

## SIXTIETH DAY

Friday, April 11, 1975

The Senate of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mr. Sam Sherrard of the Hawaii Youth for Christ, after which the Roll was called showing all Senators present.

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

At this time, the following introductions were made to the members of the Senate:

Senator O'Connor introduced Miss Teresa O'Connor, his Aunt visiting from the mainland.

Senator R. Wong then introduced Brenda Oku, Collen Kato and Merle Onaka, three members of his clerical staff.

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 365 to 368) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 365), informing the Senate that he had signed the following bills into law on April 9, 1975:

S.B. No. 559 as Act 4, entitled:  
"A BILL FOR AN ACT RELATING  
TO WORKMEN'S COMPENSATION",

S.B. No. 1345 as Act 5, entitled:  
"A BILL FOR AN ACT RELATING  
TO BOARDS AND COMMISSIONS",  
and

H.B. No. 373 as Act 6, entitled:  
"A BILL FOR AN ACT RELATING  
TO GENERAL OBLIGATION BONDS  
OF THE STATE OF HAWAII",

was placed on file.

A message from the Governor (Gov. Msg. No. 366), transmitting copies of the annual report prepared by the Hawaii Advisory Commission on Drug Abuse and Controlled Substances, pursuant to Act 10, Session Laws of Hawaii 1972, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 367), advising the Senate of the withdrawal of the nomination of Fred S. Botelho to the Fish and Wildlife Advisory Committee, County of Hawaii, term to expire December 31, 1976, under Governor's Message No. 108, was placed on file.

In compliance with Gov. Msg. No. 367, the nomination listed under Gov. Msg. No. 108 was withdrawn.

A message from the Governor (Gov. Msg. No. 368), advising the Senate of the withdrawal of the nomination of Alvin Tanaka to the Fish and Wildlife Advisory Committee, County of Hawaii, term to expire December 31, 1976, under Governor's Message No. 109, was placed on file.

In compliance with Gov. Msg. No. 368, the nomination listed under Gov. Msg. No. 109 was withdrawn.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 498 to 509) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 498), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 92, S.D. 2, was adopted by the House; and Senate Bill No. 92, S.D. 2, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 10, 1975, was placed on file.

A communication from the House (Hse. Com. No. 499), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 959 was adopted by the House; and Senate Bill No. 959, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 10, 1975, was placed on file.

A communication from the House (Hse. Com. No. 500), informing the Senate that the report of the Committee on Conference on the

disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1046, S.D. 1, was adopted by the House; and Senate Bill No. 1046, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 10, 1975, was placed on file.

A communication from the House (Hse. Com. No. 501), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1050, S.D. 1, was adopted by the House; and Senate Bill No. 1050, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 10, 1975, was placed on file.

A communication from the House (Hse. Com. No. 502), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1215, S.D. 1, was adopted by the House; and Senate Bill No. 1215, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 10, 1975, was placed on file.

A communication from the House (Hse. Com. No. 503), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill 1628, S.D. 1, was adopted by the House; and Senate Bill No. 1628, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 10, 1975, was placed on file.

A communication from the House (Hse. Com. No. 504), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 336, H.D. 1, was adopted by the House; and House Bill No. 336, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 10, 1975, was placed on file.

A communication from the House (Hse. Com. No. 505), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House

to the amendments proposed by the Senate to House Bill No. 363, H.D. 1, was adopted by the House; and House Bill No. 363, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 10, 1975, was placed on file.

A communication from the House (Hse. Com. No. 506), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 851, H.D. 1, was adopted by the House; and House Bill No. 851, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 10, 1975, was placed on file.

A communication from the House (Hse. Com. No. 507), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1874, H.D. 1, was adopted by the House; and House Bill No. 1874, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 10, 1975, was placed on file.

A communication from the House (Hse. Com. No. 508), transmitting House Concurrent Resolution No. 114, H.D. 1, which was adopted by the House of Representatives on April 10, 1975, was placed on file.

By unanimous consent, H.C.R. No. 114, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ADOPTION OF A PRISONER'S BILL OF RIGHTS", was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 509), transmitting House Concurrent Resolution No. 115, H.D. 1, which was adopted by the House of Representatives on April 10, 1975, was placed on file.

By unanimous consent, H.C.R. No. 115, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW AND REPORT ON UNLICENSED BOARDING HOMES AND ROOMING HOUSES", was referred to the Committee on Legislative Management.

#### SENATE RESOLUTIONS

The following resolutions (S.R.)

Nos. 445 to 448) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 445), entitled: "SENATE RESOLUTION COMMENDING THE HAWAII MOUNTAIN RESCUE AND MAJOR GENERAL VALENTINE A. SIEFERMANN, ADJUTANT GENERAL OF HAWAII", was jointly offered by Senators Yee, Anderson, Rohlfing, Yim, Henderson, Ching, Hulsten, Young, Leopold, Chong, Takitani, George, Saiki, Taira, King, Hara, F. Wong, Toyofuku, Kuroda and R. Wong.

On motion by Senator Yee, seconded by Senator Anderson and carried, S.R. No. 445 was adopted.

At this time, Senator Yee introduced Mr. James Gomes, Chairman of the Hawaii Mountain Rescue Team.

A resolution (S.R. No. 446), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING THE NATIONAL ORDER OF TRENCH RATS, AN AUXILIARY OF THE DISABLED AMERICAN VETERANS, ON THE FIFTY-FIRST ANNIVERSARY OF THEIR FOUNDING", was jointly offered by Senators Kuroda, Young, F. Wong, Ching, Takitani, Nishimura, Kawasaki, Hulsten, Yim, Chong, Yamasaki, Hara, Anderson, King, O'Connor, Henderson, George, Leopold, Saiki, Yee, Toyofuku and Taira.

On motion by Senator Kuroda, seconded by Senator Young and carried, S.R. No. 446 was adopted.

A resolution (S.R. No. 447), entitled: "SENATE RESOLUTION REQUESTING THE SENATE INTERIM COMMITTEE ON HEALTH TO MONITOR THE IMPLEMENTATION OF H.B. No. 999, H.D. 1, S.D. 1, C.D. 1, A BILL FOR AN ACT RELATING TO HEALTH PLANNING", was offered by Senator Chong.

By unanimous consent, S.R. No. 447 was referred to the Committee on Health.

A resolution (S.R. No. 448), entitled: "SENATE RESOLUTION CONGRATULATING NATIONAL MERIT SCHOLARS KYLE T. SAKUMOTO, WAYNE Y. SHINOKI, VANCE I. KINOSHITA, AND DAVID M. PETERS", was jointly offered by Senators Anderson, Yee, Henderson, Rohlfing, Saiki, Yamasaki, Ching, Hulsten, Toyofuku, George, Nishimura, Kuroda, Chong, Takitani, Young, Kawasaki, King, Taira and Yim.

On motion by Senator Anderson, seconded by Senator Taira and carried, S.R. No. 448 was adopted.

#### STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1255), informing the Senate that Senate Concurrent Resolution Nos. 151 and 152, Senate Resolution Nos. 436 to 444, Conference Committee Report Nos. 17 to 36 and Standing Committee Report Nos. 1239 to 1254 and 1256 to 1270 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator Henderson and carried, the report of the Committee was adopted.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1256), recommending that Senate Concurrent Resolution No. 128, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and S.C.R. No. 128, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY ON THE OFFICE OF CONSUMER PROTECTION", was referred to the Committee on Legislative Management.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1257), recommending that Senate Resolution No. 101, as amended in S.D. 1, be adopted.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and S.R. No. 101, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO IMPLEMENTATION OF THE HAWAII CORRECTIONAL MASTER PLAN", was adopted.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1258), recommending that Senate Resolution No. 330, as amended in S.D. 1, be adopted.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and S.R. No. 330, S.D. 1, entitled: "SENATE RESOLUTION

AFFIRMING SUPPORT FOR THE ACTIONS OF THE GOVERNOR'S TASK FORCE ON THE HAWAII STATE PRISON AND ITS CONTINUING EFFORTS TO ADMINISTER THE HAWAII STATE PRISON AS A SECURE, SAFE, AND REHABILITATIVE FACILITY", was adopted.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1259), recommending that House Concurrent Resolution No. 124 be adopted.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.C.R. No. 124, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE FORMATION OF AN ADVISORY PANEL TO REVIEW PROCEDURES, RULES, AND GUIDELINES RELATING TO PRISON TERMS", was adopted.

Senator Hara, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1260), recommending that Senate Concurrent Resolution No. 5, as amended in S.D. 1, be adopted.

On motion by Senator Hara, seconded by Senator Yim and carried, the report of the Committee was adopted and S.C.R. No. 5, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A TEACHER EVALUATION PROGRAM FOR THE PUBLIC SCHOOL SYSTEM IN THE STATE OF HAWAII", was adopted.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1261), recommending that Senate Resolution No. 401 be adopted.

On motion by Senator F. Wong, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 401, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO CONDUCT A CONSUMER EDUCATION PROGRAM TO PROMOTE SHARK AS A VALUABLE SEAFOOD", was adopted.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1262), recommending that House Concurrent Resolution No. 93 be adopted.

On motion by Senator F. Wong, seconded by Senator Hara and

carried, the report of the Committee was adopted and H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING GREATER PRODUCTIVE USE OF PAPAYAS", was adopted.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1263), recommending that House Concurrent Resolution No. 112 be adopted.

On motion by Senator F. Wong, seconded by Senator Hara and carried, the report of the Committee was adopted and H.C.R. No. 112, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO IDENTIFY PUBLIC LANDS WHICH LACK PUBLIC ACCESS AND TO PROVIDE RECOMMENDATIONS FOR ACCESS ROUTES TO THESE AREAS", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1264), recommending that House Concurrent Resolution No. 63 be referred to the Committee on Legislative Management.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the report of the Committee was adopted and H.C.R. No. 63, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AUDIT OF THE PROGRESSIVE NEIGHBORHOODS PROGRAM TO DETERMINE HOW ITS ORGANIZATION AND MANAGEMENT PROCESS CAN BE IMPROVED TO PROMOTE THE ACHIEVEMENT OF PROGRAM OBJECTIVES", was referred to the Committee on Legislative Management.

Senator Takitani, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1265), recommending that Senate Resolution No. 333 be adopted.

On motion by Senator Takitani, seconded by Senator O'Connor and carried, the report of the Committee was adopted and S.R. No. 333, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE TO STUDY AND RECOMMEND MORE EFFECTIVE MEANS TO CONTROL TERMITES, AND TO DEVELOP A LABEL WHICH WILL COMPLY WITH FEDERAL RULES AND REGULATIONS AND TO IMPLEMENT EDUCATIONAL PROGRAMS TO PROVIDE TRAINING AND SUPPORT

OF THE PEST CONTROL OPERATORS IN HAWAII", was adopted.

Senator Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 1266), recommending that Senate Resolution No. 427, as amended in S.D. 1, be adopted.

On motion by Senator Kuroda, seconded by Senator R. Wong and carried, the report of the Committee was adopted and S.R. No. 427, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN EXAMINATION OF THE RATES AND RATE-MAKING PROCEDURES OF THE HMSA, THE KAISER FOUNDATION HEALTH PLAN, AND THE HAWAII DENTAL SERVICE", was adopted.

Senator King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1267), recommending that Senate Resolution No. 430 be adopted.

On motion by Senator King, seconded by Senator Chong and carried, the report of the Committee was adopted and S.R. No. 430, entitled: "SENATE RESOLUTION REQUESTING THE ISSUANCE OF A UNITED STATES POSTAGE STAMP TO COMMEMORATE OUR COUNTRY'S BICENTENNIAL", was adopted.

Senator King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1268), recommending that House Concurrent Resolution No. 47, H.D. 1, be adopted.

On motion by Senator King, seconded by Senator Chong and carried, the report of the Committee was adopted, and Roll Call vote having been ordered, H.C.R. No. 47, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOMMENDING IMMEDIATE IMPLEMENTATION OF A DIAMOND HEAD CRATER STATE PARK", was adopted on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hara).

Senator King, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1269), recommending that House Concurrent Resolution No. 69, H.D. 1, be adopted.

On motion by Senator King, seconded by Senator Chong and

carried, the report of the Committee was adopted and H.C.R. No. 69, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEASING OF IOLANI PALACE FOR THE PURPOSE OF ITS CARE AND ADMINISTRATION", was adopted.

Senator King, for the majority of the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1270), recommending that House Concurrent Resolution No. 141 be adopted.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

At 11:51 o'clock a.m., the Senate reconvened.

On motion by Senator King, seconded by Senator Hulten and carried, Stand. Com. Rep. No. 1270 and H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING DEVELOPMENT OF FLAGS FOR THE MAJOR ISLANDS OF THE STATE", were recommitted to the Committee on Ecology, Environment and Recreation.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1271), recommending that Senate Concurrent Resolution No. 150 be adopted.

On motion by Senator F. Wong, seconded by Senator Hara and carried, the report of the Committee was adopted and S.C.R. No. 150, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE OFFICE OF TOURISM", was adopted.

#### ORDER OF THE DAY

MATTERS DEFERRED  
FROM APRIL 10, 1975

House Bill No. 116, H.D. 1:

By unanimous consent, action on H.B. No. 116, H.D. 1, was deferred to the evening session.

House Bill No. 931:

By unanimous consent, action on H.B. No. 931 was deferred to the evening session.

House Bill No. 1576:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 1576, entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (modified)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1900, H.D. 1:

On motion by Senator Young, seconded by Senator Toyofuku and carried, H.B. No. 1900, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPERIMENTAL AND DEMONSTRATION HOUSING PROJECTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hulten).

House Bill No. 826:

By unanimous consent, action on H.B. No. 826 was deferred to the evening session.

Standing Committee Report No. 902 (H.B. No. 1755, H.D. 1):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Stand. Com. Rep. No. 902 and H.B. No. 1755, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", were recommitted to the Committee on Judiciary.

Senate Bill No. 608, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 608, S.D. 1, H.D. 2, was deferred to the evening session.

House Bill No. 1801, H.D. 1:

By unanimous consent, action on H.B. No. 1801, H.D. 1, was deferred to the evening session.

Senate Bill No. 142, H.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 142 and S.B. No. 142, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE BENEFITS FOR PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 846, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 846, S.D. 1, H.D. 2, was deferred to the evening session.

Senate Bill No. 1326, S.D. 2, H.D. 2:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1326, S.D. 2, and S.B. No. 1326, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF COLLECTIVE BARGAINING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 332:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 332, entitled: "A BILL FOR AN ACT RELATING TO INCONSISTENCY BETWEEN CHAPTER 476 OF THE HAWAII REVISED STATUTES AND FEDERAL LAWS AND REGULATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 852, H.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 852, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF TRADEMARKS, PRINTS, LABELS, AND TRADE NAMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, nonès.

House Bill No. 1218:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 1218, entitled: "A BILL FOR AN ACT RELATING TO CONVICTED PERSONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1851:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 1851, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Yee).

Standing Committee Report No. 1024 (H.B. No. 8, H.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 1024 and H.B. No. 8, H.D. 2, was deferred to the evening session.

Standing Committee Report No. 1025 (H.B. No. 277, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1025 and H.B. No. 277, H.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 1032 (H.B. No. 1417):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 1032 was adopted and H.B. No. 1417, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT JUDGES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1034 (H.B. No. 1713, H.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 1034 was adopted and H.B. No. 1713, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ART IN STATE BUILDINGS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ching).

House Bill No. 369:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 369, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### FINAL READING

Conference Committee Report No. 6 (S.B. No. 959, H.D. 1, C.D. 1):

On motion by Senator Nishimura, seconded by Senator Chong and carried, Conf. Com. Rep. No. 6 was adopted and S.B. No. 959, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAKE-OVER BID DISCLOSURES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 7 (S.B. No. 1050, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Conf. Com. Rep. No. 7 was adopted and S.B. No. 1050, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROVISIONS FOR FAIR COMPETITIVE PRACTICES IN THE TERMINATION OF GASOLINE DEALERS FRANCHISE AGREEMENTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 8 (H.B. No. 336, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Nishimura, seconded by Senator Hara and carried, Conf. Com. Rep. No. 8 was adopted and H.B. No. 336, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIABILITY OF INNKEEPERS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 9 (H.B. No. 363, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 9 and H.B. No. 363, H.D. 1, S.D. 2, C.D. 1, was deferred to the evening session.

Conference Committee Report No. 10 (H.B. No. 851, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Conf. Com. Rep. No. 10 was adopted and H.B. No. 851, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOND REQUIREMENTS OF COLLECTION AGENCIES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 11 (H.B. No. 1874, H.D. 1, S.D. 1; C.D. 1):

On motion by Senator Nishimura, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 11 was adopted and H.B. No. 1874, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONTRACTORS RECOVERY FUND", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:00 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

At 12:04 o'clock p.m., the Senate reconvened.

Conference Committee Report No. 12 (H.B. No. 91, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 12 and H.B. No. 91, H.D. 2, S.D. 1, C.D. 1, was deferred to the evening session.

Conference Committee Report No. 13 (H.B. No. 282, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator F. Wong, seconded by Senator Hara and carried, Conf. Com. Rep. No. 13 was adopted and H.B. No. 282, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND EXCHANGES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 14 (H.B. No. 677, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator F. Wong,

seconded by Senator Hulten and carried, Conf. Com. Rep. No. 14 was adopted and H.B. No. 677, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATE PLANNING POLICY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 15 (H.B. No. 1870, H.D. 1, S.D. 3, C.D. 1):

Senator F. Wong moved that Conf. Com. Rep. No. 15 be adopted and that H.B. No. 1870, H.D. 1, S.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hulten.

Senator King then rose and spoke against the motion:

"Mr. President, I rise to speak against the motion.

I have gradually, reluctantly concluded that it is preferable not to pass the land use bill this year rather than the bill now being considered.

The bill was presented to us as reform or as a way of improving the workings of the Land Use Commission, and that certainly is a desirable end.

But instead of desirable reform, this bill will shut out much public participation while providing the Commission legal loopholes through which undesirable developments could be undertaken.

On participation, the bill originally and in its present form would remake public zoning of land into something less than a public function. Repeatedly, the Administration and the bill's supporters have guarded against amendments to fully include the public. In this bill, a group or individuals from the public could be excluded as a party in the quasi-judicial proceeding if the Commission deems their participation 'repetitive,' 'inefficient', or 'unmanageable'.

Very often viewpoints on zoning, or other public issues, are in many respects repetitive; but each individual has his own slant and his own grounding in facts. Likewise, participation is frequently inefficient by nature, as indeed is the democratic process. Such hearings last year as the Waiahole-



Waikane hearings could easily have been termed on the spot as 'unmanageable', but in retrospect these hearings were merely a symptom of growth pains toward a desirable end.

The direction of such exclusions is to present barriers to all except the government and the owners or persons with a property right, including the developers holding developing rights. This will reinforce the already undue influence of the large landholders and the developers.

By contrast, those of us who oppose the bill maintain that the public should be free to participate fully because that is what we should be trying to do--to shape land use to the good of all the people for urban development, agriculture and open space.

The second main problem is the guidelines for rezoning. They invite the commissioners to ignore them. To give another example of non-guidelines, the fourth on the list reads as follows:

'Urban districts shall be contiguous to an existing urban district or shall constitute all or a part of a self-contained urban center.'

If you will read this guideline several times as I have had to do, you will begin to see that any development in Hawaii would either be next to an urban district or all 'or a part of' one. More specifically, for example, the sugar land above Ewa could conceivably be subdivided under this regulation if the developer professed to the Commission his intention to one day add the rest of a planned community.

These are but some examples. The reasonable approach, it seems to me, would be to halt urbanization of agricultural lands in the short period remaining before the permanent guidelines.

The reason is that according to the conservative definitions of the Administration's own central Oahu study, we had enough urban lands to meet Hawaii's housing needs for the next eighteen years; and that was before the 1974 urban rezonings resulting from the five-year boundary review. Why rezone more now in this temporary period?

There are other problems even under the latest draft. For example,

there is no clear prohibition against the owner of agricultural land escaping the agricultural dedication penalties if the land is rezoned urban on petition of the developer.

Another example is that the gaping hole against developing conservation lands under Regulation 4 has not been closed. Under the current setup, hotels and houses can be built on conservation lands, golf courses on filled-in lakes, athletic fields and many other things.

Although at first glance the original theory that was offered to us behind this bill looks good, the more one reads it, the more flaws are found.

I would urge, Mr. President, a No vote on this bill."

Senator F. Wong then spoke in favor of the conference draft as follows:

"Mr. President, I rise to speak in favor of the conference draft.

A great deal has been said during the past sixty days about this particular bill, and I do not want to belabor the point.

Very briefly, Mr. President, I think that in trying to manage this bill to find what is in the best interest of the public, the public participation was a very important question. There is no question in my mind and the minds of the members of the conference committee that we have provided the mechanism for wide public participation. The quasi-judicial process is one that is necessary and good because it provides for accountability and responsibility on all land use decisions. Having to account to the people of Hawaii as to how we use our lands is, I think, perhaps one of the most important points.

The limitations that Senator King mentioned are perhaps interpreted wrongly. In that particular bill, the section that provides for public participation is intended to be one that is permissive so that the Commission can invite public participation at all levels; and it can permit a citizen to testify. It is not intended to be a limitation to that right.

There is no question, Mr. President, the judicial process that we have laid out will be oftentimes very

tedious. It will result in very long hearings. Many times it will result in having people standing and waiting for many hours to testify. We feel, however, that this is a small price to pay for participatory democracy; and I think that this bill achieves that end.

As far as the guidelines go, I don't know how we can be clearer without being inequitable. One of the criticisms that was voiced in this Chamber the last time that this bill came for consideration, was a phrase 'insofar as practicable' in the guidelines. The conference draft omits reference to that section. It, however, inserts that the Land Use Commission shall not make amendments except where there is an inequity or an injustice that will result. I don't know how we can make it clearer as to what the intents of the Legislature and what the laws of Hawaii should be on this important issue.

The judicial process that we have laid out indicates that lands can only be rezoned where there is a clear preponderance of evidence. To attack a particular guideline without reading all of the guidelines is unfair and unjust to this bill. Furthermore, the first section, the first guideline, says that zoning will take place only where the Commission finds that it is reasonably necessary to accomplish many of the State's objectives.

Lastly, Mr. President, the question raised by Senator King regarding conservation lands regarding a moratorium was considered throughout the last sixty days. We feel that a moratorium is not good planning. A moratorium does not solve any problems, and certainly a moratorium is unjust.

Thank you."

At this time, Senator O'Connor spoke as follows:

"Mr. President, I am going to vote in favor of this, but I would like to point out to the worthy members of this Chamber two things about this legislation.

First, in a Land Use Commission where we have had voluntary people serving who have outside jobs, we are gradually creating a system where I am sure next year or the year after that, we are going to be faced with having a full-time Land Use Commission paying them

the same salaries as Circuit Court judges, because that is about where we're going with this law.

Secondly, as I understand it in a compromise with certain environmental groups, this bill contains a provision which allows litigation to be filed up to and including July 1st of this year in reference to one of the most recent boundary reviews. As I understand it, this is provided primarily because some lawyer didn't do his homework--certain litigation was not filed within the proper statute of limitations period. I put the group on notice; the next time I err with the statute of limitations, I am going to come up here and ask for a special interest bill to bail me out."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 15 was adopted and H.B. No. 1870, H.D. 1, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Anderson, Chong, George, King, Leopold and R. Wong).

Conference Committee Report No. 16 (H.B. No. 430, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Nishimura, seconded by Senator Toyofuku and carried, Conf. Com. Rep. No. 16 was adopted and H.B. No. 430, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### MATTERS DEFERRED FROM APRIL 10, 1975

Standing Committee Report No. 1172 (Gov. Msg. No. 62):

Senator Nishimura moved that Stand. Com. Rep. No. 1172 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Wayne K. Minami as Director of the Department of Regulatory Agencies, seconded by Senator O'Connor.

Senator Leopold then commented as follows:

"Mr. President, I rise to speak in favor of the motion.

Mr. President, I am very impressed with the testimony presented by Mr. Minami in your committee. In my opinion, his is the kind of high calibre appointment which reflects highly on the Administration."

Roll Call having been ordered, the motion to advise and consent to the nomination of Wayne K. Minami as Director of the Department of Regulatory Agencies, term to expire December 4, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1173 (Gov. Msg. No. 70):

Senator Nishimura moved that Stand. Com. Rep. No. 1173 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Ronald Amemiya as Attorney General, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Ronald Amemiya as Attorney General, term to expire December 4, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1174 (Gov. Msg. No. 73):

Senator Nishimura moved that Stand. Com. Rep. No. 1174 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of H. Baird Kidwell as Associate Justice of the Supreme Court of Hawaii, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of H. Baird Kidwell as Associate Justice of the Supreme Court of Hawaii, term to expire 1985, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1175 (Gov. Msg. No. 189):

Senator Nishimura moved that Stand. Com. Rep. No. 1175 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Daniel S. Ukishima to the Criminal Injuries Compensation Commission, seconded by Senator O'Connor and carried.

Roll Call having been ordered, the motion to advise and consent to the nomination of Daniel S. Ukishima to the Criminal Injuries Compensation Commission, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1176 (Gov. Msg. No. 252):

Senator Nishimura moved that Stand. Com. Rep. No. 1176 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of James F. Ventura to the Commission to Promote Uniform Legislation, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of James F. Ventura to the Commission to Promote Uniform Legislation, term to expire December 31, 1975, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1177 (Gov. Msg. No. 253):

Senator Nishimura moved that Stand. Com. Rep. No. 1177 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of James A. King to the Commission to Promote Uniform Legislation, seconded by Senator O'Connor and carried.

Roll Call having been ordered, the motion to advise and consent

to the nomination of James A. King to the Commission to Promote Uniform Legislation, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:18 o'clock p.m., the Senate stood at recess subject to the call of the Chair.

At 12:19 o'clock p.m., the Senate reconvened.

Standing Committee Report No. 1178 (Gov. Msg. No. 278):

Senator Nishimura moved that Stand. Com. Rep. No. 1178 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Judge Yoshimi Hayashi to the Intake Service Center Advisory Board, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Judge Yoshimi Hayashi to the Intake Service Center Advisory Board, term to expire December 4, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1179 (Gov. Msg. No. 297):

Senator Nishimura moved that Stand. Com. Rep. No. 1179 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Sozen Yogi to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Sozen Yogi to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, term to expire December 31, 1977, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1180 (Gov. Msg. No. 298):

Senator Nishimura moved that Stand. Com. Rep. No. 1180 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Mary Aizawa to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Mary Aizawa to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1181 (Gov. Msg. No. 299):

Senator Nishimura moved that Stand. Com. Rep. No. 1181 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Ramon M. Tanaka to the Board of Certification for Practicing Psychologists, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Ramon M. Tanaka to the Board of Certification for Practicing Psychologists, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1182 (Gov. Msg. No. 300):

Senator Nishimura moved that Stand. Com. Rep. No. 1182 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Dr. Jack S. Annon to the Board of Certification for Practicing Psychologists, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Dr. Jack S. Annon to the Board of Certification for Practicing Psychologists, term to expire December 31, 1978, was

put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1183 (Gov. Msg. No. 301):

Senator Nishimura moved that Stand. Com. Rep. No. 1183 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Patricia Reile to the Board of Certification for Practicing Psychologists, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Patricia Reile to the Board of Certification for Practicing Psychologists, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1184 (Gov. Msg. No. 302):

Senator Nishimura moved that Stand. Com. Rep. No. 1184 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Valkyrie K. Choy to the Board of Massage, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Valkyrie K. Choy to the Board of Massage, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1185 (Gov. Msg. No. 303):

Senator Nishimura moved that Stand. Com. Rep. No. 1185 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Dr. Kazuo Teruya to the Board of Hearing Aid Dealers and Fitters, seconded by Senator

O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Dr. Kazuo Teruya to the Board of Hearing Aid Dealers and Fitters, term to expire December 31, 1976, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1186 (Gov. Msg. No. 304):

Senator Nishimura moved that Stand. Com. Rep. No. 1186 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of D. Thomas Smith to the Board of Hearing Aid Dealers and Fitters, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of D. Thomas Smith to the Board of Hearing Aid Dealers and Fitters, term to expire December 31, 1976, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1187 (Gov. Msg. No. 305):

Senator Nishimura moved that Stand. Com. Rep. No. 1187 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of James S. Hasegawa to the Board of Hearing Aid Dealers and Fitters, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of James S. Hasegawa to the Board of Hearing Aid Dealers and Fitters, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1188 (Gov. Msg. No. 306):

Senator Nishimura moved that Stand. Com. Rep. No. 1188 be

received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Adelaide De Soto to the Board of Hearing Aid Dealers and Fitters, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Adelaide De Soto to the Board of Hearing Aid Dealers and Fitters, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1189 (Gov. Msg. No. 307):

Senator Nishimura moved that Stand. Com. Rep. No. 1189 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Carroll L. Johnson, Jr., to the Elevator Mechanics Licensing Board, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Carroll L. Johnson, Jr., to the Elevator Mechanics Licensing Board, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1190 (Gov. Msg. No. 308):

Senator Nishimura moved that Stand. Com. Rep. No. 1190 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Harvey C. King to the Elevator Mechanics Licensing Board, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Harvey C. King to the Elevator Mechanics Licensing Board, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1191 (Gov. Msg. No. 309):

Senator Nishimura moved that Stand. Com. Rep. No. 1191 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Robert K. Maeda to the Credit Union Review Board, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Robert K. Maeda to the Credit Union Review Board, term to expire December 31, 1975, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1192 (Gov. Msg. No. 310):

Senator Nishimura moved that Stand. Com. Rep. No. 1192 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Humio Okimoto to the Credit Union Review Board, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Humio Okimoto to the Credit Union Review Board, term to expire December 31, 1976, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1193 (Gov. Msg. No. 311):

Senator Nishimura moved that Stand. Com. Rep. No. 1193 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Masao Nakashima to the Credit Union Review Board, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Masao Nakashima to the Credit Union Review Board,

term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1194 (Gov. Msg. No. 312):

Senator Nishimura moved that Stand. Com. Rep. No. 1194 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Betty Kernaghan to the Credit Union Review Board, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Betty Kernaghan to the Credit Union Review Board, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1195 (Gov. Msg. No. 313):

Senator Nishimura moved that Stand. Com. Rep. No. 1195 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Edward Hashimoto to the Board of Electricians and Plumbers, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Edward Hashimoto to the Board of Electricians and Plumbers, term to expire December 31, 1976, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1196 (Gov. Msg. No. 342):

Senator Nishimura moved that Stand. Com. Rep. No. 1196 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of David T. Ishikawa as State Commissioner of Motor Vehicle Insurance, seconded

by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of David T. Ishikawa as State Commissioner of Motor Vehicle Insurance, term to expire 1980, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1197 (Gov. Msg. No. 343):

Senator Nishimura moved that Stand. Com. Rep. No. 1197 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of John Uyetake to the Motor Vehicle Industry Licensing Board, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of John Uyetake to the Motor Vehicle Industry Licensing Board, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1198 (Gov. Msg. No. 344):

Senator Nishimura moved that Stand. Com. Rep. No. 1198 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Olga Waterhouse to the Board of Registration, Oahu, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Olga Waterhouse to the Board of Registration, Oahu, term to expire December 31, 1975, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1199 (Gov. Msg. No. 345):

Senator Nishimura moved that Stand. Com. Rep. No. 1199 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Theresa Davenport to the Board of Registration, Kauai and Niihau, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Theresa Davenport to the Board of Registration, Kauai and Niihau, term to expire December 31, 1977, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1200 (Gov. Msg. No. 346):

Senator Nishimura moved that Stand. Com. Rep. No. 1200 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Shunichi Hatada to the Credit Union Review Board, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Shunichi Hatada to the Credit Union Review Board, term to expire December 31, 1977, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1201 (Gov. Msg. No. 347):

Senator Nishimura moved that Stand. Com. Rep. No. 1201 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Dr. Julia J. Tsuei to the Board of Acupuncture, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Dr. Julia J. Tsuei to the Board of Acupuncture, term to expire December 31, 1975, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1202 (Gov. Msg. No. 348):

Senator Nishimura moved that Stand. Com. Rep. No. 1202 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Thomas H.D. Kim to the Board of Acupuncture, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Thomas H.D. Kim to the Board of Acupuncture, term to expire December 31, 1977, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1203 (Gov. Msg. No. 349):

Senator Nishimura moved that Stand. Com. Rep. No. 1203 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Setwin Tang to the Board of Acupuncture, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Setwin Tang to the Board of Acupuncture, term to expire December 31, 1977, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1204 (Gov. Msg. No. 350):

Senator Nishimura moved that Stand. Com. Rep. No. 1204 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Dr. Lily Siou to the Board of Acupuncture, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Dr. Lily Siou to the Board of Acupuncture, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:



Ayes, 25. Noes, none.

Standing Committee Report No.  
1205 (Gov. Msg. No. 351):

Senator Nishimura moved that Stand. Com. Rep. No. 1205 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Paul T. Taniguchi to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Paul T. Taniguchi to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, term to expire December 31, 1977, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No.  
1206 (Gov. Msg. No. 352):

Senator Nishimura moved that Stand. Com. Rep. No. 1206 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Gilman K.M. Hu to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Gilman K.M. Hu to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No.  
1207 (Gov. Msg. No. 360):

Senator Nishimura moved that Stand. Com. Rep. No. 1207 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved

that the Senate advise and consent to the nomination of William H. Miller to the Boxing Commission, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of William H. Miller to the Boxing Commission, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No.  
1208 (Gov. Msg. No. 361):

Senator Nishimura moved that Stand. Com. Rep. No. 1208 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Larry K. Matsuo to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Larry K. Matsuo to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No.  
1209 (Gov. Msg. No. 268):

Senator Nishimura moved that Stand. Com. Rep. No. 1209 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Deputy Chief Eugene Fletcher to the Intake Service Center Advisory Board, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Deputy Chief Eugene Fletcher to the Intake Service Center Advisory Board, term to expire December 4, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1210 (Gov. Msg. Nos. 88, 89, 90, 91, 92, 93, 94, 95 and 320):

Senator King moved that Stand. Com. Rep. No. 1210 be received and placed on file, seconded by Senator Hulten and carried.

Senator King then moved that the Senate advise and consent to the nominations of Sandy Young, Hideto Kono, Paul M. Goudsmit, John G. Simpson, Monsignor Charles Kekumano, Sam N. Okinaga, Thurston Twigg-Smith, James D. Evans and Gabriel I to the Hawaii Bicentennial Commission, seconded by Senator Hulten.

Roll Call having been ordered, the motion to advise and consent to the nominations to the Hawaii Bicentennial Commission as follows:

Sandy Young, term to expire December 31, 1977;

Hideto Kono, term to expire December 31, 1977;

Paul M. Goudsmit, term to expire December 31, 1977;

John G. Simpson, term to expire December 31, 1977;

Monsignor Charles Kekumano, term to expire December 31, 1977;

Sam N. Okinaga, term to expire December 31, 1977;

Thurston Twigg-Smith, term to expire December 31, 1977;

James D. Evans, term to expire December 31, 1977; and

Gabriel I, term to expire December 31, 1977,

was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1211 (Gov. Msg. No. 96):

Senator King moved that Stand. Com. Rep. No. 1211 be received and placed on file, seconded by Senator Hulten and carried.

Senator King then moved that the Senate advise and consent

to the nomination of James R. Kuwaye to the Hawaii Bicentennial International Marine Exposition Commission, seconded by Senator Hulten.

Roll Call having been ordered, the motion to advise and consent to the nomination of James R. Kuwaye to the Hawaii Bicentennial International Marine Exposition Commission, term to expire December 31, 1976, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1212 (Gov. Msg. Nos. 97, 98 and 321):

Senator King moved that Stand. Com. Rep. No. 1212 be received and placed on file, seconded by Senator Hulten and carried.

Senator King then moved that the Senate advise and consent to the nominations of Dr. William Hindle, Daniel M. Ishii and Wesley Park to the Commission on Population and the Hawaiian Future, seconded by Senator Hulten.

Roll Call having been ordered, the motion to advise and consent to the nominations to the Commission on Population and the Hawaiian Future as follows:

Dr. William Hindle, term to expire December 31, 1978;

Daniel M. Ishii, term to expire December 31, 1977; and

Wesley Park, term to expire December 31, 1978,

was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1213 (Gov. Msg. Nos. 99, 100, 101, 102, 103, 104 and 322):

Senator King moved that Stand. Com. Rep. No. 1213 be received and placed on file, seconded by Senator Hulten and carried.

Senator King then moved that the Senate advise and consent to the nominations of Naomi Losch, John R. Topolinski, Ramona Teves, William K. Enoka, Murty Sheldon, Paul Canto, Sr. and Nalani O.

Napoleon to the King Kamehameha Day Celebration Commission, seconded by Senator Hulten.

Roll Call having been ordered, the motion to advise and consent to the nominations to the King Kamehameha Day Celebration Commission as follows:

Naomi Losch, term to expire December 31, 1978;

John R. Topolinski, term to expire December 31, 1977;

Ramona Teves, term to expire December 31, 1978;

William K. Enoka, term to expire December 31, 1978;

Murty Sheldon, term to expire December 31, 1978;

Paul Canto, Sr., term to expire December 31, 1978; and

Nalani O. Napoleon, term to expire December 31, 1978,

was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1214 (Gov. Msg. Nos. 105 and 106):

Senator King moved that Stand. Com. Rep. No. 1214 be received and placed on file, seconded by Senator Hulten and carried.

Senator King then moved that the Senate advise and consent to the nominations of Aka Hodgins and Wilbert Y. K. Yee to the Fish and Wildlife Advisory Committee, County of Maui, seconded by Senator Hulten.

Roll Call having been ordered, the motion to advise and consent to the nominations to the Fish and Wildlife Advisory Committee, County of Maui as follows:

Aka Hodgins, term to expire December 31, 1976; and

Wilbert Y.K. Yee, term to expire December 31, 1976,

was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1215 (Gov. Msg. Nos. 110, 111 and 112):

Senator King moved that Stand. Com. Rep. No. 1215 be received and placed on file, seconded by Senator Hulten and carried.

Senator King then moved that the Senate advise and consent to the nominations of Paul T. Ebesu, Dorothy Babineau and Herbert S. L. Chock to the Fish and Wildlife Advisory Committee, City and County of Honolulu, seconded by Senator Hulten.

Roll Call having been ordered, the motion to advise and consent to the nominations to the Fish and Wildlife Advisory Committee, City and County of Honolulu, as follows:

Paul T. Ebesu, term to expire December 31, 1976;

Dorothy Babineau, term to expire December 31, 1976; and

Herbert S.L. Chock, term to expire December 31, 1976,

was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1216 (Gov. Msg. Nos. 206, 207, 208, 209, 210 and 211):

Senator King moved that Stand. Com. Rep. No. 1216 be received and placed on file, seconded by Senator Hulten and carried.

Senator King then moved that the Senate advise and consent to the nominations of Brother Oliver Aiu, Dr. John W. Hylin, Richard Y. Kuwada, Albert S. Nishimura, James P. Iams and Dr. Eugene M. Kawaguchi to the Environmental Council, seconded by Senator Hulten.

Roll Call having been ordered, the motion to advise and consent to the nominations to the Environmental Council as follows:

Brother Oliver Aiu, term to expire December 31, 1977;

Dr. John W. Hylin, term to expire December 31, 1978;

Richard Y. Kuwada, term to expire December 31, 1978;

Albert S. Nishimura, term to expire December 31, 1978;

James P. Iams, term to expire December 31, 1978; and

Dr. Eugene M. Kawaguchi, term to expire December 31, 1978,

was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1217 (Gov. Msg. Nos. 212, 213 and 214):

Senator King moved that Stand. Com. Rep. No. 1217 be received and placed on file, seconded by Senator Hulten and carried.

Senator King then moved that the Senate advise and consent to the nominations of Melvin H. Kua, Alvin Tanigawa and Goro Sadaoka to the Fish and Wildlife Advisory Committee, seconded by Senator Hulten.

Roll Call having been ordered, the motion to advise and consent to the nominations to the Fish and Wildlife Advisory Committee, County of Kauai, as follows:

Melvin H. Kua, term to expire December 31, 1976;

Alvin Tanigawa, term to expire December 31, 1976; and

Goro Sadaoka, term to expire December 31, 1976,

was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1251 (Gov. Msg. No. 195):

Senator Nishimura moved that Stand. Com. Rep. No. 1251 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Joseph G. Williams to the Cemetery Board, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Joseph G.

Williams to the Cemetery Board, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1252 (Gov. Msg. No. 196):

Senator Nishimura moved that Stand. Com. Rep. No. 1252 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of Alice K. Hahn to the Cemetery Board, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of Alice K. Hahn to the Cemetery Board, term to expire December 31, 1978, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1253 (Gov. Msg. No. 254):

Senator Nishimura moved that Stand. Com. Rep. No. 1253 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of R. Gregg Hall to the Cemetery Board, seconded by Senator O'Connor.

Roll Call vote having been ordered, the motion to advise and consent to the nomination of R. Gregg Hall to the Cemetery Board, term to expire December 31, 1977, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1254 (Gov. Msg. No. 359):

Senator Nishimura moved that Stand. Com. Rep. No. 1254 be received and placed on file, seconded by Senator O'Connor and carried.

Senator Nishimura then moved that the Senate advise and consent to the nomination of John R. Wheat, Jr. to the Board of Acupuncture, seconded by Senator O'Connor.

Roll Call having been ordered, the motion to advise and consent to the nomination of John R. Wheat, Jr. to the Board of Acupuncture, term to expire December 31, 1976, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

### THIRD READING

House Bill No. 1571, H.D. 1:

By unanimous consent, action on H.B. No. 1571, H.D. 1, was deferred to the evening session.

House Bill No. 7, H.D. 1:

By unanimous consent, action on H.B. No. 7, H.D. 1, was deferred to the evening session.

### MISCELLANEOUS COMMUNICATION

A communication from the Honorable Daniel K. Inouye, United States Senator (Misc. Com. No. 20), acknowledging receipt of Senate Resolution Nos. 178 (1975) and 310 (1975), was read by the Clerk and was placed on file.

At this time, Senator Chong, Chairman of the Committee on Health, requested a waiver of the 48-hour notice of a Public Hearing on Senate Resolution No. 447; and the President granted the waiver.

At 12:22 o'clock p.m., the Senate stood in recess until 7:30 o'clock p.m., this evening.

### EVENING SESSION

The Senate reconvened at 7:49 o'clock p.m., with all Senators present.

### MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 369), transmitting copies of the Department of Education's audit report of the Kailua High School Flexible Scheduling Project, 1966-1974, prepared in response to Conference Committee Report No. 3 of the Seventh Legislature, Regular Session 1973, was read by the Clerk and referred to the Committee on Education.

### DEPARTMENTAL COMMUNICATION

A communication from the Department of Education (Dept. Com. No. 16), transmitting copies of reports

in response to the following resolutions:

H.R. No. 53, entitled: "HOUSE RESOLUTION ENCOURAGING THE CONSIDERATION OF INPUT FROM A WIDE VARIETY OF SOURCES REGARDING SCHOOL GOALS AND OBJECTIVES", and

H.R. No. 56, entitled: "HOUSE RESOLUTION ENCOURAGING STUDENT PARTICIPATION IN SCHOOL DECISION-MAKING PROCESSES",

was read by the Clerk and referred to the Committee on Education.

### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 510 to 516) were read by the Clerk and disposed of as follows:

A communication from the House (Hse. Com. No. 510), informing the Senate that the amendments proposed by the Senate to House Bill No. 54, H.D. 1, were agreed to by the House; and H.B. No. 54, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

A communication from the House (Hse. Com. No. 511), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the Senate to House Bill No. 91, H.D. 2, was adopted by the House, and House Bill No. 91, H.D. 2, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 512), returning Senate Concurrent Resolution No. 62, S.D. 1, which was adopted by the House of Representatives on April 11, 1975, in an amended form, was placed on file.

On motion by Senator King, seconded by Senator Hulten and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 62, S.D. 1, and S.C.R. No. 62, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF POSSIBLE HARMFUL RADIATION EFFECTS FROM BROADCAST TOWERS", was finally adopted.

A communication from the House (Hse. Com. No. 513), returning Senate Concurrent Resolution No. 8, which was adopted by the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 514), returning Senate Concurrent Resolution No. 20, which was adopted by the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 515), returning Senate Concurrent Resolution No. 92, which was adopted by the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 516), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 535 was adopted by the House; and Senate Bill No. 535, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 449 to 454) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 449), entitled: "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS AND RESOLUTIONS TO THE SENATE PRESIDENT'S OFFICE", was jointly offered by Senators Ching, Taira and Anderson.

On motion by Senator Ching, seconded by Senator Anderson and carried, S.R. No. 449 was adopted.

A resolution (S.R. No. 450), entitled: "SENATE RESOLUTION EXPRESSING APPRECIATION TO THE RELIGIOUS LEADERS OF HONOLULU FOR THEIR INSPIRING INVOCATIONS DURING THE REGULAR SESSION OF 1975", was jointly offered by Senators Ching, Taira and Anderson.

On motion by Senator Ching, seconded by Senator Anderson and carried, S.R. No. 450 was adopted.

A resolution (S.R. No. 451),

entitled: "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE", was jointly offered by Senators Ching, Taira and Anderson.

On motion by Senator Ching, seconded by Senator Anderson and carried, S.R. No. 451 was adopted.

A resolution (S.R. No. 452), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO EXPEND FUNDS AFTER ADJOURNMENT", was jointly offered by Senators Ching, Taira and Anderson.

On motion by Senator Ching, seconded by Senator Anderson and carried, S.R. No. 452 was adopted.

A resolution (S.R. No. 453), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT", was jointly offered by Senators Ching, Taira and Anderson.

On motion by Senator Ching, seconded by Senator Anderson and carried, S.R. No. 453 was adopted.

A resolution (S.R. No. 454), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTIETH DAY", was jointly offered by Senators Ching, Taira and Anderson.

On motion by Senator Ching, seconded by Senator Anderson and carried, S.R. No. 454 was adopted.

#### STANDING COMMITTEE REPORTS

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1272), recommending that House Concurrent Resolution No. 54 be adopted.

On motion by Senator F. Wong, seconded by Senator Hara and carried, the report of the Committee was adopted and H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE RETURN OF THE ISLAND OF KAHOO LAWE TO THE STATE OF HAWAII FROM THE UNITED STATES GOVERNMENT", was adopted.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1273), recommending that House Concurrent Resolution No. 60 be adopted.

On motion by Senator F. Wong, seconded by Senator Hara and carried, the report of the Committee was adopted and H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE CONGRESSIONAL DELEGATION TO SUPPORT THE PASSAGE OF A SUGAR ACT", was adopted.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1274), recommending that House Concurrent Resolution No. 105, H.D. 1, be adopted.

On motion by Senator F. Wong, seconded by Senator Hara and carried, the report of the Committee was adopted and H.C.R. No. 105, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ARMED SERVICES COMMITTEE, SUBCOMMITTEE NO. 5 TO SCHEDULE HEARINGS AND RELEASE 1,324 ACRES OF CEDED LAND AS ADVISED BY THE DEPARTMENT OF THE ARMY", was adopted.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1275), recommending that Senate Concurrent Resolution No. 104 be adopted.

On motion by Senator F. Wong, seconded by Senator Hara and carried, the report of the Committee was adopted and S.C.R. No. 104, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION INITIATE ACTION TO DETERMINE THE STATUS OF RELEASE OF FEDERAL LANDS ON OAHU TO THE STATE OF HAWAII", was adopted.

Senator F. Wong, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1276), recommending that Senate Resolution No. 435 be adopted.

Senator F. Wong then moved that the report of the Committee be adopted and that S.R. No. 435 be adopted, seconded by Senator Hara.

Senator Anderson then rose and commented as follows:

"Mr. President, I will support the resolution.

However, I would like to call attention to the first 'be it resolved'

clause. It appears that we are trying to legislate by resolution. Although I realize that it has no force and effect by law, I would hate to establish a pattern. I believe it is somewhat improper, although I realize that it is the Governor's discretion whether he shall or shall not.

However, I would like it entered into the Journal that it is not our intention to legislate by resolution."

The President then indicated that there was a Senate Concurrent Resolution on the same subject matter which passed the Senate some time earlier today.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 1276 was adopted; and Roll Call vote having been requested, S.R. No. 435, entitled: "SENATE RESOLUTION RELATING TO THE OFFICE OF TOURISM", was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hulten, Leopold and Yamasaki).

Senator Takitani, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1277), recommending that Senate Resolution No. 438 be adopted.

On motion by Senator Takitani, seconded by Senator O'Connor and carried, the report of the Committee was adopted and S.R. No. 438, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO PLAY A STRONGER ROLE IN MONITORING THE UNIVERSITY OF HAWAII'S MEDICAL AND LAW SCHOOLS", was adopted.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1278), recommending that Senate Resolution No. 399 be adopted.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and S.R. No. 399, entitled: "SENATE RESOLUTION REQUESTING THE REAL ESTATE COMMISSION TO REVIEW PROBLEMS RELATING TO THE HORIZONTAL PROPERTY REGIMES, CHAPTER 514, AND TO ENACT RULES AND REGULATIONS OR RECOMMEND CORRECTIVE LEGISLATION", was adopted.

Senator Nishimura, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1279), recommending that House Concurrent Resolution No. 139, H.D. 1, be adopted.

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the report of the Committee was adopted and H.C.R. No. 139, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE CONCEPT OF TIME SHARING OWNERSHIP OF CONDOMINIUMS", was adopted.

Senator Kuroda, for the Committee on Consumer Protection, presented a report (Stand. Com. Rep. No. 1280), recommending that Senate Resolution No. 109, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Kuroda, seconded by Senator R. Wong and carried, the report of the Committee was adopted and S.R. No. 109, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE UNIFORM CONSUMER CREDIT CODE", was referred to the Committee on Legislative Management.

Senator Chong, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1281), recommending that Senate Resolution No. 447 be adopted.

On motion by Senator Chong, seconded by Senator Ching and carried, the report of the Committee was adopted and S.R. No. 447, entitled: "SENATE RESOLUTION REQUESTING THE SENATE INTERIM COMMITTEE ON HEALTH TO MONITOR THE IMPLEMENTATION OF H.B. No. 999, H.D. 1, S.D. 1, C.D. 1, A BILL FOR AN ACT RELATING TO HEALTH PLANNING", was adopted.

At 7:52 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

At 7:59 o'clock p.m., the Senate reconvened.

#### ORDER OF THE DAY

##### FINAL READING

Conference Committee Report No. 17 (H.B. No. 1742, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 17 and

H.B. No. 1742, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 18 (S.B. No. 535, H.D. 1, C.D. 1):

Senator R. Wong moved that Conf. Com. Rep. No. 18 be adopted and that S.B. No. 535, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yamasaki.

Senator R. Wong then rose and spoke in favor of the bill as follows:

"Mr. President, I rise to speak in favor of this bill.

This is the budget bill for the 1975-77 biennium. It is the product of long deliberations on the part of your conferees and our counterparts from the House.

The bill now before us represents the input of the concerns and interest of all the members of the Legislature. There was much give-and-take in the budget preparation process in both houses before we arrived at this final product. Some worthwhile programs were necessarily omitted from this bill because of the limitations in the availability of funds. However, I believe we have provided adequately for most of the major and high priority items.

This is a bill that all the members of the Legislature can live with because it reflects all of their interest.

I would like to take this opportunity to point out some of the significant highlights of the bill:

1. It provides \$12 million for a state-funded emergency employment program to help alleviate the high unemployment situation;
2. It provides funds for the expansion of school health services which will cover all the public elementary schools in the State by the end of the biennium;
3. It provides funds for the implementation of reforms in the public assistance program;
4. It provides funds for increased programs for the elderly; in this way, we are recognizing our debt to the generation that preceded us for their contribution



and hard work in building Hawaii;

5. It provides funds for alternative energy research programs to look for ways to make Hawaii more independent of external energy sources; and

6. It provides \$1.3 million to facilitate the implementation of the land-reform program.

These are but just a few of the many programs and budget items covered by this bill now before us. This bill will thus both meet the operating requirements of the State government and also the demands for programs and services for the people of Hawaii.

For the information of the members of this honorable Body, I would also like to point out that the total general fund appropriations provided for in this bill are: 1975-76, \$646.5 million, and 1976-77, \$669.9 million, or a total of \$1.316 billion over the biennium. According to the projected financial plan incorporated in this budget, the State should realize a net surplus of \$1.4 million at the end of the biennium. This is thus a balanced budget and financial plan.

Mr. President, we have met our financial needs within our available resources.

Therefore, Mr. President, I call on the members of this honorable Body to vote in favor of this budget.

Thank you, Mr. President."

At this time, Senator Anderson commented that "on page 92 and 142, Item No. 3 should not be under the City and County of Honolulu, but under the D.L.N.R. on page 91; and the Tax Map Key should read 5-6-01, parcel 6 through 10, and 33 acres and not 30 acres on both of those pages."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 18 was adopted and S.B. No. 535, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET", having been read throughout, passed Final Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 19 (S.B. No. 516, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Conf. Com. Rep. No. 19 was adopted and S.B. No. 516, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 20 (H.B. No. 850, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Nishimura, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 20 was adopted and H.B. No. 850, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 21 (H.B. No. 1852, H.D. 1, S.D. 1, C.D. 1):

Senator Nishimura moved that Conf. Com. Rep. No. 21 be adopted and that H.B. No. 1852, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator O'Connor.

Senator Kawasaki then explained that he will be voting No on the particular bill as he has done in the past primarily because in studying the Police Department's testimony, he is in agreement with the Department's belief that the expungement of police records would be an impediment on the Police Department's efforts in conducting its work.

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 21 was adopted and H.B. No. 1852, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPUNGEMENT OF ARREST RECORDS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hulten,

Kawasaki and Kuroda).

Conference Committee Report  
No. 22 (H.B. No. 1875, H.D.  
1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 22 and H.B. No. 1875, H.D. 1, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report  
No. 23 (S.B. No. 1645, S.D.  
1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 23 and S.B. No. 1645, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report  
No. 24 (S.B. No. 1200, S.D.  
2, H.D. 1, C.D. 1):

Senator Young moved that Conf. Com. Rep. No. 24 be adopted and that S.B. No. 1200, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Toyofuku.

Senator Young then explained and spoke in favor of the bill as follows:

"Mr. President, I want to have the intent of your Conference Committee incorporated into the Senate Journal with respect to the amendment of Section 516-22 of the Hawaii Revised Statutes.

It is the intent of your Conference Committee that under Section 516-22, Hawaii Revised Statutes, that before the Hawaii Housing Authority designates all or a portion of a development tract for acquisition, the Hawaii Housing Authority must find both that a shortage of fee simple residential property exists in the county, and the acquisition will assist in alleviating the shortage; and that 25 or more lessees, or 50 per cent of the residential lease lots in the tract, whichever is lesser, have applied to purchase the leased fee interests.

It is the intent of the Conference Committee that the word, 'or', used in that section shall be conjunctive as well, and shall have the meaning of the word 'and' in the manner construed under Section 1-18, Hawaii Revised Statutes.

Mr. President, at this time I would like to speak in favor

of this measure.

Mr. President, Senate Bill No. 1200, C.D. 1, like the legislative session, has come a long way. It has travelled from various committees and has touched bases with all those who cared to share their thoughts and concerns.

As it journeyed from one committee to another, its wings were clipped many times; so as it again grew and took flight, it soared onward to become a stronger and better vehicle.

Mr. President, this is a good bill--not perfect--because it was created by men less than perfect.

It is a good bill because it goes to the heart of the housing problem in the State of Hawaii and the institution of residential land leases as it has developed over the years.

Eight years ago the Legislature sought redress for lessees in the Land Reform Act of 1967. But meanwhile, the leasehold problem has become a crisis; and thousands of lessees pray for relief.

Mr. President, this bill provides that relief by placing the law in the side of the residential leaseholder. The thousands of residential leaseholders in Hawaii need this bill. And it behooves us to see that it is enacted.

I urge all of you to vote Aye on this measure."

Senator Rohlfs then spoke for the passage of the bill as follows:

"Mr. President, since tonight is one of those nights that is going to probably involve some of us in some things that are not pleasant, I find it incumbent upon myself to stand on this particular issue and say that I find the results pleasant.

Twenty days ago, I spoke before this Body offering various amendments to then Senate Bill No. 1200, Senate Bill No. 19 and several others, trying to point out some of the areas that we thought had not been given sufficient attention. As the Chairman, my distinguished colleague from the Fourth Senatorial District, pointed out, leasehold issues have progressed through many committees of this Body and the other Body across the hall. A lot of work has been put

in by a lot of people.

I have to confess that I personally was disappointed that several of us, Senator F. Wong, Senator Hulten and myself, were not able to participate in the Conference Committee. Not everyone can participate in a conference committee, and I acknowledge that Senator Young had good reason for her position. I commend her and her conferees for retaining many of the key changes that were made in the Economic Development Committee and in other committees along the way. I think that significant progress has been made.

As I said several weeks ago, some of us began the fight in the fifties; maybe some began earlier. I think we have made progress in clarifying some of the problems. I don't think it's perfect, as the Senator has said; but I think we have done a great deal to build a better outlook for a 'fair shake' for the lessees.

I think we can build on this year's progress in case we haven't finally made it. I, for one, will be looking toward the Administration to see whether they are prepared now to implement with some very clear, outspoken, underlying, exclamated intention of the Legislature of the State of Hawaii to move, to try and bring some equity to lessees to give them a chance to purchase their fee simple property.

There are still some things to be done, but again I think that those who have participated in this effort are to be congratulated for the amount of effort and what it has finally brought to bear before us tonight.

Mr. President, I am very happy to take the position that we should support this measure and move ahead.

Thank you."

The motion was put by the Chair and carried and Conf. Com. Rep. No. 24 was adopted, and S.B. No. 1200, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLDS", having been read throughout, passed Final Reading by not less than two-thirds vote of the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 25 (H.B. No. 55, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Young, seconded by Senator Toyofuku and carried, Conf. Com. Rep. No. 25 was adopted and H.B. No. 55, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LEASE RENT RENEGOTIATION RELIEF ACT", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 26 (S.B. No. 42, S.D. 2, H.D. 2, C.D. 1):

Senator R. Wong moved that Conf. Com. Rep. No. 26 be adopted and that S.B. No. 42, S.D. 2, H.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yamasaki.

Senator King then rose to speak in favor of the bill as follows:

"Mr. President, I rise to speak in favor of the motion.

I would like to have signed the committee report 'with indignation' rather than 'with reservations'. Reservations are for substance; indignation has to do with means.

Personal indignation is not a matter I take up the time of this Body with, and particularly not on the last night. But indignation to raise some questions seems to me to be perhaps worth the while. Therefore, I express indignation for the way things happened. Though, perhaps 'happened' is not quite the word for something quite calculated.

This past Monday when the President named the conference committee, I learned through his announcement that the chairman of the secondary routine money-referral committee would be the conference chairman rather than the chairman of the subject matter committee. This was done in spite of the fact that the bill had not gone to any other subject matter committee and had been in the majority package as part of the environmental package; and the environmental committee, which I chair, held all the hearings. This was the first surprise.

The next surprise took place at the first meeting of the conference committee. We assembled and one of the Senate conferees, not the chairman, presented what he called the Senate position. I asked where that position had come from since up to that point no meeting of the Senate conferees had been called. The non-chairman replied that a number of people had expressed their concerns to him about the bill, and the Senate position was the result of those concerns. If that were the basis of the Senate position, then there have been a number of people who have expressed their concerns to me, people who have worked long and hard for the passage of a meaningful shoreline protection bill; and I have several Senate positions that I want to present.

We recessed. We then held the first caucus of the Senate conferees and came to easy agreement on some points; for example, performs should be spelled with an 'r' rather than without it as in 'peforms'.

On other points we had more difficulty. The one we had most difficulty was with Section 5 dealing with the effective date. After considerable discussion, we finally agreed on a compromise position; and an attorney who was present in caucus with us wrote it out in long hand on one of those yellow sheets and said that he would have it typed up. Basically, it was that the Act would take effect upon approval and that in each county developments could proceed under existing laws until the counties came up with rules and regulations. Under the proposed bill they had 120 days or four months. When it was ready, we went back into conference and then came surprise number three...."

The President then asked that Senator King speak on the merits or demerits of the bill.

Senator King continued:

"Mr. President, the reason I raise this is because methods seem to have become a very important thing in this session in terms of pay raises and in terms of retirement; but I'll do as you request.

In terms of the merits of the bill, shoreline protection is a long, long way from what we

started out with. I just want to take this moment to thank and, I guess, commiserate with the hundreds of people, the councils of presidents, the community associations and the individuals who worked hard for shoreline protection based on an abiding commitment to the kind of Hawaii we want.

Although the bill is a long way from what it started out with, we have accomplished some things through the hard work of a lot of dedicated people who began working last year for a meaningful shoreline protection bill. We have quite a bit more in this bill than what is presently on the books. We have a hundred yards. Compared to a thousand, that's not much. And the disappearance of a zero, which usually means nothing, here means quite a lot. But we do have a hundred yards, the length of a football field; and in many areas this will take us mauka of the shoreline road which is a crucial area in terms of the kind of Hawaii we want. And we've got the permit process and public hearings and the right to judicial review.

Therefore, Mr. President, acquiescing to your request and putting aside the indignation, but not yet able to still the sadness of what might have been on this final night of my first session as a Senator, I urge an Aye vote on the State shoreline protection bill."

Speaking for the passage of the bill, Senator R. Wong then stated:

"Mr. President, I rise to speak in favor of this measure.

Mr. President, the members of your Conference Committee have examined the merits of the original bill to determine whether or not the common good is being achieved. The deliberations that began on this bill had their start early in this Session. The positions promoted by the proponents of the original version could have imposed extreme hardships on the State's economy. The opposing forces who were concerned with their individual interests offered alternatives which would not have provided for the total well-being of the State.

Mr. President, in the pursuit of developing legislation that can assure total state control over this measure that will meet the

common good, the amendments as proposed will insure protection of our shoreline resources, tempered with the benefits of practicality.

Mr. President, it has been a tough conference. However, we are confident that these amendments will stand the test of time. The provisions for effective dates, the proviso for public input at scheduled hearings, the review at the local level to process rules and regulations are designed to implement what can truly be called the legislative process.

In conclusion, Mr. President, we are fortunate to have this opportunity to implement a practical application of shoreline management that can be the basis for the upcoming coastal zone management programs. We are to have completed by 1977 the Coastal Zone Management Plan, which will fully utilize the experience gained by the practices under this shoreline protection bill.

Mr. President, I urge the members of the Senate to vote overwhelmingly to pass this measure.

Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 26 was adopted and S.B. No. 42, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL SHORELINE PROTECTION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 27 (S.B. No. 1281, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 27 and S.B. No. 1281, S.D. 2, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 28 (H.B. No. 372, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 28 and H.B. No. 372, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 29 (S.B. No. 1732, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Takitani, seconded by Senator Toyofuku and carried, Conf. Com. Rep. No. 29 was adopted and S.B. No. 1732, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF AN EDUCATIONAL NON-PROFIT PUBLIC CORPORATION TO ADMINISTER AND OPERATE THE CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 30 (S.B. No. 637, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, Conf. Com. Rep. No. 30 was adopted and S.B. No. 637, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES RETIREMENT SYSTEM OF THE STATE OF HAWAII", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 31 (H.B. No. 327, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, Conf. Com. Rep. No. 31 was adopted and H.B. No. 327, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 32 (H.B. No. 612, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Nishimura, seconded by Senator Hara and carried, Conf. Com. Rep. No. 32 was adopted and H.B. No. 612, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CRIMINAL INJURIES COMPENSATION LAW", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 8:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

At 8:38 o'clock p.m., the Senate reconvened.

Conference Committee Report No. 33 (H.B. No. 999, H.D. 1, S.D. 2, C.D. 1):

Senator Chong moved that Conf. Com. Rep. No. 33 be adopted and that H.B. No. 999, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator R. Wong.

Senator Chong then rose and spoke in favor of the bill as follows:

"Mr. President, I rise to speak in favor of this conference draft.

The purpose of this bill is to amend State law to conform with the provisions of Public Law 93-641, the National Health Planning and Resources Development Act of 1974.

Public Law 93-641 is perhaps the most significant and far-reaching health legislation enacted by the 93rd Congress. It creates a planning and resources development mechanism to replace the former comprehensive health planning, regional medical programs, and Hill-Burton authorities. It was signed into law only on January 4, 1975 and authorizes the establishment of State health planning and development agencies and local health systems agencies. Essentially, new federal obligation authority for fiscal year 1975-1976 to carry out the Act totals over a billion dollars.

Now, Public Law 93-641 is very detailed, complex; and there are formal procedures for the establishment of these new health planning agencies throughout the United States.

The timetables for the State responses are also tight.

There is no precedent, I repeat, no precedent or model state enabling legislation available; and indeed Hawaii may well be the first State to pass such enabling legislation because the Hawaii Legislature convened on January 15th which was only two weeks after the President signed this major health legislation into law.

This bill provides the enabling legislation for the State of Hawaii

to take full advantage of the federal programs and appropriations for planning and regulatory functions under Public Law 93-641.

Now, because of the far-reaching implications of this law, this honorable Body earlier this evening adopted Senate Resolution No. 447. The resolution authorizes your Committee on Health to monitor the implementation of House Bill No. 999, H.D. 1, S.D. 2, C.D. 1.

Mr. President, for these reasons, I urge everyone to adopt the conference draft."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 33 was adopted and H.B. No. 999, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 34 (H.B. No. 126, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Nishimura, seconded by Senator Chong and carried, Conf. Com. Rep. No. 34 was adopted and H.B. No. 126, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 35 (H.B. No. 1779, H.D. 2, S.D. 1, C.D. 1):

Senator R. Wong moved that Conf. Com. Rep. No. 35 be adopted and that H.B. No. 1779, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yamasaki.

Senator R. Wong then spoke in favor of the passage of the bill as follows:

"Mr. President, I speak in favor of House Bill No. 1779, Conference Draft 1.

First of all, I would like to allay any apprehension which any member of this Body might have concerning the procedural aspects of this

bill.

This is a conference draft formally reported out by a duly appointed conference committee. It is a bill which by its title encompasses one subject. And it is a bill which has been received by the members 24 hours prior to final action. Therefore, I do not see any legal questions concerning the movement of this bill to final action.

As to the substance of the bill, I think the intent, Mr. President, is quite clear. It is to provide a much more realistic basis for determining the average compensation of a legislator for retirement compensation purposes.

In 1963, the Legislature established the formula under which the average final compensation of legislators would be computed at a multiple of four times the compensation of general session and six times the compensation of the budget sessions. This formula was based on the compensation of \$2,500 for a general session and \$1,500 for budget sessions, which had been established in the original Constitution way back in 1950.

In 1969, after the 1968 Constitutional Convention changed the legislative salaries to \$12,000, the statute was changed to specify that for services of a legislator after 1968, the actual salary would be used for compensation purposes. This means that even though as far back as 1963 compensation should be considered to be \$10,000 for the general session and \$9,000 for the budget session, today as in 1969 it can only be \$12,000.

This means, in effect, that although twelve years have passed since the multiple formula was established in 1963, there is only a difference of \$2,000 today when compared with the general session, and only \$3,000 when compared with the budget session. It appears reasonable to me, Mr. President, that because legislative salaries were increased by the 1968 Convention, there should also be considered a more equitable adjustment in calculating salaries for retirement purposes.

In essence, what might have been reasonable to the constitutional drafters way back in 1950 in setting legislative salaries at \$2,500 and \$1,500 certainly didn't look very realistic or reasonable to the 1963

legislature when it went into a multiple formula to calculate compensation for retirement. Likewise, what might have been reasonable to the 1968 convention in setting salaries at \$12,000 does not appear today to be reasonable for the purpose of calculating compensation for retirement.

So, in summary, Mr. President, let me say that there is ample precedent in establishing a multiple of average compensation for retirement purposes. And let me say also, Mr. President, that the multiple is reasonable and realistic.

That is why I support this bill, and I urge the members of the Senate to vote for the bill.

Thank you, Mr. President."

Senator Anderson then responded as follows:

"Mr. President, we respect your position, but strongly disagree. Please cast a No vote for all seven Republicans."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 35 was adopted and H.B. No. 1779, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT BENEFITS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Anderson, Ching, George, Henderson, Kawasaki, King, Leopold, Rohlfing, Saiki, F. Wong and Yee).

Conference Committee Report No. 36 (H.B. No. 127, H.D. 1, S.D. 1, C.D. 1):

Senator Nishimura moved that Conf. Com. Rep. No. 36 be adopted and that H.B. No. 127, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator O'Connor.

Senator Kawasaki then rose and spoke in favor of the bill as follows:

"Mr. President, I signed the Judiciary Committee Report with reservations. In my judgment, the penalty, a petty misdemeanor, for a willful failure to register on the part of a legitimate lobbyist, and the penalty for willfully putting false information in the statements

is not strict enough to insure strict compliance with the lobbyist registration bill.

Earlier in the session, Mr. President, the Republican Minority with the best of intentions suggested that we incorporate what was at that time the Senate draft of the lobbyist registration bill as part of the Senate Rules. The Democrats, to the man, voted against this suggestion; and we promised the Republicans at that time that the Democratic Majority in the Legislature on both sides of the rotunda would do the utmost to insure passage of a meaningful lobbyist registration bill.

I would like to point out to the Republicans that we have kept faith with that promise. Now, with the enactment of the lobbyist registration bill, we happily relinquish what was referred to as the dubious distinction of being the only State in the Union not having a lobbyist registration bill. We may have been the very last state to enact this piece of legislation, but I say with pride that our lobbyist registration bill is just as good, if not better, than any lobbyist registration bill in the entire nation, perhaps with the exception of the California State lobbyist registration.

I think once this bill is enacted and signed by the Governor that the people who opposed this bill, the lobbyists, will find they can live with the bill. It is not unreasonable. We must commend those lobbyists who grouped themselves early in the Session and voluntarily advocated a reasonable lobbyist bill. They called themselves the Legislative Advocates. We commend them.

There were other lobby groups, unfortunately, who back of the scenes tried every means possible either to weaken the lobbyist registration bill or to be sure that it died in committee so that we'd have no legislation. It is much to the credit of all of the people in the Legislature that we did resist such efforts and that we did come out with a good lobbyist registration bill.

I urge unanimous vote on this bill."

Senator Anderson then commented as follows:

"Mr. President, on behalf of the Republicans, we would like to thank you for living up to your commitment. It is about time that we have a lobbyist registration bill in this town.

However, if we had it two months ago when we should have had it, even under the Rules, we might not have before us tonight some of the shoreline bills that Senator King was so upset about and the pay bill that you are going to speak against. We might have prevented some of the legislation on our desks tonight.

Better late than never, however, and we thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 36 was adopted and H.B. No. 127, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF LOBBYISTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### THIRD READING

House Bill No. 856:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 856, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX RATES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 152, H.D. 2:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 152, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKMEN'S COMPENSATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### MATTERS DEFERRED FROM THE MORNING SESSION

House Bill No. 116, H.D. 1:

By unanimous consent, H.B. No. 116, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO



EXEMPTIONS FROM ATTACHMENT AND EXECUTION", was recommitted to the Committee on Judiciary.

House Bill No. 931:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 931, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 826:

By unanimous consent, action on H.B. No. 826 was deferred to the end of the calendar.

Senate Bill No. 608, S.D. 1, H.D. 2:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 608, S.D. 1, and S.B. No. 608, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Ching, Hara, Henderson, Hulten, Taira, Ushijima and F. Wong).

At 8:51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

At 10:04 o'clock p.m., the Senate reconvened.

House Bill No. 1801, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Ching and carried, H.B. No. 1801, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS", was recommitted to the Committee on Transportation.

Senate Bill No. 846, S.D. 1, H.D. 2:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 846, S.D. 1, and S.B. No. 846, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ANNUAL SALARY

INCREMENT AND LONGEVITY PAY INCREASES AND AMENDING CHAPTER 89, HAWAII REVISED STATUTES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (George).

Standing Committee Report No. 1024 (H.B. No. 8, H.D. 2):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 1024 was adopted and H.B. No. 8, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 1025 (H.B. No. 277, H.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 1025 was adopted and H.B. No. 277, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII NATIONAL GUARD UNIFORM MAINTENANCE ALLOWANCE FOR ENLISTED PERSONNEL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 9 (H.B. No. 363, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Nishimura, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 9 was adopted and H.B. No. 363, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF TRAVEL AGENCIES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 12 (H.B. No. 91, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator King, seconded by Senator George and

carried, Conf. Com. Rep. No. 12 was adopted and H.B. No. 91, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Hara, O'Connor and R. Wong).

House Bill No. 1571, H.D. 1:

On motion by Senator Nishimura, seconded by Senator O'Connor and carried, H.B. No. 1571, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 7, H.D. 1:

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, H.B. No. 7, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

#### MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Conference Committee Report No. 17 (H.B. No. 1742, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator R. Wong, seconded by Senator Toyofuku and carried, Conf. Com. Rep. No. 17 was adopted and H.B. No. 1742, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 22 (H.B. No. 1875, H.D. 1, S.D. 2, C.D. 1):

Senator Nishimura moved that Conf. Com. Rep. No. 22 be adopted and that H.B. No. 1875, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Young.

At this time, Senator Chong commented as follows:

"Mr. President, I would like to make a few comments against this bill.

Section 514-2 of this bill allows, in effect, the use of noncontiguous structures for condominiums. The Conference Committee Report mentions that the word noncontiguity has been deleted and instead the words 'close proximity' have been used.

I feel that the words 'close proximity' are too vague and would permit a person who advertises condominiums in the future to be able to build a parking lot ten miles away. The condominiums may not have certain other things which are part of it in its brochures; and when they market these on the mainland, we may have problems.

As you know, the Governor, in his wisdom, vetoed a similar bill last year. The Chairman of the Committee has recommitted House Bill No. 1755 which is a much worse bill. I feel that this Conference Committee version of that same bill, House Bill No. 1755, does not go far enough and should be defeated."

At 10:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

At 10:12 o'clock p.m., the Senate reconvened.

Senator Nishimura then explained the Conference Committee Report as follows:

"Mr. President, I would like to read into the record the area referred to earlier.

In the Conference Committee Report on page 2 we say, 'Definition 18 is expanded to include land which may or may not be contiguous and including more than one parcel of land. Your Committee, by the use of the phrase "same vicinity", intends that the parcels of land must be in close proximity to each other. This provision was added in order to allow property ownership of areas for parking, recreation, etc., and separate parcels of land which may be across the street or in the adjacent block. It also allows for increments being completed at different times.'

This was the intent of the Conference Committee."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 22 was adopted and H.B. No. 1875, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Chong, King, Leopold, Rohlfing and Yee).

Conference Committee Report No. 23 (S.B. No. 1645, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 23 and S.B. No. 1645, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 27 (S.B. No. 1281, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Conf. Com. Rep. No. 27 was adopted and S.B. No. 1281, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO THE JUDICIARY FOR THE FISCAL BIENNIUM JULY 1, 1975 TO JUNE 30, 1977 AND AUTHORIZING THE ISSUANCE OF BONDS", having been read throughout, passed Final Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 28 (H.B. No. 372, S.D. 1, C.D. 1):

On motion by Senator R. Wong, seconded by Senator Yamasaki and carried, Conf. Com. Rep. No. 28 was adopted and H.B. No. 372, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 10:15 o'clock p.m., the Senate stood in recess subject to the

call of the Chair.

At 10:32 o'clock p.m., the Senate reconvened.

House Bill No. 826:

On motion by Senator King, seconded by Senator Hulten and carried, H.B. No. 826, entitled: "A BILL FOR AN ACT RELATING TO DIAMOND HEAD STATE MONUMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Hara, Kawasaki, R. Wong, Yamasaki, Young and Ushijima).

Conference Committee Report No. 23 (S.B. No. 1645, S.D. 1, H.D. 1, C.D. 1):

Senator R. Wong moved that Conf. Com. Rep. No. 23 be adopted and that S.B. No. 1645, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yamasaki.

Senator Kawasaki then rose and spoke against the bill as follows:

"Mr. President, I rise to offer my reasons for voting No on this bill.

Mr. President, I find it very difficult to bring myself to vote for this bill. I realize that this bill is of great importance to many people. Their compensation is affected by the voting on this bill, and I am not that unrealistic to think that my vote is going to make any difference at all. Perhaps the machavellian and practical thing to do is to vote for this because there are enough votes to pass it. But in good conscience, Mr. President, I am deeply worried about the financial impact of a bill that ratifies by a single stroke all of these contracts and one that is going to involve over \$72 million dollars in the next biennium.

Our economy is in dire straits in view of our State's financial condition and our unemployment situation and the fact that we are in a recession right now. Many people are out of jobs--some 25,000 people are able to work, but there aren't enough jobs in view of the fact that our national economy is in dire straits.

As I said in the previous discussion, we will have an unprecedented \$87 billion deficit nationally in

the next bienhium. Here in Hawaii, we are insulated, fortunately, up to this point because of tourism, particularly from the Asian countries, that has kept us going. But I predict that while we are presently in a recession, our economy is going to get worse. As a matter of fact, I sadly predict that we are going to get into a depression which means less revenues for this State to carry on the work of the government.

I would hate for this State to become like the city of New York, which is practically bankrupt. Very recently, a number of big banks in New York have come to a meeting of minds to perhaps lend, if you will, the city of New York literally millions of dollars to keep its government operations going. I think the passage of this bill, in the years to come, will some day put us into this predicament.

I don't object, Mr. President, to the annual incremental increases that are assured government workers. This was intended years ago to be the pay increase for government workers so that somehow, realistically, they can cope with the rising cost of living. I do not object to this. This, I figure, is something we can live with. But to automatically provide these incremental increases and then roughly to add about 8½ per cent on top of that is not what we can quite afford at this time.

As I said, I have difficulty in voting against this bill because many people of my personal acquaintance will be affected by it. My relatives, close campaign supporters and workers will be affected. However, in my understanding of the economic situation in these islands, I can't in good conscience vote for this bill.

I realize that this may mean the termination of my political career; but this is one of those times, Mr. President, that we've got to make a hard decision. I think that when I was voted into office by 27,000 people, I pledged to them that I would do my best on the basis of information available to me, and that I would vote my best and act in the best interest of the greater majority of the people of this State--the thousands of people who do not come around here and the thousands upon thousands of silent voices unrepresented

by lobby groups.

Therefore, I hope to keep my pledge to these people even if it means the termination of my political career at the end of my term.

I urge each member of the Senate to think very carefully about the financial impact of your vote on this particular bill. I urge its defeat."

At this time, Senator R. Wong spoke in favor of the bill as follows:

"Mr. President, I rise to speak in support of this bill.

I am sure that all members will agree that this is a measure of great importance, and a very difficult one indeed, Mr. President.

The reason for that importance, Mr. President, is that this bill is nothing less than an ambitious effort to systematize the pay scales of government employees at all levels of government and to bring them into some rational framework. The benefits of this step, I am sure, will be plain in future years.

Before discussing that in detail, however, I would like to dispose of a matter that has been the subject of some debate. That is the inclusion of statutory pay levels in a bill appropriating funds for collective bargaining agreements.

Mr. President, some have said that this is improper, or argued that the two subjects should be separated. I don't agree, and the reason is that the two are in fact inseparable. How is it possible to make a determination of the value of one group of government employees' services without reference to others?

It is not possible, Mr. President, and I am sure that my colleagues in this Chamber are well aware of it. The pricing of positions in the government service is not in truth a divisible thing.

Let me take this thought a step further, however. We are all aware, Mr. President, that one of the more difficult tasks which the Legislature undertakes, session after session, is discovering precisely what the full costs of new programs will be. The same is true of programs for which significant incremental increases in costs are proposed. We spend considerable time on

such matters, and it is right that we do so.

What we as responsible legislators want to know is not only what a program will cost in its first year, but also in its second and third years, and so on out to the planning horizon for the program. This is basic to the philosophy of government to which we espouse. By law and in practice we want to know what the full cost of a given operation in a system will be. To the extent that we are successful in answering such questions, we are better able to make informed fiscal decisions because we have a clearer idea of what the future demands on the State resources will be.

Mr. President, that is precisely the advantage of this bill. By incorporating the pay levels for key officials in all three branches of government in the collective bargaining appropriation bill, we are saying, 'Here is the basic pay structure of the government of Hawaii. You can look at it and see the cost implications, the full system costs that are involved.'

This is a good thing, and I commend it not only in the case of the bill which is before us, but as a basic approach which should govern the matters in the future. There is nothing concealed here, Mr. President. We are saying simply that it does cost money for the government to provide services, and that cost is fully reflected here. We aspire to a high quality of government service in this State, and I do not think we believe that talented government employees should go unrewarded.

Let me now return to my original point, Mr. President, for it is the systematic approach of this bill that lends itself to special consideration. Here we see a form and a structure being given to top-level positions throughout the government which will communicate itself to the entire pay structure.

What this bill devises is a twin ordering of the executive, judicial, and legislative positions in relation to a clear base point. That point is the salary of the Governor of the State of Hawaii. In descending order, then, the salaries for executive positions are pegged in relationship to the top government job. This is a significant thing in itself.

As I indicated earlier, however, this structuring of pay levels does not stop there, but also extends horizontally through the other branches of government, establishing clear relationships throughout the most important positions in the public service.

This brings order and reason to the pay system, and removes the disorderly prospect of lesser officials earning more than persons who are recognized as having tasks of greater responsibility. We can expect this order, this reason, similarly to be reflected in the lower level positions throughout the government service.

For that reason, it is doubly appropriate that the pay scales for the executive, judicial and legislative positions should be combined with the appropriations for collective bargaining. The two complement each other; they belong together.

Mr. President, I trust that all members will see the wisdom and the logic of this approach to the very critical matter of public employee pay; and I urge the members, Mr. President, to vote for this bill.

Thank you, Mr. President."

Senator Chong then rose and commented as follows:

"Mr. President, I rise to voice a protest against this bill although I will be voting for it. I believe it is the same protest that possibly all of my constituents would make if they were here today and had the opportunity to speak to us.

I, therefore, take the liberty of stating for them that two disparate--two very different sets of circumstances--have been combined in this bill; and I don't think this should have happened.

We must see to it that our teachers, our policemen, our firefighters and other public employees who have gone without substantial pay increases in a time of alarming inflation, have adequate adjustments in their salaries. I believe we would all agree that it is necessary to keep these salaries in line with the rising cost of living. Therefore, I must vote for this bill. To vote against it would be to defeat this aim.

However, I am in no way convinced that the Governor and the Lieutenant Governor and some cabinet members

are having any great struggle keeping pace with the cost of living; and I, therefore, on behalf of my constituents and Hawaii's taxpayers, protest this inclusion of a pay raise for higher echelon administrators. In their case, I would recommend a little belt tightening."

Speaking against the bill, Senator Rohlfs then stated:

"It is with considerable reluctance that I rise to speak against this bill.

Mr. President, the events of the past several nights, beginning with the further culmination of this pay bill and culminating with the appearance of the retirement bill, convince me that the Majority Party is suffering from sixty-day fatigue.

Mr. President, early in this session the Ways and Means Committee, of which I am proud to be a member, made a decision on a number of pay raise measures. We approved bills to implement the agreements reached at the collective bargaining table. All of the Republicans on this side of this hall support the collective bargaining contracts and agreements, and we voted earlier on Third Reading of those bills.

On March 10th, the Ways and Means Committee at a public meeting rejected the increases for the Governor, other executive officers and judges, a bill which I will call the 'Administration pay bill'. Our Ways and Means Chairman, my learned colleague Senator Richard Wong, was quoted in the STAR-BULLETIN of Tuesday, March 11th as follows: 'As far as the Senate is concerned, the issue relative to a pay raise for the judiciary and executive cabinet members is a closed one.'

Mr. President, lo and behold, it is not closed! The House was seduced by the Governor and, I guess, those fresh new cabinet faces, to perform an illicit marriage of the ailing Administration pay package to the legitimate and viable collective bargaining bill.

And wonders of wonders, on Wednesday night the Ways and Means Committee, over the opposition of Senators Anderson, Henderson, King and myself, went the House one better. We added the final frosting--20 percent increases

in the salaries of the Governor and Lieutenant Governor, all of whom are still working on probation.

Mr. President, I've never been identified as a 'Goldwater-Republican', but some recent remarks the Arizona Senator made concerning Congress are equally applicable possibly to this Legislature. He said: 'If this country can survive this Congress, it can survive anything. I am convinced that they have no concept of how money is used to make money. They have the attitude that you can spend and spend and elect and elect even though this country is close to national bankruptcy.'

Mr. President, the public employees and their unions have played by the rules. Whether they got too much or not, and here I differ with my colleague from across the aisle who spoke earlier, we in this Body gave the Administration the authority and the responsibility to conduct the negotiations on behalf of this State. Both have spent months and in several cases years at the table negotiating pay adjustments and other conditions of employment for government employees.

As the sole Republican to serve on the interim committee that wrote the collective bargaining bill, I firmly believe in the essence and the truth, the concept, of collective bargaining, not only in private employment but also in public employment. I believe in it to the extent that several weeks ago I proposed that we get rid of the 'Mickey Mouse' restrictions on management rights. I proposed that we open up the collective bargaining to classifications and all the other things that affect public employees. I also proposed an amendment on this floor, and I got smashed by the Majority.

I am fully aware of the feelings of the teachers and particularly the University professors who have had to wait through this process. The fault does not lie altogether with the law; there has been some disorganization there. But they have had to wait very long.

I, myself, have represented employees at the collective bargaining table. I have represented nurses who will be affected by this decision. I believe that the employees are entitled to their hard-won benefits at the collective bargaining table.

And again I say, we on this side voted for those benefits. We voted for the contracts, but there is a difference here tonight. Mr. President, the employees are being used; and we, here, are being used. If the Administration bill had the votes, it wouldn't have had to be tacked to the collective bargaining bill. But it didn't, so it became a parasite.

There are those of us here who have tried to remove the parasite before it got to this floor, but it apparently proved to be as strong as the bill itself. And I believe, unfortunately, that some of my good friends that I've had very good exchanges with and who lead the union and represent the government employees have said, 'Leave our bill alone!' We would not be faced with this dilemma if the parasite had been removed. There would be no need for speeches. You could all go home early, and we could have our party. But I think they, too, are being used.

Many will say, 'You Republicans, how can you vote the way you intend to vote with your remnant.' You know, we are an endangered species. I am well aware of the political consequences, and I think everybody here with me is too. But I also believe we have no choice if we are ever to have any credibility, Mr. President, with the House of Representatives, with this new Administration, with the public or with ourselves.

To those who are members of public unions I would say on the final night that if this bill should not pass, I would guarantee that we would have a last minute extension, but we would have a special session; and you would have a clean bill. I cannot buy the proposition that there will not be approval of those agreements.

'The public', Mr. President, is not represented here by organizations or lobbyists, in all due deference to such organizations as Common Cause, the League of Women Voters, the Chamber of Commerce, the State Federation of Labor, etc. They are not 'the public', although they have their rights to make input just as the Minority occasionally has the right to make input. The public really hasn't much of a formal organization. The public's only by-laws are the Constitution and the Bill of Rights.

For some 200 years, the public of America has operated on what is, unfortunately, today sometimes deemed as the 'goofy' notion that after it elects people to office, the majority of them will work for the benefit of all our citizenry.

The people of Hawaii know better than to believe that the Governor and the most recent appointees need a pay raise now. They didn't accept their new jobs on that condition or with any such guarantees. Across America, and I refer to the TIME magazine of recent note, governors and public officials have cut their cars, their houses, their salaries; but we in this State are going in a totally different direction.

I believe we have here an example of the increasingly popular, but incredibly dangerous, tendency to 'swipe' what we can get before the next guy gets it. Mr. President, I cannot and I do not believe my colleagues on this side of the aisle can join in either the raid on the public treasury or the subversion of the will of the people.

Thank you."

Senator Kawasaki then commented:

"Mr. President, I would like to comment on some points that I neglected to mention in my prior impromptu remarks.

I have opposed any pay raise for legislators. Earlier tonight I voted against liberalization of retirement benefits for most of us here; and I have been in opposition to raises for the Governor, the Lieutenant Governor, the cabinet positions and the judiciary.

I am being consistent in saying that although I do not believe that some people don't deserve a raise, we can't afford it at this time."

Senator King then rose and spoke as follows:

"Mr. President, this bill before us now is assured of passage and those who have legitimately through the collective bargaining process negotiated their needed and deserved pay increases will get them; and I support them. Therefore, it is with great reluctance that I rise to speak against the passage of this bill.

I support the pay raises for teachers, the substitute teachers, the university people who have waited so long, the firemen, the policemen and institutional workers. They need the pay raises, and they deserve them; and they've gone legitimately through the process that we've set up for them.

But, how about the Governor and the other raises. How in this period when so many are really 'hurting' can we say that they need them. Even for those who do feel that the executive and judicial pay raises are justifiable, how about the way this was done and the way these were slipped into a genuine collective bargaining pay bill.

The use of a trick or a threat, Mr. President, should not be the way a bill passes. A bill should pass or fall on its merits. The way government operates, the process, is important in the way people feel about their government. Trust is important; good faith is important. I can speak at considerable length, but I'll stop.

Much as I support all those who under the genuine collective bargaining process have negotiated their pay increases, I regretfully have concluded that I must vote against this bill."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 23 was adopted and S.B. No. 1645, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR SALARIES AND OTHER ADJUSTMENTS, INCLUDING COST ITEMS OF COLLECTIVE BARGAINING AGREEMENTS COVERING PUBLIC EMPLOYEES AND OFFICERS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Anderson, George, Henderson, Kawasaki, King, Leopold, Rohlfing, Saiki and Yee).

#### SENATE RESOLUTION

A resolution (S.R. No. 455), entitled: "SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE", was jointly offered by Senators Ching, Taira and Anderson and was read by the Clerk.

On motion by Senator Ching, seconded by Senator Anderson and carried, S.R. No. 455 was adopted.

In accordance therewith, the President appointed Senators Ching, Taira and Anderson as a Committee to inform the Governor and the House of Representatives that the Senate stood ready to adjourn sine die.

At 11:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

At 11:22 o'clock p.m., the Senate reconvened.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 517 to 546) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 517), returning Senate Concurrent Resolution No. 129, which was adopted by the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 518), returning Senate Concurrent Resolution No. 148, which was adopted by the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 519), returning Senate Bill No. 1188, which passed Third Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 520), informing the Senate that the House has reconsidered its action taken on April 7, 1975, in disagreeing with the amendments proposed by the Senate to H.B. No. 1240, H.D. 1; and that the House has discharged the conferees on April 11, 1975, was placed on file.

At this time, the President discharged the Managers on the part of the Senate appointed pursuant to the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1240, H.D. 1.

A communication from the House (Hse. Com. No. 521), informing the Senate that the amendments proposed by the Senate to House



Bill No. 161, H.D. 1, were agreed to by the House; and H.B. No. 161, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 522), informing the Senate that the amendments proposed by the Senate to House Bill No. 374 were agreed to by the House; and H.B. No. 374, S.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 523), informing the Senate that the amendments proposed by the Senate to House Bill No. 1240, H.D. 1, were agreed to by the House; and H.B. No. 1240, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 524), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 42, S.D. 2, was adopted by the House; and Senate Bill No. 42, S.D. 2, H.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 525), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 516, S.D. 1, was adopted by the House; and Senate Bill No. 516, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 526), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 637, S.D. 1, was adopted by the House; and Senate Bill No. 637, S.D. 1, H.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 527), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1200, S.D. 2, was adopted by the House; and Senate Bill No. 1200, S.D. 2, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 528), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1281, S.D. 2, was adopted by the House; and Senate Bill No. 1281, S.D. 2, H.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

A communication from the House (Hse. Com. No. 529), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1645, S.D. 1, was adopted by the House; and Senate Bill No. 1645, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 530), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1732, S.D. 1, was adopted by the House; and Senate Bill No. 1732, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 531), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 55, H.D. 1, was adopted by the House; and House Bill No. 55, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed

on file.

A communication from the House (Hse. Com. No. 532), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 126, H.D. 1, was adopted by the House; and House Bill No. 126, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 533), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 127, H.D. 1, was adopted by the House; and House Bill No. 127, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 534), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 282, H.D. 1, was adopted by the House; and House Bill No. 282, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 535), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 327, H.D. 1, was adopted by the House; and House Bill No. 327, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 536), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 372 was adopted by the House; and House Bill No. 372, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 537), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 430, H.D. 1, was adopted by the House; and House Bill No. 430, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 538), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 612, H.D. 1, was adopted by the House; and House Bill No. 612, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 539), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 677, H.D. 1, was adopted by the House; and House Bill No. 677, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 540), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 850, H.D. 1, was adopted by the House; and House Bill No. 850, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 541), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 999, H.D. 1, was adopted by the House; and House Bill No. 999, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 542), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1742, H.D. 1, was adopted by the House; and House Bill No. 1742, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 543), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1779, H.D. 2, was adopted by the House; and House Bill No. 1779, H.D. 2, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 544), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1852, H.D. 1, was adopted by the House; and House Bill No. 1852, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 545), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1870, H.D. 1, was adopted by the House; and House Bill No. 1870, H.D. 1, S.D. 3, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

A communication from the House (Hse. Com. No. 546), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1875, H.D. 1, was adopted by the House; and House Bill No. 1875, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 11, 1975, was placed on file.

The President then addressed

the members of the Senate as follows:

"Members of the Senate:

In a very short time, the Regular Session of 1975 of the Eighth Legislature will adjourn sine die. I consider this session to be a maiden voyage. I draw this analogy because in many ways we have collectively embarked on a voyage which for many of us has been a voyage into uncharted seas.

The experiences gained from the new relationships formed during this session have been, in many respects, similar to the shakedown cruise of a new vessel. The familiarization with the working operations, the differences in each individual member as he or she responds in his or her own way to the challenges of legislative work, has been enlightening and very rewarding.

I can say to each of you that, in my belief, the Senate of the Eighth Legislature has made an auspicious start. I know from the experiences gained by each of us, that we can look forward to smoother voyages in the sessions ahead.

As your President, I have been entrusted with the responsibility of maintaining a steady course towards the realization of our goals and objectives. I would like to provide you with an assessment of what has been accomplished, thanks to your collective efforts.

I stated to you on January 15, 1975, when we commenced this session, that we had specific objectives. They dwelt in the area of a central and unifying theme of effective, efficient, responsive and responsible government. For the most part, we have maintained the course. In some areas we have strayed. I am confident, however, that in future sessions we will get on course and become the legislative architects that we truly should be.

The primary mission of reasserting our role as legislator first and foremost is on its way. We have in this opening year of our four year voyage pursued the axiom of 'pause and reflect'. Many people have expressed their concern over the Legislature's inability to respond more dramatically to the wishes of the more vocal sectors of our community.

We have strived to respond to the concerns of the people. The final work product of this session

will reflect our response. The bills that have passed this body have been developed through the concerns and thoughts of all the members. Like every finished product, everyone is not completely satisfied; but this is the legislative process.

This session, the biennium budget session, has fulfilled its role to fiscally make available the funds necessary to operate our State government. Issues that have been placed before us by a concerned citizenry have also been given legislative consideration. These include legislation on such issues as shoreline protection, campaign spending, land use, lobbyist registration and open government. Public comment and interest on these issues have placed the responsibility squarely on our collective shoulders to meet these challenges.

The end results have been to provide for the common good instead of the segmented groups who have come to us as proponents of viewpoints that have limited benefits. In achieving these final states, the bills have passed through the entire process of review, consideration, and discussion; and the finished products are the result of the majority expressing their wishes.

We can stand behind these bills as finished products, reflecting the interests of the total community and not the divergent viewpoints.

The second area of reassertion lies in the determination of where certain functions currently being performed by State and County will ultimately rest. The reorganization of our State government, which has been unwieldy and unresponsive, needs to be looked into and completely reorganized. To meet these problems, we have provided for a commission to examine and develop viable means by which government functions can be reorganized into more manageable and efficient instruments of expression.

It is significant that during this session, the number of Senate/House conference committees has reached an impressive number. The significance is attributable to the legislative process which insures full examination by both houses of those bills that have not received the required approvals. The rate of survival and the quality of the legislation that survives is the direct result

of these conference committees. What has finally evolved will not meet the full approval of the segmented groups who have verbalized their positions; our concerns are that the final results are beneficial to all.

Our maiden voyage has achieved one accomplishment that is worthy of mention at this point. The newly established Administration has come to grips with the legislative branch, and a clear-cut rapport is evident. Closer scrutiny of its efforts through the system of checks and balances has gotten off to a good start. The Administration has accepted our new position; its willingness to meet and discuss common issues of concern is excellent, and we can look forward to a more harmonious relationship in future sessions. It will be to the mutual advantage of both branches of government to work together on legislation that can be considered sensitive and far-reaching in order that we may move forward to meet the challenges of this new era.

In conclusion, we have begun. Our voyage, from all indications, will be an eventful one. The victories and the defeats which we will experience henceforth can only improve each of us in the ways that will be lasting and permanent.

During the coming interim between sessions, work to maintain the background knowledge and the information necessary to render valid input will be required. This will be the case more so than in previous years. Your continued dedicated effort will be necessary so that we can be thoroughly prepared to meet the greater challenges that lie ahead.

Finally, on this closing night I wish to express my deep appreciation for the cooperation and understanding I received during my first session as your President. It has been a great experience, and I look forward to working with you during the coming years.

Thank you very much."

Senator Yee then rose and spoke as follows:

"Mr. President, I would like to take this opportunity to respond to your remarks.

I certainly don't envy you sitting at the podium. Half the time I look with trepidation because the make-up

of this Body is not as cohesive as it used to be in my past eight years of experience. We have some new faces here, and they are all outstanding and capable individuals with minds of their own. I know it has not made an easy session for many of us, and I think you handled yourself very well under these trying circumstances.

I would like to say on behalf of the Republican Minority members that we appreciate the courtesies that the chairmen of the various committees have given our members. I know the Minority members speak very highly of the ability and availability that you have given them for input. The Minority members' suggestions and advice were meaningful; and many of these ideas have been incorporated in the bills that we have passed.

But I do ask one more consideration from my friends on the other side of the aisle. During the next session, please consider and let's pass some Republican bills, resolutions or Senate concurrent resolutions. You know and we know that we have some good measures here. I am sure with this kind of a better spirit of cooperation that we are going to have three more years of a better working relationship together."

Senator Ching also rose to speak as follows:

"Mr. President, I would like to respond to your speech as well as the honorable Minority Leader's speech.

What happened tonight was not planned as the honorable Minority Leader is well aware. I think that the phrase 'minority input' is a phrase that many of us have used very lightly. I think it has been a tremendous thing in this session, and I think this is the way it should be.

Whatever bills we've passed during this past session, we, on this side of the aisle, have to rise or fall with them. When we go back to the people in 1978 or even before, I think that it is the duty and responsibility of the Democrats to say that this is our legislative program that was put together by all twenty-five Senators, minority or majority.

I am not making a pledge or a promise at this time. I am sure

we will take the Minority Leader's matter into consideration at our very next caucus. I am sure that it will be up for discussion, and I am sure that the decision will be a right one.

The year has been a difficult one, maybe because some of us are not as young and resilient as we used to be fifteen or sixteen years ago. But I think that we have made a good beginning for what I think will be a very profitable term of office for all twenty-five of us.

I, too, would like to thank all the members of this Body for their help in putting together a very productive legislative package, and to the presiding officer for a job well done and to each and every one of the members of my Majority.

Thank you."

Senator Taira also rose to speak:

"Mr. President, I would like to take just a moment or two to echo the remarks of the Majority Leader and our worthy Minority Leader across the aisle.

I just want to remind you, Mr. President, our colleagues, the majority and minority members that there are naturally a lot of 'kinks' this year being that this is the first year that we have been organized in this way. There are several things that have to be worked out. In looking back, I note that no one has had his own way; and I think that we have worked over our problems in a very effective way.

I look forward to continued cooperation from the Minority as well as continued cooperation from the members of the Majority. In this way, Mr. President, and under your continued leadership, I think this Body can look forward to many more years of successful legislative activities."

At this time, Senator Taira introduced to the members of the Senate and welcomed former Senator Kenneth Brown and Mrs. Brown.

Senator O'Connor then remarked as follows:

"Mr. President, since the new Senators were referred to earlier in some of the speeches, I think it only well that one of the new Senators speak very briefly regarding this session and our participation.

I think that the input from the new Senators, those who have served earlier in the House and in the City Council, has been excellent. The input has been varied, and the new Senators are individuals who speak their own minds and have minds from which to speak.

We new Senators are happy to join this Body. We new Senators have participated well in this Body; and as the next three years go on, we shall participate more fully and speak more fully our individualistic minds."

At this time, Senator Rohlfing then rose to speak:

"Mr. President, I have already delivered all the words that I planned to deliver; and I am only left with a couple of thoughts.

If I recall correctly, in your opening speech to this Body you said something about government being an imperfect animal. This is not very different from the people we represent.

In the last sixty days, I think we have really had an open session on a lot of new ideas; and there has been a lot of 'give and take' between individuals. More importantly, I believe that there has been a greater realization in the community of a kind of input that is required to make a legislative Body function effectively.

There are twenty-five of us, and we come from many different backgrounds. We have had a chance to get to know and work with each other; however, I hope that we bear in mind and remember our individual obligations to our constituents. I believe the public today cares about the product rather than whether or not it was a Majority or Minority idea

or suggestion. The Majority Leader and I discussed this earlier.

We have seven strong people on this side of the aisle, and I am very proud to have served with the six other Minority members. Likewise, I am very proud to have served with the Majority members, and particularly with those members in the committees who have taken suggestions and who have been open to new ideas. This spirit of openness encouraged both the Minority and Majority members to participate and make critical decisions in determining the future of our people.

Finally, I would like to say that I hope we continue to go forward to build a bigger and better Hawaii.

Mr. President, I congratulate you for the way in which you have handled this Body. Your fairness and equity are very much appreciated."

Senator Ching, for the Special Committee, reported orally that it has informed the Governor and the House of Representatives that the Senate is ready to adjourn sine die.

The President then discharged the Committee with thanks.

#### ADJOURNMENT

Senator Taira moved that the Senate of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, adjourn Sine Die, seconded by Senator Anderson and carried.

At 11:40 o'clock p.m., the President rapped his gavel and declared the Senate of the Eighth Legislature of the State of Hawaii, Regular Session of 1975, adjourned Sine Die.