

TWENTY-EIGHTH DAY

Friday, March 11, 1994

The Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1994, convened at 11:34 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Joseph Grimaldi, St. John Vianney Parish, after which the Roll was called showing all Senators present with the exception of Senator Tungpalan who was excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 201 to 205) were read by the Clerk and were placed on file:

Gov. Msg. No. 201, dated February 7, 1994, transmitting the 1993 Annual Report of the Medical Claims Conciliation Panel and the Design Professional Conciliation Panel, prepared by the Department of Commerce and Consumer Affairs pursuant to Sections 672-12 and 671-20, HRS.

Gov. Msg. No. 202, dated February 9, 1994, transmitting a report prepared by the Department of Health in response to H.C.R. No. 125 (1993), relating to the special, revolving, and trust fund transactions for FY 1993 in the Department of Health.

Gov. Msg. No. 203, dated February 18, 1994, transmitting a report prepared by the University of Hawaii in response to H.R. No. 321 and H.C.R. No. 339 (1993), requesting a study of the factors behind the low number of people graduating from the University of Hawaii Nursing Program.

Gov. Msg. No. 204, dated February 18, 1994, transmitting a report prepared by the Department of Hawaiian Home Lands in response to H.C.R. No. 125 (1993), requesting the Department of Hawaiian Home Lands to submit an annual report on its special, trust, or revolving funds and fund transactions carried out over the previous fiscal year.

Gov. Msg. No. 205, dated February 23, 1994, transmitting the Annual Report, Fiscal Year 1993, of the Department of Defense, pursuant to Chapter 356, HRS.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 37 and 38) were read by the Clerk and were placed on file:

Dept. Com. No. 37, from the Department of Commerce and Consumer Affairs, Professional & Vocational Licensing Division dated March 7, 1994, transmitting the Real Estate Commission's 1993 Annual Report.

Dept. Com. No. 38, from the Supreme Court of Hawaii dated March 9, 1994, transmitting the interim progress report of the Hawaii Judicial Council's Committee to conduct a comprehensive review of the Hawaii Penal Code pursuant to Act 284, Section 2, SLH 1993.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 330 to 333) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 330, transmitting H.B. No. 2500, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1994, was placed on file.

On motion by Senator Chang, seconded by Senator Reed and carried, H.B. No. 2500, 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. 331, transmitting H.B. No. 2780, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1994, was placed on file.

On motion by Senator Chang, seconded by Senator Reed and carried, H.B. No. 2780, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS BUDGET," passed First Reading by title and was referred to the Committee on Government Operations, Environmental Protection and Hawaiian Programs, then to the Committee on Ways and Means.

Hse. Com. No. 332, transmitting H.B. No. 2990, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1994, was placed on file.

On motion by Senator Chang, seconded by Senator Reed and carried, H.B. No. 2990, 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 Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 333, transmitting H.B. No. 3106, H.D. 4, which passed Third Reading in the House of Representatives on March 10, 1994, was placed on file.

On motion by Senator Chang, seconded by Senator Reed and carried, H.B. No. 3106, H.D. 4, entitled: "A BILL FOR AN ACT RELATING TO MOUNT OLOMANA," passed First Reading by title and was referred to the Committee on Planning, Land and Water Use Management, then to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 78 to 84) were read by the Clerk and were referred to committees:

Senate Concurrent Resolution

No. 78 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO REVIEW AND AMEND ITS GUIDELINES FOR GALLERY VISITS."

Offered by: Senators Tungpalan, Fukunaga.

Referred to: Committee on Higher Education, Culture and Arts and Historic Preservation

No. 79 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO RECOMMEND A DEFINITION OF QUALIFIED NUTRITIONIST AND A WAY TO PROTECT THE PUBLIC FROM NUTRITION FRAUD."

Offered by: Senator Iwase, by request.

Referred to: Committee on Health

No. 80 "SENATE CONCURRENT RESOLUTION REQUESTING A LEGAL OPINION AND A STUDY ON THE ADVISABILITY OF MODIFYING THE VOTE ENTITLEMENT OF LAND OCCUPIERS OF A SOIL AND WATER CONSERVATION DISTRICT."

Offered by: Senator Iwase.

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

No. 81 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO DETERMINE THE NEED FOR ENHANCED PRENATAL CARE SERVICES RELATIVE TO HOME VISITS AND TRANSPORTATION."

Offered by: Senator Levin.

Referred to: Committee on Human Services

No. 82 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A VOLUNTEER GROUP TO MONITOR GEOTHERMAL GAS LEAKS IN PUNA."

Offered by: Senator Levin.

Referred to: Committee on Health

No. 83 "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A MEDIATION PROCESS TO ADDRESS THE ISSUE OF LONG-STANDING PROBLEMS IN THE RELATIONSHIP BETWEEN THE DEPARTMENT OF HUMAN SERVICES AND FOSTER PARENTS AS IT RELATES TO THE QUALITY OF CARE PROVIDED TO FOSTER CHILDREN."

Offered by: Senator Levin.

Referred to: Committee on Human Services

No. 84 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES."

Offered by: Senator Levin.

Referred to: Committee on Human Services

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 57 to 62) were read by the Clerk and were referred to committees:

Senate Resolution

No. 57 "SENATE RESOLUTION REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO REVIEW AND AMEND ITS GUIDELINES FOR GALLERY VISITS."

Offered by: Senators Tungpalan, Fukunaga.

Referred to: Committee on Higher Education, Culture and Arts and Historic Preservation

No. 58 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO RECOMMEND A DEFINITION OF QUALIFIED NUTRITIONIST AND A WAY TO PROTECT THE PUBLIC FROM NUTRITION FRAUD."

Offered by: Senator Iwase, by request.

Referred to: Committee on Health

No. 59 "SENATE RESOLUTION REQUESTING A LEGAL OPINION AND A STUDY ON THE ADVISABILITY OF MODIFYING THE VOTE ENTITLEMENT OF LAND OCCUPIERS OF A SOIL AND WATER CONSERVATION DISTRICT."

Offered by: Senator Iwase.

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

No. 60 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO DETERMINE THE NEED FOR ENHANCED PRENATAL CARE SERVICES RELATIVE TO HOME VISITS AND TRANSPORTATION."

Offered by: Senator Levin.

Referred to: Committee on Human Services

No. 61 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A VOLUNTEER GROUP TO MONITOR GEOTHERMAL GAS LEAKS IN PUNA."

Offered by: Senator Levin.

Referred to: Committee on Health

No. 62 "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A MEDIATION PROCESS TO ADDRESS THE ISSUE OF LONG-STANDING PROBLEMS IN THE RELATIONSHIP BETWEEN THE DEPARTMENT OF HUMAN SERVICES AND FOSTER PARENTS AS IT RELATES TO THE QUALITY OF CARE PROVIDED TO FOSTER CHILDREN."

Offered by: Senator Levin.

Referred to: Committee on Human Services

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

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

House Bill Referred to:

No. 3328, H.D. 2 Jointly to the Committee on Health and the Committee on Ways and Means

No. 3433, H.D. 2 Committee on Government Operations, Environmental Protection and Hawaiian Programs, then to the Committee on Ways and Means

No. 3442, H.D. 2 Jointly to the Committee on Health and the Committee on Ways and Means

At 11:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:42 o'clock a.m.

ADJOURNMENT

At 11:44 o'clock a.m., on motion by Senator Chang, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 14, 1994.