

## THIRTEENTH DAY

Friday, February 6, 1976

The Senate of the Eighth Legislature of the State of Hawaii, Regular Session of 1976, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend James G. Anderson of Aiea United Methodist Church, after which the Roll was called showing all Senators present, with the exception of Senators Henderson, King and Yamasaki, who were excused.

The President announced that he had read and approved the Journal of the Twelfth Day.

## SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 29), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT AND THE CONGRESS TO PROVIDE STRICTER HEALTH SURVEILLANCE AND ENFORCEMENT OF HEALTH REGULATIONS FOR PERSONS MIGRATING INTO THE UNITED STATES", was jointly offered by Senators Kawasaki, Toyofuku, Chong, Takitani, Young, Kuroda, Ching, Nishimura, Hara, Taira, Saiki, Yee, Leopold, Hulten, Yamasaki and R. Wong, and was read by the Clerk.

By unanimous consent, S.C.R. No. 29 was referred to the Committee on Health.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 132 to 136) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 132), entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT AND THE CONGRESS TO PROVIDE STRICTER HEALTH SURVEILLANCE AND ENFORCEMENT OF HEALTH REGULATIONS FOR PERSONS MIGRATING INTO THE UNITED STATES", was jointly offered by Senators Kawasaki, Toyofuku, Chong, Takitani, Young, Kuroda, Ching, Nishimura, Hara, Taira, Saiki, Yee, Leopold, Hulten, R. Wong and Yamasaki.

By unanimous consent, S.R. No. 132 was referred to the Committee on Health.

A resolution (S.R. No. 133), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF AN INTEGRATED SERVICES

APPROACH TOWARDS HUMAN SERVICES", was jointly offered by Senators Toyofuku, Kuroda, Chong, Young, Taira, Takitani, Henderson, Hulten, R. Wong, O'Connor, Nishimura, Yamasaki and King.

By unanimous consent, S.R. No. 133 was referred to the Committee on Human Resources.

A resolution (S.R. No. 134), entitled: "SENATE RESOLUTION IN MEMORY OF LENA K. REVERIO, A TRUE CITIZEN OF HAWAII", was jointly offered by Senators Taira, R. Wong, Leopold, Yim, O'Connor, Toyofuku, F. Wong, King, Kuroda, Hulten, Ushijima, Ching, Kawasaki, Nishimura, Young, Chong, Takitani, Hara, Yamasaki, Saiki, George, Yee, Soares, Henderson and Anderson.

On motion by Senator Taira, seconded by Senator R. Wong and carried, S.R. No. 134 was adopted.

Senator Taira then rose and stated as follows:

"Mr. President, this morning, Senate Resolution No. 134, which was just adopted by this Body, pays homage to the memory of the late Lena K. Reverio.

No resolution or speech can fully and truly express the ideals and goals for which she dedicated her life. Her sincere, fruitful efforts to obtain much needed legislation for those truly in need of public assistance and her willingness and ability to work out reasonable solutions with members of this Legislature are duly appreciated and shall be long remembered.

Therefore, on behalf of the members of the Senate, I would like to present copies of this resolution to Mrs. Lily Kekahuna, mother of Lena, and members of her immediate family as our tribute to the accomplishments and devotion of a resourceful and remarkable friend, Lena K. Reverio."

Senator Taira then presented the copies of the resolution to Mrs. Lily Kekahuna, Mrs. Leonard (Debra Lynn) Paleka, and Benjamin, Roland and Henry Reverio.

A resolution (S.R. No. 135), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO KAREN DOUGHERTY, 1976 JUNIOR MISS FOR HAWAII, AND TO RUNNERS-UP

LOYCE KAWAMURA, ITSUE MATSUMOTO AND KAREN GALLAGHER", was jointly offered by Senators George, Hulten, O'Connor, Leopold, King, Anderson, Taira, Saiki, Hara, Takitani, Chong, Nishimura, Yee, Yim, Young, R. Wong, Yamasaki, Ching, Kuroda, Soares, Henderson, Kawasaki, Toyofuku, Ushijima and F. Wong.

On motion by Senator George, seconded by Senator Saiki and carried, S.R. No. 135 was adopted.

Senator George then introduced to the members of the Senate Miss Karen Dougherty, Hawaii's Junior Miss for 1976; and Itsue Matsumoto of Honolulu and Karen Gallagher of Aiea, runners-up in the contest; and Mr. Earl Yamaoka and Warren Katsura of Hawaii's Jr. Miss Inc., the sponsoring organization. Senators Leopold, Anderson and Taira then presented leis to the three young ladies. Senator Anderson then escorted Miss Dougherty to the rostrum where she addressed the members of the Senate, expressing their appreciation for the resolution and for the opportunity to be present today.

A resolution (S.R. No. 136), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF READING PROGRAMS IN THE SCHOOLS", was jointly offered by Senators Hara, Kawasaki, O'Connor, Ching, Yim, Ushijima, Henderson, Takitani, Young, Taira and Toyofuku.

By unanimous consent, S.R. No. 136 was referred to the Committee on Education.

#### INTRODUCTION OF SENATE BILLS

On motion by Senator Taira, seconded by Senator Anderson and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Monday, February 9, 1976:

#### Senate Bills

No. 2121-76 "A Bill for an Act Relating to Payment for Medical and Other Professional Health Care Services under Public Assistance Programs."

Introduced by: Senators Toyofuku, King, Yamasaki, Nishimura, Hulten, O'Connor, Takitani, Kuroda, Chong and Henderson.

No. 2122-76 "A Bill for an Act Relating to the Public Utilities Commission and Making an Appropriation Therefor."

Introduced by: Senator Taira.

No. 2123-76 "A Bill for an Act Relating to the Director of Regulatory Agencies as Consumer Advocate Before the Public Utilities Commission and Making an Appropriation Therefor."

Introduced by: Senator Taira.

No. 2124-76 "A Bill for an Act Relating to the Motor Vehicle Safety Regulation of Private, Common, and Contract Carriers, and to the State Highway Safety Coordinator, and Making an Appropriation Therefor."

Introduced by: Senator Taira.

No. 2125-76 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to Kuakini Medical Center, Oahu."

Introduced by: Senators Taira, Yim and R. Wong.

No. 2126-76 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to Kuakini Medical Center, Oahu."

Introduced by: Senators Taira, Yim, R. Wong.

No. 2127-76 "A Bill for an Act Making an Appropriation for Capital Improvements for Pearl Harbor Park, Oahu."

Introduced by: Senators Ching, Young, F. Wong, and Kuroda.

No. 2128-76 "A Bill for an Act Making an Appropriation for Land Acquisition, Plans and Construction of a Community Library in Mililani, Oahu."

Introduced by: Senators Ching, Young, F. Wong and Kuroda.

No. 2129-76 "A Bill for an Act Making an Appropriation for Capital Improvements for the Pearl City Recreation Center, Oahu."

Introduced by: Senators Ching, Young, F. Wong and Kuroda.

No. 2130-76 "A Bill for an Act Making an Appropriation for Land Acquisition and Development of a Park in Waimano Gulch Between Pacific Palisades and Pearl City, Oahu."

Introduced by: Senators Ching, Young, F. Wong and Kuroda.

No. 2131-76 "A Bill for an Act Making an Appropriation for the Coordination and Development of Leeward Immigration Services in Leeward, Oahu."

Introduced by: Senators Ching,

- Young, F. Wong and Kuroda.
- No. 2132-76 "A Bill for an Act Making an Appropriation for Acquisition of the Navy Drum Storage Area for the Expansion of Leeward Community College, Oahu, as Master Planned."
- Introduced by: Senators Ching, Young, F. Wong and Kuroda.
- No. 2133-76 "A Bill for an Act Making an Appropriation for the Special Education Center of Oahu."
- Introduced by: Senators Nishimura, O'Connor, Saiki, Yee, Toyofuku, Young, King, F. Wong, Taira, Hulten, Takitani, Ching and Yamasaki.
- No. 2134-76 "A Bill for an Act Relating to the Penal Code."
- Introduced by: Senators Nishimura, Kuroda, Taira, Yamasaki, Takitani, Hulten, Ching and Toyofuku.
- No. 2135-76 "A Bill for an Act Relating to Insurance."
- Introduced by: Senator Chong, by request.
- No. 2136-76 "A Bill for an Act Relating to the Exemption of Certain Property and Proceeds From Taxation."
- Introduced by: Senators F. Wong, Kuroda, Yamasaki, King, Nishimura, Toyofuku, Taira, Hulten, Yim, Ching, Takitani, Young and R. Wong.
- No. 2137-76 "A Bill for an Act Relating to Recovery of Interest on Successful Tax Appeals."
- Introduced by: Senators F. Wong, Yamasaki, King, O'Connor, Taira, R. Wong, Chong, Nishimura, Toyofuku, Kuroda, Takitani, Yim, Ching, Young and Hulten.
- No. 2138-76 "A Bill for an Act Relating to the Office of Tourism."
- Introduced by: Senators F. Wong, Kuroda, Yamasaki, Chong, Nishimura, Toyofuku, O'Connor, Taira, Hulten, Yim, Ching, Takitani, Young and R. Wong.
- No. 2139-76 "A Bill for an Act Relating to the Interim Tourism Policy Act."
- Introduced by: Senators F. Wong, Kuroda, Yamasaki, Chong, Nishimura, Toyofuku, O'Connor, Taira, Hulten, Yim, Ching, Takitani, Young and
- R. Wong.
- No. 2140-76 "A Bill for an Act Relating to Estimate for Motor Vehicle Repair."
- Introduced by: Senators Kuroda, Ching, Chong, Young, Takitani and F. Wong.
- No. 2141-76 "A Bill for an Act Relating to the Enrichment of Rice."
- Introduced by: Senators Kuroda, Chong, Yim, King, Ching, Young, Takitani and F. Wong.
- No. 2142-76 "A Bill for an Act Relating to Electronic Repair Dealers."
- Introduced by: Senators Kuroda, Ching, Chong, Takitani and F. Wong.
- No. 2143-76 "A Bill for an Act Relating to Scrap Dealers."
- Introduced by: Senators Kuroda, Yim, Takitani, Toyofuku, Chong, Yee, O'Connor and Henderson.
- No. 2144-76 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kamiloiki School."
- Introduced by: Senators O'Connor, Nishimura, Soares and Saiki.
- No. 2145-76 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid for Plans and Development of a Park at Kalama Valley."
- Introduced by: Senators O'Connor, Nishimura, Soares and Saiki.
- No. 2146-76 "A Bill for an Act Relating to the Registration of Vacant Positions in Employment."
- Introduced by: Senators Yamasaki, Takitani, F. Wong, King, Leopold, Yee, Anderson, Henderson, Hulten, Chong, Ushijima, O'Connor, Taira, Ching, Nishimura and Kuroda.
- No. 2147-76 "A Bill for an Act Relating to Employer Payment for Health, Welfare, Pension Fund or Vacation Plans."
- Introduced by: Senators Yamasaki, Takitani, F. Wong, King, Chong, Anderson, Saiki, Henderson, Hulten, Hara, O'Connor, Taira, Ching, Toyofuku, Ushijima, Nishimura, George and Kuroda.
- No. 2148-76 "A Bill for an Act Relating to Prepaid Health Care."

Introduced by: Senators Yamasaki, Takitani, F. Wong, King, Leopold, Hulten, Chong, Toyofuku, Ushijima, Nishimura and Kuroda.

No. 2149-76 "A Bill for an Act Relating to the Wage and Hour Law."

Introduced by: Senators Yamasaki, Takitani, Hulten, Chong, Toyofuku, Ushijima, Nishimura and Kuroda.

No. 2150-76 "A Bill for an Act Relating to Occupational Safety and Health."

Introduced by: Senators Yamasaki, Takitani, F. Wong, King, Leopold, Anderson, Saiki, Henderson, Hulten, Chong, O'Connor, Taira, Ching, Toyofuku, Ushijima, Nishimura and Kuroda.

No. 2151-76 "A Bill for an Act Relating to Death Benefits under the Workers' Compensation Law."

Introduced by: Senators Yamasaki, Takitani, F. Wong, Hulten, Chong, Toyofuku, Ushijima, Nishimura, George and Kuroda.

No. 2152-76 "A Bill for an Act Relating to Workmen's Compensation."

Introduced by: Senators Yamasaki, Takitani, F. Wong, King, Hulten, Chong, O'Connor, Ching, Hara, Ushijima, Nishimura and Kuroda.

No. 2153-76 "A Bill for an Act Amending Section 383-61, Hawaii Revised Statutes."

Introduced by: Senators Yamasaki, Takitani, Hulten, Chong, Hara, Nishimura and Kuroda.

No. 2154-76 "A Bill for an Act Making an Appropriation for Research and Development of Alternate Uses of Lava Rock."

Introduced by: Senators Yamasaki, Takitani, Yee, Anderson, Saiki, Henderson, Hulten, Chong, O'Connor, Taira, Ching, Hara, Toyofuku, Ushijima, Nishimura, George and Kuroda.

No. 2155-76 "A Bill for an Act Making an Appropriation for Children with Reading Difficulties in the Elementary Schools."

Introduced by: Senators Yamasaki, Takitani, F. Wong, King, Leopold, Yee, Anderson, Saiki, Henderson, Hulten, Chong, O'Connor, Taira, Ching, Hara, Toyofuku, Ushijima, Nishimura, George and Kuroda.

No. 2156-76 "A Bill for an Act Relating

to an Iolani Palace Museum."

Introduced by: Senators O'Connor, R. Wong, Kuroda, Toyofuku, Takitani, Yamasaki, Taira, Ching, Soares, Leopold, Chong, Ushijima and Yim.

No. 2157-76 "A Bill for an Act Relating to Discrimination in Real Property Transactions."

Introduced by: Senators O'Connor, R. Wong, Kuroda, Toyofuku, Takitani, Yamasaki, Taira, Ching, Soares, Leopold, Chong, Ushijima and Yim.

No. 2158-76 "A Bill for an Act Making an Appropriation for Land Acquisition of Wawamalu (Queen's) Beach, Oahu, Hawaii."

Introduced by: Senators Saiki, Soares, O'Connor and Nishimura.

#### STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 10-76), informing the Senate that Senate Concurrent Resolution No. 29, Senate Resolution Nos. 131 to 135 and Senate Bill Nos. 2101-76 to 2120-76 have been printed and are ready for distribution.

On motion by Senator Taira, seconded by Senator Yee and carried, the report of the Committee was adopted.

#### ORDER OF THE DAY

##### REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Thursday, February 5, 1976:

Senate Bill Referred to:

No. 2101-76 Committee on Economic Development, then to the Committee on Ways and Means

No. 2102-76 Committee on Judiciary

No. 2103-76 Committee on Economic Development, then to the Committee on Ways and Means

No. 2104-76 Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 2105-76 Committee on Judiciary

No. 2106-76 Committee on Judiciary

No. 2107-76 Committee on Judiciary

- No. 2108-76 Committee on Judiciary,  
then to the Committee on Ways  
and Means
- No. 2109-76 Committee on Judiciary
- No. 2110-76 Committee on Judiciary
- No. 2111-76 Committee on Ways  
and Means
- No. 2112-76 Committee on Education,  
then to the Committee on Ways  
and Means
- No. 2113-76 Committee on Education,  
then to the Committee on Ways  
and Means
- No. 2114-76 Committee on Ecology,  
Environment and Recreation,  
then to the Committee on Ways  
and Means
- No. 2115-76 Committee on Economic  
Development, then to the Committee  
on Ways and Means
- No. 2116-76 Committee on Ecology,  
Environment and Recreation,  
then to the Committee on Ways  
and Means
- No. 2117-76 Committee on Ecology,  
Environment and Recreation,  
then to the Committee on Ways  
and Means
- No. 2118-76 Committee on Economic  
Development, then to the Committee  
on Ways and Means
- No. 2119-76 Committee on Higher  
Education, then to the Committee  
on Ways and Means
- No. 2120-76 Committee on Judiciary

#### RE-REFERRAL OF SENATE BILLS

The President then made the following re-referral of a bill that had been introduced in the Regular Session of 1975:

Senate Bill Referred to:

- No. 486 Committee on Economic  
Development, then to the Committee  
on Ways and Means

At this time, Senator Leopold offered the following amendment to the Rules of the Senate of the Eighth and Ninth Legislatures of the State of Hawaii:

"1. Rule 20. Meetings of Committees. Paragraph 4 shall read as follows:

'The meetings of the conference

committee shall be conducted as agreed upon by the members of the conference committee subject to the provisions of rule 22(5). It shall be the position of the Senate that conference committee meetings and decision-making sessions shall be public. Public notice of conference committee meetings shall be given to the extent practicable.'

2. Rule 22. Committees: Factfinding and Content of Reports. Add new paragraph (5) to read as follows:

'(5) The authority of a conference committee shall be limited solely to resolving differences between the House and the Senate versions of a bill or resolution. Accordingly, a conference committee shall not:

(a) Amend those provisions of a bill or resolution which are identical in both the Senate and House versions of the bill or resolution; provided, however, such identical provisions may be amended to conform to all other provisions of the bill or resolution; and

(b) Amend a bill or resolution by inserting into the bill or resolution any unrelated or new subject; provided that the above provisions shall not apply to the General Appropriations, Supplemental Appropriations and the General Public Improvements bill; provided, further that any increases to the salaries, pension or retirement benefits for any elected or appointed officer of the State or County shall be considered by separate bill other than the aforesaid Appropriations and Public Improvement bills or any bill ratifying collective bargaining agreements.'"

Senator Leopold moved that the amendment be adopted, seconded by Senator Saiki.

Senator Leopold then rose and spoke for the motion as follows:

"Mr. President, the Rules amendment which is proposed here deals with matters which a Conference Committee can rightly consider. It is not my purpose this morning to dredge up old water out of the well regarding the disastrous experience with the pay and pension bills of the last session. My purpose here is to insure that in the spirit of open government, a spirit which has been recognized by the majority in the House, that such occurrences are not a part of our deliberations in the future.

While my personal feeling is that

this rule change is more or less a limited attempt to provide this kind of reform, my own feeling is that the Conference Committee, which is in effect a third house, is not in the best interest of the State and a unicameral legislature is needed to correct that. But in the meantime, I feel it is important that pay and pension bills--bills which increase the salary, pension and retirement benefits for elected and appointed officers of the State or counties, be considered on their own merit as separate measures and not be piggy-backed to other measures."

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

Senator O'Connor then inquired if the movant would yield to a question, to which Senator Leopold replied in the affirmative.

Senator O'Connor then queried:

"Since the proposed Rule #22 sets up specific rules for a Conference Committee, I wonder if the movant would show us in the Rule where a Conference Committee may disagree entirely with the other Body and withdraw from Conference."

Senator Leopold replied as follows:

"Mr. President, the proposed Rule amendment makes certain exceptions to bring up new matters and these exceptions are the General Appropriations, Supplementary Appropriations and the CIP bills with the proviso, of course, that salary increases, pension increases, and retirement increases shall be by separate vehicle. So with regard to the General Appropriations, Supplementary Appropriations and the CIP measures, new matter can be brought up at that time."

Senator O'Connor then stated:

"Thank you. Mr. President, the answer given by the movant to the question which I just propounded to illustrates fully that it would be irrational to attempt to have one or two separate rules which attempt to prescribe the conduct of a Conference Committee. If we're going to prescribe the conduct of a Conference Committee, it must be in such fashion that there is no question as to what the Conference Committee can or cannot do. An attempt to simply impose one or two rules without going through the

entire gamut would so severely restrict a Conference Committee, we'd never get anything out of conference.

For these reasons, Mr. President, I would urge my colleagues to vote against the proposed amendments."

The motion was put by the Chair, and Roll Call vote having been requested, failed to pass on the following showing of Ayes and Noes:

Ayes, 6. Noes, 15 (Ching, Hara, Hulten, Kawasaki, Kuroda, Nishimura, O'Connor, Taira, Takitani, Toyofuku, F. Wong, R. Wong, Yim, Young and Ushijima). Excused, 4 (Chong, Henderson, King and Yamasaki).

Senator Leopold then offered the following amendment to Rule No. 16 of the Rules of the Senate of the Eighth and Ninth Legislatures of the State of Hawaii:

"Rule 16. Standing Committees: General Responsibility. First paragraph shall read as follows:

"It shall be the duty of each standing committee to conduct systematic review of those portions of the State budget, program and financial plans, and variance reports dealing with, and to consider all laws, bills, resolutions, petitions, reports and other matters relating to, those programs over which the committee has responsibility. In considering bills and resolutions, each standing committee shall consider, where practicable, all bills and resolutions with the same subject matter which have been referred to the standing committee at the time of consideration of any one bill or resolution. Each standing committee shall give each bill equal consideration in determining which bill on a particular subject matter shall be reported by the committee."

Senator Leopold moved that the amendment be adopted, seconded by Senator Saiki.

Senator Leopold then stated as follows:

"Mr. President, this Rule basically seeks one simple thing--it seeks equality in the treatment of your Minority Members. The sought-after amendment does not require committee chairmen to report out Republican bills. It merely begs for equal consideration in determining the merits of each bill regardless of sponsorship.

For the record, Mr. President, there were 170 Senate Republican

bills introduced into this Body last year and not one of them was reported out of committee. Of course, we are very grateful for the kindness given to us to hear our measures in committee, but as you know, the full gamut of the legislative process is that it involves the passage of legislation is to bring such legislation out of committee. Of course, we are grateful for the passage of ceremonial resolutions but these, of course, do not reach to the heart of the matter and that is, bringing Republican bills of merit out of committee.

Last summer for my own information, I conducted a survey of those States which have a similar proportion of Democrat Majority Senators to Minority Republican Senators. For example, the states of Alaska, Connecticut, Massachusetts and Oregon all have seven Republican Minority Senators just as we do. In two states, there was minority legislation to come out and pass both houses of those legislative bodies. Of course, the State of Hawaii had a percentage of 0.0%, which relates to the percentage of Senate-sponsored bills reported out and passing.

As you know, Mr. President, I submitted this survey to you during the interim and I pointed out that I would hope that we would be treated differently in this session. It is very important, Mr. President, that your Republican Senators, while of course, we are going to be cooperative Senators, that we be treated as first class legislative citizens. My view is that in its refusal to allow Republican bills of merit to pass, the Senate Majority leadership is clearly out of touch with present day thinking.

More and more people today are independents who strongly dislike the kind of narrow, wasteful, partisan thinking which rejects minority legislation out of hand, regardless of its merit."

Senator Kawasaki then asked if the movant would yield to a question and Senator Leopold replied that he would.

Senator Kawasaki then said:

"Mr. President, it is quite interesting to note from the sheet circulated to us this morning the percentage of minority-introduced bills that passed eleven states and I am wondering if there are any statistics available regarding the other thirty-nine states."

Senator Leopold answered:

"Mr. President, these particular states were selected because they have a similar proportion of majority Democrat Senators to minority Republican Senators. Many of the remaining states are in control of the Republican Party and therefore, were not selected for the purposes of this survey."

Senator Kawasaki then requested that statistics regarding those states controlled by Republicans be compiled and submitted to each Senator so that proper assessment of such data can be made.

Senator Leopold replied that the request will be complied with and added that he was "confident that Hawaii would still remain the only state to treat minority legislation so shabbily."

Senator Richard Wong then rose and stated as follows:

"Mr. President, I would like to make a point relative to the statistics provided us by the movant. I noticed that all of these states ranked below Hawaii in terms of efficiency, the kind of legislation passed, so if it is indicative of what the movant is saying, Hawaii ranks above all of these eleven states."

Senator Leopold in response thereto, stated:

"Mr. President, I'd like to point out in response to the recent statement that the same publication which pointed out Hawaii's high rank also pointed out the need for Hawaii, as well as the other states in the same category, to treat minority legislation fairly and this was one of the central recommendations made by the publications cited by the previous speaker."

Senator Yim, speaking against the motion, stated as follows:

"Mr. President, it is not true-- false, to say that not one of the Senate Republican bills passed during the last session. As a matter of fact, Mr. President, every Senate Republican capital improvement project bill passed last session and some of them are presently being implemented by a Democratic Governor even before he implemented many of the Democrat capital improvement projects which were passed last session.

Further, Mr. President, any Senator, Republican or Democrat, may amend any bill on the floor of this Chamber

and get their ideas known, considered, debated and voted upon.

Mr. President, it is about time that this childish, juvenile tradition as to who introduced which bill first and therefore ought to take precedence over a bill with a higher number, should be re-examined. In the last analysis, in the most cherished parliamentary tradition, the will of the majority is the final judge.

Thank you."

Senator Nishimura then spoke against the motion as follows:

"Mr. President, since we're talking about statistics in reference to the motion on the floor, I should like to report to the members of this Body, that last year the Judiciary Committee received 340 Senate Bills, of which 32 were Republican measures. Of the 308 Democrat bills, we were able to hear 177 of them. Of the 32 Republican bills, two of them were heard and these two were introduced by the movant."

Senator Yee, in reply thereto, stated as follows:

"Mr. President, in reply to the comments made by the Senator from the Fifth District, I would like to say that the movant's purpose here is not a frivolous or a childish activity as he seems to indicate. It is a sincere dedicated belief that he would like to have his ideas, his philosophies, his beliefs with greater input in the committee hearings.

I believe that what he is asking is not unreasonable of you and all we're asking is that you give our bills an opportunity to be heard and that the chairman of the respective committees do not have to report our bills out. We give you that great prerogative. You can ice-box all our bills, but all we ask is that you at least listen to the merit of our bills. I'm sure that is not childish.

Thank you."

Senator Anderson then rose and remarked as follows:

"Mr. President, in supporting the previous speaker and referring to the remarks made about childish comments and remarks and partisan nonsense, I really think some of you ought to look into the mirror across the hall, because that is

exactly what the movant was talking about.

The time for this childish, partisan, irresponsible and ridiculous approach to a responsible approach to government should be put aside.

I guess some of you are still punishing Republicans for what happened fifty years ago when it was very common to put a Democrat desk out on the lanai, ignoring you and not letting you participate at all--and that was equally as wrong. I think what we are trying to say here is that we get an equal amount of income and revenue and taxpayers to pay our salary.

I think we represent a majority of our community. We bring to this hall a philosophy, a point of view, an approach to problems and I think a need to participate.

Now all the statistics in the world and all the figures will not change the 'gut-level feeling' we are talking about.

I don't care if two bills were heard, or 200 were heard, none passed. None passed last year, none passed the year before and none passed for the thirteen years I have been around here, because you are extremely partisan.

For some reason and I don't know what it is, you are afraid of us. Six or seven Senators across the hall and you're afraid to pass a Republican measure. God help you if you're that afraid. How can you put your minds and your sincerity to test, and solve the people's problems?

Now I'd like to say right here and now, I believed the opening statements of the President for the last two years. I heard you on 'Cross-Fire' when you summed up the session, and I thought after the fiasco of last year, we were going to make an honest effort to uphold and back up our image throughout the entire state--legislators alike. The President of this Senate, a Democrat, said the time has come to re-evaluate and to look into it.

In discussions with the Majority Leader and the Majority Floor Leader yesterday in reference to the letter received by the Minority, it indicated a compromise--leaving it to each individual Senator whether he should hear every bill regardless of the sponsor.

Okay, that's all we've got. We're



going to trust you. Some of you are still going to play games. Some of you are going to grow up and be responsible and try, but I'm saying here and now that if any chairman gets down to the nitty-gritty partisanship and pettiness, then I'm going to hold him accountable one way or another as this session progresses. If I have to call bills to the floor, if I have to have our members put in minority committee reports, if I have to here publicly on the floor, name you one by one, so that the press will have the responsibility of printing it--so help me, God, I'm going to."

The motion was put by the Chair,

and Roll Call vote having been requested, failed to pass on the following showing of Ayes and Noes:

Ayes, 6. Noes, 15 (Ching, Hara, Hulten, Kawasaki, Kuroda, Nishimura, O'Connor, Taira, Takitani, Toyofuku, F. Wong, R. Wong, Yim, Young and Ushijima). Excused, 4 (Chong, Henderson, King and Yamasaki).

#### ADJOURNMENT

At 12:09 o'clock p.m., on motion by Senator Anderson, seconded by Senator Taira and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 9, 1976.