

ARCHITECTS

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# HAWAII ARCHITECT

May, 1978

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All correspondence should be directed to:  
**Hawaii Society/AIA**  
1192 Fort Street Mall  
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Beverly McKeague  
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#### Contents:

Ballpoint: Ethics and Professionalism ..... 5  
by Nelson Doi, Lt. Governor  
State of Hawaii

Construction: Whither "Sunshine" in A/E Selection ..... 9  
by E. Alan Holl, AIA and Brian Gray, P.E.

Article: An Architect's View of the ..... 10  
Mormon Temple at Laie  
by George Whisenand, AIA



Lex Scripta: Legal Opinion ..... 12  
by William A. Stricklin

Wide Open: HS/AIA Merit Award ..... 14  
Au, Smith & Haworth, Ltd.



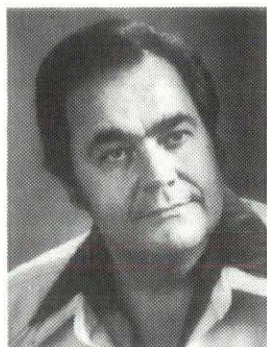
Press: Book Review: ..... 22  
by Glenn Mason, AIA  
Hawaii Home Energy Book

New Members: Emily Zants, Stanley K.S. Chun, ..... 24  
Michael Muh Sung Chun, Coral Churchill,  
Charles Andrew Ehrhorn, David C. Layton,  
Karen Gates

Cover Story: The Ward Warehouse  
Photo taken from Ala Moana showing  
the playful keyhole in a verticle mass. For more  
on the Ward Warehouse, see page 14.  
Photo by Wayne Thom.



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## BALLPOINT Commentary

# Ethics and Professionalism

by NELSON DOI, Lt. Governor, State of Hawaii

Text of keynote speech at the  
Hawaii section ASCE seminar

A professional is a believer—one with conviction. One who is learned—and one who has committed himself to serve the people with his special knowledge, training, and skills of his profession. To accept conditions or to allow conditions to exist that seriously frustrate and handicap the work of the professional, and/or hurt the community and government is to be very much less than professional. In the face of adversity and handicaps the true professional will take steps, forward steps, to improve the quality of his service and make it a meaningful force in the community for the general well being and health of the community.

The professional would reject the idea of throwing up one's hands and saying it is no use to try.

The professional would reject the idea that everything should stand still to wait the passing of the storm.

It is time to cease going along as usual. The issues of today—in Hawaii—demand new commitment, new ideas, new effort to move ahead.

In speaking to you today on "Ethics and Professionalism," I want to concentrate on the responsibilities of professionals to the larger society.

I know that in your profession—as in mine—ethical considerations most often involve our relationships with our clients. But a professional also has a responsibility to serve the entire community—a responsibility that is often spelled out in what I consider to be a public document in our codes of ethics and canons. For example:

- The engineer's code of the National Society of Professional Engineers calls on the engineer to be "honest and impartial" and to "serve with devotion his employer, his clients, and the public," to "use his knowledge and skill for the advancement of human welfare," to

"regard his duty to the public welfare as paramount," "to seek opportunities to be of constructive service in civic affairs and work for the advancement of the safety, health, and well-being of his community."

- The chemist's creed approved by the Council of the American Chemical Society states that a chemist has a responsibility to the public "to discourage enterprises or practices inimical to the public interest or welfare."

- The code of professional responsibility of the American Bar Association states that a lawyer shall not "engage in conduct involving dishonesty, fraud, deceit, or misrepresentation." And that the lawyer "may take positions on public issues and espouse legal reforms he favors."

- The principles of medical ethics adopted by the American Medical Association state that "the principal objective of the medical profession is to render service to humanity with full respect for the dignity of man," that "physicians should observe all laws," that "they should expose, without hesitation, illegal or unethical conduct of fellow members of the profession," and that "the honored ideals of the medical profession imply that the responsibilities of the physician extend not only to the individual, but also to society."

- In addition to these codes and the codes of the other professions, those who are employed in public service are also bound by standards of conduct. Here in Hawaii, an entire chapter of the Hawaii Revised Statutes is devoted to setting forth these standards and the way they are to be enforced by the Ethics Commission. The specific standards listed include the subjects of gifts, confidential information handling, the use of public office for private benefit, conflicts of

interest, and the disclosure of financial interests.

It's not a bad list, although I am sure we can all think of some things we would like to see added to it. It could be vastly improved, as a code of conduct, if it included some statements of positive actions expected of public officers and employees.

On the federal level—in addition to specific laws—there is such a code. It was adopted by the Congress back in the late 1950s as a concurrent resolution. Among its more significant points, it calls on any person in government service to:

- "Put loyalty to the highest moral principles and to country above loyalty to persons, party, or government department.

- "Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not . . . .

- "Make no private promises of any kind binding upon the duties of office, since a government employee has no private word which can be binding on public duty.

- "Engage in no business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.

- "Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profits.

- "Uphold these principles, ever conscious that public office is a public trust."

Of course we know that just because such a code exists, doesn't mean that every public employee will always do the right thing. However, it is instructive that Ernest Fitzgerald—the man who

Continued on Page 6



# Ethics and Professionalism

"At this point, those of you in the affected professions could wash your hands of the matter . . ."

Continued from Page 5

"blew the whistle" on the Lockheed cost overruns and who suffered years of harassment for his dedication to efficiency and the welfare of the United States—had a framed copy of this code hanging on the wall of his office in the Department of the Air Force at the Pentagon.

In the same sense, just because we have codified a long series of prohibitions against unethical conduct in our laws, does not mean that we have insured proper behavior by everyone. But, that doesn't mean that we shouldn't have such laws.

A different section of the Hawaii Revised Statutes governs the granting of public contracts. With certain exceptions, this law requires public notice that a contract will be let and requires competitive bidding. It goes into great detail about how the bidding process will be accomplished, setting standards of procedure and demanding certain actions of both the bidders and the public agency letting the contract.

However, for the most notable exception to the requirement for competitive bidding—for services which do not admit of competition, as the statute puts it—there are no specified procedures to be followed. None at all.

It was to remedy that situation that several bills were introduced during the last session of the legislature and were briefly revived in this session. These measures—House Bill 1449, its companion Senate Bill 1160, and the more far-reaching Senate Bill 521—would have set up certain procedures for the selection of professional engineers, architects, and landscape architects to design public projects. In the case of Senate Bill 521, both state and county projects would be covered. In the other two bills, only state projects.

As you know, all three bills are now dead. They are dead even though all of the professional

design organizations had united in support of the concept and had pushed for passage before the legislature and in the news media.

We are told that there are several reasons the bills died.

In the case of Senate Bill 521, it went too far. It took too much power from the State Comptroller. It included the counties as well as the state and supposedly was opposed by Neighbor Islanders who were afraid the provision for public notice would draw big Mainland design firms into local competition.

Some of the opposition to the other bills was that they did not include the counties. They were also opposed, we are told, because the comptroller already follows many of the procedures provided in the bill.

As to the point that the bill should be passed because the professional societies were all in favor of it, one prominent legislator had pointed out that some members of these organizations were opposing the bills behind the scenes. When pressed by his questioner, this legislator conceded that those working in the background against the bills were those who have benefited in the past from the present system.

Of course, the purpose for this kind of legislation is not just to bring regularity into the business of awarding nonbid contracts. The real purpose is to bring a halt to the longstanding practice of extracting large political campaign contributions in return for the granting of contracts.

That this is a common practice hardly needs further documentation. Just the other day Common Cause reported on its study of state records which show that eight firms got half the nonbid design contracts from the state, and that only 22 of the several hundred design firms got 75 percent of the business. In the words of Common Cause it is a system that "is far from

equitable." And, if there is any doubt which firms these are, all you have to do is attend a \$100-a-plate fund raiser and you will see the principals.

On the City and County level, we have the frank—one might even say "outrageously frank"—admission by our mayor that non-bid design contract awards are processed through his political campaign committee. Considering these points, it is obvious that the question of whether a reform bill covered just the state or both the state and the counties was crucial to passage. To include one and not the other in this election year apparently just didn't seem fair.

In any case, we are left with no reform bill—no law to provide "sunshine" in this nonbid contract awarding process.

At this point, those of you in the affected professions could "wash your hands" of the matter and say that it is a concern of the legislature—that the politicians are responsible for the failure of the bill to pass, and that all you can do is to wait until the next session and try again.

That, my friend, is too easy.

What about your responsibility to regard your "duty to the public welfare as paramount"?

What about your responsibility "to seek opportunities to be of constructive service in civic affairs"?

Even if there is no law requiring ethical conduct in the awarding of public contracts "that do not admit of competition," don't all of us have a responsibility to see that the practices are ethical?

Sure, the politician who tries to stick you with thousand-dollar blocks of fund raising tickets with the understanding that those who take them will see business coming their way is not behaving properly. But, what about the person who ac-

Continued on Page 25

HAWAII ARCHITECT





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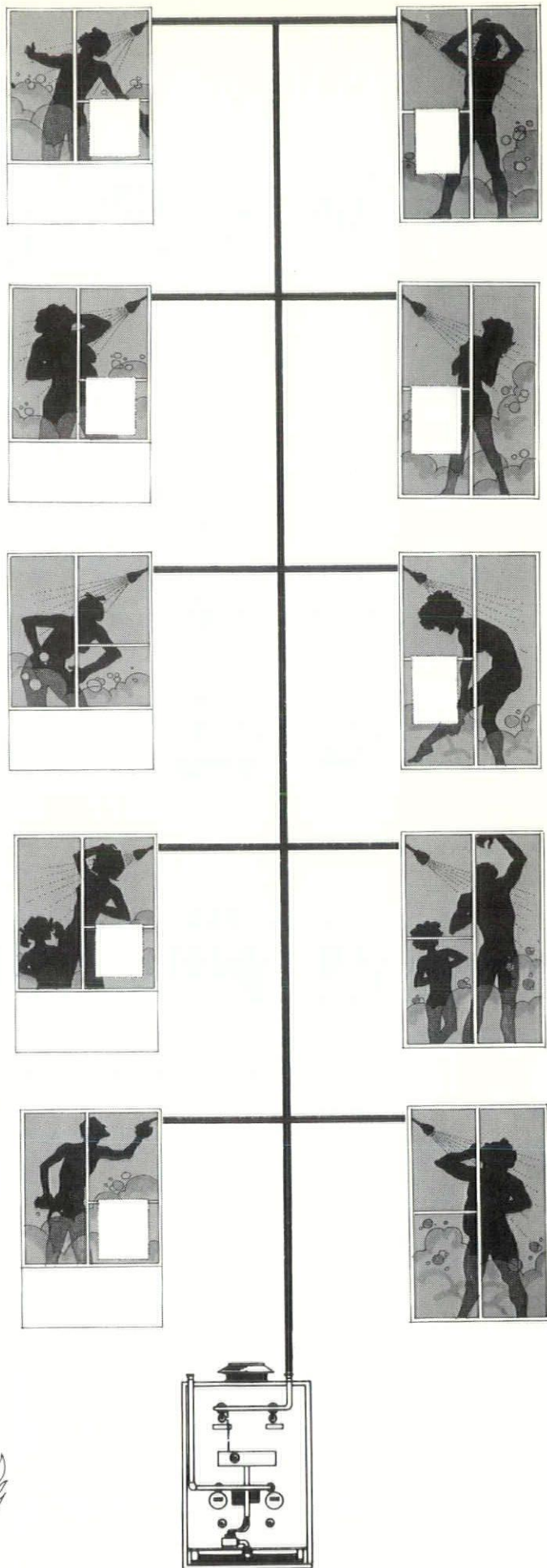
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# Whither 'Sunshine' in A/E Selection

By E. Alan Holl, AIA, President,  
Hawaii Society AIA and Brian  
Gray, P.E., President, Consulting  
Engineers Council of Hawaii

Senate Bill 1160 and its companion House Bill 1449 were essentially "sunshine" bills. All they would have done was to make the A/E selection process for state projects publicly visible and accountable, but apparently that was enough to stir up strong opposition.

During the latter part of 1977 all of the design professional organizations in ICED (AIA, CEC, HSPE, ASLA, AIP, and ASCE) had general membership meetings, endorsed the bills, and in December a letter was sent to CILO on behalf of ICED requesting CILO's support. CILO's Legislative Policy Committee unanimously recommended endorsement to CILO's board. In late January CILO's board, after lengthy discussion and argument, voted not to reconsider their previous decision to take "no position."

Letters expressing dismay and concern were sent to CILO's board from CEC, AIA, and from the chairman of CILO's Legislative Policy Committee. Lack of CILO support was immediately felt in the legislature. It appeared that once again these bills would not get a hearing. An appeal was sent out to the members of the various design professional organizations to contact their elected representatives to urge that the issue be brought to hearings. To the surprise of many people, enough interest was generated so that public hearings were held in both the House and the Senate.

House Bill 1449 was heard before the Committee on Public Employment and Government Operations on February 24. The hearing on H.B. 1449 started at 10 a.m. with testimony from all of the professional societies and from Common Cause. Chairperson Kathleen Stanley appeared to be trying to lock the bill in committee, but there were enough committee members present to demand a continuation of the hearing, leading up to deci-

sion making at 5:15 p.m. The ten members of the committee stuck it out and voted in favor of the bill: Clifford Uwaine, Neil Abercrombie, Ben Cayetano, Steve Cobb, Robert Dods, Calvin Say, Donna Ikeda, John Medeiros, Carl Takamura, and Faith Evans.

The committee report was subsequently signed by Kathleen Stanley and Jack Suwa, and signed with reservation by Ken Kiyabu, Gerald Machida, Yoshito Takamine, Ted Mina, and Henry Peters. Norman Mizuguchi was excused. Tony Kunimura filed a minority report against the bill.

The bill was then referred to the Finance Committee, chaired by Representative Suwa, and, although he had signed the PEGO Committee report, he did not schedule a Finance Committee hearing, killing H.B. 1449.

In late February a two-thirds majority of CILO's board decided to reconsider its position and asked its Legislative Policy Committee to consider some of the concerns the board had for the language of the bill.

On March 3 a hearing on Senate Bill 1160 was held before the Senate Judiciary Committee. Prior to the hearing we thought we had seven of 12 votes for the measure—enough to pass it out of committee. Testimony was given by all design professional organizations and Common Cause strongly supporting the bill.

Hideo Murakami, State Comptroller, testified against the bill. Murakami's testimony did not seem to indicate concern about the public announcement of projects or

**Continued on Page 19**

## CONSULTANT CONTRACTS January 1, 1975 to June 30, 1977

Fee Category	Number of Consultants Awarded Contracts	Total Number of Contracts	Average Contracts Per Firm	Total \$	Percent of Total
\$ 2M	1	5	5	6,111,159	19.5
1-2	8	69	8.6	11,029,628	35.0
0.5-1	5	42	8.1	3,523,401	11.0
0.3-0.5	8	56	7		
0.1-0.3	32	136	4.2	5,296,780	17.0
0.1	106	296	2.8	2,627,837	8.5
	160*	604		31,448,457	100 %

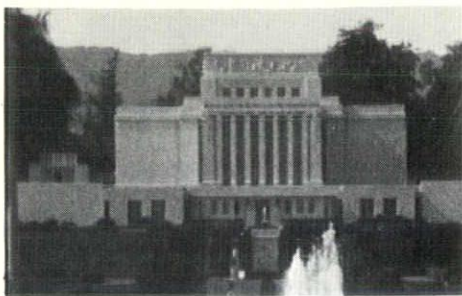
(\* Includes joint ventures. Number of individual firms, 148.)

Common Cause's analysis of contributions, not yet complete, was also interesting. For example in the 1974 governor's race, for amounts reported exceeding \$100:

Contributor Classification	FASI		ARIYOSHI	
	Amount Contributed	Percent of Total	Amount Contributed	Percent of Total
Architects & Engineers	\$138,062	30.4	\$23,709	25.8
Attorneys	30,841	6.8	2,240	2.4
Contractors and Building Materials	55,688	12.3	5,988	6.5
Real Estate/Developer	56,268	12.4	9,322	10.1
Unions	2,110	0.5	12,038	13.1
Etc.	...	...	...	...
	\$453,621	100%	\$92,031	100%

Although it is difficult to draw any conclusions from the figures, they indicate a gross disproportion of contributions by design professionals.





# An Architect's View of the Mormon Temple at Laie

by GEORGE WHISENAND, AIA





To the non-Mormon world the temples of the Mormon church are an object of considerable curious interest. This naturally follows from the fact that all non-Mormons and many partially active church members are not permitted access to the temples.

In a less enlightened time, opponents of the Mormon faith conjured up all kinds of imaginary "black rites" which they presumed might be carried on behind the closed doors of the temples. No one seriously believes these stories today. In order to understand what a temple is, it is necessary first to know why a temple is built.

Temples are rare and special buildings and they are located strategically throughout the world to serve the principal centers of Mormon population. They differ completely from the chapel which serves the normal day-to-day church activity.

The chapel, more properly termed a "meeting house," is a multipurpose structure containing a chapel for regular Sunday services, a combination assembly hall-gymnasium, classrooms and church offices. It is strictly a utilitarian building and is built for constant heavy use. The emphasis is on durability and low maintenance cost. Simple materials—brick, concrete and exposed timber framing—are used. Many follow standard plans modified as necessary for the site and local conditions.

The current rapid growth of the church—doubling its membership in about 15 years—has required an accelerated building program involving some 200 new chapels a year with an annual budget for new construction of more than \$200 million. Economy and efficiency are the guiding criteria.

Temples are viewed in an entirely different way. They are few in number; they are designed for a special and very sacred purpose; they are built to last hundreds of years; they are built with the greatest of care and attention and with the finest possible materials.

There is no "standard plan" for a temple; nor any set style of architecture. At the present time, due again to the recent rapid growth of the church, new temples are either in design or construction in Seattle, Tokyo, Sao Paulo, and Mexico



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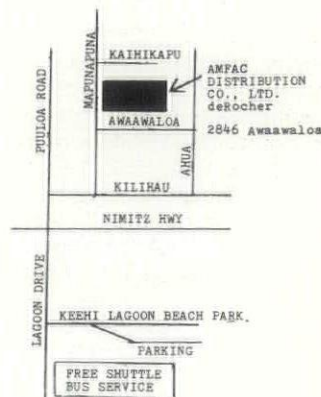
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### DIRECTIONS



Continued on Page 18





# Legal Opinion

by WILLIAM A. STRICKLIN  
of Hamilton, Gibson, Nickelsen, Rush & Moore

You have requested our opinion whether or not the Federal Election Campaign Act of 1971, as amended in 1976 by Public Law 94-283 (2 USCA §431 ff.), and specifically Section 441c., entitled "Contribution By Government Contractors-Prohibition" applies to local political contributions. It is our conclusion that it does not.

The Section (2 USCA §441c.) provides in relevant part as follows:

(a) It shall be unlawful for any person—

(1) who enters into any contract with the United States or any department or agency thereof either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, at any time between the commencement of negotiations for and the later of (A) the completion of performance under; or (B) the termination of negotiations for, such contract or furnishing of material, supplies, equipment, land, or buildings, directly or indirectly to make any contribution of money or other things of value, or to promise expressly or impliedly to make any such contribution to any political party, committee, or candidate for public office or to any person for any political purpose or use; or

(2) knowingly to solicit any such contribution from any such person for any such purpose during any such period.

(This is the same section quoted in the February issue of *Hawaii Architect* and mis-cited as a portion of Title 18.)

Definitions for purposes of the Act, including Section 441c., appear in Section 431. The following terms are significant in construing Section 441c:

*person* means an individual, partnership, committee, association, corporation, labor organization or group of persons.

*political party* means an association, committee, or organization which nominates a candidate for election to any Federal office, whose name appears on the election ballot as the candidate of such association, committee or organization.

*political committee* means any committee, club, association, or other group of persons which receives contributions or makes expenditures during a calendar year in an aggregate amount exceeding \$1,000.

*candidate* means an individual who seeks nomination for election, or election, to Federal office . . . .

Both *contribution* and *expenditure* refer to monies or other values made to influence Federal elections, or national nominating conventions, or the selection of electors for the Presidency and Vice-Presidency.

The definitional section thus makes it clear that the thrust of the Federal Election Campaign Act is limited to federal elections, since all of the definitions, either in text or by incorporation, refer to federal or national elections.

However, although Section 441c. is part of the Act, its language is somewhat less restrictive. It prohibits any *contribution* (value given to influence Federal elections) to any *political party* (organization which nominates candidates to Federal office) or to any "committee, or candidate for public office or to any person for any political purpose or use . . . ."

The term *committee* is not defined. Arguably, it is not the same as a *political committee*, which is defined to include only federal elections.

Similarly, although *candidate* is limited to federal elections, Section 441c. may expand the usage by the phrase *candidate for public office* to include other elections.

The term *any person* is clearly so broad, even as defined in Section 431, to include candidates for purely local offices.

Finally, the phrase *for any political purpose or use* can certainly refer to local as well as federal elections.

However, no matter how broadly all of these prohibited recipients are defined, the prohibited act, the making of a *contribution*, remains limited to federal and na-

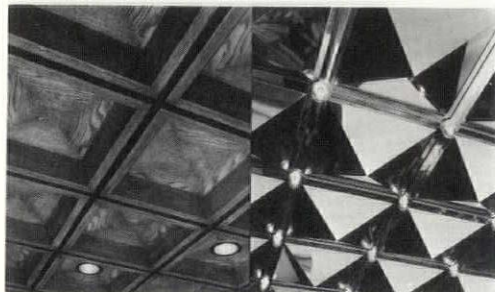
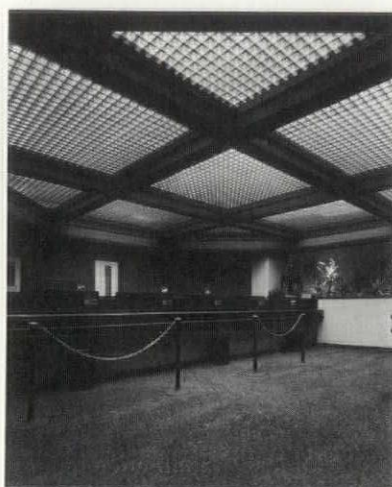
This article is in response to the article 'AE Selection,' by Jim Reinhardt, AIA, which appeared in the February 1978 issue of *Hawaii Architect*.

Continued on Page 22

HAWAII ARCHITECT



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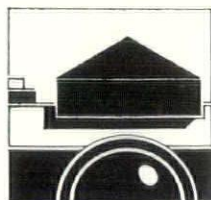
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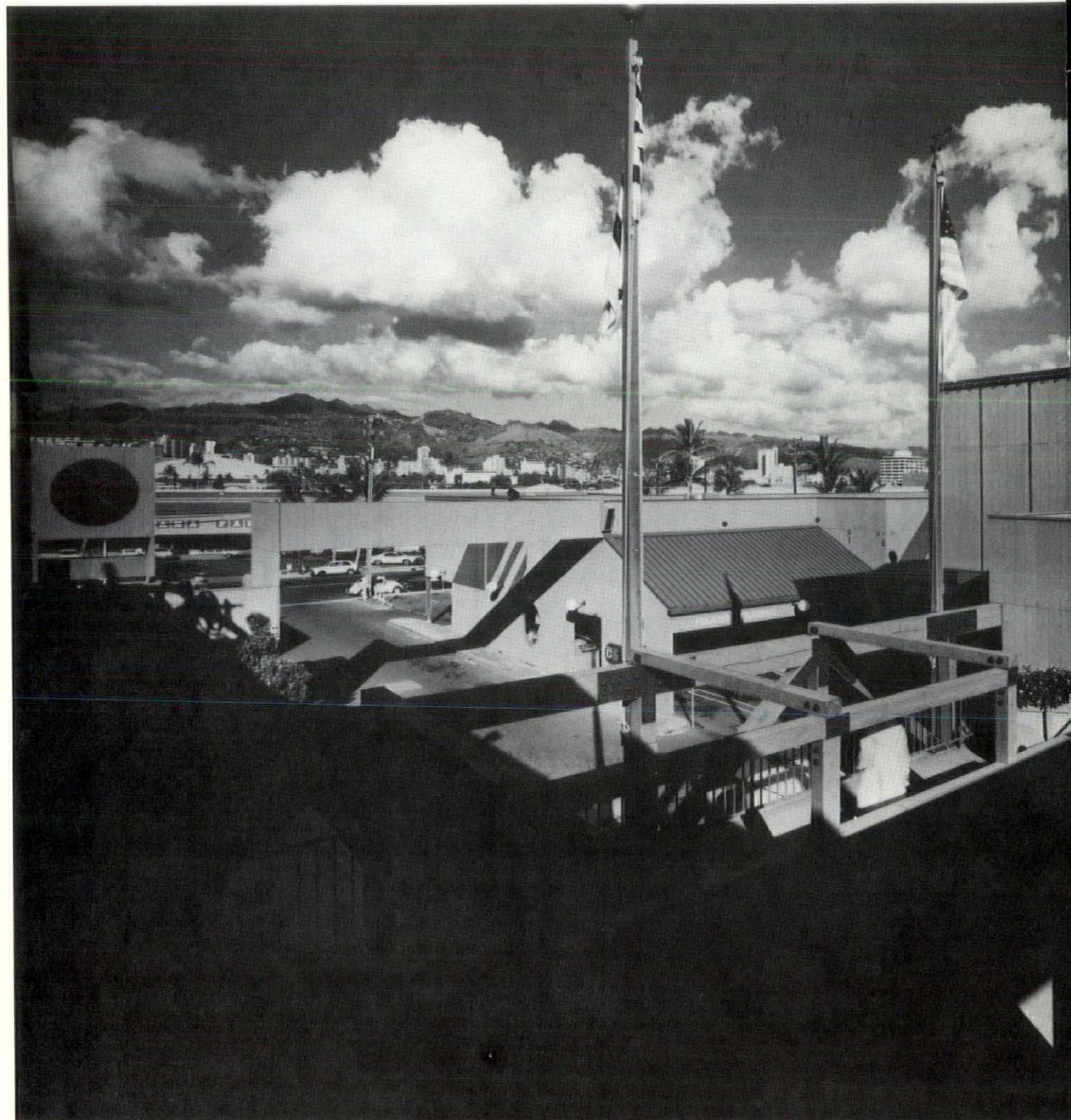


**WIDE-OPEN**  
Photo feature

# HS/AIA Merit Award Commercial

Architects: Au, Smith & Haworth, Ltd.

## The Ward Warehouse





Photos by Wayne Thom, Los Angeles, California

#### GENERAL INFORMATION

PROJECT NAME  
The Ward Warehouse

LOCATION  
1050 Ala Moana  
Honolulu, Hawaii

DEVELOPER/OWNER  
Victoria Ward, Limited

TOTAL PROJECT COST  
\$5,500,000

SCOPE OF CONCEPT  
Manufacturing & Industrial  
Display . . . . . approx. 48,000 sq. ft.  
Retail . . . . . approx. 44,000 sq. ft.  
Restaurants . . . approx. 30,000 sq. ft.

TOTAL LOT AREA  
7 Acres

OPENING DATE—September 1974

TYPE OF CENTER  
One and two-story complex of seven structures with room for approximately 100 tenant spaces, establishments and major restaurants

PARKING  
246 paved surface parking spaces on-site with additional 400 parking garage stalls

ARCHITECTS  
Au, Smith & Haworth, Ltd.  
Structural Engineers  
T.Y. Lin Hawaii, Inc.  
Electrical Engineers  
Bennett & Drane  
Mechanical Engineers  
Robert Hamilton & Co. Inc.  
General Contractor  
E.E. Black, Ltd.  
Construction Financing  
Bank of Hawaii  
Mortgage Financing  
The Manufacturers Life Insurance Company  
Landscaping  
Chapman, Phillips, Brandt & Associates

Continued on Page 17



# HS/AIA Merit Award

Architects: Au, Smith & Haworth, Ltd.

## The Ward Warehouse

Continued from Page 15





#### PROJECT DESCRIPTION

The Ward Warehouse is one of Honolulu's newest and uniquely casual shopping complexes. With its shops, showrooms and restaurants overlooking Kewalo Basin and the fishing and charter boats, the project sets out to attract people to an experience of an internal street of warehouses, accommodating both retail and wholesale outlets, mixing delivery and service with pedestrian and vehicular traffic.

The street ignores the planners need to separate the various vehicular and pedestrian patterns, and instead, allows the interaction and overlap to recreate atmospherically what was and still remains the working pattern of Kakaako.

Historically, the project recreates the activity and liveliness of the old warehouse rows and shops that frequented Honolulu's early waterfronts. And as such, it recreates for the Ward Estate, the historical involvement shared by the Curtis P. Ward Family at the "Old Plantation." **HA**

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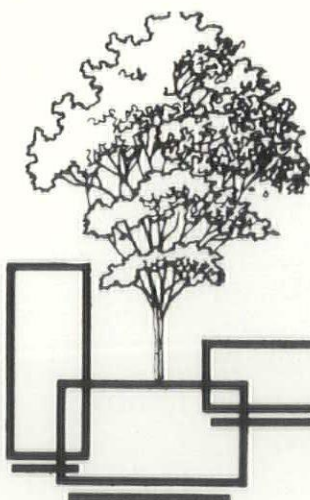
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## Temple

Continued from Page 11

City, and older temples in Hawaii, Utah, and Arizona are being enlarged. Recently completed are temples in Washington, D.C., and at Provo and Ogden in Utah.

The floor plans and the exterior appearance of each temple are individual and distinctive and appropriate to the location. For an example, the Washington, D.C., temple is tall and monumental as it must be in harmony with the capital city of a great nation. The Mexico City temple follows the pyramidal form of the ancient Mayan and other pre-Columbian structures of those civilizations.

Since all Mormon temples serve the same basic functions, which include baptisms, weddings, and sealing of family groups together in eternal bonds, there are similarities in the type and arrangement of the rooms. However, the temples vary greatly in size with the population of the community which they serve. The Hawaii temple is one of the smallest in area.

Architecturally the emphasis is on dignity and reverence as the temple is a sacred place. With the exception of Tokyo, the temples are situated in spacious landscaped gardens and every effort is made to maintain a feeling of peace and quiet both inside and around the building. The grounds surrounding the Hawaii temple are typical except for the fact that the plant material is tropical in nature whereas most of the other temples are located in colder climates.

The original building at the Hawaii temple was started in 1916 and dedicated on Thanksgiving Day, Nov. 27, 1919. The architects were Hyrum C. Pope and Harold W. Burton. In 1962 wings were added to each side of the original central mass in order to meet the increased use of the temple. The present additions now being completed include a new entrance, new facilities for the temple staff,

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additional ceremonial rooms, and new locker and dressing rooms. The current remodeling will provide a total floor area of about 32,000 square feet. The original 1919 building had only about 10,500 square feet.

Since all members of the church who participate in the temple ceremonies must change from street clothing to all white temple garments, there is need for extensive locker and changing rooms. Also since no street shoes are worn except in the entry foyer, the entire floor area is carpeted in light tones. The general theme of interior colors is light and cheerful as entrance into the temple is considered a joyous though solemn occasion.

Extensive use of mural paintings is the primary decorative feature of the interior. At appropriate locations, notably the baptismal font, sculpture is an integral part of the design. The theme of both the mural paintings and sculpture is Biblical in character and is directly related to the ceremonies which are carried out in the various rooms.

Shortly after the remodeling

**The general theme of interior colors is light and cheerful as entrance into the temple is considered a joyous though solemn occasion.**

work is completed, the temple will be re-dedicated and from then on will be open only to those church members whose character and life style meet certain established standards. However, for a short period between May 2 and May 22, 1978, the temple will be open to the public, non-Mormons included. The church invites all to come and hopes that their visit will be both pleasant and enlightening.

The writer is an architect in practice in Honolulu and a member of the Mormon church. The major design work of the temple addition was done by a special group of architects from the office of the Church Architect in Salt Lake City. The author assisted this group in modifying the plans to meet local requirements. **HA**

## 'Sunshine'

**Continued from Page 9**

publication of a list of projects awarded and selected. His testimony expressed concern about potential increase in staff workload because of procedures and difficulty with selecting the "most" qualified consultant. The chairman announced that decision making

would start the following morning.

Following hearings all Saturday morning, at 2 p.m., because there were so many bills on the agenda and because all members of the committee were not present, the chairman announced that all bills would be passed out for vote via the committee report unless there were six votes against a bill, which would kill it in committee.

Things moved along quite rapidly, considering the number of bills, and at 4:15 p.m., S.B. 1160 came up for decision making. First the

**Continued on Page 20**

A

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## 'Sunshine'

Continued from Page 19

committee decided that they did not want to pass out S.B. 521, another more restrictive A/E selection bill held over from 1977. Then Anson Chong moved to approve S.B. 1160; his motion was seconded by Mary George. Chairman Donald Nishimura did not call for

discussion but immediately called for a vote.

The vote was six against and two for the bill. Those voting against the bill were Senators Donald Ching, Stanley Hara, Duke Kawasaki, Robert Taira, Henry Takitani, and Francis Wong, with Donald Nishimura not voting but assumed to be against the bill.

Those Senators who had announced that they were for the bill but were not present at the decision making were: Dennis O'Connor, John Leopold and Patricia Saiki.

Henry Takitani, upon the urging

of architects on Maui, had previously said he was for the bill. Duke Kawasaki had previously publicly expressed his agreement with the concept and, in fact, had introduced similar legislation in 1975. Francis Wong had previously indicated that the legislation looked reasonable and that he had an open mind on the matter.

We already knew that the Administration was against the bill and learned that a small group of design professionals, mostly architects, had been lobbying strongly against the bill.

Senator Taira, who introduced the bill last year, in an interview that evening stated: "After all the testimony and talking to Mr. Murakami's office, I felt that selection of architects and engineers is a judgmental thing and whether one person in the governor's office or a panel makes a selection, it'll be subjective. I didn't think the bill would correct the problems." (Taira's comments were printed in the Sunday Star Bulletin and Advertiser, March 5, 1978, page A-2.)

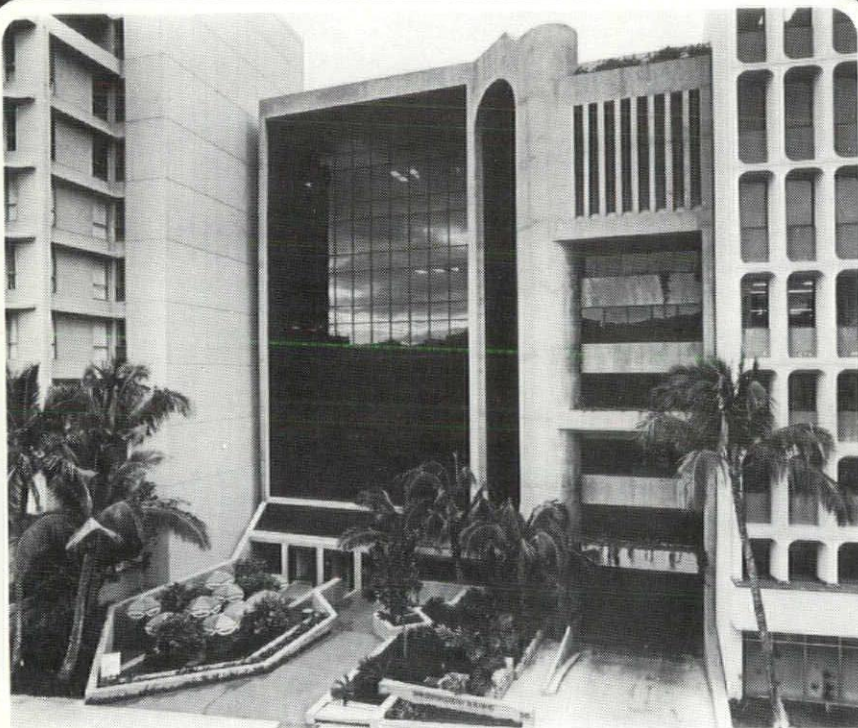
During public testimony, Common Cause submitted a report based on information received from DAGS and public records for the period January 1, 1975, to June 30, 1977. A portion of this report follows:

Why did we fail in our efforts to introduce "sunshine" in the state A/E selection process?

CILO is a powerful lobbying group. With their support we may have had a better chance. Although an unofficial tally of the architect and engineer members of CILO indicated greater than a two-thirds majority in favor of the legislation, the A/E representative on CILO's board opposed the legislation; he was able to convince other members of the board to vote against it. He was able to convince them because he has been very active in CILO and has earned the respect and confidence of many members of CILO's board.

A similar thing happened with the legislators—a small group of design professionals who have been active in supporting political candidates in the past and have been ready to devote time and money, or giving advice, or just being around and being seen, were able to get their point across. The majority of the design profession-

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als have been and were conspicuous by their absence.

Our failure can be described with one word—*complacency!*

For example, Senator Francis Wong was contacted after the hearing on S.B. 1160. CECH members had previously spoken to him and urged his support of S.B. 1160. Although Senator Wong knows quite a few engineers and architects, he said that only one of the design professionals he knows or with whom he works contacted him to urge endorsement of the bill.

Senator Donald Ching, known to many as having influence and the Senate Majority Leader, received a total of four calls. Senator O'Connor received a couple of dozen including letters and personal contact. During the Senate hearing, Senator Kawasaki indicated that in 1975 when he had a hearing on a bill similar to this, not one group or individual except Jim Reinhardt spoke in favor. Mary George has previously asked, "Where are you when I need you?"

If we are going to have any effect in influencing legislation that affects us as well as the public, we are going to have to get involved. This is an election year. Now is the time to make our voice heard—not only on the issue of A/E selection, but on any other issues in which we may have a professional or personal interest. We have to get out and talk to our representatives and make our presence known.

If we really want to become effective legislatively and in government affairs, architects and engineers as individuals must become involved. Individual involvement becomes cumulative, giving more clout to professional organization position on issues.

The experience gained in the current legislative session demonstrates that we can no longer sit in our ivory towers and expect issues to be determined on the basis of right or wrong. Whether we like it or not, our elected representatives listen to those who support them. As a result, when push comes to shove, we are the ones who get shoved and it's our own fault.

A small investment of time and perhaps modest financial support of a candidate of your choice will tangibly demonstrate our stated commitment to more involvement with legislative and government affairs. **HA**

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## Legal Opinion

## Book Review

by GLENN MASON, AIA

Continued from Page 12

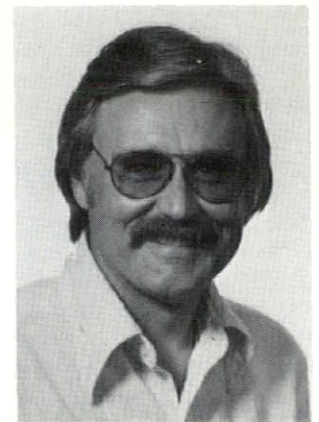
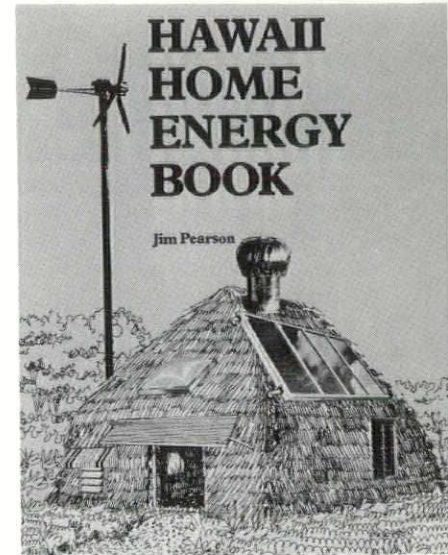
tional elections.

Similarly, the penalty provisions of Section 441j(a) apply only to knowing and willful violations of the Act involving any *contribution or expenditure* in excess of \$1,000. Again these terms are defined to include only value given to influence federal and national elections.

Thus, we conclude that Section 441c. of the Federal Election Campaign Act does not prohibit contributions to purely local political efforts; and even if intended to do so, such contributions are not within the purview of Section 441j(a) which establishes criminal penalties for violation of the Act.

However, it should be noted that a contribution intended for a local election made without restriction to a local office of an association, committee or organization which also nominates candidates to federal office, could be said to run afoul of the law since the treasurer might decide to apply the funds to the federal election effort. The violation under such circumstances would be technical and unintentional on the part of the contributor and would not be criminal since it would lack the elements of knowing and willful misconduct required by Section 441j. To be certain of avoiding even the appearance of impropriety, a contributor would be better advised to make his contribution to the Committee to Elect Smith rather than to the Democratic or Republican parties.

You also asked whether the phrase "personal services" in Section 441c. includes architectural services. Although the term is not defined by the Act, the context is such that any professional service, including architectural expertise, would be included.



*Hawaii Home Energy Book*; Jim Pearson; The University Press of Hawaii, Honolulu; 1978; \$8.95.

Even the typically understocked architectural sections of our local bookstores seem colorfully crowded with the inevitable energy book colors. In the past three months a new book has been added to that offering and in spite of the dangers of redundancy, the *Hawaii Home Energy Book* has merits which make this home grown resource both pleasant to read and informative. Drawing on his research leading up to, and living experience with, the Hawaiian Energy House, Jim Pearson, AIA, has done local

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homeowners and architects a favor by putting together an energy book sensitive to our local design conditions.

This is a consumer-oriented book which attempts to make home owners more aware of what they can do to conserve energy. It takes a quick look at historical building types and analyzes the design principles behind a naturally comfortable and efficient home design.

There is an extensive chapter on appliances, and the book discusses methods of retrofitting an existing house for better solar insulation control and better ventilation, and considers lighting alternatives. There is a compilation of reprints from government publications and commercial ads which make up an energy "Yellow Pages" dozens of pages long. And all this is strung together with Pearson's loose sketches graphically making points where possible.

Ever try to find out what the solar azimuth and altitude angles are for Hawaii? ASHRAE's Handbook of Fundamentals stops listing that kind of information at well above Hawaii's latitude. Architects will find those facts, and much more, in Pearson's book. More important than any single bit of information, the book gathers and unifies climatological data, design points, and product information which are specifically relevant to Hawaii. And amazingly enough, the book does that without being overly complicated or lengthy.

Two other interesting bonuses greet the reader in the book's closing sections. First is a plus and minus look at the Hawaiian Energy House; a post use functional analysis. The second is a superb bibliography for those with the interest and time to utilize it.

This isn't just another energy book. It is a decided contribution to producing more intelligent consumers and designers of residential units. **HA**

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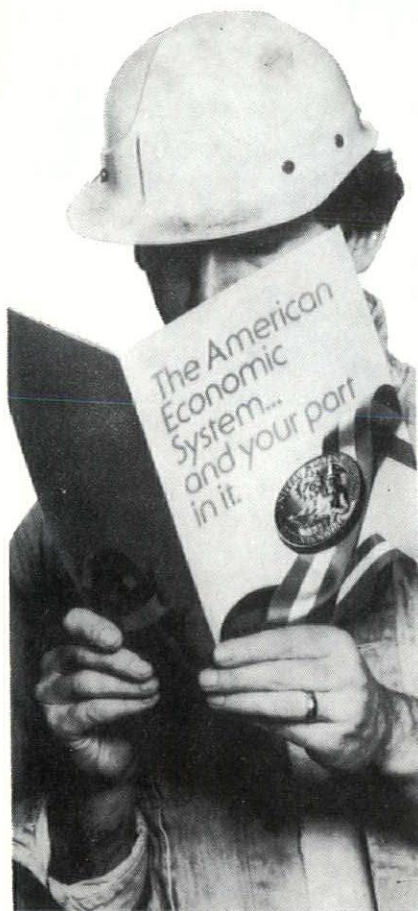
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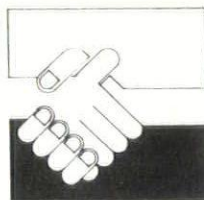
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## NEW MEMBERS



**EMILY ZANTS.** Student Affiliate. Univ. of Hawaii School of Architecture, first year; Ph.D. in French, Columbia Univ., B.A. in French, Stanford Univ. Hobbies: sailing, skiing, gardening, Afghan hounds, international gourmet cooking.

**STANLEY K.S. CHUN.** AIA Member; self-employed. B. Arch., University of Kansas. Wife: Edna. Children: Jordan Scott and Benjamin Jon 1-year twins. Hobbies: Woodworking, photography, reading, sketching.



**MICHAEL MUN SUNG CHUN.** Associate Member. Wimberly, Whisenand, Allison, Tong & Goo. B.F.A. Univ. of Hawaii. Wife: Jeanine B. children: Jennifer 2 months. Hobbies: tennis, photography.



**CORAL CHURCHILL.** Associate Member. Kimura/YBL & Associates, Ltd. A.S. Architectural drafting, Honolulu Community College. Children: Jane-Marie 16, John Sterling Giles 9. Hobbies: sewing, gardening, crafts, bicycling.



**CHARLES ANDREW EHRHORN.** AIA Member; Architects Hawaii, Ltd. B.S. in Math. and B. Arch., University of Oregon; Master of Regional Planning, Cornell University. Wife: Jean Helen. Children: Ericka Jean 7. Hobbies: Sailing, body surfing, pottery.

**DAVID C. LAYTON.** AIA Member; Architects Hawaii, Ltd. B.S.A.E., Lawrence Institute of Technology. Wife: Carolyn. Children: Britta 13, Jennifer 12, Daniel 2. Hobbies: Photography.

**KAREN GATES.** Professional Affiliate; The Out Basket. (owner) B.A. Fine Arts, San Jose State College.



## Ethics and Professionalism

Continued from Page 6

cepts those tickets and pays for them?

And what is your professional organization doing? No, you don't have to wait for the politicians to act. You can clean up your own act.

I know there are reasons to hesitate doing this sort of thing. Some worry that public exposure of unethical practices may bring discredit on the entire profession. Others worry that they will be speaking out against longtime friends. The greatest reason for concern must certainly be that those who act and who speak out will suffer some form of retribution.

Isn't this the time for us to remember that admonition of Edmund Burke's that "The only thing necessary for the triumph of evil is for good men to do nothing."

Perhaps the use of those words has become trite. Perhaps we have become too cynical to accept what those words mean. I would hate to think that is the case.

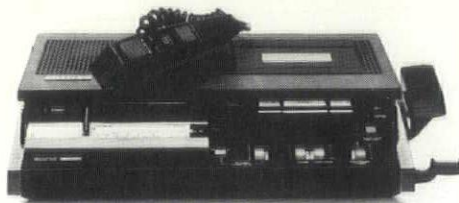
I say the time has come for all of us to bring pressure on the people in government and in the professions who are using the public process for their private purposes.

When we know of wrongdoing we have an absolute responsibility to do something about it. It is not necessary to have taken an oath of office. This responsibility applies to all citizens in and out of office—whether or not they are bound by stated rules of ethical conduct.

Our society is suffering today from an excess of greed—from a callousness of human spirit. We are afraid to "blow the whistle" on evil and corruption. And, so, we suffer the consequences of our failures and our fears.

We can't just blame others. We must also blame ourselves. We won't be able to change things unless we are willing to put ourselves out on the firing line. **HA**

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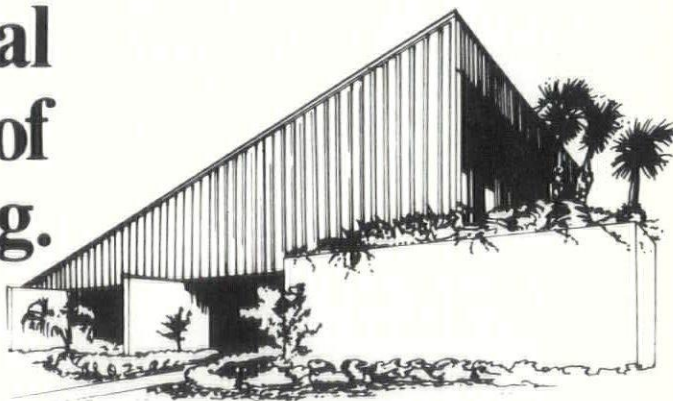
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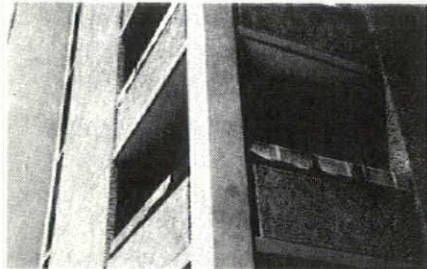


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EARL M. JORGENSEN CO.	2
MIDSEA MARKETING	17
NURSERY ASSOCIATES	17
OFFICE THINGS	25
PACIFIC BUREAU FOR LATHING & PLASTERING	26
PAGODA	27
PEACOCK ROOFING & TERMITE	18
PAUL RASMUSSEN, INC.	18
SCANDINAVIAN HOME & DESIGN	23
KEN SHIOI & COMPANY	22
SMITTY'S PANCAKE HOUSE	27
TERUYA RESTAURANT	27
TILE, MARBLE & TERRAZZO	4
WALTER CARPETS	7

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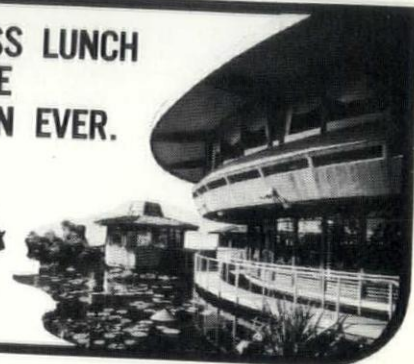
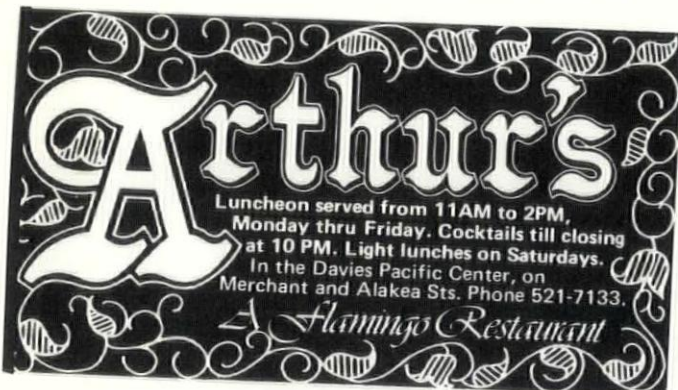
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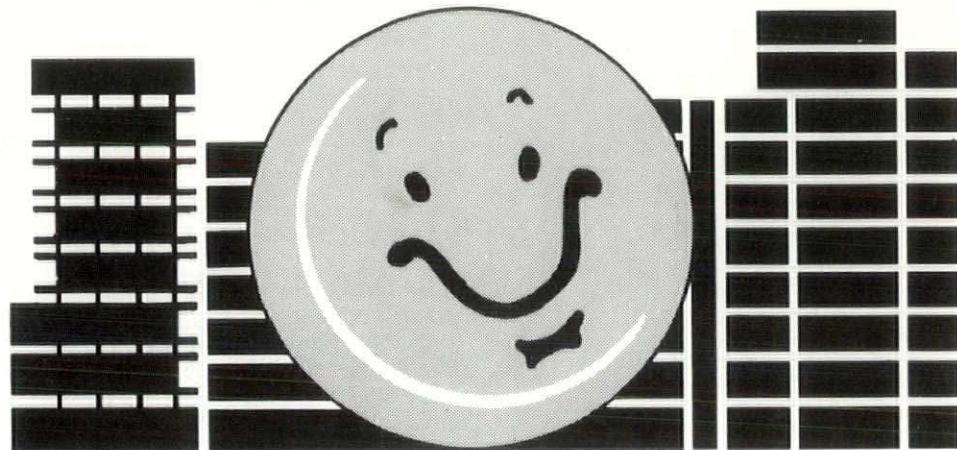
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