

SIXTY-SECOND DAY

Wednesday, April 27, 1988

The Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, convened at 2:20 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dr. John Norris, Program Director, Hawaii Council of Churches, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Sixty-First Day.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 321, transmitting copies of the 1987 Report to the Fourteenth Legislature prepared by the Employee Stock Ownership Advisory Committee, Department of Business and Economic Development, in response to Act 315, SLH 1986, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

Hse. Com. Nos. 1178 to 1209 were deferred to later on the calendar.

ORDER OF THE DAY

FINAL READING

Senate Bill No. 3206, S.D. 1, H.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Solomon and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3206, S.D. 1, and S.B. No. 3206, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MATERNAL AND CHILD HEALTH SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

MATTERS DEFERRED FROM
TUESDAY, APRIL 26, 1988

Conf. Com. Rep. No. 170 (S.B. No. 1265, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Holt, seconded by Senator Aki and carried, Conf. Com. Rep. No. 170 was adopted and S.B. No. 1265, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RECREATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 173 (H.B. No. 2046, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 173 and H.B. No. 2046, H.D. 1, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 182 (S.B. No. 3188, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 182 and S.B. No. 3188, S.D. 1, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 220 (S.B. No. 3195, S.D. 2, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 220 and S.B. No. 3195, S.D. 2, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 230 (H.B. No. 2027, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 230 and H.B. No. 2027, H.D. 1, S.D. 2, C.D. 1, was deferred to the end of the calendar.

FINAL READING

Conf. Com. Rep. No. 248 (S.B. No. 3166, H.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Chang and carried, Conf. Com. Rep. No. 248 was adopted and S.B. No. 3166, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 249 (H.B. No. 1361, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Holt and carried, Conf. Com. Rep. No. 249 was adopted and H.B. No. 1361, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 250 (H.B. No. 2028, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 250 and H.B. No. 2028, H.D. 2, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 251 (S.B. No. 2988, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Aki and carried, Conf. Com. Rep. No. 251 was adopted and S.B. No. 2988, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT AMENDMENT AND APPROPRIATION TO THE STATE RENT SUPPLEMENT PROGRAM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 252 (S.B. No. 112, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Holt and carried, Conf. Com. Rep. No. 252 was adopted and

S.B. No. 112, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 253 (H.B. No. 3496, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator McMurdo and carried, Conf. Com. Rep. No. 253 was adopted and H.B. No. 3496, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 254 (S.B. No. 1725, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator McMurdo and carried, Conf. Com. Rep. No. 254 was adopted and S.B. No. 1725, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 255 (S.B. No. 3093, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Aki, seconded by Senator Solomon and carried, Conf. Com. Rep. No. 255 was adopted and S.B. No. 3093, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REMNANTS OF PUBLIC LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 256 (S.B. No. 3401, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Aki, seconded by Senator J. Wong and carried, Conf. Com. Rep. No. 256 was adopted and S.B. No. 3401, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EXCHANGES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 257 (S.B. No. 3178, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Chang and carried, Conf. Com. Rep. No. 257 was adopted and S.B. No. 3178, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 258 (S.B. No. 2744, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Holt, seconded by Senator Yamasaki and carried, Conf. Com. Rep. No. 258 was adopted and S.B. No. 2744, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 259 (S.B. No. 118, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator J. Wong and carried, Conf. Com. Rep. No. 259 was adopted and S.B. No. 118, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A JUVENILE JUSTICE INFORMATION SYSTEM," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 262 (H.B. No. 2003, S.D. 1, C.D. 1):

On motion by Senator Chang, seconded by Senator Hee and carried, Conf. Com. Rep. No. 262 was adopted and H.B. No. 2003, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL ARBITRATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 263 (S.B. No. 2332, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Holt and carried, Conf. Com. Rep. No. 263 was adopted and S.B. No. 2332, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 265 (H.B. No. 37, H.D. 1, S.D. 2, C.D. 1):

Senator Solomon moved that Conf. Com. Rep. No. 265 be adopted and H.B. No. 37, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hee.

Senator Solomon rose to speak in support of the measure and said:

"Mr. President, I speak in support of the bill.

"Mr. President, I want to say that this has been a long wait for the Hawaiian people to be able to use the courts to sue on their own behalf in reference to trusts that they are direct beneficiaries of.

"Mr. President, just for the record, I would like to say that although the Senate had to back down on their strong position on retroactivity, that I have confidence in the compromise position in allowing the governor to come up

with a plan hoping that the Executive Office would be able to negotiate with those that are aggrieved to settle the issue of retroactivity for the Hawaiian people.

"Thank you."

Senator Hee also rose to support the measure and remarked:

"Mr. President, I urge the members to vote for the bill. And I would like to thank the members for their patience and understanding. I would also like to convey our gratitude to the House of Representatives in their effort yesterday to unanimously approve this long-awaited measure which would provide in some small way justice which the native Hawaiians believe and, certainly, can be argued had they negligently acted upon in the past, and, would serve as a beacon to send a clear message to the state government that in the future negligent acts by the state government will no longer be tolerated by the native Hawaiian people of this state.

"Thank you."

Senator Tungpalan, in support of the bill, said:

"Mr. President, may the remarks of the previous two speakers be incorporated into the Journal as though they were my own. Thank you."

The motion was put by the Chair and carried and Conf. Com. Rep. No. 265 was adopted and H.B. No. 37, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHT TO SUE BY NATIVE HAWAIIAN AND HAWAIIAN INDIVIDUALS AND ORGANIZATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 2:39 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:41 o'clock p.m.

Conf. Com. Rep. No. 266 (H.B. No. 3292, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 266 and H.B. No. 3292, H.D. 1, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 267 (S.B. No. 2523, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Holt and carried, Conf. Com. Rep. No. 267 was adopted and S.B. No. 2523, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING VIOLATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 268 (S.B. No. 2565, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Holt and carried, Conf. Com. Rep. No. 268 was adopted and S.B. No. 2565, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM CONTROLLED SUBSTANCE," having been read

throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 269 (S.B. No. 2451, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Chang and carried, Conf. Com. Rep. No. 269 was adopted and S.B. No. 2451, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCIDENTAL INJURY LEAVE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 270 (S.B. No. 2559, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Solomon and carried, Conf. Com. Rep. No. 270 was adopted and S.B. No. 2559, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING AND PAROLE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 271 (S.B. No. 2922, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Menor and carried, Conf. Com. Rep. No. 271 was adopted and S.B. No. 2922, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM CONTROLLED SUBSTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 272 (S.B. No. 2418, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Holt and carried, Conf. Com. Rep. No. 272 was adopted and S.B. No. 2418, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF MORTGAGES OF REAL PROPERTY OR FIXTURES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 276 (S.B. No. 2112, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Chang and carried, Conf. Com. Rep. No. 276 was adopted and S.B. No. 2112, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS, AMMUNITION, AND DANGEROUS WEAPONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 277 (S.B. No. 2923, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Menor and carried, Conf. Com. Rep. No. 277 was adopted and

S.B. No. 2923, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM CONTROLLED SUBSTANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 278 (S.B. No. 2924, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 278 and S.B. No. 2924, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 279 (S.B. No. 3264, S.D. 1, H.D. 1, C.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 279 was adopted and S.B. No. 3264, S.D. 1, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 2:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:13 o'clock p.m.

MATTER DEFERRED FROM TUESDAY, APRIL 26, 1988

SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution 163, S.D. 1, H.D. 1 (Hse. Com. No. 1168):

By unanimous consent, S.C.R. No. 163, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO HOSPITAL INTERNS AND RESIDENTS," was recommitted to the Committee on Health.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 1178 to 1209) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 1178, returning Senate Concurrent Resolution No. 9, S.D. 1, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 9, S.D. 1, and S.C.R. No. 9, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO DIVEST STATE MONEYS FROM SOUTH AFRICAN INVESTMENTS," was finally adopted.

Hse. Com. No. 1179, returning Senate Concurrent Resolution No. 31, S.D. 1, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 31,

S.D. 1, and S.C.R. No. 31, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF TECHNOLOGY TO ALLOW FOR THE EFFECTIVE UTILIZATION OF OCEAN RESOURCES," was finally adopted.

Hse. Com. No. 1180, returning Senate Concurrent Resolution No. 33, S.D. 1, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 33, S.D. 1, and S.C.R. No. 33, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SECRETARY OF THE NAVY TO HOMEPORT THE USS MISSOURI AND NINE ASSOCIATED SHIPS AT PEARL HARBOR, HAWAII," was finally adopted.

Hse. Com. No. 1181, returning Senate Concurrent Resolution No. 55, S.D. 1, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 55, S.D. 1, and S.C.R. No. 55, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF DEVELOPMENT ALTERNATIVES FOR THE KA'U DISTRICT," was finally adopted.

Hse. Com. No. 1182, returning Senate Concurrent Resolution No. 68, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file; and S.C.R. No. 68, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES NAVY TO RETURN THE ISLAND OF KAHOLAWE TO THE STATE OF HAWAII AND THE COUNTY OF MAUI," was placed on file.

Hse. Com. No. 1183, returning Senate Concurrent Resolution No. 84, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 84, and S.C.R. No. 84, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE GROWTH AND DEVELOPMENT OF HIGH TECHNOLOGY IN HAWAII," was finally adopted.

Hse. Com. No. 1184, returning Senate Concurrent Resolution No. 97, S.D. 1, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 97, S.D. 1, and S.C.R. No. 97, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING INTERESTED PARTIES TO JOINTLY PROPOSE SOLUTIONS TO VARIOUS ISSUES RELATED TO LEASEHOLD CONDOMINIUMS AND COOPERATIVES," was finally adopted.

Hse. Com. No. 1185, returning Senate Concurrent Resolution No. 100, S.D. 1, which was adopted by the

House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 100, S.D. 1, and S.C.R. No. 100, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE PROBLEMS OF CONDOMINIUM GOVERNANCE," was finally adopted.

Hse. Com. No. 1186, returning Senate Concurrent Resolution No. 147, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 147, and S.C.R. No. 147, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO CONDUCT A PRELIMINARY STUDY OF THE NEED FOR REGULATION OF UNREGULATED COMPANIES WHICH TAKE CUSTODY OF THE TRANSFER THE FUNDS OF OTHERS," was finally adopted.

Hse. Com. No. 1187, returning Senate Concurrent Resolution No. 148, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 148, and S.C.R. No. 148, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF YOUTH GANGS," was finally adopted.

Hse. Com. No. 1188, returning Senate Concurrent Resolution No. 156, S.D. 1, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 156, S.D. 1, and S.C.R. No. 156, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS AND THE DEPARTMENT OF DEFENSE TO MITIGATE THE PROBLEMS OF INSUFFICIENT CHILD CARE AND SOCIAL MALADJUSTMENT ENCOUNTERED BY MILITARY PERSONNEL AND FAMILY MEMBERS," was finally adopted.

Hse. Com. No. 1189, returning Senate Concurrent Resolution No. 157, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 157, and S.C.R. No. 157, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO STUDY THE PROBLEMS FACED BY OBSTETRICIANS AND GYNECOLOGISTS CONCERNING MEDICAL MALPRACTICE INSURANCE," was finally adopted.

Hse. Com. No. 1190, returning Senate Concurrent Resolution No. 160, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 160, and S.C.R. No. 160, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING ADOPTION OF THE COMPREHENSIVE MASTER PLAN FOR THE ELDERLY, UPDATE 1988," was finally adopted.

Hse. Com. No. 1191, returning Senate Concurrent Resolution No. 165, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 165, and S.C.R. No. 165, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE SUPPORT AND ADOPTION OF THE 'YOUNG AMERICANS ACT OF 1987,'" was finally adopted.

Hse. Com. No. 1192, returning Senate Concurrent Resolution No. 173, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 173, and S.C.R. No. 173, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE OCEAN RECREATION MANAGEMENT PLAN FOR THE STATE OF HAWAII," was finally adopted.

Hse. Com. No. 1193, returning Senate Concurrent Resolution No. 175, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 175, and S.C.R. No. 175, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ESTABLISH A CENTER FOR THE STUDY OF ACTIVE VOLCANOES AT THE UNIVERSITY OF HAWAII AT HILO," was finally adopted.

Hse. Com. No. 1194, returning Senate Concurrent Resolution No. 179, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 179, and S.C.R. No. 179, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE RETENTION OF VIEW AND OPEN SPACE MAKAI OF KAWAIHAE-MAHUKONA-HAWI ROAD FROM KAWAIHAE TO UPOLO POINT, HAWAII," was finally adopted.

Hse. Com. No. 1195, returning Senate Concurrent Resolution No. 192, S.D. 1, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 192, S.D. 1, and S.C.R. No. 192, S.D. 1, H.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION URGING THE MEMBERS OF THE UNITED STATES CONGRESS TO SUPPORT THE FREE TRADE AGREEMENT BETWEEN THE UNITED STATES AND CANADA WITH THE INCLUSION OF THE AMERICAN AFFILIATED PACIFIC STATES AS PARTICIPANTS," was finally adopted.

Hse. Com. No. 1196, returning Senate Concurrent Resolution No. 194, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 194, and S.C.R. No. 194, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DISPOSE OF, BY LEASE, CERTAIN SUBMERGED AND TIDAL LANDS FOR A NONPROFIT MARITIME CENTER," was finally adopted.

Hse. Com. No. 1197, returning Senate Concurrent Resolution No. 195, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 195, and S.C.R. No. 195, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DISPOSE OF, BY LEASE, CERTAIN SUBMERGED AND TIDAL LANDS FOR THE PURPOSE OF A BERTHING FACILITY," was finally adopted.

Hse. Com. No. 1198, returning Senate Concurrent Resolution No. 196, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 196, and S.C.R. No. 196, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DISPOSE OF, BY LEASE, CERTAIN SUBMERGED AND TIDAL LANDS FOR A NONPROFIT MARITIME CENTER AND A FUEL/PUMP OUT FACILITY," was finally adopted.

Hse. Com. No. 1199, returning Senate Concurrent Resolution No. 204, S.D. 1, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 204, S.D. 1, and S.C.R. No. 204, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO ADVOCATE THE INCLUSION OF THE HAWAIIAN LANGUAGE AMONG THOSE LANGUAGES REGARDED AS NATIVE AMERICAN LANGUAGES," was finally adopted.

Hse. Com. No. 1200, returning Senate Concurrent Resolution No. 235, S.D. 1, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 235, S.D. 1, and S.C.R. No. 235, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE LEGISLATIVE REFERENCE BUREAU CONDUCT A STUDY OF THE UTILIZATION AND EFFECTS OF OPERATING LICENSES AND COMMERCIAL LEASES OF A SHORT-TERM OR INDETERMINATE NATURE," was finally adopted.

Hse. Com. No. 1201, returning Senate Concurrent Resolution No. 244, which was adopted by the House of Representatives on April 26, 1988, in an amended form, was placed on file.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 244, and S.C.R. No. 244, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO DEVELOP THROUGH A PRIVATE DEVELOPER OR DEVELOPERS CERTAIN PUBLIC AND SUBMERGED LANDS AT THE NORTHEAST SHORE SITE OF KE'EHU LAGOON, HONOLULU, OAHU, HAWAII, FOR RECREATIONAL, EDUCATIONAL AND COMMERCIAL PURPOSES IN CONJUNCTION WITH DEVELOPMENT OF THE NORTHEAST SHORE SITE PLAN FOR CANOE FACILITIES," was finally adopted.

Hse. Com. No. 1202, returning Senate Bill No. 3135 which passed Third Reading in the House of Representatives on April 26, 1988, was placed on file.

Hse. Com. No. 1203, returning Senate Bill No. 3169 which passed Third Reading in the House of Representatives on April 26, 1988, was placed on file.

Hse. Com. No. 1204, returning Senate Bill No. 2213, S.D. 1, which passed Third Reading in the House of Representatives on April 26, 1988, was placed on file.

Hse. Com. No. 1205, returning Senate Bill No. 2171, S.D. 1, which passed Third Reading in the House of Representatives on April 26, 1988, was placed on file.

Hse. Com. No. 1206, returning Senate Bill No. 2389, S.D. 1, which passed Third Reading in the House of Representatives on April 26, 1988, was placed on file.

Hse. Com. No. 1207, returning Senate Concurrent Resolution No. 19, which was adopted by the House of Representatives on April 26, 1988, was placed on file.

Hse. Com. No. 1208, informing the Senate that the reports of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to the following House bills were adopted by the House on April 26, 1988; and said bills passed Final Reading in the House of Representatives on April 26, 1988:

H.B. No. 461, S.D. 1;
H.B. No. 839, H.D. 1, S.D. 1;
H.B. No. 2050, H.D. 1, S.D. 2;
H.B. No. 2092, H.D. 2, S.D. 2;
H.B. No. 2179, H.D. 2, S.D. 1;
H.B. No. 2253, H.D. 1, S.D. 1;
H.B. No. 2330, H.D. 2, S.D. 2;
H.B. No. 2591, H.D. 2, S.D. 1;
H.B. No. 2638, S.D. 2;
H.B. No. 2688, H.D. 1, S.D. 2;
H.B. No. 2797, H.D. 1, S.D. 1;
H.B. No. 2851, H.D. 3, S.D. 1;

H.B. No. 3041, S.D. 2;
 H.B. No. 3414, H.D. 2, S.D. 2;
 H.B. No. 3416, H.D. 2, S.D. 1;
 H.B. No. 3515, S.D. 1;
 H.B. No. 3521, S.D. 1;
 H.B. No. 3523, S.D. 1;
 H.B. No. 3533, S.D. 1;
 H.B. No. 3567, S.D. 1; and
 H.B. No. 37, H.D. 1, S.D. 2, C.D. 1;

was placed on file.

Hse. Com. No. 1209, informing the Senate that the reports of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to the following Senate bills were adopted by the House on April 26, 1988; and said bills passed Final Reading in the House of Representatives on April 26, 1988:

S.B. No. 3076, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2276, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 3219, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2871, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 1541, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 2868, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 2362, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2318, H.D. 1, C.D. 1;
 S.B. No. 2773, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 3217, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 546, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 587, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2584, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 743, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 251, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 3095, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2024, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 2267, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2336, H.D. 1, C.D. 1;
 S.B. No. 1265, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2848, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 3073, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2680, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 3190, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2363, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 3182, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 2860, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 1450, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 2422, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2931, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2633, H.D. 2, C.D. 1;
 S.B. No. 2884, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2882, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 2955, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 3166, H.D. 1, C.D. 1;
 S.B. No. 3161, S.D. 1, H.D. 2, C.D. 1;
 S.B. No. 3146, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2468, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2979, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 2988, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 2559, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2523, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2922, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2923, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 3088, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 2112, H.D. 1, C.D. 1;
 S.B. No. 986, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 2924, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 3093, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2418, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 2565, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 3233, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 3248, S.D. 2, H.D. 1, C.D. 1;
 S.B. No. 3378, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 3080, S.D. 1, H.D. 2, C.D. 1;

S.B. No. 2195, S.D. 2, H.D. 2, C.D. 1;
 S.B. No. 2448, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2681, S.D. 1, H.D. 1, C.D. 1;
 S.B. No. 2852, H.D. 1, C.D. 1;
 S.B. No. 2462, S.D. 1, H.D. 1, C.D. 1; and
 S.B. No. 3188, S.D. 1, H.D. 2, C.D. 1;

was placed on file.

At 3:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:16 o'clock p.m.

Conf. Com. Rep. No. 280 (H.B. No. 3396, H.D. 1, S.D. 1, C.D. 1):

Senator Holt moved that Conf. Com. Rep. No. 280 be adopted and H.B. No. 3396, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yamasaki.

Senator Holt rose to speak in support of the measure as follows:

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

"Mr. President, as everyone knows the primary thrust of this bill is to designate the International Market Place as a site for a new convention center. It is not my intent however to dwell on the merits or demerits of a convention center at this particular time because everyone here understands the need for one.

"Instead, Mr. President, I would like to briefly state for the record my reasons for supporting this bill.

"For over a year now the Legislature has tried to arrive at a final and binding decision on a site for a convention center. The process was slow, it was charged with emotion and there are even some who say it was fraud.

"I remain convinced however that the process worked and that it afforded ample opportunity to everyone who chose to participate. I am very disturbed however for there are those who attempted to disrupt the process by outright intimidation, threats and violence when we made a decision to pick a site to which they were opposed.

"As a result, Mr. President, I strongly feel that we in the Legislature, in addition to supporting the decision of our conferees, are bound and obligated by our state constitution to send a clear message to these people and their supporters that we will not be influenced or intimidated by their threats of violence. This is not to say, Mr. President, that these people do not have legitimate concerns.

"I believe that their actions while unjustified are nevertheless a result of a misunderstanding that their means of livelihood would be immediately forfeited in order for the state to have a convention center.

"I am confident, Mr. President, that the provisions contained in the bill are both fair and sensitive to the people who will be temporarily displaced. It is my belief therefore that we will be able to use this bill and this Legislature as a proper means of addressing the concerns of the people. This is the American Way, Mr. President.

"And I will remind those who have taken advantage of these people's emotions for political or other purposes that their efforts are recognized by the Legislature as morally wrong, potentially dangerous and blatantly self-serving.

"In making this difficult decision, Mr. President, we in the Legislature have been accused of making back room decisions and secret deals with the developer. For the record, Mr. President, I would like to state in no uncertain terms that this is simply not true. I think that these derogatory accusations should be dismissed as nothing more than an insult to the integrity of the Legislature with absolutely no basis in fact.

"For the benefit of this body, Mr. President, I think it would be appropriate for me at this time to re-state the Senate's position on this bill.

"The basis for the selection of the International Market Place site was that the House could not in any way, shape or form accept the Ala Wai as a site. Faced with this, Senate conferees agreed to accept the International Market Place site in order to avoid another deadlock and ending this session again without a much needed convention center.

"In agreeing to a site however Senate conferees were adamant that certain provisions be included in the conference draft before it would be acceptable to the Senate. These provisions include:

- 1) a requirement that the developer submit a relocation plan as part of his development proposal and contribute a sum of five million dollars to assist in the relocation of displaced vendors;

In addition, Mr. President, Mr. Paul Trousdale has committed an additional five million dollars to help in the relocation of the tenants, thus, raising the relocation assistance fund total to \$10 million.

- 2) a requirement that the convention center authority establish a task force to assist with the implementation of the relocation plan;

- 3) prohibit groundbreaking for the convention center until July 1, 1989;

- 4) a requirement that the developer give to every displaced licensee or lessee a right of first refusal for any lease or licenses within the convention center district;

- 5) better representation on the convention center authority to include the governor, the Senate, the House, the mayor of the City and County of Honolulu, the City Council of the City and County of Honolulu, and the industry;

- 6) an absolute limitation of three years for acceptance of the development proposal;

- 7) requirement - the exemption from taxation shall apply only to the real property interest of the convention center authority; and

- 8) \$13 million be appropriated to renovate the Neal Blaisdell Center for local events.

"With the inclusion of these provisions, Mr. President, I feel that this bill is acceptable and urge my colleagues to vote in favor of this measure.

"Thank you."

Senator McMurdo spoke against the bill and remarked:

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

"It is said, Mr. President, that 'laws are like sausages. It is better not to see them being made.' Therefore, it is with a mixture of sadness and pride that I stand before you in opposition to House Bill 3396, House draft 1, Senate draft 1, committee draft 1.

"I'm proud to be an American standing for the values that have made the United States of America the greatest country in the world. I am proud to be opposing those who have been duped into believing that secret agreements and secret documents are part of the American way

"I am proud to offer my opposition to those who deny the intent of zoning ordinances and the voices of thousands of citizens who believe that the International Market Place is the worst possible location for a convention center. And I am proud, exceedingly proud, to assure those who have come to this country believing in democracy and freedom, that there are still some of us who support their right to be free!

"However, Mr. President, it is with the greatest of sadness that I bring you a message from the people of this state: 'By your actions today, you will be judged!' You will be judged both at the polls and in the courts. For most certainly, there will be litigation generated from a decision supporting this bill. As my colleague, the Senator from Kailua has said that the golf course bill would come back to haunt you, so will this bill come back to haunt you.

"The sequence of events stemming from the determination of a convention center site in an unsuitable site, and by questionable actions, with motives that are suspect, will culminate in continuing litigation.

"I also with sadness bring you a message from your neighborhood boards. Many of you are products of the neighborhood boards. I would like to remind you that the 30 neighborhood boards have been in existence for approximately 10 years, and thousands and thousands of citizens of this city and county have gone through this neighborhood board system. They've learned a lot about zoning and variances and many of them spent six and seven years putting together the development plan and the general plan for the City and County of Honolulu. They were very, very proud of the eight development plans that were put together. With one stroke of the pen, all of this has gone down the tube.

"You have set a precedent with this bill which means that no zoning and variances in the City and County of Honolulu are safe. You have set a precedent that no zoning and variances are safe in any county in the state.

"You know, the saddest part to me is, I find that it's tragic that within the same time span that the U.S. Congress has passed the reparations bill compensating Japanese-Americans for their losses, their homes, their jobs, their businesses; this legislative body has passed bills allowing native Hawaiians to pursue the right to sue and making up the wrongs which have been done to the Hawaiians, and that we have chosen to honor Reverend Martin Luther King Jr. for his great contributions to civil rights. Yet, at the same time, we are poised to pass a law which will inflict a cruel punishment on another American minority, and by so doing, deprive them of the right to pursue their own destiny.

"Today, you have an obligation to the law, to the people whom you represent and to your conscience. The choice is yours, you are all free-thinking individuals. Each of you may vote for integrity, imagination, initiative, and an image of the future. You may cast your

vote in indignation that you are being put into a a very uncomfortable position. You may vote to uphold the law and the freedoms we have fought for.

"There are those of you who believe firmly that the 'Senate position' must be supported, regardless of what this position may be. I am sad to say I cannot join you in that. This is your choice and your conscience. Hawaii's highly tuted aloha may be nearing its final curtain.

"Therefore, with conviction and with love for my fellow man, I urge my fellow Senators to oppose this bill.

"Thank you very much."

At 3:28 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:39 o'clock p.m.

Senator Ikeda rose to speak in support of the measure, with reservations, as follows:

"Mr. President, I rise to speak in favor of this bill but with some very serious reservations.

"Mr. President, as a conferee on this measure, I think that the Senate did its best to come up with a good bill but I would be the first to admit that we may have fallen short in some areas.

"It has come to my attention no one was authorized to represent or negotiate on behalf of Queen's Hospital, the owner's of the property. And to me, this is of major importance because of the broad condemnation powers granted to the convention center authority by this bill.

"It is my hope that this problem can be resolved without the authority using condemnation proceedings. The owners of the land certainly have a right to decide whether they can accept the convention center on their property and eminent domain should not be used to coerce this approval.

"On another note, Mr. President, I think we debated long and hard on the issue of what will happen to the vendors and how they will be relocated. It was a prime consideration and in debating this issue. It was brought to our attention that when the master lease is renegotiated, in all probability, these people will be moved out because the land will be developed to a higher and better use in order to accommodate the increase in fees that would ultimately result.

"Given those options, we sought to look for help for the vendors rather than to allow them to be displaced without any help and I think that this bill addresses that. I believe that they have a great deal of support in this body and they have made a lot of friends. By addressing their concerns, with the inclusion of funds for relocation, I'd like to add that these funds should also be used for compensation for those who cannot take advantage of the first right of refusal.

"I also urge that negotiations continue so that most of the problems and concerns can be addressed and I am optimistic that if the talks do continue that most of the problems that they face can be mitigated.

"The passage of this bill is just the beginning and not the end for this proposal, I'm sure. More discussions will have to take place during the interim on a number of concerns and I urge that they do and that any unresolved

problems then be brought back to the Legislature next year for our deliberations.

"Thank you."

Senator Cobb spoke on the measure as follows:

"Mr. President, I rise to address this measure. I'm leaning against it although my mind could be persuaded by further discussion but I would like to outline some of the points and concerns that I have and I hope that they will be addressed. And they strictly center around planning, zoning and other ancillary considerations with no reference at all to any emotional concern. In fact I would be the very first to say that I do not agree with or countenance any type of threats or violence. I've been a victim of it myself in years past. And as other legislators know, when I am threatened I go the opposite way. So that has absolutely no bearing on my decision for the concerns or questions that I pose today.

"The decision on how to vote on this is a difficult one on the merits because I think there are a number of pluses or things that would help the bill that have been added. Let me cite a few.

"Number one, the conferees did add Senate confirmation for members of the authority.

"Number two, there is an automatic expiration of three years if there is no approval of the plan by the authority, three years after the authority members have been appointed.

"Number three, there is a full environmental impact statement required although that is not the same as addressing in a specific survey such items as a business, community or traffic impact survey. Nevertheless, most of those items should be addressed in the EIS.

"Number four, the relocation amount has been increased from five million dollars to what I understand is now a ten million bond for the relocation of businesses.

"Number five, I attended a briefing at 11:30 this morning in conference room 5 where not only the plans and schematics and drawings were shown but also a jitney plan was presented for transportation of conventioners from most sites in Waikiki.

"I've been made aware of at least four concerns of the vendors which, from the information I have received, have been largely, although I'm not sure, completely addressed. Those concerns are: 1) to have either a seat for a friend or someone who shares their concerns to serve on the authority; 2) to have one or more seats for persons who share their concerns sitting on the relocation task force; 3) a guaranteed time to stay at the present site; and 4) a shield of some sort so that there would less if none in terms of disruption during the construction phase.

"I would point out in agreement with what you've told me, Mr. President, that under the existing situation, vendors there now could be evicted on thirty days' notice with no reason or requirement given. In fact, when your Committee on Consumer Protection and Commerce had a hearing on the present business practices involved in this area, that fact came to the fold very, very clearly.

"In terms of the concerns I have about the bill and why I'm leaning against it, first, there is no copy of any written agreement by the developer and the owner and I think a legislative review of such an agreement is an essential part of the process.

"Second, the bill in question was late in being decked and the session is being extended at least partially for this matter.

"Third, I think the proposal now is somewhat unfair to the tourist industry and other sites that were traded away during the course of the conference committee negotiations.

"Fourth, I've been informed that Aloha Motors and Magoon Estates are willing to make as good or better counter-offers if given time. My concern is why we did not allow them to do so and I think by allowing them to do so the competition and the bidding would have been increased.

"Fifth, the right of first refusal is not very meaningful if the person who has that right or the business who has that right cannot afford new higher leases and obviously the lease cost will be higher in the convention center. I think what needs to be considered in this area, Mr. President, is that some sort of pooling arrangement should be allowed between businesses so that they could be afford such a new higher lease. I would point out also that the increase of the bond or the cash amount from five million to ten million dollars will increase the amount available to twenty thousand dollars for each business. I think a pooling arrangement with that kind of money should also be allowed to assist the business in relocating.

"Sixth, Mr. President, there is no free lunch. Unfortunately, while we are getting a 'free convention center' there are no cost estimates or traffic, business, or community impact surveys to be included for legislative review and approval prior to the time that this is enacted.

"Seventh, we have here an override of city zoning and the Waikiki Special Design District (WSDD). A few years ago, Mr. President, when we were dealing with the subject of time sharing, I became very, very familiar with the WSDD and how we had to legislate within its parameters. In fact, our Majority Floor Leader was at that time my House counterpart and as we were attempting to address the subject of time sharing legislation and restriction and controls and where it should be allowed and where it should not be allowed, we kept running into parameters and limitations of the WSDD. We could not override it then and I am very reluctant to override it at this time.

"Eight, there is no legislative review of the plans that are forthcoming from this authority. In short, there will be a three-year period where they will be able to come up with what they want and we will really not have an over-site authority except in terms of the power of advice and consent for the authority members.

"Nine, during the briefing this morning we were informed that there are only two hundred to three hundred parking spaces for the convention center. I will point out that in the horizontal property regimes, Mr. President, each apartment of a condominium unit is required to have a parking space unless it is for the purpose of commercial use. Then and only then is it exempted. Those who were presenting the briefing this morning acknowledged the fact that between 800 and 1200 spaces would be used for the condominiums under the requirements of the horizontal property regimes law. That means when you subtract the remaining VIP stalls, in a 2000-parking lot configuration, there will only be 200 to 300 parking stalls for the convention center. I do not consider that to be an adequate amount.

"Finally, Mr. President, reason number ten is that Queen's Hospital apparently has not given us its approval to this project as the land owner. I share the concern raised on that point by the Senator from the 11th district.

"As I indicated, I could be persuaded to go the other way if these concerns were addressed. If they're not, Mr. President, I will be reluctantly opposing this measure even though I have consistently supported a convention center in Waikiki with any location except Ft. DeRussy.

"I want to make sure, Mr. President, everyone understands the concerns that I have are based on planning, zoning, financial as well ingress and egress considerations and not on anything to do with any emotional considerations.

"Thank you, Mr. President."

Senator Blair supported the measure and said:

"Mr. President, I rise to speak in favor of the bill. I wish to commend and thank Senator Holt, Senator Yamasaki and Senator Ikeda for discharging their obligations to their colleagues and to their community in a way that demonstrated diligence, compassion and an appropriate regard for both the substance and the process."

Senator Hee also supported the bill and remarked:

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

"Mr. President, I speak in favor of this bill, primarily, for one reason - economics. Not because I'm an American, not because I'm Hawaiian but because of economics. I've never seen a piece of legislation like this.

"This legislation sends a signal to every developer -- Waihole-Waikane, Kalama Valley, Census Tract 57, Ota Camp, Niimalu-Nawiliwili, Kukailimoku Village, Maunawili. This bill sends a message to every developer that there shall be a bond placed. That this money ten million dollars ... I congratulate the chairman; he did a good job. He's done much for this state than simply the tourist industry. He has set up the local people ... the thirteen million dollars for Blaisdell ... and he has sent a message, a precedent, a legislative mandate to be weary of to every developer who starts evicting people, most of whom are local, maybe all of whom are part-Hawaiian; all of whom are poor; all of whom are disadvantaged; and all of whom are in the 'have nots' not the 'haves' the 'have nots.'

"This legislation now sets forth clear and convincing messages to developers. They are going to pay. And if that's what we're going to do, that's fine. This is what poor people have been waiting for.

"Sad to say, the way this legislation developed.

"I'm proud of the Hawaiian people, Mr. President. You're Hawaiian, I'm Hawaiian. I'm proud. I'm proud that they waited so long, patiently. They didn't come down here and surround brother Milton or the boys upstairs. I'm proud Hawaiians can do it; Japanese can do it. All the poor people can do it.

"I'm proud of the Japanese who waited so patiently for their reparations. Yes, I'm proud, Mr. President. You went to Selma, you marched with the Blacks. I think we understand these things. I'm voting for this bill, Mr. President. I want everybody to know I'm voting for this bill because this bill is for poor people. Regardless of the fact, apparently, the recipients of the ten million dollars

are not satisfied. I know a lot of people part-Hawaiians and otherwise would look at that money.

"Mr. President, I'm proud of this. I'm voting for this bill because I'm an American and I'm Hawaiian.

"Thank you."

Senator Solomon in support of the previous speaker remarked:

"Mr. President, speaking in support of the previous speaker.

"I do hope that this bill which I consider a very innovative way of looking at the problem when development moves into an area and has to displace residents and those that are on short term leases.

"Mr. President, this brings to mind ... I think it was last session or two session ago that we passed the landmark legislation helping the Hawaiians that were displaced in Milolii at Hoopuloa for the 1926 lava flow.

"Mr. President, the Hawaiians have waited 65 years for DLNR to come forth with long term leases that they were promised in 1926. I'm hoping, Mr. President, that once we look at this piece of legislation that we can use this vehicle to address the many other concerns throughout the State of Hawaii in reference to how we can come up with a plan to compensate people. How we can come up with a plan for relocation. How we can come with a plan, Mr. President, to give those of first refusal as far as when we have taken away their life-ways as well as their life-styles.

"With this, Mr. President, I'm speaking very much in support of this bill and I'm hoping my fellow colleagues will do likewise.

"Thank you."

Senator J. Wong, in support of the measure, requested the Chair to have his written remarks inserted into the Journal and the Chair having responded in the affirmative, Senator J. Wong's remarks are as follow:

"Mr. President, I rise to speak in favor of H.B. 3396, S.D. 1, H.D. 1, C.D. 1.

"However, in doing so, I would like to express a few reservations.

"My colleague, the chairman of Tourism and Recreation, today, has expressed quite eloquently the reasons for our choice on the designated site for the convention center in H.B. 3396, C.D. 1.

"Mr. President, my reservations are based on recent developments that are related to our decisions on the following projects: revitalization of the waterfront area, Keehi Lagoon, Kakaako, West Beach, \$61 million to buy land in Ewa, \$120 million for a housing revolving fund and other commitments made with future generations in mind.

"Mr. President, my reservations are couched in the context of strategic planning and most importantly the role that transportation plays in our planning process. The point to be made, Mr. President, is that this legislative body must view transportation as a key strategy in developing our economy for the future of Hawaii.

"The genesis of my reservations is that a decision on mass transportation, that is, a rapid transit system and its

alignment should have been made prior to the convention center site selection process.

"Since the early 70's the city administration has been 'studying' rapid transit systems as a means to mitigate our traffic problems within Honolulu, along with the various means of financing such a project including traditional government financing, a turn key operation, and franchising or the privatization of a rapid transit system. A lack of any positive movement toward a reasonable solution by the city administration regarding a mass transit system has pressured this body into making a decision that we may well regret for generations to come.

"In my humble opinion the issue here is not the convention center but transportation, since the only justifiable argument of a non-Waikiki site is moving people. We have a transit problem right now totally irrespective of a convention center. If we resolve our transportation problem, we will take an important step toward resolving problems such as moving conventioners and, most importantly, moving our own residents.

"In short, Mr. President, a decision on the alignment of a rapid transit system that would serve our residents and conventioners and enhance the controlled development of the Waikiki area, the waterfront-Kakaako area, the Keehi Lagoon-airport area, and eventually the Ewa-West Beach area is of the highest priority.

"In other cities convention centers are placed in areas in need of economic development not in areas with special design districts and serious overcrowding and traffic problems. It is designed and built with the residents use of the facility first and foremost in mind. We have a great opportunity to create a convention center for all people that could be located anywhere on an alignment of a transit line. We can compete with any city or state in the world for the convention business. The lack of foresight and business acumen of the city administration has precluded much of our options. Our decision today will probably place the State of Hawaii in direct competition with the City and County of Honolulu in building a convention center.

"Mr. President, I have discussed in great detail the concept behind SR 96 and SCR 94 with you and my fellow colleagues. Regretfully, an amended version of SR 96 was passed. I truly hope that by next session the city and state can make a decision relative to mass transportation once and for all. A mass transit system is vitally important as a strategy for developing an economy of the highest quality.

"Finally, Mr. President, I urge my fellow colleagues to vote for H.B. 3396, C.D. 1, despite my reservations, in hopes that we finally resolve the question on the concept of a convention center -- its location, its financing, and its operation; and hopefully, the ultimate mitigation of our traffic problems and the creation of an economic plan that takes our people into the next century.

"Thank you."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 280 was adopted and H.B. No. 3396, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVENTION CENTER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Cobb, McMurdo).

At 3:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

NIGHT SESSION

The Senate reconvened at 11:25 o'clock p.m.

Conf. Com. Rep. No. 281 (H.B. No. 2032, H.D. 2, S.D. 2, C.D. 2):

On motion by Senator Chang, seconded by Senator Yamasaki and carried, Conf. Com. Rep. No. 281 was adopted and H.B. No. 2032, H.D. 2, S.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS AND INFORMATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 5 (George, Herkes, Ikeda, Kobayashi, A., Reed). Excused, 3 (Cobb, Holt, McMurdo).

Conf. Com. Rep. No. 282 (H.B. No. 2096, S.D. 2, C.D. 2):

On motion by Senator Chang, seconded by Senator Yamasaki and carried, Conf. Com. Rep. No. 282 was adopted and H.B. No. 2096, S.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALOHA TOWER DEVELOPMENT CORPORATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Reed). Excused, 3 (Cobb, Holt, McMurdo).

Conf. Com. Rep. No. 283 (S.B. No. 3197, S.D. 2, H.D. 2, C.D. 2):

On motion by Senator Yamasaki, seconded by Senator Aki and carried, Conf. Com. Rep. No. 283 was adopted and S.B. No. 3197, S.D. 2, H.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 4 (George, Herkes, Ikeda, Reed). Excused, 3 (Cobb, Holt, McMurdo).

Conf. Com. Rep. No. 284 (S.B. No. 2124, S.D. 1, H.D. 1, C.D. 2):

On motion by Senator Hee, seconded by Senator Chang and carried, Conf. Com. Rep. No. 284 was adopted and S.B. No. 2124, S.D. 1, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND EXPLOSIVES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Cobb, Holt, McMurdo).

Conf. Com. Rep. No. 285 (S.B. No. 2522, H.D. 1, C.D. 2):

On motion by Senator Hee, seconded by Senator J. Wong and carried, Conf. Com. Rep. No. 285 was adopted and S.B. No. 2522, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT REGISTRATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Menor). Excused, 3 (Cobb, Holt, McMurdo).

Conf. Com. Rep. No. 286 (S.B. No. 2441, S.D. 1, H.D. 1, C.D. 2):

On motion by Senator Hee, seconded by Senator Chang and carried, Conf. Com. Rep. No. 286 was adopted and S.B. No. 2441, S.D. 1, H.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt, McMurdo).

Conf. Com. Rep. No. 287 (H.B. No. 3068, S.D. 1, C.D. 2):

On motion by Senator Hee, seconded by Senator Chang and carried, Conf. Com. Rep. No. 287 was adopted and H.B. No. 3068, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL PEER REVIEW," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt, McMurdo).

Conf. Com. Rep. No. 288 (H.B. No. 2080, H.D. 1, S.D. 1, C.D. 2):

On motion by Senator Hee, seconded by Senator Chang and carried, Conf. Com. Rep. No. 288 was adopted and H.B. No. 2080, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt, McMurdo).

Conf. Com. Rep. No. 289 (H.B. No. 3408, H.D. 2, S.D. 2, C.D. 2):

On motion by Senator Yamasaki, seconded by Senator Chang and carried, Conf. Com. Rep. No. 289 was adopted and H.B. No. 3408, H.D. 2, S.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A CIVIL RIGHTS COMMISSION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt, McMurdo).

Conf. Com. Rep. No. 290 (H.B. No. 2483, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Yamasaki and carried, Conf. Com. Rep. No. 290 was adopted and H.B. No. 2483, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt, McMurdo).

MATTER DEFERRED FROM
TUESDAY, APRIL 26, 1988

THIRD READING

House Bill No. 3164:

On motion by Senator Hee, seconded by Senator Menor and carried, H.B. No. 3164, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTIONS 4, 5 AND 6 OF THE CONSTITUTION OF THE STATE OF HAWAII TO REPEAL MINIMUM REPRESENTATION FOR BASIC ISLAND UNITS AND

TO CHANGE THE BASIS USED FOR REAPPORTIONMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt, McMurdo).

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

FINAL READING

Conf. Com. Rep. No. 173 (H.B. No. 2046, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator B. Kobayashi, seconded by Senator Yamasaki and carried, Conf. Com. Rep. No. 173 was adopted and H.B. No. 2046, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt, McMurdo).

Conf. Com. Rep. No. 182 (S.B. No. 3188, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Aki and carried, Conf. Com. Rep. No. 182 was adopted and S.B. No. 3188, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt, McMurdo).

Conf. Com. Rep. No. 220 (S.B. No. 3195, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Aki and carried, Conf. Com. Rep. No. 220 was adopted and S.B. No. 3195, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt, McMurdo).

Conf. Com. Rep. No. 230 (H.B. No. 2027, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Chang, seconded by Senator Yamasaki and carried, Conf. Com. Rep. No. 230 was adopted and H.B. No. 2027, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS AND ECONOMIC DEVELOPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt, McMurdo).

Conf. Com. Rep. No. 250 (H.B. No. 2028, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Aki and carried, Conf. Com. Rep. No. 250 was adopted and H.B. No. 2028, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ENVIRONMENTAL IMPACT STATEMENT FOR A SPACE PORT IN HAWAII," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt, McMurdo).

Conf. Com. Rep. No. 266 (H.B. No. 3292, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Hee, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 266 was adopted and H.B. No. 3292, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRUSTEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Blair). Excused, 2 (Holt, McMurdo).

Conf. Com. Rep. No. 278 (S.B. No. 2924, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Hee, seconded by Senator Solomon and carried, Conf. Com. Rep. No. 278 was adopted and S.B. No. 2924, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NEGLIGENT INJURY AND NEGLIGENT HOMICIDE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Chang). Excused, 2 (Holt, McMurdo).

At 11:31 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:32 o'clock p.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 322, informing the Senate that on April 25, 1988, he signed the following bills into law:

Senate Bill No. 2815 as Act 17, entitled: "RELATING TO ADULT EDUCATION PROGRAM";

Senate Bill No. 2816 as Act 18, entitled: "RELATING TO SCHOOL ATTENDANCE";

Senate Bill No. 2817 as Act 19, entitled: "RELATING TO SCHOOL DISTRICT ADVISORY COUNCILS";

Senate Bill No. 2041 as Act 20, entitled: "RELATING TO MATTRESSES";

Senate Bill No. 2190 as Act 21, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";

Senate Bill No. 2756 as Act 22, entitled: "RELATING TO AGRICULTURAL PARKS";

Senate Bill No. 3207 as Act 23, entitled: "RELATING TO HEALTH"; and

Senate Bill No. 3227 as Act 24, entitled: "RELATING TO FISHING";

was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 1210 to 1259) were read by the Clerk and were placed on file:

Hse. Com. Nos. 1210 to 1214, returning Senate Bills, which passed Third Reading in the House of Representatives on Tuesday, April 26, 1988, as follows:

Hse. Com. No. 1210 - S.B. No. 2765;

Hse. Com. No. 1211 - S.B. No. 3172;

Hse. Com. No. 1212 - S.B. No. 2029, S.D. 1;

Hse. Com. No. 1213 - S.B. No. 3200, S.D. 1; and

Hse. Com. No. 1214 - S.B. No. 2030.

Hse. Com. No. 1215, returning Senate Bill No. 2718, which passed Third Reading in the House of Representatives on Tuesday, April 26, 1988, by not less than two-thirds vote of all the members to which the House is entitled.

Hse. Com. Nos. 1216 to 1234, returning Senate Bills, which passed Third Reading in the House of Representatives on Tuesday, April 26, 1988, as follows:

Hse. Com. No. 1216 - S.B. No. 2172, S.D. 1;

Hse. Com. No. 1217 - S.B. No. 2031;

Hse. Com. No. 1218 - S.B. No. 2563;

Hse. Com. No. 1219 - S.B. No. 2521, S.D. 1;

Hse. Com. No. 1220 - S.B. No. 2517;

Hse. Com. No. 1221 - S.B. No. 2761;

Hse. Com. No. 1222 - S.B. No. 2760;

Hse. Com. No. 1223 - S.B. No. 2186, S.D. 1;

Hse. Com. No. 1224 - S.B. No. 2713, S.D. 1;

Hse. Com. No. 1225 - S.B. No. 2926, S.D. 1;

Hse. Com. No. 1226 - S.B. No. 2578, S.D. 1;

Hse. Com. No. 1227 - S.B. No. 2575;

Hse. Com. No. 1228 - S.B. No. 2032, S.D. 1;

Hse. Com. No. 1229 - S.B. No. 2712;

Hse. Com. No. 1230 - S.B. No. 2070, S.D. 1;

Hse. Com. No. 1231 - S.B. No. 2980, S.D. 1;

Hse. Com. No. 1232 - S.B. No. 2052;

Hse. Com. No. 1233 - S.B. No. 2044; and

Hse. Com. No. 1234 - S.B. No. 2050.

Hse. Com. Nos. 1235 to 1257, returning Senate Concurrent Resolutions, which were adopted by the House of Representatives on Tuesday, April 26, 1988, as follows:

Hse. Com. No. 1235 - S.C.R. No. 238;

Hse. Com. No. 1236 - S.C.R. No. 129, S.D. 1;

Hse. Com. No. 1237 - S.C.R. No. 43;

Hse. Com. No. 1238 - S.C.R. No. 205;

Hse. Com. No. 1239 - S.C.R. No. 207;

Hse. Com. No. 1240 - S.C.R. No. 86, S.D. 1;

Hse. Com. No. 1241 - S.C.R. No. 185;

Hse. Com. No. 1242 - S.C.R. No. 93;

Hse. Com. No. 1243 - S.C.R. No. 177, S.D. 1;

Hse. Com. No. 1244 - S.C.R. No. 184, S.D. 1;

Hse. Com. No. 1245 - S.C.R. No. 183, S.D. 1;

Hse. Com. No. 1246 - S.C.R. No. 25;

Hse. Com. No. 1247 - S.C.R. No. 49;

Hse. Com. No. 1248 - S.C.R. No. 154, S.D. 1;

Hse. Com. No. 1249 - S.C.R. No. 77;

Hse. Com. No. 1250 - S.C.R. No. 168, S.D. 1;

Hse. Com. No. 1251 - S.C.R. No. 216;

Hse. Com. No. 1252 - S.C.R. No. 171, S.D. 1;

Hse. Com. No. 1253 - S.C.R. No. 57, S.D. 1;

Hse. Com. No. 1254 - S.C.R. No. 89, S.D. 1;

Hse. Com. No. 1255 - S.C.R. No. 186, S.D. 1;

Hse. Com. No. 1256 - S.C.R. No. 32;

Hse. Com. No. 1257 - S.C.R. No. 111;

Hse. Com. No. 1258 - S.C.R. No. 3, S.D. 1;

Hse. Com. No. 1259 - S.C.R. No. 107, S.D. 1;

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 242 to 249) were read by the Clerk and were disposed of as follows:

S.R. No. 242, entitled: "SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE," was offered by Senators Hagino, George.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, S.R. No. 242 was adopted.

S.R. No. 243, entitled: "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS, AND RESOLUTIONS TO THE CLERK'S DESK," was offered by Senators Hagino and George.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, S.R. No. 243 adopted.

S.R. No. 244, entitled: "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE," was offered by Senators Hagino and George.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, S.R. No. 244 adopted.

S.R. No. 245, entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTY-SECOND DAY," was offered by Senators Hagino and George.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, S.R. No. 245 adopted.

S.R. No. 246, entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT," was offered by Senators Hagino and George.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, S.R. No. 246 adopted.

S.R. No. 247, entitled: "SENATE RESOLUTION RECOGNIZING WITH GRATITUDE EACH OF THE MINISTERS OF RELIGION WHO OPENED A DAY OF THE SENATE, FOURTEENTH LEGISLATURE, 1988, STATE OF HAWAII, WITH AN INSPIRATIONAL INVOCATION," was offered by Senators Hagino and George.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, S.R. No. 247 adopted.

S.R. No. 248, entitled: "SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE FOURTEENTH LEGISLATURE, REGULAR SESSION OF 1988," was offered by Senators Hagino and George.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, S.R. No. 248 adopted.

S.R. No. 249, entitled: "SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE FOURTEENTH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF," was offered by Senators Hagino and George.

On motion by Senator Blair, seconded by Senator A. Kobayashi and carried, S.R. No. 249 adopted.

Senator George rose to address the members of the Senate as follows:

"Mr. President, as you may remember, we began this session with some high-flown literary references. So I suppose we should mark its conclusion with some appropriate quotation. My only problem, Mr. President, is that I can't think of anything that does justice to this rather unusual session.

"The closest I could come was Dickens: 'the best of times - the worst of times.' Each of us can sort out what was best and what was worst, and in the end the people who sent us here will make a decision about it.

"For the Minority, it was a pretty average year. We worked hard, we covered all the committees, we left our sometimes anonymous footprints throughout this session's legislative product.

"We were treated fairly, and for this our thanks to you, Mr. President, and to the Majority leadership. And our thanks to the very helpful staff -- taking care of twenty-five prima donnas can't be all that easy.

"This side of the aisle also welcomes the women's coalition -- another spunky minority and we can say we'll meet same time, next year.

"Until then, aloha."

At 11:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:36 o'clock p.m.

The President then addressed the members of the Senate as follows:

"Members of the Senate,

"With your indulgence, the Chair would like to say a few words at this time.

"This has been a most productive session. Over the last several weeks we've been confronted with many difficult issues. But now we can look back on a number of major accomplishments for which we can take pride and satisfaction.

"My fellow Senators, I commend you for a job well done. I believe this legislative session will prove to be a historic one.

"Many of you will be out campaigning for reelection in the months ahead. To you I extend my best wishes and my hope for success. You have all served diligently at your legislative duties and I believe your constituents will be well served by returning you back to office. It has been an honor and a pleasure to serve together with you.

"To all the hardworking Senate staff people, you're the ones who keep the legislative process moving. You do all the work while we Senators get all the recognition. Of course, we get our share of the blame too but we manage to get into trouble without staff help. In any case, on behalf of all the Senators, I extend a big mahalo to all of you.

"To all my fellow Senators, I wish you aloha. My wish is to see you all back here again next year ... hopefully from the vantage point of this podium."

ADJOURNMENT

Senator Blair moved that the Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, adjourn Sine Die, seconded by Senator A. Kobayashi and carried.

At 11:40 o'clock p.m., the President rapped his gavel and declared the Senate of the Fourteenth Legislature of the State of Hawaii, Regular Session of 1988, adjourned Sine Die.