

## FIFTY-EIGHTH DAY

Thursday, April 21, 1988

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 11:45 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Chaplain Hubie Nelson, Schofield Barracks, after which the Roll was called showing all Senators present with the exception of Senator Chang who was excused.

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

The following introductions were made to the members of the Senate:

Senator J. Wong, in honor of Hawaii Military Week, May 16-22, 1988, introduced the following: Colonel Theodore Heil, representing Admiral Ronald J. Hays, Commander-in-Chief, U.S. Pacific Command; Colonel Daniel Perry, representing Lt. General Charles W. Bagnal, Commander, U.S. Army Western Command; Captain Jerry Mittendorf, representing Admiral David E. Jeremiah, Commander-in-Chief, U.S. Pacific Fleet; Colonel William Ludwick, representing Lt. General Edwin J. Godfrey, Commanding General, Fleet Marine Force, Pacific; Colonel Cecil Holladay, representing General Jack I. Gregory, Commander-in-Chief, Pacific Air Forces; Rear Admiral William P. Kozlovsky, Commander, 14th Coast Guard District; and Mr. Bob Robinson, president, Hawaii Chamber of Commerce, who accompanied the group.

Senator J. Wong said, "Hawaii Military Week is an annual event in its third year. It expresses Hawaii's gratitude to all of the active duty military and their dependents assigned in Hawaii and to promote an increased awareness of the military's economic and social contributions here in the state.... On behalf of the Senate, we extend our mahalo and aloha to all the military in this state for all that you have done for the State of Hawaii."

The gentlemen, who were seated on the floor of the Senate, rose to be recognized and were presented the Senate certificate of recognition and leis.

Senator J. Wong also recognized and introduced Colonel John Emmons, Commander, Army and Air Force Exchange Service - Pacific, co-chairman with Admiral William Kozlovsky of the 1987 Hawaii-Pacific Area Combined Federal Campaign fund raiser. Senator Wong said, "It was the most successful federal campaign in the history of the Hawaii-Pacific area, raising over \$3 million, most of which was donated to the Aloha United Way ...."

Senator Matsuura introduced former Senator Neal Abercrombie who was seated in the gallery.

Senator Yamasaki, on behalf of the Senate, introduced Senator Shinta Yokota of the Fukuoka Assembly and a group of 22 of his supporters, from the sister-state Prefecture of Fukuoka, who are visiting Hawaii to promote the Fukuoka Exposition of 1989 in which Hawaii expects to participate.

Senator Ikeda introduced Missy Mowat, 16-year-old Kaiser High School junior, winner of the women's division of the 1988 Budlight Tinman Biathlon, a statewide athletic event in swimming and running. She is

also winner of various athletic competitions in swimming and running.

Missy Mowat and Mr. Andre Hajnal, assistant coach of field and track at Kaiser High School, who accompanied her, rose to be recognized. Missy was presented the congratulatory Senate certificate and leis were given to her and Mr. Hajnal.

At 12:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:14 o'clock p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 312 and 313) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 312, submitting for consideration and confirmation to the Criminal Justice Data Interagency Board, the nominations of Glenn W. Todd, Ryan E. Jimenez and Melvin K. Soong, terms to expire June 30, 1992, and Daniel Heely, term to expire June 30, 1989, was referred to the Committee on Judiciary.

Gov. Msg. No. 313, advising the Senate of the withdrawal of the nominations to the Criminal Justice Data Interagency Board under Gov. Msg. No. 208, dated March 10, 1988, was placed on file.

In compliance with Gov. Msg. No. 313, the nominations listed under Gov. Msg. No. 208 was returned.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 1138 to 1142) were read by the Clerk and were placed on file:

Hse. Com. No. 1138, informing the Senate that the Speaker on April 20, 1988 appointed Representatives Takamine and Souki, co-chairmen, Horita, Ige, D., and Isbell as managers on the part of the House for the consideration of amendments proposed by the House to Senate Bill No. 2298, S.D. 1.

Hse. Com. No. 1139, informing the Senate that the Speaker on April 20, 1988 appointed Representatives Ige, D., and Fukunaga, co-chairmen, Isbell, Levin and O'Kieffe as managers on the part of the House for the consideration of amendments proposed by the House to Senate Bill No. 3195, S.D. 2.

Hse. Com. No. 1140, informing the Senate that the Speaker on April 20, 1988 appointed Representatives Shito, chairman, Kawakami, Shon, Tom and Hemmings Jr. as managers on the part of the House for the consideration of amendments proposed by the Senate to House Bill No. 2096.

Hse. Com. No. 1141, informing the Senate that the Speaker on April 20, 1988 appointed Representatives Souki, chairman, Arakaki, Fukunaga, Horita, Ige, D., Ige, M., Ihara Jr., Isbell, Kanoho, Kawakami, Kotani, Leong, Tajiri, Cavasso, Marumoto and Ribellia as managers on the part of the House for the consideration of amendments proposed by the House to Senate Bill No. 2202, S.D. 2.

Hse. Com. No. 1142, informing the Senate that the Speaker on April 20, 1988 appointed Representatives Ige, D., Oshiro, Shito, Cachola, Bunda, Fukunaga, co-chairmen, Isbell, Levin, Marumoto and O'Kieffe as managers on the part of the House for the consideration of amendments proposed by the House to Senate Bill No. 1753, S.D. 1.

#### STANDING COMMITTEE REPORTS

Senator Holt, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 2919) recommending that Senate Resolution No. 69 be adopted.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.R. No. 69, entitled: "SENATE RESOLUTION REQUESTING ALL AIR CARRIERS TO COOPERATE WITH THE HAWAII VISITORS BUREAU BY CONDUCTING INFLIGHT SURVEYS OF EASTBOUND VISITORS," was adopted.

Senator Holt, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 2920) recommending that Senate Resolution No. 240 be adopted.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.R. No. 240, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A MASTER PLAN TO FULLY EXPRESS THE CONCEPT OF THE KAHANA VALLEY CULTURAL LIVING PARK," was adopted.

Senator Menor, for the Committee on Corrections, presented a report (Stand. Com. Rep. No. 2921) recommending that the Senate advise and consent to the nomination of Georgina M. Yuen to the Hawaii Paroling Authority, in accordance with Gov. Msg. No. 277.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 2921 and Gov. Msg. No. 277 was deferred until Friday, April 22, 1988.

Senator Menor, for the Committee on Corrections, presented a report (Stand. Com. Rep. No. 2922) recommending that the Senate advise and consent to the nomination of Harold J. Falk Jr. as Director of Corrections, in accordance with Gov. Msg. No. 98.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 2922 and Gov. Msg. No. 98 was deferred until Friday, April 22, 1988.

Senator McMurdo, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2923) recommending that House Concurrent Resolution No. 168, H.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and H.C.R. No. 168, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF CHILD PROTECTIVE SERVICES SOCIAL WORKERS," was referred to the Committee on Legislative Management.

Senator J. Wong, for the Committee on Military and Civil Defense, presented a report (Stand. Com. Rep. No. 2924) recommending that Senate Resolution No. 39, as amended in S.D. 1, be adopted.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.R. No. 39, S.D. 1, entitled: "SENATE RESOLUTION URGING THE SECRETARY OF THE NAVY TO HOMEPORT THE USS MISSOURI AND NINE ASSOCIATED SHIPS AT PEARL HARBOR, HAWAII," was adopted.

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 2925) recommending that Senate Resolution No. 155 be adopted.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the report of the Committee was adopted and S.R. No. 155, entitled: "SENATE RESOLUTION HONORING QUEEN LILIUOKALANI," was adopted.

Senator Young, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 2926) recommending that the Senate advise and consent to the nomination of Yukio Naito to the Public Utilities Commission, in accordance with Gov. Msg. No. 288.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 2926 and Gov. Msg. No. 288, was deferred until Friday, April 22, 1988.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2927) recommending that the Senate advise and consent to the nomination of Craig K. Hirai to the Board of Taxation Review, First Taxation District (Oahu), in accordance with Gov. Msg. No. 290.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 2927 and Gov. Msg. No. 290, was deferred until Friday, April 22, 1988.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2928) recommending that the Senate advise and consent to the nomination of Gerald N. Hiyakumoto to the Board of Taxation Review, Second Taxation District (Maui), in accordance with Gov. Msg. No. 291.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 2928 and Gov. Msg. No. 291 was deferred until Friday, April 22, 1988.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2929) recommending that the Senate advise and consent to the nominations of Richard James Dahl, Mark N. Henry, Joan Lee Husted, Addie L. Lamberth, John R. Marks, Randall W. Roth and Alan M.L. Yee to the Tax Review Commission, in accordance with Gov. Msg. No. 307.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 2929 and Gov. Msg. No. 307 was deferred until Friday, April 22, 1988.

Senator McMurdo, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2930) recommending that the Senate advise and consent to the nominations of Beverly A. Aotaki and Vivian M. Wilson to the Board of Social Services, in accordance with Gov. Msg. No. 160.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 2930 and Gov. Msg. No. 160 was deferred until Friday, April 22, 1988.

#### ORDER OF THE DAY

## ADVICE AND CONSENT

Stand. Com. Rep. No. 2915 (Gov. Msg. No. 300):

Senator Tungpalan moved that Stand. Com. Rep. No. 2915 be received and placed on file, seconded by Senator Hagino and carried.

Senator Tungpalan then moved that the Senate advise and consent to the nominations of Masaru Yokouchi, Rowena K. Keaka and Ricardo D. Trimillos, Ph.D., to the State Foundation on Culture and the Arts, terms to expire June 30, 1992, seconded by Senator Hagino.

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

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 2916 (Gov. Msg. No. 278):

Senator Tungpalan moved that Stand. Com. Rep. No. 2916 be received and placed on file, seconded by Senator Hagino and carried.

Senator Tungpalan then moved that the Senate advise and consent to the nominations to the King Kamehameha Celebration Commission of the following:

Jean Amorin, term to expire June 30, 1990;

Shirley K. Fung, Frederick K. Chang, and Joyce P. Mah, terms to expire June 30, 1991; and

Anne K. Kaapana, Tomi Downey Chong and J. Kahea Beckley, terms to expire June 30, 1992;

seconded by Senator Hagino.

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

Ayes, 24. Noes, none. Excused, 1 (Chang).

Stand. Com. Rep. No. 2917 (Gov. Msg. Nos. 250, 251, 252 and 253):

Senator Mizuguchi moved that Stand. Com. Rep. No. 2917 be received and placed on file, seconded by Senator Fernandes Salling and carried.

Senator Mizuguchi then moved that the Senate advise and consent to the nominations of the following:

Galen K. Onouye to the Library Advisory Commission, City and County of Honolulu, term to expire June 30, 1989;

Veronica L.K. Medeiros, Kay K. Nagaishi and James H. Koshi, Ph.D., to the Library Advisory Commission, City and County of Honolulu, terms to expire June 30, 1992;

Nancy L. Fushikoshi to the Library Advisory Commission, County of Hawaii, term to expire June 30, 1990;

Lynn Carter to the Library Advisory Commission, County of Hawaii, term to expire June 30, 1991;

Elaine K. Hauanio, Karen Y. Wakata, Beatrice L. Lau, Helen K. Tayamen to the Library Advisory Commission, County of Hawaii, terms to expire June 30, 1992;

Sandra M. Wada, Lilah L. Cabellero, Sheldeen M. Takeo and Katharine T. Cannon Eger to the Library Advisory Commission, County of Maui, terms to expire June 30, 1992;

Peggy T. Cha and Juanita O. Relacion to the Library Advisory Commission, County of Kauai, terms to expire June 30, 1990; and

Michael Machado, Sadie S. Doi and Catherine Lo to the Library Advisory Commission, County of Kauai, terms to expire June 30, 1992;

seconded by Senator Fernandes Salling.

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

Ayes, 24. Noes, none. Excused 1 (Chang).

MATTER DEFERRED FROM  
FRIDAY, APRIL 8, 1988

FINAL READING

Senate Bill No. 2021, S.D. 2, H.D. 1:

On motion by Senator Hee, seconded by Senator Menor and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2021, S.D. 2, and S.B. No. 2021, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XI OF THE HAWAII CONSTITUTION TO ADD A NEW SECTION RELATING TO HAWAII'S SOVEREIGN RIGHTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

FINAL READING

Senate Bill No. 1170, S.D. 2, H.D. 2:

On motion by Senator Blair, seconded by Senator Yamasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1170, S.D. 2, and S.B. No. 1170, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RISK MANAGEMENT AND INSURANCE ADMINISTRATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

Senate Bill No. 3291, S.D. 1, H.D. 1:

On motion by Senator Hee, seconded by Senator J. Wong and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3291, S.D. 1, and S.B. No. 3291, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Chang).

RECONSIDERATION OF  
ACTIONS TAKEN

Senate Bill No. 2253, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action taken on April 7, 1988 on S.B. No. 2253, S.D. 1, H.D. 1, seconded by Senator Blair and carried.

Senator Cobb then moved that the Senate agree to the amendments proposed by the House to S.B. No. 2253, S.D. 1, seconded by Senator Blair.

Senator Cobb then explained:

"Madam Vice President, we had received a proposed draft for consideration from the governor's office and we gave the parties of interest virtually five days to consider this. The consensus of opinion seems to favor quite strongly the House draft 1 because of the issue raised in the proposed conference draft would require both gallon and liter price posting. This would tend to raise an issue of confusion with consumers, whereas, if we have the price posting in gallons only and allow those gas pumps from the smaller dealers to continue to sell in liters without requiring recalibration there would be minimal expense to the dealer and a lessening of consumer confusion.

"Your conference committee members therefore feel that the issue of whether or not to have both gallons and liters should be taken up separately next year as a separate issue and, therefore, we're recommending reconsideration."

The motion was put by the Chair and carried and S.B. No. 2253, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF GASOLINE," was placed on the calendar for Final Reading on Friday, April 22, 1988.

Senate Bill No. 2649, S.D. 1, H.D. 1:

Senator Holt moved that the Senate reconsider its action taken on April 7, 1988 on S.B. No. 2649, S.D. 1, H.D. 1, seconded by Senator Blair and carried.

Senator Holt then moved that the Senate agree to the amendments proposed by the House to S.B. No. 2649, S.D. 1, seconded by Senator Blair.

Senator Holt explained:

"Madam Vice President, this bill relates to the mooring in marine conservation districts, more notably known as the Molokini Island bill.

"Basically, the House amended the version to allow DLNR exclusive jurisdiction to regulate mooring in conservation districts."

The motion was put by the Chair and carried and S.B. No. 2649, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE LIFE CONSERVATION AREAS," was placed on the calendar for Final Reading on Friday, April 22, 1988.

Senate Bill No. 3222, S.D. 1, H.D. 1:

Senator McMurdo moved that the Senate reconsider its action taken on April 7, 1988 on S.B. No. 3222, S.D. 1, H.D. 1, seconded by Senator Blair and carried.

On motion by Senator McMurdo, seconded by Senator Blair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3222, S.D. 1, and that S.B. No. 3222, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," was placed on the calendar for Final Reading on Friday, April 22, 1988.

At 12:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:23 o'clock p.m.

Senate Bill No. 3155, S.D. 2, H.D. 2:

Senator Hagino moved that the Senate reconsider its action taken on April 7, 1988 on S.B. No. 3155, S.D. 2, H.D. 2, seconded by Senator Blair and carried.

Senator Hagino then moved that the Senate agree to the amendments proposed by the House to S.B. No. 3155, S.D. 2, seconded by Senator Blair.

Senator Hagino explained:

"Madam Vice President, originally this bill contained an appropriation of three million dollars for a Hilo wastewater treatment plant and when it went over to the House the information that they received was that the money was not needed because the construction was not going to start until 1990. They took the money out and sent it back to the Senate.

"Subsequently, we checked on it and we understand that even though construction is going to start in 1990, when they go out for bids in March of 1989 they are going to need the money committed. Rather than put the appropriation in this bill we are going to include it in the budget; therefore, the bill as it came from the House, the appropriation is not necessary so we are agreeing with the amendments."

The motion was put by the Chair and carried and S.B. No. 3155, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," was placed on the calendar for Final Reading on Friday, April 22, 1988.

Senate Bill No. 2349, S.D. 1, H.D. 2:

Senator Nakasato moved that the Senate reconsider its action taken on April 7, 1988 on S.B. No. 2349, S.D. 1, H.D. 2, seconded by Senator Blair and carried.

Senator Nakasato then moved that the Senate agree to the amendments proposed by the House to S.B. No. 2349, S.D. 1, seconded by Senator Blair.

Senator Nakasato then explained:

"Madam Vice President, this is just to clear up the language in the pay equity bill of 1986, based on public employment."

The motion was put by the Chair and carried and S.B. No. 2349, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RELATING TO PUBLIC EMPLOYMENT," was placed on the calendar for Final Reading on Friday, April 22, 1988.

Senate Bill No. 3224, S.D. 1, H.D. 1:

Senator Aki moved that the Senate reconsider its action taken on April 7, 1988 on S.B. No. 3224, S.D. 1, H.D. 1, seconded by Senator Blair and carried.

Senator Aki then moved that the Senate agree to the amendments proposed by the House to S.B. No. 3224, S.D. 1, seconded by Senator Blair.

Senator Aki explained:

"Madam Vice President, the House made a grammatical change and a minor technical change to the definition of agriculture. They decided to insert 'forestry purpose' rather than the Senate version of 'forest purposes.'"

The motion was put by the Chair and carried and S.B. No. 3224, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was placed on the calendar for Final Reading on Friday, April 22, 1988.

Senate Bill No. 2696, S.D. 1, H.D. 1:

Senator Aki moved that the Senate reconsider its action taken on April 7, 1988 on S.B. No. 2696, S.D. 1, H.D. 1, seconded by Senator Blair and carried.

Senator Aki then moved that the Senate agree to the amendments proposed by the House to S.B. No. 2696, S.D. 1, seconded by Senator Blair.

Senator Aki explained:

"Madam Vice President, the House amended the bill that a board of geographic names be established in the Office of State Planning rather than DLNR. The reason was that the state geographer is housed in the Office of State Planning and thus the Office of State Planning would be the more appropriate agency rather than DLNR."

The motion was put by the Chair and carried and S.B. No. 2696, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BOARD OF GEOGRAPHIC NAMES," was placed on the calendar for Final Reading on Friday, April 22, 1988.

Senator Hee then rose on a point of personal privilege and remarked:

"Madam Vice President and members, the conferees on the right to sue bill have been working long and hard, notwithstanding the fact the two previous nights our counterparts failed to show up to continue deliberating this important item for the State of Hawaii, particularly, those of native Hawaiian ancestry.

"We are on the threshold, Madam Vice President, of wrapping this bill up. We are on the threshold of allowing native Hawaiians the right to seek redress in a court of law. We are on the threshold, Madam Vice President and members, of restoring justice to native people of this state.

"Madam Vice President and members, this morning I met with the attorney general, with his three deputy attorneys general, with Representative Andy Levin and with our legal counsel. They have proposed yet another draft notwithstanding the fact that the previous draft they proposed we accepted, the governor supported, the attorney general supported, and they withdrew.

"They have proposed, as of 10:30 last night, yet another draft called Section 7 which refers specifically to retroactivity.

"We met this morning in the attorney general's office. We have proposed some amendments, again, to Section 7, the retroactive nature of this bill.

"I would like to set forth in the record a handwritten note dated April 21, 1988 to Representative Andrew Levin, the chairman on the part of the House conferees for the right to sue bill. It says, and I quote:

'Andy,

'Pursuant to our discussion this morning in the attorney general's office, the Senate accepts your offer that (1) relative to "Section 7" the retroactive section, the Senate will not propose "in the absence of an adoptive legislative plan by 1991" and, in exchange as indicated; (2) you will recommend to the House that (a) both "houses" will be changed to "either house"; and (b) "July 1, 1991" will be changed to "July 1, 1989"; and (3) I will recommend that the Senate accept the House "position" barring unforeseen technical problems that the Senate legal counsel with the House and attorney general counsel will deliberate today.

'I await your response.

'Aloha.'

"Members, this morning Representative Levin indicated that if the Senate would accept the House proposal and not ask for an additional section dealing with retroactivity, that Representative Levin would recommend to his House that the native Hawaiian right to sue bill be accepted.

"We are on the threshold, again, members, as I said two days ago, of passing a historic legislation. It is now up to Representative Levin to make good on his offer. The Senate is prepared to go to conference at any time. The House has not scheduled a conference and given the circumstances that the two previous conferences which they scheduled were cancelled, we will await their call.

"I would appreciate it if the Senate conferees would remain in the building and maintain a spirit of 'hoomanawanui,' to be patient with the House as Andrew Levin attempts yet another time to make good on the latest proposal.

"Thank you."

Senator Solomon also rose on a point of personal privilege and remarked:

"Madam Vice President, in support of the previous speaker, I would like to state for the record that on April 6 the manager of the House on the right to sue bill held a press conference. Within the press conference, Madam Vice President, he chastised Ms. Mililani Trask for her efforts and on behalf of her group their support of the right to sue bill.

"Madam Vice President, I feel that those remarks were uncalled for and I would like to state my personal support of Ms. Trask who is an attorney and has done her utmost to be fair, to be open and willing to negotiate with both House and Senate on every request that she has made on behalf of her organization.

"Thank you."

At this time, the Chair made the following observation:

"Members of the Senate, the Chair has been advised that the House will disagree to the Senate amendments to House Concurrent Resolution No. 386 and will request going into conference on the resolution. In anticipation of this happening, it is the intent of the Chair to appoint as conferees on the part of the Senate, Senators Holt, chairman, Aki, Fernandes Salling and Ikeda, as managers on the part of the Senate."

ADJOURNMENT

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At 12:35 o'clock p.m., on motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, April 22, 1988.