

TWENTY-NINTH DAY

Monday, March 9, 1992

The Senate of the Sixteenth Legislature of the State of Hawaii, Regular Session of 1992, convened at 11:39 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by Lieutenant Dorothy King, Pearl Harbor Naval Station, after which the Roll was called showing all Senators present with the exception of Senators George, Holt, McCartney and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Twenty-Eighth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 197 to 217) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 197, dated February 25, 1992, transmitting the State of Hawaii "CIP Status Report 1991 - Financial Summary" prepared by the Department of Budget and Finance, was placed on file.

Gov. Msg. No. 198, dated February 25, 1992, transmitting the State of Hawaii "CIP Status Report 1991 - Construction Summary" prepared by the Department of Budget and Finance, was placed on file.

Gov. Msg. No. 199, dated February 28, 1992, transmitting the 1991 Annual Report of the Hawaii Community Development Authority, in response to chapter 206E, HRS, as amended, was placed on file.

Gov. Msg. No. 200, submitting for consideration and confirmation to the Board of Acupuncture, the nominations of Peggy Y. Oshiro, term to expire June 30, 1993, and Cheryl A. Nakamura and Mike M. Hashimoto, Ph.D., terms to expire June 30, 1994, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 201, submitting for consideration and confirmation to the State Boxing Commission of Hawaii, the nominations of Bienvenido C. Villafior, term to expire June 30, 1996, and Catherine L. Yoza, term to expire June 30, 1993, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 202, submitting for consideration and confirmation to the Correctional Industries Advisory Committee, the nominations of Dwane Brenneman and Tom Poy, terms to expire June 30, 1994, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 203, submitting for consideration and confirmation to the Drug Product Selection Board, the nominations of Elizabeth M. Adams, M.D., and Sharon "Shay" Bintliff, M.D., terms to expire June 30, 1996, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 204, submitting for consideration and confirmation to the Governor's Agriculture Coordinating Committee, the nomination of Ray T. Nishiyama, term to expire June 30, 1996, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 205, submitting for consideration and confirmation to the Hawaii Aquaculture Advisory Council, the nominations of Puanani Burgess and Gerald R.

Cysewski, Ph.D., terms to expire June 30, 1996, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 206, submitting for consideration and confirmation to the Board of Directors, Hawaii Strategic Development Corporation, the nomination of Andrea L. Simpson, term to expire June 30, 1994, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 207, submitting for consideration and confirmation to the Board of Hearing Aid Dealers and Fitters, the nominations of June M. Uyehara-Isono and Marlin Spike Werner, Ph.D., terms to expire June 30, 1996, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 208, submitting for consideration and confirmation to the Board of Human Services, the nominations of Arnold Wong and Vivian M. Wilson, terms to expire June 30, 1996, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 209, submitting for consideration and confirmation to the Board of Examiners in Naturopathy, the nomination of Michael L. Traub, N.D., term to expire June 30, 1996, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 210, submitting for consideration and confirmation to the State Board of Nursing, the nominations of Darryl N. Ing, MBA, Genevieve L. Kinney, PhD, Colleen Etsuko Minami, RN, PHN, Sylvia J. Thomason, LPN, and Jillian Inouye, PhD, terms to expire June 30, 1995, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 211, submitting for consideration and confirmation to the Board of Psychology, the nomination of Thomas S. Merrill, Ph.D., term to expire June 30, 1996, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 212, submitting for consideration and confirmation to Reproductive Rights Protection Committee, the nominations of Byron A. Eliashof, MD, and Alice Talbot, RN, terms to expire June 30, 1994, Waynell K. Hee, MSW, William Fount McKenzie, MD, and Josephine C. Woll, RN, terms to expire June 30, 1995, and Kenneth Kipnis, PhD, and Kimberly S. Towler, JD, terms to expire June 30, 1996, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 213, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of Charla Lynn Jones, DVM, term to expire June 30, 1996, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 214, submitting for consideration and confirmation to the State Supreme Court, the nomination of Robert G. Klein for Associate Justice, in accordance with the provisions of Section VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 215, submitting for consideration and confirmation to the State Supreme Court, the nomination of Steven H. Levinson for Associate Justice, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 216, submitting for consideration and confirmation to the Intermediate Appellate Court, the nomination of Corinne K.A. Watanabe for Associate Judge, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Executive Appointments.

Gov. Msg. No. 217, submitting for consideration and confirmation to the Circuit Court of the First Circuit, the nomination of Karen N. Blondin for 15th Judge, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Executive Appointments.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 374 to 377) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 374, transmitting H.C.R. No. 15, H.D. 1, which was adopted by the House of Representatives on March 5, 1992, was placed on file.

By unanimous consent, H.C.R. No. 15, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO HELP KEEP BROWN TREE SNAKES OUT OF HAWAII," was referred to the Committee on Agriculture and Environmental Protection.

Hse. Com. No. 375, transmitting H.B. No. 2454, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1992, was placed on file.

On motion by Senator Solomon, seconded by Senator Reed and carried, H.B. No. 2454, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 376, transmitting H.B. No. 2705, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1992, was placed on file.

On motion by Senator Solomon, seconded by Senator Reed and carried, H.B. No. 2705, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 377, transmitting H.B. No. 3184, H.D. 2, which passed Third Reading in the House of Representatives on March 5, 1992, was placed on file.

On motion by Senator Solomon, seconded by Senator Reed and carried, H.B. No. 3184, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUPPLEMENTAL BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed First Reading by title and was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 64 to 66) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 64 "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTY OF HAWAII TO TAKE MEASURES TO MITIGATE DAMAGE DUE TO

VOLCANIC HAZARDS AND LAVA FLOW INUNDATIONS."

Offered by: Senator Levin.

Referred to: Committee on Planning, Land and Water Use Management

No. 65 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A MASTER OF BUSINESS ADMINISTRATION OUTREACH PROGRAM."

Offered by: Senators Yamasaki, Blair, Fernandes Salling, George, Hagino, Holt, Ikeda, Iwase, Kobayashi, A., Kobayashi, B., Koki, Levin, Matsuura, McCartney, Mizuguchi, Nakasato.

Referred to: Committee on Education

No. 66 "SENATE CONCURRENT RESOLUTION DIRECTING THE SITE SELECTION STUDY FOR THE NEW OAHU FAMILY COURT CENTER TO INCLUDE SERIOUS CONSIDERATION OF A FULLY INTEGRATED CIRCUIT COURT FACILITY WITH CIVIL, CRIMINAL AND FAMILY COURT DIVISIONS IN THE EWA/KAPOLEI AREA."

Offered by: Senators Blair, Crozier.

Referred to: Committee on Judiciary

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 50 and 51) were read by the Clerk and were referred to committees:

Senate Resolution

No. 50 "SENATE RESOLUTION REQUESTING THE COUNTY OF HAWAII TO TAKE MEASURES TO MITIGATE DAMAGE DUE TO VOLCANIC HAZARDS AND LAVA FLOW INUNDATIONS."

Offered by: Senator Levin.

Referred to: Committee on Planning, Land and Water Use Management

No. 51 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO ESTABLISH A MASTER OF BUSINESS ADMINISTRATION OUTREACH PROGRAM."

Offered by: Senators Yamasaki, Blair, Fernandes Salling, George, Hagino, Holt, Ikeda, Iwase, Kobayashi, A., Kobayashi, B., Koki, Levin, Matsuura, McCartney, Mizuguchi, Nakasato.

Referred to: Committee on Education

STANDING COMMITTEE REPORT

Senator Hagino, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 2282) recommending that H.B. No. 2563, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hagino, seconded by Senator Koki and carried, the report of the Committee was adopted and H.B. No. 2563, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE FISCAL AND BUDGET ANALYSIS," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY**THIRD READING**

H.B. No. 2318:

By unanimous consent, H.B. No. 2318, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES," was recommitted to the Committee on Judiciary.

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill Referred to:

No. 2783 Committee on Employment and Public Institutions, then to the Committee on Ways and Means

No. 2800 Committee on Ways and Means

No. 3127, H.D. 2 Committee on Employment and Public Institutions, then to the Committee on Science, Technology and Economic Development, then to the Committee on Ways and Means

No. 3801, H.D. 2 Jointly to the Committee on Health and Human Services and the Committee on Employment and Public Institutions, then to the Committee on Ways and Means

No. 3961, H.D. 1 Committee on Transportation and Intergovernmental Relations, then to the Committee on Consumer Protection and Business Regulation

No. 3963, H.D. 1 Committee on Transportation and Intergovernmental Relations

**RE-REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The Chair re-referred the following Senate concurrent resolutions that were offered:

Senate
Concurrent
Resolution Referred to:

No. 41 Committee on Agriculture and Environmental Protection

No. 42 Committee on Agriculture and Environmental Protection

ADJOURNMENT

At 11:44 o'clock a.m., on motion by Senator Solomon, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 10, 1992.