

ELEVENTH DAY

Friday, January 31, 2003

The Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, convened at 11:44 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Hiroyoshi Oeda, Jodo Mission of Hawaii, after which the Roll was called showing all Senators present with the exception of Senators Hanabusa and Menor who were excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 128 to 133) were read by the Clerk and were placed on file:

Gov. Msg. No. 128, letter dated January 28, 2003, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting immediate consideration and passage of S.B. No. 1330, which appropriates funds to enable staffing of the Offices of the Governor and Lieutenant Governor from January 2003 through June 2003.

Gov. Msg. No. 129, letter dated January 28, 2003, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 1353, which makes an emergency appropriation for Medicaid.

Gov. Msg. No. 130, letter dated January 28, 2003, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 1358, which is necessary to pay for start-up and remediation costs to comply with the federal Health Insurance Portability and Accountability Act of 1996.

Gov. Msg. No. 131, letter dated January 28, 2003, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 1359, which is necessary to ensure that the Hawaii Health Systems Corporation can pay its contributions to the Employees' Retirement System and Health Fund for the employees of the corporation.

Gov. Msg. No. 132, letter dated January 30, 2003, as provided in Section 9, Article VII of the Constitution of the State of Hawaii, requesting the immediate consideration and passage of S.B. No. 1381, which makes emergency appropriations to provide funding to open and operate the Kapolei Public Library.

Gov. Msg. No. 133, letter dated January 30, 2003, transmitting proposed changes to the General Appropriations Act, S.B. No. 355.

ORDER OF THE DAY

**REFERRAL OF
SENATE CONCURRENT RESOLUTIONS**

The President made the following committee assignments of concurrent resolutions that were offered on Tuesday, January 28, 2003:

Senate Concurrent Resolution	Referred to:
No. 2 Affairs	Committee on Judiciary and Hawaiian
No. 3	Committee on Transportation, Military Affairs, and Government Operations
No. 4	Committee on Education
No. 5	Committee on Transportation, Military Affairs, and Government Operations
No. 6	Jointly to the Committee on Economic Development and the Committee on Labor
No. 7	Committee on Transportation, Military Affairs, and Government Operations
No. 8	Jointly to the Committee on Health and the Committee on Human Services
No. 9	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health, then to the Committee on Ways and Means
No. 10	Committee on Human Services

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No. 5	Jointly to the Committee on Economic Development and the Committee on Labor

RE-REFERRAL OF SENATE BILLS

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

Senate Bill	Referred to:
No. 958	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Health
No. 1152	Jointly to the Committee on Water, Land, and Agriculture and the Committee on Judiciary and Hawaiian Affairs
No. 1188	Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations, then to the Committee on Ways and Means

No. 1193 Committee on Commerce, Consumer Protection and Housing

No. 1280 Jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Transportation, Military Affairs, and Government Operations

No. 1520 Committee on Water, Land, and Agriculture

No. 1537 Committee on Commerce, Consumer Protection and Housing

No. 1548 Committee on Commerce, Consumer Protection and Housing

No. 1696 Jointly to the Committee on Labor and the Committee on Economic Development, then to the Committee on Ways and Means

No. 1697 Jointly to the Committee on Labor, the Committee on Education and the Committee on Economic Development, then to the Committee on Ways and Means

Senator Hemmings rose on a point of personal privilege as follows:

“Mr. President, I rise on a point of personal privilege.

“Your loyal opposition, the Minority Party, has noticed a growing trend that we’d like to go on record about. The Majority Party this year has introduced over 200 short form bills. We’re concerned about this. It seems the Majority Party may have a lot of great ideas – they just don’t know what they are yet.

“As your loyal opposition, Mr. President, besides expressing our concern, we’re willing to help you out in creating some substance in these short form bills and we just wanted to go on record that we did notice it.

“Thank you, Mr. President.”

Senator Baker rose on a point of personal privilege and stated:

“Mr. President, I rise on a point of personal privilege.

“Mr. President, recently in the news we’ve been apprised that a commission appointed by President Bush is seriously threatening to undermine a statute that has done a great deal of good for young women in high school and college in enabling them to participate in sports. That statute which has been on the books since 1972 is Title IX.

“The commission is considering actions that, rather than continuing to raise women up, will put them down so that male athletes will have more opportunities and more scholarships. So institutions, rather than putting more money into all athletics, are looking at taking from the women’s programs that have benefited from this law for many years.

“As a matter of fact, because Title IX prohibits gender discrimination in programs that receive federal money, its effect has been quite profound. The number of girls participating in high school athletics has risen from 294,000 in 1971 to 2.8 million in 2002. The number of women in college sports has increased five-fold over a similar time frame.

“Mr. President, I hope that all of my colleagues who enjoy sports, both men’s and women’s athletics, and we have a

wonderful program here at the University of Hawaii, will join me in expressing our outrage at this kind of assault on a measure that has been so positive throughout the country. It cannot be allowed to go without some comment.

“Congresswoman Patsy Mink was, of course, the author of this law and it’s sadly ironic that less than a year after her passing, we would see an attempt to unravel something that has done so much good in our country.

“Thank you very much.”

Senator Hogue also rose on a point of personal privilege and remarked:

“Mr. President, I also rise on a point of personal privilege.

“I want to echo some of the sentiments that I just heard from the previous speaker. But I also want to speak out in favor of Title 9, which has really done a tremendous job for young women. My daughter, for example, will be one of the recipients of these many scholarships just this next year, as she will receive a full ride to Loyola Marymount University to play college basketball. I’m very proud of her efforts and of all of the young women.

“I don’t believe, however, one of the statements made by the previous speaker that there is an assault on young women or there is some sort of effort going on to put women down. On the contrary, I believe that we here in the United States have done great things in the past many years to bring women forward into the world of sports. I encourage those kinds of efforts and I encourage all of us to work together for this common good so that women can actually bring themselves to the top and to the pinnacle of achievement here.

“So, I personally will work and send my regards to the Bush Administration to work towards improving relations among all of us here so that we can actually continue to make great strides with Title 9.

“Thank you.”

HOUSE COMMUNICATION

Senator Kawamoto moved that the Clerk be authorized to receive a House communication transmitting H.B. No. 1, H.D. 1, and that said bill pass First Reading by title and be referred to the Committee on Ways and Means, seconded by Senator Hogue.

Senator Ihara rose and said:

“Mr. President, on a, I guess, point of information.

“I just wanted to let the members know that while I’m not going to be objecting to this vote, what we’re doing is casting, allowing the Clerk to cast a vote, a constitutionally required vote, on all of our behalves while we’re not here. While we’re in recess, the bill will come over from the House and the motion that is made will allow the Clerk to cast those constitutionally required votes.

“I just wanted to point that out. I will not object to that but I will object to having this done on Second Reading. Thank you.”

The motion was put by the Chair and carried, the Clerk was authorized to receive the House communication transmitting H.B. No. 1, H.D. 1, relating to the authorization of funds for the expenses of the Legislature. In consequence thereof, and

subsequent to its recessing at 11:58 o'clock a.m., the Senate took the following action:

Hse. Com. No. 4, transmitting H.B. No. 1, H.D. 1, which passed Third Reading in the House of Representatives on January 31, 2003, was placed on file.

On motion by Senator Kawamoto, seconded by Senator Hogue and carried, H.B. No. 1, 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 First Reading by title and was referred to the Committee on Ways and Means.

ADJOURNMENT

At 3:11 o'clock p.m., the Senate adjourned until 11:30 o'clock a.m., Monday, February 3, 2003.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate