segawa, Machida, Yamada, Sakima, Peters, Evans, Clarke and Kamalii as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 426), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1281, S.D. 2, and the Senate's request for a conference on the subject matter of said amendments, the Speaker appointed on April 7, 1975, Representatives Suwa, Chairman, Akizaki, Kiyabu, Inaba, Kihano, Kondo, Kunimura, Mizuguchi, Morioka, Peters, Lunasco, Ajifu, Amaral, Clarke, Hakoda and Kamalii as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 427), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1628, S.D. 1, and the Senate's

request for a conference on the subject matter of said amendments, the Speaker appointed on April 7, 1975, Representatives Segawa, Chairman, Takamine, Stanley, Santos and Evans as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 428), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1645, S.D. 1, and the Senate's request for a conference on the subject matter of said amendments, the Speaker appointed on April 7, 1975, Representatives Suwa, Chairman, Kondo, Inaba, Peters, Lunasco, Kihano, Kunimura, Mizuguchi, Morioka, Kiyabu, Lee, Machida, Amaral, Hakoda, Fong, Oda, Santos and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 429), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 91, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Kawakami, Chairman, Ho and Larsen as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators King, Chairman, Hara and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 430), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 282, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Kawakami, Chairman, Ho, Uechi, Morioka, Larsen and Ajifu as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators F. Wong, Chairman, Hara and Henderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 431), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 363, H.D. 1, and has requested a conference on the

subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Yamada, Chairman, Yap, Cayetano and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Nishimura, Chairman, Kuroda and Saiki as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 432), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 372 and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Suwa, Chairman, Akizaki, Kiyabu, Inaba, Kihano, Kondo, Kunimura, Mizuguchi, Morioka, Peters, Lunasco, Ajifu, Amaral, Clarke, Hakoda and Kamalii as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators R. Wong, Chairman, Yamasaki and Henderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 433), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 677, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Kawakami, Chairman, Kihano, Yap, Abercrombie, Clarke and Larsen as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators F. Wong, Chairman, Hulten, Ching, Yamasaki, King, Saiki and Henderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 434), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1240, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Lee, Chairman, Suwa and Sutton as Managers on the part of the House

for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Toyofuku, Chairman, Young and Anderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 435), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1742, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Lee, Chairman, Takamine, Yuen, Akizaki, Kihano, Peters, Ajifu, Fong and Santos as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators R. Wong, Chairman, Toyofuku and Anderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 436), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1779, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Lee, Chairman, Takamine, Yuen, Akizaki, Kihano, Peters, Ajifu, Fong and Santos as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators R. Wong, Chairman, Yamasaki and Anderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 437), informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1870, H.D. 1, and has requested a conference on the subject matter thereof, in consequence of which the Speaker appointed on April 7, 1975, Representatives Kawakami, Chairman, Yap, Uechi, Roehrig, Larsen and Fong as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators F. Wong, Chairman, Hulten, Ching, Yamasaki, Saiki

and Henderson, as Managers on the part of the Senate at such conference.

At this time, the President appointed Senator Kawasaki as an additional Manager on the part of the Senate at the conference for the consideration of amendments proposed by the Senate to House Bill No. 127, H.D. 1.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 144), entitled: "SENATE CONCURRENT RESOLUTION EXTENDING THE CONDOLENCE OF THE LEGISLATURE ON BEHALF OF THE PEOPLE OF THE STATE OF HAWAII TO THE FAMILY OF JOHN ANTHONY BURNS", was jointly offered by Senators Ushijima, Anderson, Ching, Chong, George, Hara, Henderson, Hulten, Kawasaki, King, Kuroda, Leopold, Nishimura, O'Connor, Rohlfig, Saiki, Taira, Takitani, Toyofuku, F. Wong, R. Wong, Yamasaki, Yee, Yim, Young and was read by the Clerk.

Senator Taira moved that S.C.R. No. 144 be adopted, seconded by Senator Yee.

Senator Ching then rose to speak for the resolution as follows:

"Mr. President, fellow members of the Senate, Ladies and Gentlemen:

It was a year ago, almost to the day, when Governor Burns visited us in the closing days of the 1974 session to deliver his farewell address.

Many of us here today can recall the deep emotions that the occasion stirred up in our hearts. All of us present felt a profound Aloha for him.

We knew how difficult and painful it must have been to make his final public appearance, as he struggled to recover from the illness that had hospitalized him earlier.

It was, however, totally characteristic of him to stand up to any adversity to carry out what he felt to be his duty and his obligation as Chief Executive.

It was also typical of him that in his final address to us he chose not to dwell on past glories but on future challenges, inspiring us to rise to new tasks.

Characteristically, too, Jack Burns, spoke not of himself but of others in giving credit for all those changes

that took place during his administration.

To the end, he maintained that quiet and unassuming style of leadership that was his trademark.

After his remarks to us, I remember noting that his departure from office would present a whole new ball game for us and that things would never be the same without him on the fifth floor.

Now that Jack Burns is no longer with us in this life, the loss of his leadership is impressed even more indelibly upon us all.

For those of us who were inspired by him to join in the struggle for social, economic and political freedom more than 20 years ago, our loss is even more profound.

Governor Burns meant so much to us in so many ways. We learned so much from him, not only politically but also in terms of human relations. His deep compassion for the people of this State, particularly those whose opportunities for self advancement were on a lesser scale, underscored all that he sought to do as Governor of this State.

Jack Burns has frequently been described as a father figure for many of us. That he was, and more. And he was more than a figure to many of us. He was, in fact, a father to us, and we were privileged to feel a part of his family.

He held a vision of Hawaii that only the great could dream of, and his judgment proved more often right than wrong. If some of us were slow in seeing things as he saw them, from a broader perspective, we learned soon enough how farsighted he was.

To say that Jack Burns will be deeply missed is an understatement.

We are comforted, however, in the knowledge that he will be long remembered for all that he has done for Hawaii and for the people of this State. By any measure, they are monumental achievements.

For me, as I know it is for so many others throughout this State, Jack Burns will remain a source of continuing inspiration.

The finest tribute we can pay him is to live by the principles by which he was guided during a lifetime of public service, and to strive, as he reminded us so often, to keep reaching

for the impossible dream.

To Mrs. Burns and her family, in behalf of my colleagues of the Senate majority, I extend our heartfelt condolences in their time of bereavement.

It is a grief shared by all of us and by our constituents from throughout this State.

We have had a giant of a man among us. Let us remember him in our hearts for all time.

Jack, we're going to miss you!"

Senator Yee, then rose to speak for the resolution as follows:

"Mr. President, I, too, would like to express a few words of sympathy to a great man.

I speak not only for myself but also for my colleagues on this side of the aisle.

I remember back many years ago when he was first elected as Governor. Republicans as well as the business community were quite concerned about his being extremely pro-labor and would be anti-business. But during his twelve years of reign, he has proven himself to be a master and a statesman in bringing together the differences between business and labor, and as a result, we have had a very healthy community. We could not find fault with this philosophy of his.

More so, during my eight years in the Senate and during his second and third term as Governor, again he has proven himself to be an extremely fair-minded person. In talking with the late Senator 'Doc' Hill and Senator 'Heb' Porteus, we always found his doors open so that Republican minority input could be received; and believe me, he did take them into heart and many of the things that we stand for today were because of these meetings that we had with him. He never shut the door on us and he always gave us an opportunity to express our position.

Personally, I find it a very sad thing because, I speak as a Republican and I certainly know how the Democrats feel, for I too was a recipient of his quiet support in many of my tough campaigns and I respected this man for that kind of support he had given me.

We on this side of the aisle also extend our condolences to his family

and we hope that they will fare well in his passing.

Thank you."

Senator F. Wong, in speaking for the resolution, stated as follows:

"Mr. President, I also would like to pay tribute to a great man.

Today, and for many days in the future, many, many things will be said about John A. Burns. It is fitting that this should be so. Few deserve commendation more than does this great man, great statesman, and great friend. There are many who can be leaders, many who can be politicians, but there are few who can truly inspire and motivate men into action. John Burns was one of these few.

When I think of John Burns, I remember a day, some twenty years ago, when I, as a young undergraduate in college, breezed into the office of Hawaii's Delegate to Congress.

It was my good fortune to happen upon a moment when our Delegate could speak with me. I walked into the inner office. There, I met John Burns for the first time, and there, for the first time, I began to hear a voice, softly compelling, that was filled with dreams for a greater Hawaii, dreams for a greater tomorrow. We spoke about the two party system, an important issue to me at the time. Yet, what impressed me then, and throughout the many years that have followed, was that John Burns always had the time and patience to talk about the dreams he shared with Hawaii's people, and the will and strength to make those dreams come true.

In retrospect, I believe that it was that meeting which inspired me into public service. It was John Burns who gently showed me that I had much more to learn, much more to experience, and much more to do. And, that day, it was John Burns' voice which motivated me to act. He made me a Burns' Democrat, and I'm perhaps the youngest one here today, for which I am truly proud.

A few years later, I heard his eloquent voice again. This time, it was on the floor of the U.S. House of Representatives. John Burns was speaking in favor of the Hawaii Statehood Bill, and as his impassioned voice filled the chamber, I was once again inspired by this man.

The years did not change this part of John Burns. In the closing days of last year's legislative session,

he spoke to us, officially, for the last time. Though weakened by illness, his voice was still gentle, still compelling, and still inspiring.

As he has always inspired me, he continually infused many of us with the strength and wisdom to face the difficult years of World War II, the transitional years of statehood, and the expanding years of Hawaii in the sixties and seventies. He has inspired us as a State, as a people, and as individuals. I wonder how many of us would be here today were it not for his unwavering belief in what we are doing. He has done much for us; and for what he was, we are thankful.

And so, John Burns, in closing I say to you as you have often said to many of us, 'May the Almighty God be with you and yours.'

Thank you."

The President then stated as follows:

"Someone has said, 'To live in the hearts of those we leave behind is not to die.'

I don't think enough can be said of the deep sorrow each and everyone of us feels in the loss of former Governor John A. Burns.

On behalf of the Senate, I extend our heartfelt sympathy to Mrs. Burns and her family.

I'm sure there is not a legislator here, who in some way or another, has not felt the guiding hand and counsel of Jack Burns.

John A. Burns had a vision of Hawaii and he pursued this dream for the whole of his career.

In his First Inaugural address, he said '...I am pledged to place a broader foundation under our economy by developing programs for placing our lands into their fullest and best use for all the peoples of our state...'

He equalized the human condition; he made himself and those around

him accessible and available to all those who sought his counsel.

Rich or poor, he literally made the open society which is Hawaii today.

The legacy which Governor Burns leaves us will continue to broaden us as we seek to strengthen the programs we enact in our sessions and the leadership role that we play in this great State of Hawaii.

During these days of mourning, we lay to rest a great American, and certainly a true son of Hawaii."

The motion to adopt the resolution was put by the Chair and carried by a rising vote.

SENATE RESOLUTION

A resolution (S.R. No. 416), entitled: "SENATE RESOLUTION EXTENDING THE CONDOLENCE OF THE LEGISLATURE ON BEHALF OF THE PEOPLE OF THE STATE OF HAWAII TO THE FAMILY OF JOHN ANTHONY BURNS", was jointly offered by Senators Ushijima, Anderson, Ching, Chong, George, Hara, Henderson, Hulten, Kawasaki, King, Kuroda, Leopold, Nishimura, O'Connor, Rohlfing, Saiki, Taira, Takitani, Toyofuku, F. Wong, R. Wong, Yamasaki, Yee, Yim and Young and was read by the Clerk.

On motion by Senator Taira, seconded by Senator Yee and carried, S.R. No. 416 was adopted by a rising vote.

At 9:06 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:09 o'clock a.m.

ADJOURNMENT

At 9:10 o'clock a.m., on motion by Senator Taira, seconded by Senator Yee and carried by a rising vote, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 9, 1975, in memory of the late Governor John Anthony Burns.