

## FIFTY-FIFTH DAY

Tuesday, April 22, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 12:09 o'clock p.m. with the President in the Chair.

The Divine Blessing was invoked by Father Charles Oyabu, The Marianist, Chaminade University of Honolulu, after which the Roll was called showing all Senators present.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 447 to 450) were read by the Clerk and were placed on file:

Gov. Msg. No. 447, letter dated April 17, 2003, requesting that S.B. No. 1444 be amended to provide appropriations and authorizations required to fund the arbitrated settlement awarded to Bargaining Unit 9, Registered Professional Nurses, for fiscal biennium 2003-2004.

Gov. Msg. No. 448, dated April 17, 2003, transmitting the Monthly Notification of Expenditures from the Director of Health Relative to the Felix Consent Decree for the Month of January, 2003, prepared by the Department of Health pursuant to Act 259, Section 34, SLH 2001.

Gov. Msg. No. 449, dated April 17, 2003, transmitting the 2002 Annual Report of the Executive Office on Aging.

Gov. Msg. No. 450, dated April 22, 2003, transmitting a Report on the Activities of the Department of Health, Environmental Health Administration, Office of Hazard Evaluation and Emergency Response, and Use of the Environmental Response Revolving Fund, prepared by the Department of Health pursuant to Chapters 128D and 128E, HRS.

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

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

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 577 to 588) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 577, returning S.C.R. No. 6, S.D. 1, which was adopted by the House of Representatives on April 21, 2003, in an amended form, was placed on file.

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:16 o'clock p.m.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 6, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 578, returning S.C.R. No. 16, S.D. 1, which was adopted by the House of Representatives on April 21, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 16, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 579, returning S.C.R. No. 116, S.D. 1, which was adopted by the House of Representatives on April 21, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 116, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 580, returning S.C.R. No. 132, S.D. 1, which was adopted by the House of Representatives on April 21, 2003, in an amended form, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 132, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 581, returning S.C.R. No. 5, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 582, returning S.C.R. No. 12, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 583, returning S.C.R. No. 44, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 584, returning S.C.R. No. 105, S.D. 1, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 585, returning S.C.R. No. 150, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 586, returning S.C.R. No. 176, S.D. 1, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 587, returning S.C.R. No. 181, which was adopted by the House of Representatives on April 21, 2003, was placed on file.

Hse. Com. No. 588, informing the Senate that the amendments proposed by the Senate to H.C.R. No. 31 were agreed to by the House and H.C.R. No. 31, S.D. 1, was finally adopted in the House of Representatives on April 21, 2003, was placed on file.

## JUDICIARY COMMUNICATION

Jud. Com. No. 5, submitting for consideration and consent, the nomination of LONO J. LEE to the Office of Judge, District Court of the First Circuit, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a

term of six years, was read by the Clerk and was referred to the Committee on Judiciary and Hawaiian Affairs.

#### CONFERENCE COMMITTEE REPORT

Senator Kawamoto, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to H.B. No. 993, presented a report (Conf. Com. Rep. No. 1) recommending that H.B. No. 993, 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. 1 and H.B. No. 993, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECONSTRUCTED VEHICLES," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senators Inouye and Kawamoto, for the Committee on Water, Land, and Agriculture and the Committee on Transportation, Military Affairs, and Government Operations, presented a joint report (Stand. Com. Rep. No. 1596) recommending that the Senate advise and consent to the nomination of BERT H. SAKATA to the Kaho'olawe Island Reserve Commission, in accordance with Gov. Msg. No. 242.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1596 and Gov. Msg. No. 242 was deferred until Wednesday, April 23, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1597) recommending that the Senate advise and consent to the nominations to the State Council on Developmental Disabilities of the following:

DONNA P. BISHAW, in accordance with Gov. Msg. No. 292; and

ELVIRA LEE, in accordance with Gov. Msg. No. 293.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1597 and Gov. Msg. Nos. 292 and 293 was deferred until Wednesday, April 23, 2003.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1598) recommending that the Senate advise and consent to the nominations to the Disability and Communication Access Board of the following:

ANTHONY S. AKAMINE, in accordance with Gov. Msg. No. 294;

RONALD AWA, in accordance with Gov. Msg. No. 295;

RICHARD R. CHAVES, in accordance with Gov. Msg. No. 296;

SHARON FOUNTAIN, in accordance with Gov. Msg. No. 297;

FRANCINE M. KENYON, in accordance with Gov. Msg. No. 298;

LUCY MILLER PH.D. in accordance with Gov. Msg. No. 299; and

PATRICIA NIELSEN, in accordance with Gov. Msg. No. 300.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1598 and Gov. Msg. Nos. 294, 295, 296, 297, 298, 299 and 300 was deferred until Wednesday, April 23, 2003.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1599) recommending that the Senate advise and consent to the nomination of GAE BERGQUIST-TROMMALD to the State Foundation on Culture and the Arts Commission, in accordance with Gov. Msg. No. 289.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1599 and Gov. Msg. No. 289 was deferred until Wednesday, April 23, 2003.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1600) recommending that the Senate advise and consent to the nomination of WILLIAM D. SOUZA to the King Kamehameha Celebration Commission, in accordance with Gov. Msg. No. 310.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1600 and Gov. Msg. No. 310 was deferred until Wednesday, April 23, 2003.

Senator Ige, for the Committee on Science, Arts, and Technology, presented a report (Stand. Com. Rep. No. 1601) recommending that the Senate advise and consent to the nomination of CARL L. SIMONS to the Board of Directors of the Natural Energy Laboratory of Hawai'i Authority, in accordance with Gov. Msg. No. 321.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1601 and Gov. Msg. No. 321 was deferred until Wednesday, April 23, 2003.

Senator Menor, for the Committee on Commerce, Consumer Protection and Housing, presented a report (Stand. Com. Rep. No. 1602) recommending that the Senate advise and consent to the nomination of CARLITO P. CALIBOSO to the Public Utilities Commission, in accordance with Gov. Msg. No. 255.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1602 and Gov. Msg. No. 255 was deferred until Wednesday, April 23, 2003.

#### ORDER OF THE DAY

##### APPROVAL OF JOURNAL

##### MATTER DEFERRED FROM MONDAY, APRIL 21, 2003

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

At this time, Senator Ihara rose and said:

"Mr. President, instead of making motions and asking for floor votes to object to the Journal for the 47<sup>th</sup> Session Day, I would like to make a statement of objections on this matter.

"Mr. President, as you know, this Session I've objected several times to the Senate's practice of passing bills on Second Reading while the Senate was in recess – in effect, casting votes in absentia. In attorney general's opinion dated March 28, which all members received, it stated two fundamental principles of parliamentary law: (1) that the Senate cannot adopt a bill on Second Reading without knowledge of its

content or identity; and (2) that the Senate cannot pass a bill in absentia.

“On the second decking deadline of Friday, April 4, the Senate passed 16 bills in absentia. I would like to point out, in the Senate Journal on the 47<sup>th</sup> day, evidence for my claim that the bills were in fact passed in absentia. I hope to be persuasive so that the Senate Leadership will adopt an easy and practical solution that is now available to avoid requiring the Senate to ever again vote for bills in absentia.

“I call the Senators’ attention to materials on your desk. I passed out the Journal for the 47<sup>th</sup> day and also a one-page handout called Senate Journal excerpts, April 4, 2003, 47<sup>th</sup> session day. I’d like to walk you through a few entries in the Journal for that day. There’s a notation on page six where the Senate Majority Caucus Leader said, or actually made the following motion: that the Senate stands in recess, leaving the Journal open until 10:00 p.m. this evening for receipt of standing committee reports for House bills, and may the Journal reflect the proper motions made and appropriate actions taken by this body, etc. . . . consistent with reports of those standing committees that were to have been received by the Clerk by 10:00 p.m.

“This motion . . . the use of the word ‘reflect,’ I’m contending that this motion authorizes the Clerk to enter into the Journal certain motions and actions that did not actually occur. And I will explain – further down after Senator Whalen seconded the motion, it goes on and says, Senator Tsutsui moved that Senate authorize the adoption of standing committee reports recommending that Senate bills pass Second Reading, etc. And you notice here that in this restatement of the motion, it says that the Senate authorizes the adoption of standing committee reports. There is no explicit authorization for passing bills on Second Reading, but I will assume that it is implied, because it is not necessarily the case that when you authorize adoption of standing committee reports, that the bills referenced in the recommendation are also adopted, but I will assume that it is implied that the authorization was actually made.

“As you recall, the Journal reflects it, and for those here, the Majority Caucus Leader indicated at the time of the motion that he did not know the identity of all of the bills that were to pass on Second Reading, and that’s noted on page six and seven.

“Now, jump to page eight, and this is all on the advance copy that you have in front of you. Page eight, and I’ll read the bolded section, it says, in consequence thereof and subsequent to the recessing at 1:10 o’clock p.m., the Senate took the following actions. The key word here is ‘subsequent to recessing,’ because this means that the actions that are listed in the Journal were made subsequent to the recess. This says that while the Senate was in recess, it took actions listed in the Journal.

“Mr. President, I believe that this proves, unless the Journal is corrected, that the Senate passed bills on Second Reading in absentia, which the attorney general said in his March 28 letter that these motions are improper.

“Also, on the bottom of the page on this one page handout, still on page eight, it says, on motion by Senator Tsutsui and seconded by Senator Whalen and carried, the committee adopted H.B. No. 1253. This is the fourth paragraph from the bottom on page eight, and I have provided the excerpts there for you. When it said on motion by Senator Tsutsui, Senator Tsutsui did not actually make this motion, because this motion was actually done subsequent to the recess. The Senate was in recess during the time that this motion was allegedly made.

“Since the Senator is not a member of TMG, he did not know the identity of the bill, in this case, H.B. No. 1253, H.D. 1, S.D. 1. There are 15 other such bills but I’m just giving you the example of the first bill. So, the Senator could not have made this motion as stated in the Journal. Also, it says, seconded by Senator Whalen and carried. It said, ‘and carried.’ The Journal says that this vote was carried, although this vote actually did not happen because the Senate was in recess at the moment this vote could have taken place.

“At the bottom, it says at the very end, page 17, at 10:00 p.m. the Senate adjourned. So, between 1:10 p.m. and 10:00 p.m., the Senate was in recess, and at 10:00 p.m. the Senate adjourned. So those actions all occurred during a recess.

“Mr. President, that’s my statement. I want to thank you for allowing me to outline my case. I hope that we can work out appropriate arrangements to address the concerns raised here today.

“Thank you.”

### FINAL READING

S.B. No. 1255, S.D. 2, H.D. 1:

On motion by Senator Inouye, seconded by Senator Taniguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1255, S.D. 2, and S.B. No. 1255, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS,” having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

### RECONSIDERATION OF ACTIONS TAKEN

S.B. No. 78, S.D. 2 (H.D. 1):

Senator Chun Oakland moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 78, S.D. 2, seconded by Senator Hanabusa and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 78, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 4 (Chun Oakland, Hanabusa, Fukunaga, Inouye). Noes, none. Excused, 2 (Kawamoto, Trimble).

Senator Chun Oakland moved that the Senate agree to the amendments proposed by the House to S.B. No. 78, S.D. 2, seconded by Senator Hanabusa.

Senator Chun Oakland noted:

“Mr. President, the H.D. 1 of S.B. No. 78 basically eliminates any private cause of action but does allow the state attorney general to take civil action on a complaint alleging a person committing elder abuse.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 78, S.D. 2, and S.B. No. 78, S.D. 2, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ELDER ABUSE,” was placed

on the calendar for Final Reading on Wednesday, April 23, 2003.

S.B. No. 394 (H.D. 1):

Senator Menor moved that the Senate reconsider its action taken on April 2, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 394, seconded by Senator Espero and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 394 on the following showing of Ayes and Noes:

Ayes, 2 (Menor, Espero). Noes, none. Excused, 1 (Whalen).

Senator Menor moved that the Senate agree to the amendments proposed by the House to S.B. No. 394, seconded by Senator Espero.

Senator Menor noted:

“Mr. President, with respect to S.B. No. 394, H.D. 1, the purpose of the bill is to extend to December 31, 2007, that allows associations of apartment owners to assess the purchaser of a condominium unit for unpaid common expenses attributable to that unit.

“In addition to making some technical and nonsubstantive amendments, the House version would also provide that the lender may require the association of apartment owners to provide at no charge a notice of the association’s intent to claim a lien.

“In addition, the House draft would also require that the association provide only a notice of assessments owed, rather than a listing of unpaid assessments by month.

“These provisions I believe were reasonable and have the concurrence of all of the parties who testified and who worked on the measure.”

“I believe these amendments are reasonable, and accordingly, I would recommend that we reconsider action previously taken.

“Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 394, and S.B. No. 394, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CONDOMINIUM PROPERTY REGIMES,” was placed on the calendar for Final Reading on Wednesday, April 23, 2003.

S.B. No. 1058, S.D. 1 (H.D. 1):

Senator Menor moved that the Senate reconsider its action taken on March 28, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1058, S.D. 1, seconded by Senator Espero and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1058, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 2 (Menor, Ige). Noes, none. Excused, 1 (Whalen).

Senator Menor moved that the Senate agree to the amendments proposed by the House to S.B. No. 1058, S.D. 1, seconded by Senator Espero.

Senator Menor noted:

“Mr. President, the purpose of this bill is to allow the insurance commissioner greater flexibility in approving investments of captive insurance companies.

“In addition to making some technical and nonsubstantive amendments, the House version also makes reference to investments and investment provisions as opposed to other permitted investment provisions.

“The Department of Commerce and Consumer Affairs felt that the House version was clearer in regards to the types of investments being referenced, and accordingly, your Committee Chair has recommended that we agree to the House version.

“I believe these amendments are reasonable, and accordingly, I would recommend that we reconsider action previously taken.

“Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1058, S.D. 1, and S.B. No. 1058, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE,” was placed on the calendar for Final Reading on Wednesday, April 23, 2003.

S.B. No. 1306 (H.D. 1):

Senator Menor moved that the Senate reconsider its action taken on April 2, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1306, seconded by Senator Espero and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1306 on the following showing of Ayes and Noes:

Ayes, 2 (Menor, Espero). Noes, none. Excused, 1 (Whalen).

Senator Menor moved that the Senate agree to the amendments proposed by the House to S.B. No. 1306, seconded by Senator Espero.

Senator Menor noted:

“Mr. President, S.B. No. 1306, relating to telecommunications relay services, the purpose of this bill is to provide the state public utilities commission with greater flexibility in recapturing the cost of providing intrastate telecommunications relay services in the state for persons with a hearing and speech disabilities.

“Basically, the House version contains technical or nonsubstantive amendments. I believe these amendments are reasonable, and accordingly, I would recommend that we reconsider action previously taken.

“Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1306, and S.B. No. 1306, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS RELAY SERVICES,” was placed on the calendar for Final Reading on Wednesday, April 23, 2003.

S.B. No. 773 (H.D. 2):

Senator Kanno moved that the Senate reconsider its action taken on April 8, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 773, seconded by Senator Taniguchi and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 773 on the following showing of Ayes and Noes:

Ayes, 3 (Kanno, Taniguchi, Tsutsui). Noes, none. Excused, 2 (Kawamoto, Kokubun).

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 773, seconded by Senator Taniguchi.

Senator Kanno noted:

“Mr. President, S.B. No. 773 amends our unemployment benefits law to permit the use of an alternative base period for the calculation of benefits.

“In the original Senate bill, it provided two options for alternative base periods and the House amendment primarily was to select one option for the alternative base period, that being four completed calendar quarters immediately preceding the first day of an individual’s benefit year.

“The House made a number of other amendments to incorporate that language.

“Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 773, and S.B. No. 773, H.D. 2, entitled: “A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE,” was placed on the calendar for Final Reading on Wednesday, April 23, 2003.

S.B. No. 1373, S.D. 1 (H.D. 1):

Senator Kanno moved that the Senate reconsider its action taken on April 10, 2003, in disagreeing to the amendments proposed by the House to S.B. No. 1373, S.D. 1, seconded by Senator Taniguchi and carried.

In accordance with the Conference Committee Procedures agreed upon by the Senate and the House of Representatives, the managers on the part of the Senate recommended that the Senate agree to the amendments proposed by the House to S.B. No. 1373, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Kanno, Taniguchi, Kawamoto). Noes, none. Excused, 2 (Kokubun, Slom).

Senator Kanno moved that the Senate agree to the amendments proposed by the House to S.B. No. 1373, S.D. 1, seconded by Senator Taniguchi.

Senator Kanno noted:

“Mr. President, on S.B. No. 1373, the bill provides a statutory basis for civil service exempt positions within the labor department to implement federally funded employment or training programs.

“The only difference was minor. In the Senate version it referred to the Department of Labor and Industrial Relations, and in the House version it referred to it as the department.

“Thank you.”

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1373, S.D. 1, and S.B. No. 1373, S.D. 1, H.D. 1, entitled: “A BILL FOR AN ACT RELATING TO STAFFING FOR FEDERALLY FUNDED PROGRAMS,” was placed on the calendar for Final Reading on Wednesday, April 23, 2003.

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 451 and 452) were read by the Clerk and were placed on file:

Gov. Msg. No. 451, advising the Senate of the withdrawal of the nomination of PATRICIA L. CHINN MD to the Board of Directors of the Hawai`i Health Systems Corporation, under Gov. Msg. No. 364, dated April 14, 2003.

In compliance with Gov. Msg. No. 451, the nomination listed under Gov. Msg. No. 364 was returned.

Gov. Msg. No. 452, advising the Senate of the withdrawal of the nomination of DAVID EASA MD to the Board of Directors of the Hawai`i Health Systems Corporation, under Gov. Msg. No. 365, dated April 14, 2003.

In compliance with Gov. Msg. No. 452, the nomination listed under Gov. Msg. No. 365 was returned.

At 12:33 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:33 o’clock p.m.

#### APPOINTMENT OF CONFEREES

H.B. No. 736, H.D. 1 (S.D. 2):

The President appointed Senator Hanabusa as a co-chair on the part of the Senate at the conference to be held for the consideration of amendments proposed by the Senate to H.B. No. 736, H.D. 1.

H.B. No. 391, H.D. 2 (S.D. 2):

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 391, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Kawamoto, chair; Kanno, Taniguchi, Espero, co-chairs; Aduja, Kokubun as managers on the part of the Senate at such conference.

**ADJOURNMENT**

At 12:38 o'clock p.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 12:00 o'clock noon, Wednesday, April 23, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate