

FOURTEENTH DAY

Wednesday, February 11, 2004

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2004, convened at 11:46 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Steve Zurcher, Nanaikapono Protestant Church, after which the Roll was called showing all Senators present with the exception of Senators English, Hanabusa and Hogue who were excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 143 to 147) were read by the Clerk and were placed on file:

Gov. Msg. No. 143, dated January 27, 2004, transmitting the 2003 Hawaii Data Disc containing the 2001-2002 State of Hawaii Data Book; Hawaii Census and Population; and the DBEDT Statistical Report Series, prepared by the Department of Business, Economic Development and Tourism.

Gov. Msg. No. 144, dated January 27, 2004, transmitting the Annual Report on the Implementation of the State Plan from the Hawaii State Council on Mental Health, prepared by the Department of Health pursuant to Section 334-10, HRS, and the Department of Health's Annual Report, pursuant to Hawaii Administrative Rules, Title 11, Department of Health, Chapter 175, 11-175-03.

Gov. Msg. No. 145, dated January 30, 2004, transmitting a Report on the Environmental Response Law and Hawaii Community Right to Know Act Financial and Environmental Site Information, prepared by the Department of Health, pursuant to Chapters 128D and 128E, HRS; and a Report on the Revenues and Expenditures of the Environmental Response Revolving Fund for Fiscal Year 2003, pursuant to Act 200, SLH 2003.

Gov. Msg. No. 146, dated February 6, 2004, transmitting the Department of Labor and Industrial Relations' Annual Report for Fiscal Year Ending June 30, 2003, pursuant to Section 371-7, HRS.

Gov. Msg. No. 147, dated January 14, 2004, transmitting the Hawaii Coastal Zone Management Program Annual Report for Fiscal Year Ending June 30, 2003, prepared by the Department of Business, Economic Development and Tourism, Office of Planning, pursuant to Section 205A-3, HRS.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 22 and 23) were read by the Clerk and were placed on file:

Dept. Com. No. 22, from the State Auditor dated February 9, 2004, transmitting a report, "Management Audit of the Public Utilities Commission and the Division of Consumer Advocacy," (Report No. 04-02).

Dept. Com. No. 23, from the Hawaii Health Systems Corporation dated January 23, 2004, transmitting the Annual Report on the Program of All-Inclusive Care for the Elderly (PACE) for the Fiscal Year Ending June 30, 2003, pursuant to Act 338, SLH 1997.

HOUSE COMMUNICATION

Hse. Com. No. 5, transmitting H.B. No. 1819, which passed Third Reading in the House of Representatives on February 10, 2004, was read by the Clerk and was placed on file.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, H.B. No. 1819, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading by title and was deferred.

STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 2022) recommending that S.B. No. 2156, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 2156, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kim, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 2023) recommending that S.B. No. 2302, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawamoto, seconded by Senator Whalen and carried, the report of the Committee was adopted and S.B. No. 2302, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FILIPINO CENTENNIAL CELEBRATION COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

S.B. No. 2005:

On motion by Senator Baker, seconded by Senator Chun Oakland and carried, S.B. No. 2005, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (English, Hanabusa, Hogue).

MISCELLANEOUS COMMUNICATION

Misc. Com. No. 8, from the County of Kauai Police Department dated February 3, 2004, transmitting its Report on Misconduct and Disciplinary Action Regarding Police Officers, pursuant to Act 242, SLH 1995, was read by the Clerk and was placed on file.

Senator Sakamoto, Chair of the Committee on Education, requested a waiver of the notice requirement pursuant to Senate Rule 21 for S.B. No. 2056.

Senator Sakamoto noted:

“Mr. President, this bill designates the auditor as the authorized representative of the Department of Education and Health for purposes of accessing student records.”

The Chair then granted the waiver.

ADJOURNMENT

At 11:53 o'clock a.m., on motion by Senator Kawamoto, seconded by Senator Whalen and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 12, 2004.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate