

SECOND DAY

Thursday, January 20, 1994

The Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:36 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Jon Bullock, 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 First Day.

Senators Tungpalan and Levin introduced members from Hui Na'auao and the Kona Historical Society. The members of Hui Na'auao and the Kona Historical Society were presented the congratulatory Senate certificates and leis by various Senators.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 2 to 98) were read by the Clerk and were placed on file:

Gov. Msg. No. 2, dated October 21, 1993, transmitting the Annual Report (Program Year July 1, 1991 - June 30, 1992) of activities under the Job Training Partnership Act Prepared by the Hawaii Job Training Coordinating Council.

Gov. Msg. No. 3, dated October 25, 1993, transmitting a Memorandum of Agreement between the Department of Public Safety and the Department of Transportation in response to S.C.R. No. 239 (1993), requesting that a Memorandum be created between the two departments with respect to law enforcement responsibilities involving boating, coastal and recreation areas and harbors.

Gov. Msg. No. 4, dated November 15, 1993, transmitting the 1992-1993 Annual Report of the Department of Taxation, pursuant to Chapter 231, HRS.

Gov. Msg. No. 5, dated November 16, 1993, transmitting a report, "Statistics of Hawaiian Agriculture 1992," prepared by the Hawaii Agricultural Statistics Service.

Gov. Msg. No. 6, dated November 19, 1993, transmitting the Criminal Injuries Compensation Commission's 26th Annual Report (July 1, 1992 - June 30, 1993), pursuant to Chapter 351, HRS.

Gov. Msg. No. 7, dated November 22, 1993, transmitting a report on the Study of the Hawaii Public Employees Health Fund, prepared for the Department of Budget and Finance.

Gov. Msg. No. 8, dated November 24, 1993, transmitting a report on Non-Ciguatera Marine Toxins in Reef Fishes and Algae, prepared by Isabella Abbott and Wayne Iwaoka for the Department of Health.

Gov. Msg. No. 9, dated November 24, 1993, transmitting the Report of General Fund Expenditures for Unemployment Compensation (LBR 171) for Fiscal Year ending June 30, 1993, pursuant to Section 23, Act 289, SLH 1993.

Gov. Msg. No. 10, dated November 24, 1993, transmitting the Financial Report of the Special Unemployment Insurance Fund Revenues and Expenditures for Fiscal Year ending June 30, 1993, pursuant to Section 383-127, HRS.

Gov. Msg. No. 11, dated November 24, 1993, transmitting the Status Report on Special, Trust, or Revolving Funds for Fiscal Year ending June 30, 1993, pursuant to H.C.R. No. 125 (1993).

Gov. Msg. No. 12, dated November 24, 1993, transmitting a report prepared by the Department of Labor and Industrial Relations pursuant to Section 396-11, HRS, on the Report of Contested Cases, Occupational Safety and Health, for Fiscal Year 1992-1993.

Gov. Msg. No. 13, dated November 30, 1993, transmitting a report prepared by the Department of Agriculture in response to S.R. No. 165 (1993), requesting the Department of Agriculture to conduct a study on the feasibility of developing a multiple-use sustainable community.

Gov. Msg. No. 14, dated November 30, 1993, transmitting the Special Fund Collections and Disbursements Report - Fiscal Year 1993, prepared by the Hawaii State Public Library System pursuant to Act 129, SLH 1989.

Gov. Msg. No. 15, dated December 6, 1993, transmitting the Hawaii Paroling Authority's Annual Report (July 1, 1991 - June 30, 1992), pursuant to Chapter 353, HRS.

Gov. Msg. No. 16, dated December 1, 1993, transmitting a report prepared by the University of Hawaii pursuant to Section 304-13.5, HRS, "Annual Report Containing the Salaries Paid to all Executive, Managerial, and Faculty Members Including the President."

Gov. Msg. No. 17, dated December 1, 1993, transmitting a report prepared by the University of Hawaii pursuant to Act 296, SLH 1991, "President's Administrative, Professional, Technical (APT) Employees Task Force UH APT Action Plan."

Gov. Msg. No. 18, dated December 3, 1993, transmitting the 1993 Annual Report on the Wildlife Revolving Fund, prepared by the Department of Land and Natural Resources in response to Section 183D-10.5, HRS.

Gov. Msg. No. 19, dated December 3, 1993, transmitting the 1993 Annual Report on the Natural Area Reserves System and Natural Area Partnership Program, prepared by the Department of Land and Natural Resources in response to Section 195-6.6, HRS.

Gov. Msg. No. 20, dated December 3, 1993, transmitting the 1993 Annual Report on the Forest Stewardship Program, prepared by the Department of Land and Natural Resources in response to Section 195F-6, HRS.

Gov. Msg. No. 21, dated December 3, 1993, transmitting a report prepared by the Department of Land and Natural Resources in response to H.C.R. No. 451 (1993), requesting the Chairperson of the Board of Land and Natural Resources to reconvene the Diamond Head Citizens Advisory Committee.

Gov. Msg. No. 22, dated December 5, 1993, transmitting the 1992-1993 Annual Report of the Hawaii Community Development Authority, pursuant to Chapter 206E, HRS.

Gov. Msg. No. 23, dated December 6, 1993, transmitting a report prepared by the Department of Budget and Finance pursuant to Act 289, Section 178, SLH 1993, on statewide consultant services request for proposal and invitation for bid contract reviews.

Gov. Msg. No. 24, dated December 6, 1993, transmitting the "Annual Report of Claims and Lawsuits Arbitrated, Compromised, or Settled for \$10,000 or Less for Fiscal Year 1992-1993," prepared by the Department of Accounting and General Services pursuant to Section 41D-4, HRS.

Gov. Msg. No. 25, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to Act 289, Section 76, SLH 1993, on temporary employees converted to permanent.

Gov. Msg. No. 26, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to Act 289, Section 80, SLH 1993, on facilitation of legislature review process.

Gov. Msg. No. 27, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to Act 364, Section 13, SLH 1993, Chapter 296, HRS, on incentive and innovation grants.

Gov. Msg. No. 28, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to Act 364, Section 22, SLH 1993, Chapter 296, HRS, on establishment of classroom cleaning project.

Gov. Msg. No. 29, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to H.C.R. No. 165 (1993), on educating military dependents in Hawaii.

Gov. Msg. No. 30, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to S.C.R. No. 98 (1993), on the use of agricultural products grown or processed in the State.

Gov. Msg. No. 31, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to Act 289, Section 78, SLH 1993, on the transfer of positions and funds between programs.

Gov. Msg. No. 32, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to Act 364, Section 26, SLH 1993, Chapter 296, HRS, on the State Educational Facilities Improvement Master Plan.

Gov. Msg. No. 33, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to Act 289, Section 82, SLH 1993, on the allocation of positions and funds for schools, according to school based budgeting.

Gov. Msg. No. 34, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to Act 289, Section 79, SLH 1993, on the development and implementation of school based budgeting.

Gov. Msg. No. 35, dated December 6, 1993, transmitting a report prepared by the Department of

Education in response to Act 364, Section 2, SLH 1993, Chapter 37, HRS, on carryover of funds.

Gov. Msg. No. 36, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to Act 189, Section 178, SLH 1993, on the appropriate and efficient spending of funds for computer and information systems.

Gov. Msg. No. 37, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to Act 364, Section 7, SLH 1993, Chapter 296, HRS, on educational assessment and accountability.

Gov. Msg. No. 38, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to H.C.R. No. 125 (1993), on special, trust or revolving fund.

Gov. Msg. No. 39, dated December 6, 1993, transmitting a report prepared by the Department of Education in response to Act 289, Section 179, SLH 1993, on computer and information systems.

Gov. Msg. No. 40, dated December 6, 1993, transmitting the "1993 Annual Report of the Employment and Training Fund Program," prepared by the Department of Labor and Industrial Relations pursuant to Section 383-128, HRS.

Gov. Msg. No. 41, dated December 6, 1993, transmitting a report prepared by the University of Hawaii pursuant to Section 304-8.96, HRS and Act 289, SLH 1993, "The University of Hawaii Housing Assistance Revolving Fund."

Gov. Msg. No. 42, dated December 6, 1993, transmitting a report prepared by the University of Hawaii pursuant to H.B. No. 1152 (1993), Section 91, "Financial Management System."

Gov. Msg. No. 43, dated December 6, 1993, transmitting a report prepared by the University of Hawaii pursuant to Section 304-8, HRS, "Appropriations; Accounts; Reports of Income and Expenditures of University of Hawaii Special and Revolving Funds for the Fiscal Year Ended June 30, 1993."

Gov. Msg. No. 44, dated December 6, 1993, transmitting a report prepared by the University of Hawaii pursuant to H.B. No. 1152 (1993), Section 92, "Control and Compliance Appropriation for Systemwide Programs."

Gov. Msg. No. 45, dated December 6, 1993, transmitting a report prepared by the University of Hawaii pursuant to Section 304-8.92, HRS, "Annual Report on the Discoveries and Inventions Revolving Fund."

Gov. Msg. No. 46, dated December 6, 1993, informing the Senate that the Executive Office on Aging will not be able to conduct the requested study on Long-Term Care Services in response to H.C.R. No. 360 (1993).

Gov. Msg. No. 47, dated December 6, 1993, transmitting the Department of Hawaiian Home Lands Record Keeping and Office Automation Upgrade and Enhancement Report, pursuant to Act 289, Section 64, SLH 1993.

Gov. Msg. No. 48, dated December 6, 1993, transmitting a report prepared by the Department of Transportation pursuant to Act 289, Sections 28, 29, and 30, SLH 1993, "Debt Service Expenditures."

Gov. Msg. No. 49, dated December 6, 1993, transmitting a report prepared by the Department of Transportation pursuant to H.C.R. No. 125 (1993), requesting the various departments of the State authorized to expend moneys out of any special, trust or revolving fund to submit annual reports to the Legislature.

Gov. Msg. No. 50, dated December 6, 1993, transmitting an updated listing of all leases centralized within the Department of Accounting and General Services for other State agencies, prepared by the Department of Accounting and General Services pursuant to Act 289, Section 125, SLH 1993.

Gov. Msg. No. 51, dated December 9, 1993, transmitting a Memorandum of Agreement between the Department of Public Safety and the Department of Land and Natural Resources, pursuant to S.R. No. 209 (1993), on law enforcement responsibilities involving boating, coastal recreation areas and harbors.

Gov. Msg. No. 52, dated December 9, 1993, transmitting a progress report prepared by the Commission on Water Resource Management, Department of Land and Natural Resources pursuant to Section 174C-31, HRS, on the identification of rivers and streams worthy of protection and an environmental protection system for Hawaii's streams.

Gov. Msg. No. 53, dated December 9, 1993, transmitting a report prepared by the Department of Land and Natural Resources in response to H.C.R. No. 276 (1992), on the Kahuku Master Flood Control Plan.

Gov. Msg. No. 54, dated December 10, 1993, transmitting a report prepared by the Hawaiian Lifeguard Association for the Department of Land and Natural Resources in response to S.C.R. No. 238 (1992), "Concerning the Establishment of a Water Safety & Lifeguard Training Center."

Gov. Msg. No. 55, dated December 13, 1993, transmitting a report prepared jointly by the Department of Hawaiian Home Lands and the Department of Land and Natural Resources in response to H.C.R. No. 161 (1993), requesting a report on progress being made to access water resources for the settlement of Hawaiian Homestead Lands.

Gov. Msg. No. 56, dated December 14, 1993, transmitting the Annual Report to the Seventeenth Legislature prepared by the Department of Health pursuant to Act 178, SLH 1990, relating to respite care programs at Waimano Training School and Hospital and in the community.

Gov. Msg. No. 57, dated December 14, 1993, transmitting "A Report to the 1994 Legislature," prepared by the Department of Budget and Finance pursuant to H.C.R. No. 336 (1993).

Gov. Msg. No. 58, dated December 16, 1993, transmitting a report prepared by the Department of Land and Natural Resources in response to Section 196D-11, HRS, on geothermal development permitting.

Gov. Msg. No. 59, dated December 16, 1993, transmitting a report prepared by the Department of Health pursuant to Act 289, Section 39, SLH 1993, requesting the Department of Health to submit a revenue and expenditure report on the magnetic resonance imagery and angiographic services for Maui Memorial Hospital.

Gov. Msg. No. 60, dated December 16, 1993, transmitting the "Report to the Seventeenth Legislature, State of Hawaii, 1994, Status of New Positions in the Department of Health, FY 1993-1994," prepared by the Department of Health pursuant to Act 289, Section 52, SLH 1993.

Gov. Msg. No. 61, dated December 16, 1993, transmitting the 1992-1993 Annual Report prepared by the Hawaii Labor Relations Board pursuant to Section 89-5, HRS.

Gov. Msg. No. 62, dated December 17, 1993, transmitting the 1993 Annual Report prepared by the Hawaii Strategic Development Corporation pursuant to Section 93-12, HRS.

Gov. Msg. No. 63, dated December 17, 1993, transmitting the "Summary of Insurance Business for the Year 1992, Report of the Insurance Commissioner of Hawaii 1993," pursuant to Section 431:2-211, HRS.

Gov. Msg. No. 64, dated December 17, 1993, transmitting a follow-up report on the pilot transportation program for eligible students in the Hawaiian Language Immersion Program, prepared by the Department of Accounting and General Services pursuant to Act 289, Section 85, SLH 1993.

Gov. Msg. No. 65, dated December 17, 1993, transmitting a report prepared by Grant Thornton pursuant to Section 109-3, HRS, relating to the Stadium Authority.

Gov. Msg. No. 66, dated December 17, 1993, transmitting a follow-up report prepared by the Department of Accounting and General Services pursuant to Act 289, Section 84, SLH 1993, on the twelve temporary building maintenance worker positions converted to permanent.

Gov. Msg. No. 67, dated December 17, 1993, transmitting a report, "Annual Evaluation of the Hawaii Unemployment Compensation Fund," pursuant to Section 383-126.5, HRS.

Gov. Msg. No. 68, dated December 20, 1993, transmitting the 1993 Annual Report prepared by the Hawaii Civil Rights Commission pursuant to Chapters 368 and 515 HRS.

Gov. Msg. No. 69, dated December 20, 1993, transmitting a report in response to H.C.R. 125 (1993), on the status of special, trust, and revolving funds of the Department of Budget and Finance for the Fiscal Year ending June 30, 1993.

Gov. Msg. No. 70, dated December 20, 1993, transmitting a report prepared by the Department of Transportation pursuant to Act 188, Section 12, SLH 1990, requesting annual evaluation reports on the implementation, use and effectiveness of ignition interlock systems.

Gov. Msg. No. 71, dated December 20, 1993, transmitting: "The Executive Supplemental Budget (Budget Period: 1993-1995)," Volume I, pursuant to Section 37-72, HRS, Budget - The Supplemental Budget; and "The Variance Report for Fiscal Years 1993 and 1994," Volume I, pursuant to Section 37-75, HRS, Budget - Variance Report.

Gov. Msg. No. 72, dated December 22, 1993, transmitting the 1993 Report of the Commission to Promote Uniform Legislation of the Department of the Attorney General.

Gov. Msg. No. 73, dated December 28, 1993, transmitting a report prepared by the Governor's Agriculture Coordinating Committee pursuant to Act 289, Section 110, SLH 1993, on the progress of project expenditures.

Gov. Msg. No. 74, dated December 30, 1993, transmitting a report prepared by the Department of Hawaiian Home Lands in response to H.C.R. No. 66 (1993), urging the Hawaiian Homes Commission to exempt Puukapu Pastoral Lots, island of Hawaii, from all State and County permit and zoning requirements, making it a pilot project.

Gov. Msg. No. 75, dated December 30, 1993, transmitting a report prepared by the Department of Budget and Finance pursuant to Act 280, SLH 1993, and Section 106-16, HRS, on radio transmission facilities maintenance.

Gov. Msg. No. 76, dated January 3, 1994, transmitting the 1993 Annual Report prepared by the Department of Human Services, Self-Sufficiency and Support Services Division, Job Opportunities and Basic Skills Program pursuant to Section 346-276, HRS.

Gov. Msg. No. 77, dated January 3, 1994, transmitting a "Report of the Adjutant General's Interim Task Force on National Guard Recruitment and Retention," prepared by the Department of Defense pursuant to Act 222, SLH 1993.

Gov. Msg. No. 78, dated December 1, 1993, transmitting a report prepared by the University of Hawaii pursuant to Act 371, SLH 1989, "Annual Report on the Progress of Educational Assessment Activities at the University of Hawaii (Flexibility Legislation)."

Gov. Msg. No. 79, dated December 1, 1993, transmitting a report prepared by the University of Hawaii pursuant to Act 289, Section 97, SLH 1993, "Report on the Study of Doctor Training at the University of Hawaii."

Gov. Msg. No. 80, dated December 8, 1993, transmitting a report prepared by the Department of Accounting and General Services pursuant to H.C.R. No. 125 (1993), "Annual Report of the Department's Special, Trust and Revolving Funds for Fiscal Year 1992-1993."

Gov. Msg. No. 81, dated December 8, 1993, transmitting the 1993 Annual Report of the State Educational Facilities Improvement Special Fund, prepared by the Department of Accounting and General Services pursuant to Section 36-32, HRS, as amended by Act 364, SLH 1993.

Gov. Msg. No. 82, dated December 23, 1993, transmitting a report prepared by the State Streamlining Task Force pursuant to Act 227, SLH 1992, on streamlining the State and County development approval process for constructing housing.

Gov. Msg. No. 83, dated December 30, 1993, transmitting a report in response to H.R. No. 85 (1993), requesting the Board of Education to consider naming a public area in the State Library after Samuel Manaiakalani Kamakau.

Gov. Msg. No. 84, dated December 30, 1993, transmitting a report of the Hawaii State Public Library System, pursuant to Act 353, SLH 1993, relating to education.

Gov. Msg. No. 85, dated January 3, 1994, transmitting the 1992-1993 Annual Report prepared by the Department of Human Services, Hawaii State Commission on the Status of Women, pursuant to Chapter 367, HRS.

Gov. Msg. No. 86, dated January 3, 1994, transmitting a report, "Community Action Team, Interim Report," on the Hawaii Environmental Risk Ranking Project.

Gov. Msg. No. 87, dated January 3, 1994, transmitting the "Report to the Seventeenth Legislature," prepared by the Department of Health pursuant to Act 289, Section 52, SLH 1993.

Gov. Msg. No. 88, dated January 4, 1994, transmitting "The Waikiki Youth Outreach Demonstration Program Annual Report (July 1992 - June 1993)."

Gov. Msg. No. 89, dated December 6, 1993, transmitting the expenditure and status report prepared by the Department of Public Safety on the non-recurring repair and maintenance projects for FY 1994-1995, pursuant to Act 289, Section 100, SLH 1993.

Gov. Msg. No. 90, dated December 6, 1993, transmitting the expenditure and status report prepared by the Department of Public Safety on the salary adjustments of adult correctional officers, pursuant to Act 289, Section 102, SLH 1993.

Gov. Msg. No. 91, dated December 6, 1993, transmitting the status report on the progress of the release of pre-trial inmates program prepared by the Department of Public Safety pursuant to Act 305, Section 2, SLH 1993.

Gov. Msg. No. 92, dated December 6, 1993, transmitting the expenditure and status report prepared by the Department of Public Safety on the health care services, food services, educational services, library services, substance abuse treatment, sex offender assessment and treatment programs pursuant to Act 289, Section 103, SLH 1993.

Gov. Msg. No. 93, dated December 6, 1993, transmitting the annual status report prepared by the Department of Public Safety and the Office of Youth Services (Women's Community Correctional Center and Hawaii Youth Correctional Facility) pursuant to Act 151, Section 4, SLH 1991.

Gov. Msg. No. 94, dated January 7, 1994, transmitting the 1993 Annual Report of the Office of Collective Bargaining pursuant to Chapter 89, HRS.

Gov. Msg. No. 95, dated September 27, 1993, transmitting the "Commission on Persons with Disabilities Annual Report - Fiscal Year 1992-1993."

Gov. Msg. No. 96, dated December 6, 1993, transmitting a report prepared by the Department of Budget and Finance, Information and Communications Services Division, pursuant to Act 289, Section 179, SLH 1993.

Gov. Msg. No. 97, dated January 3, 1994, transmitting a "Report to the Legislature on Small Business Innovation Research (SBIR) Activity in Hawaii During Federal Fiscal Year 1993," prepared by the High Technology Development Corporation pursuant to Act 196, SLH 1989.

Gov. Msg. No. 98, dated January 17, 1994, from the Administrative Director of the Governor, transmitting a report of the transactions in trust funds in the Office of the Governor and attached programs for FY 1992-1993.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 1 to 29) were read by the Clerk and were placed on file:

Dept. Com. No. 1, from the Office of the Auditor dated October 15, 1993, transmitting a report, "Audit of the Research Corporation of the University of Hawaii."

Dept. Com. No. 2, from the State Auditor dated October 27, 1993 transmitting reports, "Sunset Evaluation Update: Nursing Home Administrators"; "Sunset Evaluation Update: Nurses"; and "Sunset Evaluation Update: Dental Hygienists."

Dept. Com. No. 3, from the State Auditor dated November 5, 1993, transmitting reports, "Final Report on Job Sharing in Hawaii State Government" (Report No. 93-11), and "Sunrise Analysis of A Proposal to Regulate Crane Operators" (Report No. 93-12).

Dept. Com. No. 4, from the State Auditor dated November 17, 1993, transmitting reports, "Study of Emergency and Budget Stabilization Funds" (Report No. 93-13), and "Final Report on Administrative Flexibility Granted to the University of Hawaii and the Department of Education" (Report No. 93-14).

Dept. Com. No. 5, from the State Auditor dated December 7, 1993, transmitting a report, "Study of the Enforcement of Hawaii's 'Little Davis-Bacon' Act."

Dept. Com. No. 6, from the State Auditor dated December 10, 1993, transmitting reports, "Financial Audit of the Department of Labor and Industrial Relations," and "Financial Audit of the Department of Budget and Finance."

Dept. Com. No. 7, from the Ombudsman dated December 14, 1993, transmitting the Annual Report for Fiscal Year 1992-1993 from the Office of the Ombudsman (report number 24).

Dept. Com. No. 8, from the Office of Hawaiian Affairs dated December 16, 1993, transmitting a report pursuant to Act 221, SLH 90, requiring OHA to provide an accounting of expenditures made in the prior year, and pursuant to Act 301, SLH 91, requiring OHA to report all position and fund transfers.

Dept. Com. No. 9, from the Supreme Court of Hawaii dated December 20, 1993, transmitting the "Center for Alternative Dispute Resolution's Annual Report for FY 92-93," pursuant to Section 613-4, HRS.

Dept. Com. No. 10, from the Office of the Administrative Director of the Courts, Center for Alternative Dispute Resolution, dated December 20, 1993, transmitting a report pursuant to H.C.R. No. 410 (1993), establishing a Domestic Violence Coordinating Council to address the issue of the Family Court jury trial backlog and its adverse consequences on victims of domestic violence.

Dept. Com. No. 11, from the State Auditor dated December 20, 1993, transmitting reports, "Study of Civil Rights Protection for State or State-Funded Services," and "Study of Insurance Ratemaking Procedures Under Article 14, Chapter 431, Hawaii Revised Statutes."

Dept. Com. No. 12, from the Supreme Court of Hawaii dated December 21, 1993, transmitting the Judiciary's Supplemental Budget, and Annual Report, pursuant to Section 601-2, HRS.

Dept. Com. No. 13, from the Office of the Auditor dated December 22, 1993, transmitting reports, "Examination of Selected Aspects of Capital Projects Funds" (Report No. 93-20), "Management Audit of the Traffic Violations Bureau" (Report No. 93-21), and "Management and Financial Audit of the Department of Hawaiian Home Lands" (Report No. 93-22).

Dept. Com. No. 14, from the Office of Hawaiian Affairs dated December 27, 1993, transmitting a report requiring OHA to conduct an independent program evaluation (Act 301, SLH 1991); and an independent evaluation or status report of programs receiving legislative funds during FY 1991-1993 and FY 1993-1994 (Act 276, Section 13, SLH 93).

Dept. Com. No. 15, from the State Auditor dated December 29, 1993, transmitting reports, "Study of Proposed Mandatory Insurance for Temporomandibular Joint Disorders" (Report No. 93-23), "Study of Proposed Mandatory Health Insurance for Pap Tests" (Report No. 93-26), and "Study of Proposed Mandatory Health Insurance for Contraceptive Services" (Report No. 93-27).

Dept. Com. No. 16, from the Office of the Administrative Director of the Courts dated December 30, 1993, transmitting studies and reports in response to: H.C.R. No. 125 (1993), "Annual Report to the Legislature on all fund transactions carried out over the previous Fiscal Year"; and Act 277, SLH 1993: Section 4, "Judiciary Expanding Program, Change due to Legislation"; Section 5, "Transfer between Programs of Judiciary Funds and Personnel"; Section 7, "Transfer of Savings to Driver Education Special Fund".

Dept. Com. No. 17, from the State Auditor dated December 30, 1993, transmitting a report, "Management and Financial Audits of the Office of Hawaiian Affairs."

Dept. Com. No. 18, from the State Auditor dated December 30, 1993, transmitting reports, "Study of the Financing of the Small Boat Harbors and Boat Ramps Program of the Department of Land and Natural Resources" (Report No. 93-24), and "Management and Financial Audit of the Hawaii Visitors Bureau" (Report No. 93-25).

Dept. Com. No. 19, from the State Auditor dated January 3, 1994, transmitting a report, "Audit of the STD/AIDS Prevention Program in the Department of Health."

Dept. Com. No. 20, from the State Auditor dated January 5, 1994, transmitting reports, "A Review of the Educational Officer Classification and Compensation Program" (Report No. 94-1), and "Study of Family Preservation Services and the Families Together Initiative" (Report No. 94-2).

Dept. Com. No. 21, from the Department of Public Safety dated January 6, 1994, transmitting a report in response to H.C.R. No. 125 (1993).

Dept. Com. No. 22, from the Department of Hawaiian Home Lands dated January 7, 1994, transmitting a report, "Department of Hawaiian Home Lands Entitlement Study Executive Summary," pursuant to H.C.R. No. 442.

Dept. Com. No. 23, from the State Auditor dated January 7, 1994, transmitting a report, "Audit of the Hazardous Waste Management Program of the Department of Health."

Dept. Com. No. 24, from the Office of Hawaiian Affairs dated December 30, 1993, transmitting "The Multi-Year Program and Supplemental Operating Budget For The Period 1994-1999 (Supplemental Period 1994-1995)," pursuant to Section 10-14, HRS.

Dept. Com. No. 25, from the Office of Hawaiian Affairs dated December 30, 1993, transmitting the 1992-1993 annual report, "E Lanakila Kakou I Ho'okahi Pu'uwai Me Ka Lokahi," pursuant to Section 10-15.5, HRS.

Dept. Com. No. 26, from the Office of the Auditor dated January 13, 1994, transmitting the report, "Review of Trust and Revolving Funds of the Department of Accounting and General Services, Agriculture, Budget and Finance, and Land and Natural Resources," pursuant to Act 280, SLH 1993.

Dept. Com. No. 27, from the Office of the Administrative Director of the Courts dated January 14, 1994, transmitting a report prepared by the Standing Committee on the Rules of Evidence on proposed evidence law measures referred by the 1993 Hawaii Legislature, and proposed amendments to the Hawaii Rules of Evidence.

Dept. Com. No. 28, from the Office of the Lieutenant Governor dated January 18, 1994, transmitting a report in response to H.C.R. No. 125 (1993), requesting an annual report on all fund transactions carried out over the previous fiscal year.

Dept. Com. No. 29, from the Judiciary dated January 18, 1994, transmitting a report in response to S.R. No. 138 (1993), mandating that the Supreme Court consider amendments to Rule 30(e) of the Rules of Civil Procedure and Rules 14 and 15 of the Rules Governing Court Reporting.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 1 and 2) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 1, transmitting H.C.R. No. 1, which was adopted by the House of Representatives on January 19, 1994, was placed on file.

By unanimous consent, action on H.C.R. No. 1, relating to the dates of the mandatory recess and other recesses of the Regular Session of 1994, pursuant to Article III, Section 10, of the Constitution of the State of Hawaii, was deferred until Friday, January 21, 1994.

Hse. Com. No. 2, transmitting H.C.R. No. 2, which was adopted by the House of Representatives on January 19, 1994, was placed on file.

By unanimous consent, action on H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was deferred until Friday, January 21, 1994.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 1 to 4) were read by the Clerk and were placed on the calendar for further consideration on Monday, January 24, 1994:

Senate Concurrent Resolution

No. 1 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ESTABLISH A RENEWABLE RESOURCES DOCKET."

Offered by: Senator Matsunaga.

No. 2 "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO INITIATE RULEMAKING PROCEEDINGS TO AMEND SECTION 6-74-15(c), HAWAII ADMINISTRATIVE RULES."

Offered by: Senators Matsunaga, Fukunaga, Chang.

No. 3 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO REINVEST STATE MONEYS INTO SOUTH AFRICAN INVESTMENTS."

Offered by: Senators Gaulty, Ikeda, Chang.

No. 4 "SENATE CONCURRENT RESOLUTION RATIFYING THE TWENTY-SEVENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PERTAINING TO THE COMPENSATION OF MEMBERS OF THE UNITED STATES CONGRESS AND WHEN ANY VARIANCES THEREIN SHALL TAKE EFFECT."

Offered by: Senator McCartney.

SENATE RESOLUTION

The following resolution (S.R. No. 1) was read by the Clerk and was placed on the calendar for further consideration on Monday, January 24, 1994:

Senate Resolution

No. 1 "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO ESTABLISH A RENEWABLE RESOURCES DOCKET."

Offered by: Senator Matsunaga.

ORDER OF THE DAY

MATTERS DEFERRED FROM WEDNESDAY, JANUARY 19, 1994

Nominations of Vice President and Second Vice President of the Senate:

On motion by Senator Solomon, seconded by Senator A. Kobayashi and carried, the nominations of Vice President and Second Vice President of the Senate were deferred until Monday, January 24, 1994.

INTRODUCTION OF SENATE BILLS

On motion by Senator Chang, seconded by Senator Reed and carried unanimously, the following bills passed First Reading by title and were placed on the calendar for further consideration on Tuesday, January 25, 1994:

Senate Bill

No. 2114 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE PLANNING, DESIGN, AND CONSTRUCTION OF A SWIMMING POOL FOR MAUI HIGH SCHOOL."

Introduced by: Senators Tanaka, McCartney.

No. 2115 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE PLANNING, DESIGN, AND CONSTRUCTION OF IMPROVEMENTS AND UPGRADES TO THE EXISTING DRINKING WATER SYSTEM FOR LAHAINALUNA HIGH SCHOOL."

Introduced by: Senators Tanaka, McCartney.

No. 2116 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE PLANNING, DESIGN, AND CONSTRUCTION OF A GYMNASIUM FOR BALDWIN HIGH SCHOOL."

Introduced by: Senators Tanaka, McCartney.

No. 2117 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Nakasato.

No. 2118 "A BILL FOR AN ACT RELATING TO THE AIRPORT REVENUE FUND."

Introduced by: Senator Nakasato.

No. 2119 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senator Nakasato.

No. 2120 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TOURISM."

Introduced by: Senator Nakasato.

No. 2121 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE VISITOR INDUSTRY EDUCATION COUNCIL."

Introduced by: Senator Nakasato.

No. 2122 "A BILL FOR AN ACT RELATING TO VISITOR INDUSTRY DEVELOPMENT."

Introduced by: Senator Nakasato.

No. 2123 "A BILL FOR AN ACT RELATING TO THE AIRPORT DEPARTURE FEES."

Introduced by: Senator Nakasato.

No. 2124 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senator Baker.

No. 2125 "A BILL FOR AN ACT RELATING TO LIQUOR."

Introduced by: Senator Baker, by request.

No. 2126 "A BILL FOR AN ACT RELATING TO COUNTY ZONING."

Introduced by: Senator Baker, by request.

No. 2127 "A BILL FOR AN ACT RELATING TO SUNSHINE LAW."

Introduced by: Senator Baker, by request.

No. 2128 "A BILL FOR AN ACT RELATING TO OPEN MEETINGS."

Introduced by: Senator Baker, by request.

No. 2129 "A BILL FOR AN ACT RELATING TO SAFETY AT STATE BEACHES."

Introduced by: Senator Baker.

No. 2130 "A BILL FOR AN ACT RELATING TO THE HAWAII PROPERTY INSURANCE ASSOCIATION."

Introduced by: Senator Levin.

No. 2131 "A BILL FOR AN ACT RELATING TO PROPERTY INSURANCE."

Introduced by: Senator Levin.

No. 2132 "A BILL FOR AN ACT RELATING TO POLITICAL SUBDIVISIONS."

Introduced by: Senator Levin, by request.

No. 2133 "A BILL FOR AN ACT RELATING TO JUVENILES."

Introduced by: Senator Gaulty, by request.

No. 2134 "A BILL FOR AN ACT RELATING TO FORFEITURE."

Introduced by: Senator Gaulty, by request.

No. 2135 "A BILL FOR AN ACT RELATING TO CRIMINAL HOMICIDE."

Introduced by: Senator Gaulty, by request.

No. 2136 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Gaulty, by request.

No. 2137 "A BILL FOR AN ACT RELATING TO BURGLARY."

Introduced by: Senator Gaulty, by request.

No. 2138 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAII VISITORS BUREAU NEIGHBOR ISLAND CHAPTER OFFICES."

Introduced by: Senator Nakasato.

No. 2139 "A BILL FOR AN ACT RELATING TO THE AIRPORT REVENUE FUND."

Introduced by: Senator Nakasato.

No. 2140 "A BILL FOR AN ACT RELATING TO THE PUBLICATION OF THE HAWAII REVISED STATUTES."

Introduced by: Senators Ikeda, Fernandes Salling, George, Hagino, Iwase, Kanno, Levin, McCartney, Solomon, Tanaka.

No. 2141 "A BILL FOR AN ACT RELATING TO A SPOUSE/CHILD ABUSE SPECIAL ACCOUNT."

Introduced by: Senators Ikeda, Iwase, Baker, Fukunaga, Levin, Tanaka, Fernandes Salling, Hagino, McCartney, Kanno, Solomon.

No. 2142 "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS RATEMAKING FOR DISTANCE LEARNING."

Introduced by: Senator Fukunaga.

No. 2143 "A BILL FOR AN ACT RELATING TO GAMBLING."

Introduced by: Senators Solomon, Kobayashi, A.

No. 2144 "A BILL FOR AN ACT RELATING TO SPECIAL FUNDS."

Introduced by: Senators Solomon, Chang, Grauly, Hagino, Kobayashi, A., Koki, Matsunaga, Reed.

No. 2145 "A BILL FOR AN ACT RELATING TO STATE REVENUES."

Introduced by: Senators Kobayashi, A., Solomon.

No. 2146 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Matsuura, McCartney, Grauly, George, Matsunaga.

No. 2147 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Iwase, McCartney, Matsunaga, Hagino, George, Grauly, Matsuura.

No. 2148 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Matsunaga, Iwase, Grauly, George, Hagino, McCartney, Matsuura.

No. 2149 "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Matsunaga, McCartney, George, Grauly, Iwase, Matsuura.

No. 2150 "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators George, Matsunaga, McCartney, Matsuura, Grauly.

No. 2151 "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE."

Introduced by: Senator Matsuura.

No. 2152 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Matsunaga, Grauly, McCartney, George, Matsuura.

No. 2153 "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Matsunaga, Iwase, Hagino, Grauly, McCartney, George, Matsuura.

No. 2154 "A BILL FOR AN ACT RELATING TO 'ALOHA SPIRIT'."

Introduced by: Senators Tungpalan, Chang, Fernandes Salling, Grauly, Solomon, Tanaka.

No. 2155 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A THREE-YEAR DEMONSTRATION PROJECT TO PROVIDE HO'OPONONO--NATIVE HAWAIIAN TRADITIONAL DISPUTE RESOLUTION--SERVICES TO THE FAMILY COURT OF THE FIRST JUDICIAL CIRCUIT."

Introduced by: Senators Tungpalan, Grauly, Kobayashi, A., Fukunaga, Tanaka, Fernandes Salling, Ikeda, Chang, Solomon.

No. 2156 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Tungpalan, Baker, Chang, Fernandes Salling, Fukunaga, Grauly, Kanno, Solomon, Tanaka.

No. 2157 "A BILL FOR AN ACT RELATING TO TIME SHARING."

Introduced by: Senator Iwase.

No. 2158 "A BILL FOR AN ACT RELATING TO SAFE DRINKING WATER."

Introduced by: Senator Chang.

No. 2159 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Chang.

No. 2160 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senator Chang.

No. 2161 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTES."

Introduced by: Senator Chang.

No. 2162 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Senator Chang.

No. 2163 "A BILL FOR AN ACT RELATING TO THE IMPORTATION OF MICROORGANISMS."

Introduced by: Senator Chang.

No. 2164 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION MEDICAL FEE SCHEDULES."

Introduced by: Senator Kanno.

No. 2165 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION FEES AND COSTS."

Introduced by: Senator Kanno, by request.

No. 2166 "A BILL FOR AN ACT RELATING TO ELIGIBILITY FOR DRIVER'S LICENSE."

Introduced by: Senator Kanno, by request.

No. 2167 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Senators Kanno, Iwase.

No. 2168 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Kanno.

No. 2169 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MASTER PLANNING."

Introduced by: Senators Kanno, Iwase.

No. 2170 "A BILL FOR AN ACT RELATING TO RECYCLED MATERIALS."

Introduced by: Senators Fukunaga, Matsunaga, Chang.

No. 2171 "A BILL FOR AN ACT RELATING TO STATE PROCUREMENT OF RECYCLED PRODUCTS."

Introduced by: Senators Fukunaga, Matsunaga, Chang.

No. 2172 "A BILL FOR AN ACT RELATING TO THE CLEAN HAWAII CENTER."

Introduced by: Senators Fukunaga, Matsunaga, Chang.

No. 2173 "A BILL FOR AN ACT RELATING TO WASTE MANAGEMENT."

Introduced by: Senators Fukunaga, Matsunaga, Chang.

No. 2174 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR REPLACEMENT OF THE LIKELIKE HIGHWAY/H-3 TEMPORARY CONNECTOR ROAD, ADDITION OF TWO RAMPS, AND COMPLETION OF THE FULL GRADE SEPARATED INTERCHANGE AT LIKELIKE HIGHWAY/KAHEKILI HIGHWAY, HONOLULU."

Introduced by: Senators McCartney, George.

No. 2175 "A BILL FOR AN ACT RELATING TO PRIVATE SCHOOLS."

Introduced by: Senator McCartney.

No. 2176 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Senator McCartney.

No. 2177 "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD."

Introduced by: Senator McCartney.

No. 2178 "A BILL FOR AN ACT RELATING TO CLASS SIZE."

Introduced by: Senator McCartney.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 1 and 2) were read by the Clerk and were placed on file:

Misc. Com. No. 1, from the County of Kauai, Department of Water, dated November 9, 1993, transmitting the Department's "Proposed CIP Projects for the 1994 Legislative Session," with a copy of Resolution No. 3, adopted on October 28, 1993, relating to the Department's Legislative Budget.

Misc. Com. No. 2, from the Commission on Performance Standards, dated December 16, 1993, transmitting the Commission's "Preliminary Final Report," pursuant to Act 334.

At this time, Senator Holt rose to speak on a point of personal privilege, as follows:

"Mr. President, I deeply appreciate your statements yesterday regarding insurance. It's a very serious matter. Your committee is taking it under serious and immediate advisement, and we hope to get back to you with a course of action within the next week. Thank you."

Senator George, in tribute to former Representative Dorothy Devereux, then said:

"Thank you, Mr. President. I have the unhappy news to report, if you haven't read it in the newspaper, that Representative Dorothy Devereux, who served for 14 years, a very distinguished career in the House of Representatives, died last weekend. We deferred discussion of this matter yesterday because it didn't seem to be appropriate on Senator Baker's day, to bring this up.

"At this time, I would just like my distinguished colleagues to remember that she was a pioneer in many, many of the areas that we perceive as problem areas today, notably, health problems of all kinds, and she made a real difference.

"Mr. President, if I may, I'd like to ask that we adjourn by a rising vote in the memory of Representative Devereux."

ADJOURNMENT

At 4:30 o'clock p.m., on motion by Senator Chang, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, January 21, 1994, on a rising vote and observing a moment of silence in memory of the late Representative Dorothy Devereux.