

TENTH DAY

Thursday, February 5, 2004

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2004, convened at 11:43 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dr. Tom Fujita, Nuuanu Congregational Church, after which the Roll was called showing all Senators present with the exception of Senator Inouye who was excused.

The President announced that he had read and approved the Journal of the Ninth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 134 to 141) were read by the Clerk and were placed on file:

Gov. Msg. No. 134, dated January 21, 2004, transmitting a Report on the Efforts to Increase the Number of High-Skilled Jobs in Targeted Industry Clusters, prepared by the Department of Business, Economic Development and Tourism pursuant to Act 148, SLH 2003.

Gov. Msg. No. 135, dated January 22, 2004, transmitting a report prepared by the Department of Health, pursuant to Act 185, SLH 2003, requiring the Department of Health and the Hawaii Real Estate Commission to conduct a study on the impact and feasibility of allowing condominium and cooperative housing corporation projects to become licensed assisted living facilities.

Gov. Msg. No. 136, dated January 23, 2004, transmitting a Report on the Development of Public Health Strategies to Address the Hepatitis C Problem in Hawaii, prepared by the Department of Health pursuant to S.C.R. No. 16 (2003).

Gov. Msg. No. 137, dated January 27, 2004, transmitting a Report on the Statewide Comprehensive Strategic Plan for Services and Supports for Individuals with Developmental Disabilities or Mental Retardation, prepared by the Department of Health pursuant to S.C.R. No. 151 (1999).

Gov. Msg. No. 138, dated January 27, 2004, transmitting a Report Establishing the Primary Health Care Incentive Program and the Primary Care Roundtable, prepared by the Department of Health pursuant to Act 41, SLH 1992.

Gov. Msg. No. 139, dated January 29, 2004, transmitting a Report Relating to the Drinking Water Treatment Revolving Loan Fund of the Department of Health, prepared by the Department of Health, Environmental Health Administration, Environmental Management Division, Safe Drinking Water Branch, Wastewater Branch, pursuant to Section 340E-33, HRS.

Gov. Msg. No. 140, dated January 30, 2004, transmitting a Report on Substance Abuse Treatment for Offenders, prepared by the Department of Health, Alcohol and Drug Abuse Division, pursuant to Act 200, Section 27, SLH 2003.

Gov. Msg. No. 141, dated January 30, 2004, transmitting the Annual Report of the Hawaii Advisory Commission on Drug Abuse and Controlled Substances pursuant to Section 329-3, HRS.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 20 and 21) were read by the Clerk and were placed on file:

Dept. Com. No. 20, from the State Auditor dated January 28, 2004, transmitting a report "Audit of the Department of Health's Administration of A Statewide Solid Waste Program and Assessment of Related Land Use Policies," (Report No. 04-01).

Dept. Com. No. 21, from the Department of Human Services dated January 29, 2004, transmitting a report summarizing the work of the statewide interagency Task Force in developing a plan for coordination and expansion of services provided through Healthy Start to young children and their families, pursuant to S.C.R. No. 13 (2003).

STANDING COMMITTEE REPORT

Senator Taniguchi, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 2001) recommending that H.B. No. 2585, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, the report of the majority of the Committee was adopted and H.B. No. 2585, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Second Reading and was placed on the calendar for Third Reading on Friday, February 6, 2004, with Senator Hemmings voting "No."

RE-REFERRAL OF SENATE BILLS

The Chair re-referred the following Senate bills that were introduced:

Senate Bill	Referred to:
No. 2293	Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 2348	Jointly to the Committee on Labor and the Committee on Education, then to the Committee on Ways and Means
No. 2683	Committee on Health, then to the Committee on Ways and Means
No. 2684	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
No. 2698	Jointly to the Committee on Economic Development, the Committee on Water, Land, and Agriculture and the Committee on Tourism, then to the Committee on Ways and Means
No. 2702	Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

- No. 2703 Jointly to the Committee on Science, Arts, and Technology and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Judiciary and Hawaiian Affairs
- No. 2714 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 2731 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2746 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2749 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2757 Jointly to the Committee on Education and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2758 Jointly to the Committee on Judiciary and Hawaiian Affairs and the Committee on Water, Land, and Agriculture, then to the Committee on Ways and Means
- No. 2779 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 2795 Jointly to the Committee on Economic Development and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means
- No. 2817 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means
- No. 2825 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs
- No. 2839 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2869 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 2870 Jointly to the Committee on Economic Development and the Committee on Science, Arts, and Technology, then to the Committee on Ways and Means
- No. 2884 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2887 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 2928 Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 2931 Jointly to the Committee on Human Services and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2936 Committee on Human Services, then to the Committee on Ways and Means
- No. 2948 Committee on Health, then to the Committee on Ways and Means
- No. 2953 Committee on Health, then to the Committee on Ways and Means
- No. 2956 Committee on Health, then to the Committee on Ways and Means
- No. 2959 Jointly to the Committee on Health and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 2985 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means
- No. 3002 Jointly to the Committee on Science, Arts, and Technology and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 3014 Jointly to the Committee on Transportation, Military Affairs, and Government Operations and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 3022 Jointly to the Committee on Science, Arts, and Technology, the Committee on Economic Development and the Committee on Tourism, then to the Committee on Ways and Means
- No. 3025 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 3026 Committee on Health, then to the Committee on Judiciary and Hawaiian Affairs
- No. 3061 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing
- No. 3073 Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 3099 Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs, then to the Committee on Ways and Means
- No. 3111 Jointly to the Committee on Labor and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
- No. 3114 Committee on Health, then to the Committee on Ways and Means
- No. 3130 Jointly to the Committee on Transportation, Military Affairs, and Government Operations

and the Committee on Water, Land, and Agriculture, then to the Committee on Judiciary and Hawaiian Affairs

No. 3131 Committee on Health, then to the Committee on Ways and Means

No. 3138 Committee on Energy and Environment, then to the Committee on Ways and Means

No. 3155 Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 3156 Committee on Health, then to the Committee on Ways and Means

No. 3159 Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Commerce, Consumer Protection and Housing

No. 3167 Jointly to the Committee on Health and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Judiciary and Hawaiian Affairs

No. 3169 Jointly to the Committee on Economic Development and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 3170 Jointly to the Committee on Economic Development and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means

No. 3183 Committee on Health, then to the Committee on Ways and Means

No. 3235 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

No. 3236 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 4 to 7) were read by the Clerk and were placed on file:

Misc. Com. No. 4, from the City and County of Honolulu Police Department dated December 17, 2003, transmitting its 2003 Annual Report, pursuant to 52D-3.5, HRS.

Misc. Com. No. 5, from the County of Hawaii Police Department dated December 10, 2003, transmitting the 2003 Annual Misconduct Report, pursuant to Section 92F-14, HRS.

Misc. Com. No. 6, from the County of Maui Police Department dated December 31, 2003, transmitting its Standard of Conduct Report for 2003.

Misc. Com. No. 7, from the County of Maui Police Department dated January 5, 2004, transmitting its summary of incidents and violations which resulted in the suspension or discharge of Police Officers for 2003, pursuant to Act 242, SLH 1995.

Senator Kanno, Chair of the Committee on Labor, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 2145.

Senator Kanno noted:

“Mr. President, this bill provides for an annual adjustment to the state minimum wage.”

The Chair then granted the waiver.

ADJOURNMENT

At 11:54 o'clock a.m., on motion by Senator Kawamoto, seconded by Senator Hogue and carried, the Senate adjourned until 11:00 o'clock a.m., Friday, February 6, 2004.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate