

TWENTY-FIRST DAY

Thursday, February 19, 1981

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1981, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mrs. Janice E. Tebbetts of the First Church of Christ Scientist of Honolulu, after which the Roll was called showing all Senators present.

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

Senator Young then introduced to the members of the Senate Ms. Therese Godfrey of Kailua and Ms. Marlies Suter of Lucerne, Switzerland, who were sitting in the Senate gallery.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 10), returning Senate Concurrent Resolution No. 22, which was adopted by the House of Representatives on February 18, 1981, was read by the Clerk and was placed on file.

SENATE RESOLUTION

A resolution (S.R. No. 61), entitled: "SENATE RESOLUTION COMMENDING HIROSHI WAJIMA, A PROFESSIONAL SUMO GRAND CHAMPION, FOR HIS MANY ACHIEVEMENTS," was offered by Senators Wong, Kuroda, Anderson, Yamasaki, Uwayne, Young, Mizuguchi, Toyofuku, Ajifu, Holt, O'Connor, Campbell, Machida, Soares, Ushijima, George, Carpenter, Cayetano, Kawasaki and Cobb, and was read by the Clerk.

On motion by Senator Kuroda, seconded by Senator Cobb and carried, S.R. No. 61 was adopted.

At this time, Senator Kuroda rose to introduce the honoree and remarked as follows:

"Mr. President, ladies and gentlemen of the Senate and members of the audience, it's a pleasure to introduce this grand champion of Japan, someone I had the opportunity to meet nine years ago when the 442nd Infantry Battalion veterans sponsored a sumo tournament here in Hawaii.

"I'd like to make reference to the resolution where it describes the success of this young man who was born in 1948 and who became a professional sumo grand champion in 1973, within

a very short time.

"At this time, I'd like to present to you Mr. Hiroshi Wajima, professional sumo grand champion of Japan, who is accompanied by Mr. Charlie Higa of Y. Higa Trucking Co."

Senator Young then presented Mr. Wajima with a lei and Senator Kuroda presented him a copy of the resolution.

At 11:41 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:43 o'clock a.m.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 11), informing the Senate that Senate Resolution Nos. 58 to 60 and Senate Bill Nos. 884 to 2131 have been printed and are ready for distribution.

On motion by Senator Young, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 233, S.D. 1:

Senator Yamasaki moved that S.B. No. 233, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Anderson.

At this time, Senator O'Connor rose to speak against the measure as follows:

"Mr. President, I rise to speak against this measure.

"This measure increases the allowance for the legislators from a sum of \$1,500 to a sum of \$2,500. Article III, Section 9, of our State Constitution allows that members of the Legislature may receive allowances reasonably related to expenses, and it goes on to provide that a salary may also be provided in a format pursuant to a new section adopted in 1978. In this year, this Legislature has received an increase in salary, pursuant to that formula, to the sum of \$13,650.

"In addition to that increase in salary, today, we have before us a measure which would increase our allowances by a sum of \$1,000. The constitutional mandate is that these allowances must

be reasonably related to expenses.

"Mr. President, I find nothing in the committee report appended to this bill or in the findings, which are involved with this measure, which would lead an objective and reasonable person to believe that the \$1,000 increase has anything to do with a reasonable relation to the expenses of the members of this body.

"It appears to me that that \$1,000 is simply an additional sum of money which is by way of a salary and does not in any way amount to any kind of reasonable allowance.

"I am reminded, Mr. President, of a similar measure which was debated in this body in 1975. I am reminded of the debate on that measure and I know that there will be certain people in this body who will vote with me against this bill today because of the remarks they made in 1975. I would like to repeat one of those remarks by a current member of this body.

"In that year, we were suggesting whether that measure should go from \$750 to \$1,500 and many people felt that reasonable expenses at that time would include that amount. One of the members of this body said, and I quote from page 196 of the Senate Journal of 1975, 'Mr. President, we're cutting fine hairs with whether it's \$12,000 for income, \$750 for expenses. I have been around these halls for as long as many of you, not as long as some of you. I don't spend \$1,500 a year in incidental expenses. I buy as many lunches, tickets for various benefits as any of you. It is income. It may be in a different column for the sake of making it legal, but it is income. It is tax deductible because it is in that column when it's paid to a legislator. We are already the highest paid part-time Legislature in the entire country, the highest. I don't care whether you call it expenses, salary, pin-money, call it what you want. Andy Anderson and his twenty-four colleagues will be \$750 wealthier once this bill passes.'

"Mr. President, I urge all to vote against this measure."

Senator Campbell also rose to speak against the measure and remarked as follows:

"Mr. President, members of the Senate, I intend to vote against Senate Bill 233. I did not expect, Mr. President, to be the only member of the Ways and Means Committee to sign the committee

report 'I do not concur.' It is of some consolation to me, nevertheless, that the former chairman of the Ways and Means Committee did sign the committee report 'with reservation.'

"Mr. President, for the record, I want to make it clear that I am not opposed to the objective of some of our Senators whose idea is to address the problem of inflation which is plaguing many of our legislators. The escalating cost of living is a serious threat to the health and welfare of many Americans, and this particularly is true of Hawaii. There is no question about it, many of our legislators are hurting economically, particularly those of us who have no outside income. But, Mr. President, this is the price we legislators have to pay until our economy returns to normal.

"We must not let ourselves get into the situation that Congress finds itself in today. Congress has been telling us, the American people, to tighten our belts, don't ask for pay increases, it only contributes to inflation; then Congress proceeded to vote themselves a hefty pay raise.

"Mr. President, as legislators, we must be sure that we do not use our authority to address our own economical problem before we address the economic plight of a host of Hawaii's people--the elderly, the sick, the poor, the handicapped, the middle-income.

"As mentioned by a previous speaker, our body has been referred to as being a part-time legislature. I think, Mr. President, that this issue before us today brings to dramatic focus the need to address the issue of a full-time legislature, where legislators devote full-time in addressing the problems of the people of this state--escalating crime, runaway inflation, school violence and vandalism, pollution, traffic, safety, and the list goes on and on. If we were full-time legislators, it would be reasonable, in my judgment, to pay us a salary which would take into account the present economic climate.

"Let me rush to a close, Mr. President.

"For this Senate to support a thousand dollar increase for incidental expenses for this year could give the people of our state the impression that we have abandoned our commitment as a legislative body to what is reasonable and what is prudent; therefore, I urge defeat of this measure. Thank you."

At 11:53 o'clock a.m., the Senate stood in recess subject to the call

of the Chair.

The Senate reconvened at 11: 58 o'clock a.m.

Senator Abercrombie in rebuttal stated as follows:

"Mr. President, in rebuttal, please.

"Mr. President, the Senators here are welcomed to see my books which I keep meticulously on a daily basis. The IRS has seen them for ever since I've come in to the Legislature--as well as the State Tax Department.

"If anyone believes that this is a part-time legislature, then that is a reflection on the kind of work that they do, not me and a good many other Senators in this Senate. If anyone believes that the people of the state do not contact our offices on a full-time basis, on a twelve-months-a-year basis, then I would suggest that they don't pay much attention to their constituency and they are not in their offices very often and that they don't have a good message service. I have to dip into the little salary that I do get in order to take care of these office expenses.

"I don't apologize for one cent of what I earn; I earn every single penny in this legislative hall.

"This is not a pay raise; this is to take care of expenses that we are already paying--any of us who are doing a half-way decent job. Now, if someone wants to look at it as a pay raise, then presumably, that money should be able to be taxed, and if any of this money is sitting in my bank account at the end of the year, not fully accounted for to the last cent, then I'm liable for taxation on it. And with the tax system the way it is in this state at the moment, you can rest assured that I won't keep it. So it doesn't bother me one bit to vote for this. The only thing that I regret is that it's not \$500 higher. I'll work on that next year.

"Thank you."

Senator Anderson then rose to ask if Senator O'Connor would yield to a question and Senator O'Connor replied that he would.

Senator Anderson asked: "Senator O'Connor, was that dissertation, that quote, attributable to me? You mentioned my name in the end, and I was wondering if that was a quote I made back in those days?"

Senator O'Connor replied: "Yes, it was. It's on page 196 of the Senate Journal of 1975."

Senator Anderson thanked Senator O'Connor and continued as follows:

"Mr. President, I sat here and listened to it; I made sense then and I guess I make sense now. It was very good.

"Mr. President, the bill before us, the thousand dollars is an increase. I take issue a little bit to the question of a pay raise because Senator Yamasaki and myself and the Ways and Means Committee in the week of discussions on this bill and the actual \$12,000 salary that we are entitled to...the Senator mentioned a pay raise of thirteen thousand some odd dollars, but you all know the rather fouled-up way it was done, it was actually a pay decrease.

"I think the taxation on the \$40,000 income took more dollars away from the legislator than he got in the so-called pay increase. So, the thousand dollars is in fact going to help that category a little bit. I might add, Senator, that the compromise, you might call it, that is before us doesn't take into consideration only wealthy attorneys or restaurant owners like myself. There are people in the Legislature who in fact need the money, as you heard Senator Abercrombie say.

"So, in looking for a common ground, Mr. President, one that helps the young ones, one that is fixed on \$12,000...like Jimmy Wong who was on our staff last year and got elected to the House...he is now unemployed, except for the \$12,000. It helps him get going; it helps him find a job.

"It isn't really a pay increase in the true sense. There are some of us who don't need the thousand dollars, and it isn't a question of individuals, it's all 76 legislators combined, and I might add that the bill before us truly does represent legitimate expenses.

"I've been conducting a program for the senior citizens that come to these halls for many years now and that runs me far in excess of the \$2,000 and I would do that whether I got this increase or whether you retract it to the \$750 or if there was no expense money.

"We do conduct our offices all year round; we do have all kinds of expenses that vary from legislator to legislator; and I don't think you can look at this as a pay increase, Mr. President."

At this time, Senator Cobb rose to speak in favor of the measure as follows:

"Mr. President, rising to speak in favor of the measure, first, with relationship to the expenses which have occurred since 1975--there was a 30% postal increase in 1976, a 27% postal increase in 1978, and now we see that today before the Postal Rate Commission of the United States there is another 20 to 30% postal increase, in effect, a compounded increase of over 80% just within the last five and a half years.

"Mr. President, if my memory serves me correctly, I believe that it was my distinguished colleague from the Seventh Senatorial District who in 1975 voted for a 100% pay increase from \$750 to \$1,500 while a member of the Senate. I can recall sitting in the gallery and watching that happen. He was on the winning side and he had few, if any, reservations about the 100% increase that was voted in 1975, only five and half years after the last such increase had gone through from the 1968 Constitutional Convention in 1970 when the \$750 increment became effective. But, now we're looking at a 66% increase in a six-year period, and suddenly the vote is 'no.'

"I'd also like to ask, Mr. President, of each of the individuals who have spoken against the pay raise, as they call it, or the increase in allowance, whether or not those individuals would be willing to forgo the allowance and return it to the Senate or to be donated to charity."

The Chair then remarked: "I don't think, Senator Cobb, that the people need to answer that particular question. It's left to their own discretion as to how they wish to accept this increase should it pass both the Senate and the House."

Senator Yamasaki, at this time, rose to speak in favor of the measure as follows:

"Mr. President, in speaking for the bill, as chairman of the Ways and Means Committee, I would like to take this body back to 1969 when Act 5, Senate Bill 3, established the allowance of \$750. Then in 1975 to House Bill 171, we doubled that amount to \$1,500, a 100% increase.

"Because the dollar is not worth the dollar it was back in 1969 and also in 1975, I believe that the approximately 66-2/3 percent increase in our allowance is justified; therefore, I urge this body to vote for this bill. Thank you."

Senator Cayetano also rose to speak in favor of the measure as follows:

"Mr. President, I rise to speak in favor of the measure, with some reservations.

"One of the previous speakers pointed out that I had signed the committee report 'with reservations' so I'd like to explain because I think he may not have the right reason in mind.

"As a practical matter, Mr. President, it is really unfair for each Senator to get the same amount in incidental expenses. All of us here know that some chairmen work harder than others, mostly by reason of the subject matter of the committee that they chair. For example, I've always felt that the president, the chairman of the Ways and Means Committee and the chairman of the Judiciary Committee should, especially, get a higher allowance than all other Senators.

"Additionally, not all Senators work as hard--this is a personal matter. For example, if I remember correctly, last night at the Senate Higher Education Committee we finished at about 1:00 o'clock in the morning. During the hearings I would go to the men's room and I noticed that most of the doors were closed and the lights were off. The other day, the chairman of the Judiciary Committee was late for a breakfast meeting because he had been working up till 4:30 in the morning with his staff.

"Now, it is difficult to judge the merits or the worthiness of this expense to each Senator because arguments can be made on both sides of the fence, Mr. President. I suppose, if we argue that a Senator who burns the midnight oil is working harder and contributing more to the welfare of the people of this state, the argument can be made for the Senator who is not there --he is saving the state electricity, maintenance on the typewriters, etc.

"If we argue that the Senators who are here working diligently, trying to address their responsibilities as committee chairmen and committee members, are more worthy of this expense allowance than those who spend time on the golf course, I guess it can be argued that those who spend time on the golf course are really contributing to support the city's program of maintaining and operating the golf course by contributing in green fees, etc. So, it's very, very difficult to judge.

"And those are the reasons why I signed the committee report 'with reservations,' Mr. President. It's

really because I would like to see the law amended, and Senator Cobb and I had an amendment which I guess we are not going to offer in deference to you.

"The amendment would have allowed each Senator to be his own judge. For each Senator the allowance would be optional and each Senator could refuse or accept the allowance and be accountable to his constituents, which in the end is the only judge that counts. Unfortunately, it seems we have some problems with the amendment so I will defer to your wish.

"I would like, however, to ask of those who are going to vote against this bill, I would like to ask them, if they feel so strongly about it, to return the money to the Senate or to give it to a charity of their choosing, and I would like the press to follow-up by making it public to the members of our community—who are the people who put their money where their mouths are."

Senator Kawasaki then remarked as follows:

"Mr. President, I too was an advocate of the amendment that had already been prepared at taxpayers' expense... that we vote the amendment up or down... but in deference to you as the presiding officer of this body, I too will defer to your wishes.

"I think, perhaps, this matter of whether we accept this increase in our allowance should be put in its proper perspective. Now, it is true that there are various degrees of incidental expenses expended by members of this body. It all depends on the person and how much he pays attention to his social amenity requirements because of the fact that he holds an office as a Senator in the State of Hawaii.

"It is true also that whether the incidental expenses increase can be justified depends upon the work that each Senator contributes here, and we know only too well that not everybody contributes the same amount of public good as a member of the Senate holding his office. We know too that there is a variety of degree in the amount of time that a Senator spends in his office here over and above the 60-day session or the 75-day session. Some of us here spend a great deal of time in our offices, though not required... not required. We do that only because we want to attend to some of the problems besetting the people of this state.

"To put this in a proper perspective, let us examine what has happened. With this increase in incidental expenses of a thousand dollars for a total of \$2,500 added to what is our basic salary, our basic salary, as you know, back in 1968 was \$12,000, and it remained \$12,000 for a total of almost 13 years. There was never any category of employees in this state, either in private or in public office, whose salaries remained the same for a total of 13 years when inflation was rampant. Only this year on January 1st, the compensation for the legislators had increased for the total of 13 years, a magnificent sum, an additional \$1,650 to bring it up to \$13,650. I calculated by simple arithmetic that with this increase in incidental expenses the total compensation actually, when you add both of them together, amounts to \$16,150.

"Now, for a body in any entity, any corporate entity, a body like ours of 76 people, if you will, the board of directors of the entity (State Government) which spends about \$3.5 billion almost every year, I think this is not too big a compensation.

"I am a little concerned, I am a little appalled at the fact that some of our competent people are leaving office. Representative Richard Garcia, a very capable man... we didn't always agree on some of the issues that were involved here, but a very capable man... he decided not to run for office and he is very successful in private enterprise. We lost Representative Charles Ushijima, the former majority leader of the House of Representatives. Very competent people.

"There are others here who are saying, who are talking, right in this body, that at the end of two years when they fulfill their term they can no longer stay in office. I regret to hear statements like this because some of these people are very competent people. The very fact of their presence here, the very fact of their presence in committee sessions have literally saved the taxpayers of this state millions upon millions of dollars. I think this happened over the years, during the 15 years of my being in this Senate. I would hate, for the welfare of the people of this state, to lose these kinds of people.

"It has been my pleasure to observe a refreshing change in the Senate with the entrance and presence of Senator Abercrombie as (former) chairman of the Higher Education Committee. I've watched this man's work. I would hate to see Senator Abercrombie, who is trying to make ends meet on

his present salary, leave office because he was offered something like a 30-, 40-, \$50,000 a year job outside because this man has the talent, the intelligence, the commitment to do a good job in whatever he does. I always told him, 'Neil, I think you're a damn fool, why don't you go back to the University to teach and you'd start with at least \$35,000 a year--three times what you're making around here.' And, I'm glad that this man's commitment to the public dictates that he stay here--rock the boat a little for the good of the people. I think this is the kind of judgment, this is the kind of factors you've got to consider--\$16,150 for a man who does a good job is cheap, cheap for the taxpayers.

"On the other hand, there are some of us in the Legislature who don't do very much, who don't give a damn, who don't spend too much time, the time that's required to do a good job because this is indeed, notwithstanding what the law says, a full-time job, if you want to do a good job.

"Every member of the Ways and Means Committee or the Finance Committee of the House, every member on the Judiciary Committee, if he really wants to do a good job and could afford to spend the time, would be here almost every working day of the year, because this is the kind of time that's required for us to very intelligently oversee and monitor how \$3 billion of taxpayers' funds are spent. We don't do this, primarily because most of us cannot spend the time to do this. We've got to earn a living outside in order to support a family of two people, four people, whatever it may be.

"So, again, as I said, let's put this in the proper perspective. The total compensation, including the incidental expenses, of \$16,510 is not a gigantic salary for people who do a good job. Now, if you don't do a good job, and you're honest about it, then I would suggest as two other speakers have suggested previously, why don't you just refund that amount to the taxpayers--they'd appreciate that.

"Thank you."

Senator Cayetano added as follows:

"Mr. President, I'd just like to add something for the record.

"Last session, Mr. President, I polled many members of the Democratic Majority at that time about this matter of increasing the incidental allowances and the figure of \$2,500, even \$3,000 came up. And I recall the answer of one of the previous

speakers; he was all for it. He believed that as chairman of the Judiciary Committee at that time that such an expense was justified. Of course, Mr. President, I suppose maybe his judgment was poor at that time because as the chairman of the Judiciary Committee he stayed up long hours; I'm sure he was tired; I'm sure he may have forgotten that part of the allowance went to buy no-doze for his hardworking staff, some of them who stayed up all night. I remember one of his attorneys worked without sleep for two days and two nights in a row.

"Now, refreshed, having not as much to do, he is able to think this matter over more clearly and I see now he has made a decision completely opposite to what he said last year."

Senator Abercrombie then remarked as follows:

"Mr. President, I'm forced to rise again on this issue because of a colleague's very kind remarks in respect to my work record here. I'm very, very appreciative but I must admit to this body that I have received a \$35,000 offer from the University. The only difference is that it is to stay away from it instead of to come up to it."

Senator Uwaine rose to inquire as follows:

"Mr. President, just a parliamentary inquiry.

"On third reading votes, is there going to be a roll call vote?"

The President replied: "Yes, the Chair will instruct the Clerk on the roll call."

Senator Cobb then stated: "Mr. President, since the amendment that was pending was issued, I'd just like to read it for the benefit of..."

The President interrupted and stated: "Senator Cobb, the amendment is not before this body. I appreciate you and Senator Cayetano and Senator Kawasaki not proposing the amendment. I think that it would be improper and out of order at this particular time to discuss it."

Senator Cobb continued as follows:

"Understanding then, Mr. President, your desire to move on the bill expeditiously, I'd just like to state for the record that ten days after we receive our checks, I'm going to make a public inquiry as to who, if anyone, has returned the

money that we voted on, particularly those who voted in the negative, because in the entertainment industry, Mr. President, that kind of practice is called 'grandstanding,' and I think the time has come to separate rhetoric from reality today."

At this time, Senator Carpenter rose to comment as follows:

"Mr. President, recognizing that the option to return money is with each of us, I would like to suggest that if the money is returned to your purview that you would perhaps consider redirecting some of that to my committee and I make a guarantee and a commitment not only to you, but to my colleagues here in the Senate and the House, to all of the people of this State of Hawaii, that it will indeed be put to use in a most judicious way. Thank you, very much."

Senator Holt then rose to speak against the measure and stated as follows:

"Mr. President, I would like to speak against this bill.

"Mr. President, I can't remember hearing anyone campaign, going door-to-door or putting stuff in their brochures, for a Senate seat on a platform of more money for incidental expenses.

"Mr. President, Hawaii's Legislature already is the highest paid, one of the highest paid legislatures in the country, and just this year we received a pay raise from the Legislative Salary Commission.

"Contrary to what some of the earlier speakers have said, this bill before us is nothing more than a dubious device of giving ourselves a pay raise on top of a pay raise, and this bill, as a matter of fact, is only the second bill before us for action this year. I'm wondering what the rush is, whether the checks are all ready for distribution.

"There's a stack of bills on my desk; there are thousands of more bills in the printshop being printed that are more important than the bill before us.

"All I'm saying is that by voting 'aye' and passing this bill, you're putting your own priorities ahead of the public good. I urge all of my colleagues to vote against this bill."

Senator O'Connor rose to speak in response to various remarks as follows:

"Mr. President, I think that it's

necessary that I rise to respond to a few personal remarks that might have been made earlier this morning.

"First of all, I endorse what the previous speaker just said. It is, I think, inappropriate that this body act on its first two measures, both having to do with expenses of this body, both having to do with increases in this body's amount of money for both its staff and personal allowances.

"Secondly, in response to some of the personal comments made, I would challenge anyone in this body, over the years that we have been here together, as to whose office is open more and is more accessible to the public. Year in and year out, in between sessions, I have a secretary in my office every day. I pay her salary out of my pocket, out of my salary as a legislator, and I've done this every single year since I've been here. She handles the inquiries day in and day out for the entire Senate because on most other days most other offices are closed, with a couple of exceptions. Of course, those are all expenses, and I handle them willingly out of my salary as a legislator because I believe that's where the money should come from for such a service.

"Now, this year we had a commission to look at our salaries. I agree with most of the other comments made by the members of this body concerning the inadequacy of monies paid to the individuals here. That inadequacy is not one which we should take care of by voting ourselves an increase in allowance. It is one which the Constitution mandates should be handled by the commission which was established under the Constitution for that purpose. The brilliant speeches made on this floor today should have been made to that commission.

"That commission decided that we were, unfortunately, a part-time legislature and decided that we would be paid a substantially larger amount for the three months we were in session and essentially nothing in the period of time that we were not in session.

"I believe that if some of the comments made on this floor today had been made to that commission they might have changed their minds. But that is not what's before us today. What's before us today is the subject of our allowances, and I would suggest that an increase of this amount, at this time, with the other matters that we are faced with, when it is an increase in taxpayers' dollars, is inappropriate. Thank you, Mr. President."

Senator Uwaine then asked if Senator

O'Connor would yield to a question and Senator O'Connor replied that he would.

Senator Uwaine asked: "Mr. President, it's public record and it's on file already, but I just thought I'd like to ask the good Senator, to save me the time from walking over to the Ethics Commission, but I'm just curious...what's his gross salary per year as a private attorney and as a legislator?"

The Chair then interjected as follows: "Senator O'Connor, you need not answer that question."

Senator O'Connor replied: "I'm not going to answer that entire question, Mr. President, but I'll say that my salary as a legislator is spent in this building serving the public."

Senator Uwaine then inquired: "Mr. President, is that a no?"

The President replied: "Yes, the Chair has informed the previous speaker that he need not answer the question."

Senator Uwaine continued as follows:

"Just let me say this, Mr. President, that in comparison to the previous speaker, I entered politics not so much for the salary but to serve people, and just to show the good Senator from the Seventh District that there are people who need some kind of additional money for the operation of their offices...thank God, the Salary Commission gave us a raise...there are people in this body that need additional funds. For an example, Mr. President, this year we had a raise to bring our salaries up to \$13,650. For myself, this is a full-time job; I have a young daughter who was born four months ago, and I have a wife who is full-time at home, and if you asked what my net take-home pay is and how I'm doing it...I'm wondering about it myself.

"I'd just like to remind the good Senator from the Seventh District that many of us here need the additional increase for expenses in the office and not for take-home pay. Thank you, Mr. President."

Senator Cobb again rose to remark as follows:

"Yes, Mr. President, I think the time has come to put to rest the idea that the net result of the recent Salary Commission's action was a pay raise. The basic decision, in deference to my colleague from the Seventh District, the basic decision is to whether or not have a full-time or part-time legislature was actually made in the 1978 Con-Con again when they opted to keep the body part-time

and bicameral and the Salary Commission concurred in that decision in the salary structure.

"I did a little figuring on what the actual impact of the salary structure is, as it applies now during our session period, and, in effect, this has been a net loss in pay because the IRS has ruled that during the session we are in the 60% tax bracket and we will be taxed accordingly. I'm sure this came as a surprise to many members of this body as well as many members of the House. So, for three months we're in a 60% tax bracket and for nine months, if we're full-time, we could qualify for food stamps.

"The calculations that some of the other legislators and I have done show that the net take-home pay of a legislator today, with that kind of 60% tax bracket classification, is somewhere between \$4,700 and \$5,100 per year, net take-home pay. I hardly consider that a pay raise.

"In addition, Mr. President, I think it's only fair to point out that when you're dealing with the subject of your expense allowance, it behooves every member of this body and the House to keep a separate expense or separate legislative account for tax purposes because if the money is spent either improperly or for personal matters it's considered ordinary income. The only way a tax deduction can be taken is if it is a legitimate office related expense to your official duties."

Then, Senator Kuroda rose to speak in favor of the measure and stated as follows:

"Mr. President, I rise to speak in favor of this measure; however, I'm not going to spend time explaining why I stood up to speak in favor of it. I would like to just say that there are people who are going to vote on this measure, for, on the basis of their conviction, and those who are going to vote 'no,' on the basis of their conviction.

"I think there has been enough debate on this matter, Mr. President, and I would suggest to my colleagues who are going to vote 'yes' to just leave things be, and then I would suggest to those who are going to vote 'no' to hang on to your money.

"I don't think that there is any need to spend any more time with the personal batherings that's going on right now. Let's get on with the business. We've got many more days ahead of us and

I think that every time somebody stands up to speak on this measure there's more aggravation, so let's get on with it, ladies and gentlemen. Thank you."

Senator Uwaine, at this time, rose on a point of information as follows:

"Mr. President, just on a point of information on the ruling of the Chair on the previous speaker's remarks--if the Chair is in agreement with the previous speaker's remarks as far as what's been said on this floor, as far as, I guess, the indication as far as being personal, as far as getting on with the workings of the Senate and that debate is secondary. I'd just like to get an indication from the President."

The President replied as follows:

"The indication from the Chair is that I too feel that there is now a need to vote. We've heard both sides of the issue. I may not be in total agreement with the Majority Leader in terms of aggravation. I think any issue should be discussed freely here in the Senate.

"It's been my policy as president that whether the issue is controversial or not that the Chair would allow the maximum hours necessary for any issue to be brought out to the public, and that's what I've tried to do this morning...to air the issues. I know the stands are very hard; there are varying reasons why members will vote the way they are going to vote. So be it.

"If there is no further discussion, I would like the vote to be taken on this measure at this time."

The motion was put by the Chair, and Roll Call vote having been requested, S.B. No. 233, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALLOWANCES FOR LEGISLATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Campbell, Holt, Machida, Mizuguchi, O'Connor, Toyofuku and Ushijima).

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Tuesday, February 17, 1981:

Senate Bills Referred to:

No. 695 Committee on Economic Development, then to the Committee

on Ways and Means

No. 696 Committee on Transportation, then to the Committee on Ways and Means

No. 697 Committee on Education, then to the Committee on Ways and Means

No. 698 Committee on Human Resources, then to the Committee on Ways and Means

No. 699 Committee on Human Resources, then to the Committee on Ways and Means

No. 700 Committee on Human Resources, then to the Committee on Ways and Means

No. 701 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 702 Committee on Consumer Protection and Commerce

No. 703 Committee on Ways and Means

No. 704 Committee on Ways and Means

No. 705 Committee on Ways and Means

No. 706 Committee on Ways and Means

No. 707 Committee on Ways and Means

No. 708 Committee on Ways and Means

No. 709 Committee on Ways and Means

No. 710 Committee on Ways and Means

No. 711 Committee on Ways and Means

No. 712 Committee on Ways and Means

No. 713 Committee on Ways and Means

No. 714 Committee on Ways and Means

No. 715 Committee on Ways and Means

No. 716 Committee on Ways and Means

No. 717	Committee on Ways and Means	No. 753	Committee on Ways and Means
No. 718	Committee on Ways and Means	No. 754	Committee on Ways and Means
No. 719	Committee on Ways and Means	No. 755	Committee on Ways and Means
No. 720	Committee on Ways and Means	No. 756	Committee on Ways and Means
No. 721	Committee on Ways and Means	No. 757	Committee on Ways and Means
No. 722	Committee on Ways and Means	No. 758	Committee on Ways and Means
No. 723	Committee on Ways and Means	No. 759	Committee on Ways and Means
No. 724	Committee on Ways and Means	No. 760	Committee on Ways and Means
No. 725	Committee on Ways and Means	No. 761	Committee on Ways and Means
No. 726	Committee on Ways and Means	No. 762	Committee on Ways and Means
No. 727	Committee on Ways and Means	No. 763	Committee on Ways and Means
No. 728	Committee on Ways and Means	No. 764	Committee on Ways and Means
No. 729	Committee on Ways and Means	No. 765	Committee on Ways and Means
No. 730	Committee on Ways and Means	No. 766	Committee on Ways and Means
No. 731	Committee on Ways and Means	No. 767	Committee on Ways and Means
No. 732	Committee on Ways and Means	No. 768	Committee on Ways and Means
No. 733	Committee on Ways and Means	No. 769	Committee on Ways and Means
No. 734	Committee on Ways and Means	No. 770	Committee on Ways and Means
No. 735	Committee on Ways and Means	No. 771	Committee on Ways and Means
No. 736	Committee on Ways and Means	No. 772	Committee on Ways and Means
No. 737	Committee on Ways and Means	No. 773	Committee on Ways and Means
No. 738	Committee on Ways and Means	No. 774	Committee on Ways and Means
No. 739	Committee on Ways and Means	No. 775	Committee on Ways and Means
No. 740	Committee on Ways and Means	No. 776	Committee on Ways and Means
No. 741	Committee on Ways and Means	No. 777	Committee on Ways and Means
No. 742	Committee on Ways and Means	No. 778	Committee on Ways and Means
No. 743	Committee on Ways and Means	No. 779	Committee on Ways and Means
No. 744	Committee on Ways and Means	No. 780	Committee on Ways and Means
No. 745	Committee on Ways and Means	No. 781	Committee on Ways and Means
No. 746	Committee on Ways and Means	No. 782	Committee on Ways and Means
No. 747	Committee on Ways and Means	No. 783	Committee on Ways and Means
No. 748	Committee on Ways and Means	No. 784	Committee on Ways and Means
No. 749	Committee on Ways and Means	No. 785	Committee on Ways and Means
No. 750	Committee on Ways and Means	No. 786	Committee on Judiciary, then to the Committee on Ways and Means
No. 751	Committee on Ways and Means	No. 787	Committee on Ways and Means
No. 752	Committee on Ways and Means		

- No. 788 Committee on Ways and Means
- No. 789 Committee on Ways and Means
- No. 790 Committee on Health, then
to the Committee on Ways and Means
- No. 791 Committee on Education,
then to the Committee on Ways and
Means
- No. 792 Committee on Economic
Development, then to the Committee
on Ways and Means
- No. 793 Committee on Higher Education,
then to the Committee on Ways and
Means
- No. 794 Committee on Judiciary
- No. 795 Committee on Consumer
Protection and Commerce
- No. 796 Committee on Consumer
Protection and Commerce, then to
the Committee on Judiciary

By unanimous consent, consideration of Senate Bill Nos. 797 to 883 and Senate Bill Nos. 884 to 2131 were deferred until Friday, February 20, 1981.

The Chair then made the following announcement:

"Members of the Senate, the Chair would like to make this announcement. Referral of bills is being handled as expeditiously as possible to get the lists to you. Because of the backlog of bills in the printshop, we estimate the time for final printing of all bills introduced in the Senate to be around 1:00 o'clock this morning.

"I ask the members' patience in getting the referrals to your committees, which will probably be tomorrow. Hopefully, tomorrow afternoon it will be placed on each Senator's desk.

"Secondly, I cannot help but express some dissatisfaction with the number of bills that have been introduced here in the Senate. I do not want the Senate or the Senators to have the dubious honor of out-stripping the House in the introduction of bills. I know the cutoff has arrived; I know we must proceed with the work. There are many chairmen who are new, who feel that vehicles are needed to be placed into committee, and I can fully understand that; but, I hope that on the next go-around we will be more deliberate in our introduction of bills. Perhaps, the volume this year was because of the organizational delays this session. We can live with that, but, I must

say that, personally, for me and my staff it's been very frustrating to try to keep up with the amount of bills that have been introduced. I felt I had to say that."

Senator Anderson rose to respond as follows:

"Mr. President, if I may respond to that.

"I heard a comment this morning on the morning commentator's report on the Legislature about the number of bills... I think the number of bills, of course, are heavy, Mr. President, but I think also the media and the public have to realize that in the hopper of the 2,000 bills, give or plus, are an awful lot of short form bills that were put in this year because we're trying to have a vehicle.

"Under the parliamentary procedure, you have to have a bill introduced with a broad title and we have many, many bills of short form in the hopper, not knowing what the Federal Government may do in their budgetary cuts. So, Mr. President, as a precaution, the committee chairman can have as many as five or ten short form bills with broad titles, one covering airports, one covering the highways, one covering whatever, so that if and when, down the road, a federal cut or a federal program is implemented where it affects Hawaii we do have a vehicle to amend and, hopefully, resolve that problem.

"I think we also have to remember that these bills are for two years. There's a carryover provision which means that next year there should be very, very few bills; so, I don't think it's all a question of irresponsible action on the legislators in throwing in bills."

In response to Senator Anderson, the Chair remarked as follows:

"Senator Anderson, in very brief response, I represent my own feeling on this particular matter, and I am aware also that the short form and all other bills do have a carryover effect. However, it is my hope that in the next go-around we will not have this happen.

"What you said is true. I'm just merely venting my own frustration with what has occurred and I'm not that sensitive to what is being said in the press--it's a sensitivity which deals with personnel that have to crank out the work. I feel for them but

I don't think in some cases it was necessary, but, because of the shortness of time, I understand what had occurred.

"I don't want to make any apologies. This is how I feel and if I have offended anyone in this honorable body, I'm sorry. That's the way I feel."

Senator Kawasaki then rose to state as follows:

"Mr. President, I must rise in complete concurrence with what had been said by the good Senator from the Third District. I think you might console your frustrations by just realizing that perhaps the number of bills introduced anyway is an indication of the commitment and the interest that the Senators have about the problems of this state.

"It's not a negative indication, as such; there is some advantage to having

a lot of bills introduced. Let's just hope that these bills make sense. I am more concerned about the introduction--sometimes rampant introduction--of silly resolutions that we've been voting on. That, I think, is more waste of taxpayers' money."

Senator Abercrombie added his comments as follows:

"Mr. President, as you can see deference is already ended. I hope you can comfort yourself with the following: 'Virtue is its own punishment.'"

ADJOURNMENT

At 12:36 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 20 1981.