

FIFTY-SEVENTH DAY

Wednesday, April 24, 1996

The Senate of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1996, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Mr. Rockland M. Freitas, The National Spiritual Assembly of the Baha'i of the Hawaiian Islands, after which the Roll was called showing all Senators present with the exception of Senator Ikeda who was excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 334 to 336) were read by the Clerk and were placed on file:

Gov. Msg. No. 334, informing the Senate that on April 22, 1996, he signed the following bills into law:

House Bill No. 2403 as Act 12, entitled: "RELATING TO THE STATEWIDE TRAFFIC CODE";

House Bill No. 2407 as Act 13, entitled: "RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OR REPEALING OBSOLETE OR UNNECESSARY PROVISIONS";

House Bill No. 2517 as Act 14, entitled: "RELATING TO THE PROMOTION OF PROSTITUTION";

House Bill No. 2620 as Act 15, entitled: "RELATING TO SENTENCING";

House Bill No. 2850 as Act 16, entitled: "RELATING TO HIGHWAY SAFETY";

House Bill No. 2869 as Act 17, entitled: "RELATING TO PARENTAGE";

House Bill No. 2896 as Act 18, entitled: "RELATING TO NOTARIES PUBLIC";

House Bill No. 2972 as Act 19, entitled: "RELATING TO COUNTY CIVIL FINES";

House Bill No. 3151 as Act 20, entitled: "RELATING TO MOTOR VEHICLE INSURANCE";

House Bill No. 3227 as Act 21, entitled: "RELATED TO INSURANCE";

House Bill No. 3244 as Act 22, entitled: "RELATING TO THE PENAL CODE";

House Bill No. 3331 as Act 23, entitled: "RELATING TO AGRICULTURE";

House Bill No. 3346 as Act 24, entitled: "RELATING TO RECORDATION OF INSTRUMENTS IN THE BUREAU OF CONVEYANCES OR LAND COURT";

House Bill No. 3351 as Act 25, entitled: "RELATING TO CHILD SUPPORT ENFORCEMENT";

House Bill No. 3394 as Act 26, entitled: "RELATING TO BUSINESS DEVELOPMENT CORPORATIONS";

House Bill No. 3396 as Act 27, entitled: "RELATING TO ESCROW DEPOSITORIES";

House Bill No. 3404 as Act 28, entitled: "RELATING TO MEDICARE SUPPLEMENT INSURANCE POLICIES";

House Bill No. 3412 as Act 29, entitled: "RELATING TO MOTOR VEHICLE REPAIRS";

House Bill No. 3413 as Act 30, entitled: "RELATING TO INJUNCTIONS";

House Bill No. 3416 as Act 31, entitled: "RELATING TO CITATIONS FOR UNLICENSED ACTIVITY";

House Bill No. 3430 as Act 32, entitled: "RELATING TO SOLICITORS";

House Bill No. 3460 as Act 33, entitled: "RELATING TO FOSTER PARENTS";

House Bill No. 3468 as Act 34, entitled: "RELATING TO UNASSEMBLED EXAMINATIONS";

House Bill No. 3470 as Act 35, entitled: "RELATING TO EXAMINATION CONSULTANTS";

House Bill No. 3506 as Act 36, entitled: "RELATING TO MOTOR VEHICLE DRIVER LICENSING";

House Bill No. 3580 as Act 37, entitled: "RELATING TO THE ADJUDICATION OF VEHICULAR TRAFFIC VIOLATIONS AT PUBLIC AIRPORTS";

House Bill No. 3592 as Act 38, entitled: "RELATING TO THE BOARD OF EDUCATION"; and

House Bill No. 3623 as Act 39, entitled: "RELATING TO THE UNIFORM COMMERCIAL CODE."

Gov. Msg. No. 335, informing the Senate that on April 23, 1996, he signed the following bills into law:

Senate Bill No. 2098 as Act 40, entitled: "RELATING TO STATE FINANCES";

Senate Bill No. 2728 as Act 41, entitled: "RELATING TO ESCROW DEPOSITORIES";

Senate Bill No. 2797 as Act 42, entitled: "RELATING TO WOMEN, INFANT AND CHILDREN SERVICES (WIC)";

Senate Bill No. 2912 as Act 43, entitled: "RELATING TO CONTRACTORS";

Senate Bill No. 2965 as Act 44, entitled: "RELATING TO CONCESSIONS ON PUBLIC PROPERTY";

Senate Bill No. 3052 as Act 45, entitled: "RELATING TO THE REGULATION AND LICENSING OF PROFESSIONS AND VOCATIONS";

Senate Bill No. 3188 as Act 46, entitled: "RELATING TO TAXES ON TIME SHARE REAL PROPERTY"; and

Senate Bill No. 3267 as Act 47, entitled: "RELATING TO STUDENT ACTIVITIES."

Gov. Msg. No. 336, dated April 23, 1996, transmitting his statement of objections to House Bill No. 2601 which he has returned to the House of Representatives without his approval and which reads as follows:

**"EXECUTIVE CHAMBERS
HONOLULU**

April 23, 1996

**STATEMENT OF OBJECTIONS TO HOUSE BILL NO.
2601**

Honorable Members
Eighteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2601, entitled, 'A Bill for an Act Relating to Jurors.'

The purpose of this bill is to allow individuals to volunteer to serve as jurors. The list of volunteers is intended to be used with other lists to supplement the voter registration lists used as the sources of names for the master list of prospective jurors.

However, the concept of volunteering for jury duty conflicts with the fundamental notion of the random selection of citizens to serve as jurors. The random selection of jurors protects against the influence of individuals or groups who have an interest in the outcome of cases and should be preserved.

For the foregoing reasons, I am returning House Bill No. 2601 without my approval.

Respectfully,

/s/ Benjamin J. Cayetano
BENJAMIN J. CAYETANO
Governor of Hawaii"

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 32, from the Department of Education dated April 18, 1996, transmitting a report, "The Superintendent's Sixth Annual Report on School Performance and Improvement in Hawaii," was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 705 and 706) were read by the Clerk and were placed on file:

Hse. Com. No. 705, informing the Senate that the Speaker on April 23, 1996, appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate bills:

S.B. No. 1557, S.D. 2 (H.D. 1):

Representatives Hiraki, Tom, co-chairmen, Nakasone, White, Thielen.

S.B. No. 2124 (H.D. 1):

Representatives McMurdo, Tom, co-chairmen, Case, Hamakawa, Thielen.

Hse. Com. No. 706, informing the Senate that the Speaker on April 23, 1996, appointed Representatives Arakaki, Nekoba, co-chairmen, Hamakawa, Tarnas,

Kawanakoa as managers on the part of the House for the consideration of amendments proposed by the House to S.B. No. 2144 (H.D. 2).

CONFERENCE COMMITTEE REPORT

Senator Fernandes Salling, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 2358, H.D. 1, presented a report (Conf. Com. Rep. No. 4) recommending that H.B. No. 2358, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4 and H.B. No. 2358, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," was deferred for a period of 48 hours.

ORDER OF THE DAY

AGREE/DISAGREE

**MATTERS DEFERRED FROM
TUESDAY, APRIL 23, 1996**

S.C.R. No. 43, S.D. 1 (H.D. 1):

By unanimous consent, action on S.C.R. No. 43, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO USE ITS EXPERTISE TO PLAN A SUSTAINABLE ECONOMIC BASE FOR HAWAII COUNTY," was deferred until Thursday, April 25, 1996.

S.C.R. No. 169 (H.D. 1):

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 169, seconded by Senator Kawamoto.

Senator Chumbley explained:

"Mr. President, the amendments made by the House to this resolution were for clarification only and has no substantial impact on the outcome."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 169 and S.C.R. No. 169, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO STUDY THE 2.0 GRADE POINT AVERAGE RULE FOR STUDENTS TO PARTICIPATE IN CO-CURRICULAR ACTIVITIES," was finally adopted.

S.C.R. No. 175, S.D. 1 (H.D. 1):

Senator Chumbley moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 175, S.D. 1, seconded by Senator Kawamoto.

Senator Chumbley noted:

"Mr. President, the amendments made by the House are primarily technical and nonsubstantive."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 175, S.D. 1, and S.C.R. No. 175, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REVIEW AND REVISE THE SCHOOL CODE AND DEPARTMENT OF EDUCATION

ADMINISTRATIVE RULES TO REFLECT RECENT SYSTEMIC REFORMS," was finally adopted.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

S.C.R. No. 176, S.D. 1 (H.D. 1):

By unanimous consent, action on S.C.R. No. 176, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF HAWAII'S CONGRESSIONAL DELEGATION TO MOOR THE U.S.S. MISSOURI (BB-63) IN BATTLESHIP ROW," was deferred until Thursday, April 25, 1996.

S.C.R. No. 186, S.D. 1 (H.D. 1):

By unanimous consent, action on S.C.R. No. 186, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COORDINATION OF EFFORTS OF THE DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM, AND THE DEPARTMENT OF AGRICULTURE TO DEVELOP A PLAN FOR THE SHIPMENT OF HAWAII CATTLE TO THE UNITED STATES WEST COAST THAT IS CONSISTENT WITH SECTION 27 OF THE MERCHANT MARINE ACT, 1920," was deferred until Thursday, April 25, 1996.

S.C.R. No. 282, S.D. 1 (H.D. 2):

Senator Tanaka moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 282, S.D. 1, seconded by Senator Baker.

Senator Tanaka explained:

"Mr. President, some of the amendments the House made were on the title, instead of shipboard gaming they added legalized gaming and deleted the hotel association."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 282, S.D. 1, and S.C.R. No. 282, S.D. 1, H.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE ECONOMIC IMPACTS OF SHIPBOARD CASINOS AND PARI-MUTUEL HORSE RACING IN HAWAII," was finally adopted with Senators Ige, Kanno, Levin and Matsuura voting "no."

FINAL READING

Conf. Com. Rep. No. 2 (H.B. No. 2897, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Chumbley, seconded by Senator Levin and carried, Conf. Com. Rep. No. 2 was adopted and H.B. No. 2897, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

S.B. No. 2144, H.D. 2:

On motion by Senator Iwase, seconded by Senator Tanaka and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2144 and S.B. No. 2144, H.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO CONSERVATION EASEMENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senator Grauly rose on a point of personal privilege as follows:

"Mr. President, I just wanted to report to the body that the Committee on Judiciary has held informational briefings, that we have had three speakers come before the committee and that we have opened our proceedings to all the Senators. Some of the Senators have been able to join and participate and listen to the various experts. I just wanted to summarize what each individual had to say, and also indicate the committee's direction on the important matter of same-sex marriages in our state as a result of the decision by the Supreme Court in Baehr vs Miike.

"Our first speaker last night was Professor Van Dyke who has been a professor of constitutional law for 27 years, 20 years of which were at the U.H. Law School. With regard to the specific question of the constitutionality of H.B. 2366, H.D. 1, he indicated that 2366 was 'an odd response,' and did not address discrimination. It defines marriage. If enacted it would be irrelevant to the case because it does not address the compelling state interest that needs to be shown to justify the discrimination that the court has found.

"He indicated that the fact that they do not call these relationships marriage will not eliminate the problem and that the bill did not come to grips with the discrimination that needs to be remedied. He also opined that the bill may be violative of the United States Constitution, although he had put the percentage in response to one of the Senators' questions at between a 40 to 60 percent chance that it was violative of the United States Constitution, as well.

"He also indicated and spoke at length about many of the procedural difficulties if such a bill were to be passed now because of the ten day notice requirement and so on, and there are many technical problems and obstacles that need to be overcome, which are not insurmountable but nevertheless are there.

"This morning we heard from Evan Shirley, the foremost practitioner in constitutional law in our state, and who has handled 150 constitutional law cases here in our state. And he indicated that with regard to H.B. 2366, that the Hawaii Supreme Court had already rejected the argument that marriage by definition was between man and woman as 'circular and unpersuasive' and 'tortured sophistry.' And so we, in his view, were not adding anything more to what we already said in Act 217 which we passed two years ago. He did not believe that the problem was a matter of fixing labels, but rather there is a need to correct discrimination against a protected class of individuals.

"He indicated very clearly, in my view, that the citizens of Hawaii are the ultimate constitutional authority and there shouldn't be any question about that, and that as we have seen in various cases before, when it comes to the United States Constitution, that we have the 11th, 14th, 16th and 26th Amendments which were enacted as a result of the people speaking.

"He indicated also that unfortunately there are a lot of cases involving constitutional amendments that many legislative bodies pass that, upon review by the courts, are deemed to be violative of the Constitution. He indicated that 2366 was multiply inconsistent -- that it

was inconsistent with Article 1, Section 3, which is the Equal Rights Amendment. It is inconsistent with Article 1, Section 5, the Equal Protection clause of the Hawaii Constitution, and inconsistent with the freedom of religion clause under Article 1, Section 4, of our State Constitution.

"We also heard later this morning from retired Associate Justice Frank Padgett who has been a practitioner since 1949 and became a Supreme Court Justice in 1982. And he indicated that he saw the case *Baehr vs Miike* in very narrow terms that it had to do with marriage licenses, and that the matter of rights is not what the case is about; that that is probably a new case that needs to be determined at some later point. However, with regard to marriage licenses he believes: (1) that Act 217 that we passed two years ago should resolve the matter; however, it was good to elevate it to a constitutional level to make very sure. And he also indicated that he believes that there is a compelling state interest which is procreation to justify the discrimination against gays and lesbians in our community. I might add that his statements have been laid on the members' desks but that is the opinion of Justice Padgett.

"I'd like to, on behalf of all of us here, thank those who have come forward on very short notice to give us the benefit of their knowledge in this area."

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

"Mr. President, on a point of personal privilege.

"Mr. President, I received a letter from Daniel Ishii, secretary of the Board of Regents, and I would just like to read a portion of it for the benefit of my colleagues who are not part of your Committee on Executive and Judicial Appointments because I did circulate the letter to the members. It says:

"Dear Senator Solomon:

I want to acknowledge that the facts are that Regent Blanco suggested and you and the Senate Executive and Judicial Appointments Committee concurred that he, Regent Blanco, would ask the Board of Regents to consider amending their rules, bylaws, or policies, as appropriate, to include adequate provisions to address potential conflicts of interest, or the appearance of a conflict in the event that any individual regent who holds another state government position is elected as chairperson of the board. The letter should not have even inferred that the Senate Committee on Executive and Judicial Appointments had mandated the University of Hawaii Board of Regents to take any formal action, since in actuality the committee went out of its way to leave all appropriate actions to the board.

I've submitted the phrase "Actions proposed by Regent Blanco" to the Senate Committee on Executive and Judicial Appointments as it pertains to his reappointment to the University of Hawaii's Board of Regents in the revised letter which accurately describes the events as they occurred. Please disregard the transmittal letter of April 19th and substitute this in its place and the revised letter of the same date. I apologize for the error."

"With this, Mr. President, your Committee on Executive and Judicial Appointments will be re-scheduling deferred matters, such as Mr. Blanco, for Thursday at 6:00 o'clock.

"Thank you."

Senator Liu then said:

"Mr. President, I wonder if the chairman from the Judiciary Committee would yield to a question."

Senator Grauly being excused, Senator Liu continued:

"Well, that's unfortunate, but perhaps his vice-chairman will yield to a question."

The Chair posed the question and Senator McCartney replied:

"I'll yield to a question, if I can answer it."

Senator Liu continued:

"I appreciate that.

"Based upon the comments of the chairman, and if you can, do you believe that it is the intent of the committee to, as it moves, look more closely at H.B. 3347. Is that an indication that it has rejected the provisions, totally, of H.B. 2366, H.D. 1?"

Senator McCartney responded:

"Excuse me. Do we reject 2366 and now we're looking at ...?"

Senator Liu restated his query:

"Is this an indication that H.B. 2366, per the committee or per the chairman or per whoever, is now off the table so far as the Judiciary Committee is concerned?"

Senator McCartney replied:

"Is 2366 off the table? We are talking in the committee about preparing a counter-proposal to the House using their vehicle which is 3347 and it is a constitutional amendment using the House's language."

Senator Liu asked:

"Using the House's language?"

Senator McCartney answered:

"Yes, working off that, yes. The House's constitutional amendment language."

Senator Liu further inquired:

"And lacking an ability to come to agreement on that, if that occurs, is there any contemplation of looking at, again, H.B. 2366, H.D. 1, and the language in that bill?"

Senator McCartney replied:

"I think there will always be contemplation on that. Yes."

Senator Liu said:

"Thank you."

Senator McCartney added:

"I'm speaking from my perspective on where I think the issue is going -- just to clarify as the vice-chair."

Senator Liu then stated:

"Well, perhaps, Mr. President, I may ask a question then of another member of the committee since as we heard yesterday and the day before, this is primarily an issue which is a collective committee decision, so perhaps the Senator from Maui who is on that committee might yield to a question as to whether or not he would confirm that. Would you yield to a question."

Senator Chumbley responded:

"Would you restate your question, please."

Senator Liu restated his question as follows:

"To restate the question then, or to confirm as has been stated by the vice-chairman of the committee, in the event that there is not an agreement on H.B. 3347, H.D. 1, that language regarding H.B. 2366, H.D. 1, is still in play."

Senator Chumbley replied:

"I can't speak for the chair, but as you well know, Senator, H.B. 2366 is still before the committee."

Senator Liu then said:

"Mr. President, I wonder if I may request a short 5-minute recess."

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 2280, S.D. 2, H.D. 1:

Senator Holt moved that the Senate reconsider its action taken on April 12, 1996, in disagreeing to the amendments proposed by the House to S.B. No. 2280, S.D. 2, seconded by Senator Ihara and carried.

Senator Holt moved that the Senate agree to the amendments proposed by the House to S.B. No. 2280, S.D. 2, seconded by Senator Ihara.

Senator Holt explained:

"Mr. President, the House made a few changes to our bill, eliminating a forfeiture of the lunch wagon -- Senator Iwase's amendment. Other than that, there were just some technical amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2280, S.D. 2, and S.B. No. 2280, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTE SALES BY MOBILE FOOD VENDORS," was placed on the calendar for Final Reading on Thursday, April 25, 1996

S.B. No. 2459, H.D. 1:

Senator Holt moved that the Senate reconsider its action taken on April 12, 1996, in disagreeing to the amendments proposed by the House to S.B. No. 2459, seconded by Senator Ihara and carried.

Senator Holt moved that the Senate agree to the amendments proposed by the House to S.B. No. 2459, seconded by Senator Ihara.

Senator Holt noted:

"Mr. President, technical amendments were made."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2459, and S.B. No. 2459, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY AMBULANCE SERVICE PERSONNEL," was placed on the calendar for Final Reading on Thursday, April 25, 1996.

S.B. No. 2502, S.D. 1, H.D. 1:

Senator Holt moved that the Senate reconsider its action taken on April 12, 1996, in disagreeing to the amendments proposed by the House to S.B. No. 2502, S.D. 1, seconded by Senator Ihara and carried.

Senator Holt moved that the Senate agree to the amendments proposed by the House to S.B. No. 2502, S.D. 1, seconded by Senator Ihara.

Senator Holt then noted:

"Mr. President, the House made technical amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2502, S.D. 1, and S.B. No. 2502, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESPERSONS," was placed on the calendar for Final Reading on Thursday, April 25, 1996

S.B. No. 2532, S.D. 1, H.D. 1:

Senator Holt moved that the Senate reconsider its action taken on April 12, 1996, in disagreeing to the amendments proposed by the House to S.B. No. 2532, S.D. 1, seconded by Senator Ihara and carried.

Senator Holt moved that the Senate agree to the amendments proposed by the House to S.B. No. 2532, S.D. 1, seconded by Senator Ihara.

Senator Holt explained:

"Mr. President, the House made technical amendments."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2532, S.D. 1, and S.B. No. 2532, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSES," was placed on the calendar for Final Reading on Thursday, April 25, 1996.

S.B. No. 2726, S.D. 1, H.D. 2:

Senator Holt moved that the Senate reconsider its action taken on April 12, 1996, in disagreeing to the amendments proposed by the House to S.B. No. 2726, S.D. 1, seconded by Senator Ihara and carried.

Senator Holt moved that the Senate agree to the amendments proposed by the House to S.B. No. 2726, S.D. 1, seconded by Senator Ihara.

Senator Holt noted:

"Technical amendments, Mr. President."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2726, S.D. 1, and S.B. No. 2726, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO

FINANCIAL INSTITUTIONS," was placed on the calendar for Final Reading on Thursday, April 25, 1996.

S.B. No. 3158, S.D. 1, H.D. 1:

Senator Holt moved that the Senate reconsider its action taken on April 12, 1996, in disagreeing to the amendments proposed by the House to S.B. No. 3158, S.D. 1, seconded by Senator Ihara and carried.

Senator Holt moved that the Senate agree to the amendments proposed by the House to S.B. No. 3158, S.D. 1, seconded by Senator Ihara.

Senator Holt noted:

"The House just made some clarifying amendments to the assigned risk provisions."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 3158, S.D. 1, and S.B. No. 3158, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSURANCE CODE," was placed on the calendar for Final Reading on Thursday, April 25, 1996.

APPOINTMENT OF CONFEREE

S.B. No. 107 (H.D. 1):

The President appointed Senator Ikeda as a co-chairman on the part of the Senate at the conference to be held for the consideration of amendments proposed by the House to S.B. No. 107.

ADJOURNMENT

At 12:14 o'clock p.m., on motion by Senator Ihara, seconded by Senator Liu and carried, the Senate adjourned until 9:00 o'clock p.m., Thursday, April 25, 1996.