

FORTY-SECOND DAY

Monday, April 4, 2005

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2005, convened at 11:49 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Frank Chong, United Church of Christ, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-First Day.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 548, advising the Senate of the withdrawal of the nomination of DELROY M. THOMPSON to the State Rehabilitation Council, under Gov. Msg. No. 263, dated January 28, 2005, was read by the Clerk and was placed on file.

In compliance with Gov. Msg. No. 548, the nomination listed under Gov. Msg. No. 263 was returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 389 to 492) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 389, informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House bills:

H.B. No. 98, H.D. 2 (S.D. 1);
H.B. No. 125, H.D. 2 (S.D. 1);
H.B. No. 169, H.D. 2 (S.D. 1); and
H.B. No. 515, H.D. 2 (S.D. 1),

was placed on file.

Hse. Com. No. 390, transmitting H.C.R. No. 5, H.D. 1, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 5, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO ESTABLISH A SOUTH KONA-KA'U COASTAL CONSERVATION PARTNERSHIP," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 391, transmitting H.C.R. No. 78, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF ESTABLISHING PENALTIES FOR THE CAPTURE OR DESTRUCTION OF MANTA RAYS WITHIN THE MARINE WATERS OF THE STATE OF HAWAII," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 392, transmitting H.C.R. No. 88, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES CONSIDER IMPOSING RESTRICTIONS ON PUBLIC ACCESS TO THE AHIHI-KINAU NATURAL AREA RESERVE," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 393, transmitting H.C.R. No. 91, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING PARTICIPATION IN THE FEDERAL PROGRAM TO ASSIST STATES IN OBTAINING SCRAPPED FEDERAL SHIPS TO USE AS ARTIFICIAL REEFS IN THE WATERS OF THE STATE OF HAWAII," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 394, transmitting H.C.R. No. 113, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 113, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING REPORTS ON THE EFFECTIVENESS OF THE HAWAII INSURANCE BUREAU'S FIRE RATING PROGRAM," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 395, transmitting H.C.R. No. 141, H.D. 1, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 141, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO ACTIVELY MONITOR LEVELS OF SULFUR DIOXIDE AND ESTABLISH A VOG INDEX ADVISORY PROGRAM FOR THE ENTIRE ISLAND OF HAWAII," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 396, transmitting H.C.R. No. 249, which was adopted by the House of Representatives on April 1, 2005, was placed on file.

By unanimous consent, action on H.C.R. No. 249, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO AUTHORIZE AND APPROPRIATE FUNDS TO ALLOW ALL MEMBERS OF THE ARMED FORCES RESERVE COMPONENT TO ACCESS THE TRICARE PROGRAM," was deferred until Tuesday, April 5, 2005.

Hse. Com. No. 397, returning S.B. No. 60, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 60, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 398, returning S.B. No. 575, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 575, S.D. 1, and requested a conference on the subject matter thereof.

Hse. Com. No. 399, returning S.B. No. 637, S.D. 2, which passed Third Reading in the House of Representatives on April 1, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 637, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 400, returning S.B. No. 789, which passed Third Reading in the House of Representatives on April 1, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 789, and requested a conference on the subject matter thereof.

Hse. Com. No. 401, returning S.B. No. 1129, S.D. 2, which passed Third Reading in the House of Representatives on April 1, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1129, S.D. 2, and requested a conference on the subject matter thereof.

Hse. Com. No. 402, returning S.B. No. 1699, S.D. 1, which passed Third Reading in the House of Representatives on April 1, 2005, in an amended form, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1699, S.D. 1, and requested a conference on the subject matter thereof.

STANDING COMMITTEE REPORTS

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1337), recommending that S.C.R. No. 88 be referred to the Committee on Judiciary and Hawaiian Affairs.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 88, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PROGRAM AUDIT ON THE EFFICACY OF LICENSE SUSPENSIONS FOR THE NONPAYMENT OF CHILD SUPPORT," was referred to the Committee on Judiciary and Hawaiian Affairs.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1338) recommending that S.C.R. No. 95 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1338 and S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION URGING KOKUA COUNCIL TO CONVENE THE 2005 MODEL LEGISLATURE," was deferred until Tuesday, April 5, 2005.

Senator Chun Oakland, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1339), recommending that S.C.R. No. 146 be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 146, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES' RECEIPT, ADMINISTRATION, AND MANAGEMENT OF FEDERAL TEMPORARY ASSISTANCE TO NEEDY FAMILIES FUNDS," was referred to the Committee on Ways and Means.

Senators Chun Oakland and Baker, for the Committee on Human Services and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1340) recommending that S.C.R. No. 168 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1340 and S.C.R. No. 168, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A ONE-YEAR EXTENSION OF THE STATEWIDE INTERAGENCY TASK FORCE TO CONTINUE TO DEVELOP A PLAN FOR COORDINATION AND EXPANSION OF SERVICES PROVIDED THROUGH HEALTHY START TO YOUNG CHILDREN AND THEIR FAMILIES," was deferred until Tuesday, April 5, 2005.

Senator Sakamoto, for the Committee on Education and Military Affairs, presented a report (Stand. Com. Rep. No. 1341), recommending that S.C.R. No. 37, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 37, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ENTER INTO A LEASE/PURCHASE AGREEMENT FOR A NEW PUBLIC HIGH SCHOOL IN KIHEI, MAUI TO BE FUNDED BY THE ISSUANCE OF CERTIFICATES OF PARTICIPATION," was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1342) recommending that the Senate advise and consent to the nominations to the State Council on Mental Health of the following:

ALAN BUFFENSTEIN MD, in accordance with Gov. Msg. No. 212;

LIESJE CATTANEO, in accordance with Gov. Msg. No. 214;

RITA GOROSPE, in accordance with Gov. Msg. No. 215;

RANDOLPH C. HACK, in accordance with Gov. Msg. No. 216;

CANDACE M. SANDAL, in accordance with Gov. Msg. No. 218;

PAULINE SCHICK, in accordance with Gov. Msg. No. 219; and

SHARON P. YOKOTE, in accordance with Gov. Msg. No. 221.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1342 and Gov. Msg. Nos. 212, 214, 215, 216, 218, 219 and 221 was deferred until Tuesday, April 5, 2005.

Senators Sakamoto and Baker, for the Committee on Education and Military Affairs and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1343) recommending that S.C.R. No. 10, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1343 and S.C.R. No. 10, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS TO PROMOTE POLICIES THAT PERMIT EDIBLE SCHOOL GARDENS AND THAT INTEGRATE THEM INTO SCHOOL CURRICULA," was deferred until Tuesday, April 5, 2005.

Senators Sakamoto and Baker, for the Committee on Education and Military Affairs and the Committee on Health, presented a joint report (Stand. Com. Rep. No. 1344) recommending that S.R. No. 7, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1344 and S.R. No. 7, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND HAWAII ASSOCIATION OF INDEPENDENT SCHOOLS TO PROMOTE POLICIES THAT PERMIT EDIBLE SCHOOL GARDENS AND THAT INTEGRATE THEM INTO SCHOOL CURRICULA," was deferred until Tuesday, April 5, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1345) recommending that the Senate advise and consent to the nomination of L. DOUGLAS MACCLUER to the Board of Agriculture, in accordance with Gov. Msg. No. 128.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1345 and Gov. Msg. No. 128 was deferred until Tuesday, April 5, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1346) recommending that the Senate advise and consent to the nominations to the Advisory Committee on Pesticides of the following:

JANET ASHMAN, in accordance with Gov. Msg. No. 233;

DON R. GERBIG, in accordance with Gov. Msg. No. 234;

CALVIN H. ODA, in accordance with Gov. Msg. No. 235;

SEAN O'KEEFE, in accordance with Gov. Msg. No. 236; and

WESLEY OTANI, in accordance with Gov. Msg. No. 237.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1346 and Gov. Msg. Nos. 233, 234, 235, 236 and 237 was deferred until Tuesday, April 5, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1347) recommending that the Senate advise and consent to the nominations to the Molokai Irrigation System Water Users Advisory Board of the following:

THOMAS D. DECOURCY, in accordance with Gov. Msg. No. 222;

ADOLPH M. HELM, in accordance with Gov. Msg. No. 223; and

RICHARD K. WHEELER, in accordance with Gov. Msg. No. 225.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1347 and Gov. Msg. Nos. 222, 223 and 225 was deferred until Tuesday, April 5, 2005.

Senator Kokubun, for the Committee on Water, Land, and Agriculture, presented a report (Stand. Com. Rep. No. 1348) recommending that the Senate advise and consent to the nominations to the Kauai Aquatic Life and Wildlife Advisory Committee of the following:

JEFFREY BRYANT, in accordance with Gov. Msg. No. 129;

GEORGE R. COATES, in accordance with Gov. Msg. No. 130;

LOIS FUJISHIGE, in accordance with Gov. Msg. No. 131;

EDSON MARTIN, in accordance with Gov. Msg. No. 132; and

ELTON S. USHIO, in accordance with Gov. Msg. No. 133.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1348 and Gov. Msg. Nos. 129, 130, 131, 132 and 133 was deferred until Tuesday, April 5, 2005.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1349), recommending that S.C.R. No. 73, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.C.R. No. 73, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT HAWAII'S CONGRESSIONAL DELEGATION WORK TO ABOLISH THE ESTATE TAX PERMANENTLY, OR TO OTHERWISE EASE THE BURDEN OF THE ESTATE TAX UPON FARMERS AND SMALL BUSINESSES," was referred to the Committee on Ways and Means.

Senator Ige, for the Committee on Intergovernmental Affairs, presented a report (Stand. Com. Rep. No. 1350), recommending that S.R. No. 36, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Hee, seconded by Senator Hogue and carried, the report of the Committee was adopted and S.R. No. 36, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT HAWAII'S CONGRESSIONAL DELEGATION WORK TO ABOLISH THE ESTATE TAX PERMANENTLY, OR TO OTHERWISE EASE THE BURDEN OF THE ESTATE TAX UPON FARMERS AND SMALL BUSINESSES," was referred to the Committee on Ways and Means.

ORDER OF THE DAY**ADVISE AND CONSENT**

Stand. Com. Rep. No. 1335 (Gov. Msg. No. 395):

Senator Baker moved that Stand. Com. Rep. No. 1335 be received and placed on file, seconded by Senator Chun Oakland and carried.

Senator Baker then moved that the Senate advise and consent to the nomination of RUSSELL T. STODD MD to the Board of Directors of the Hawaii Health Systems Corporation, term to expire June 30, 2009, seconded by Senator Chun Oakland.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:29 o'clock p.m.

THIRD READING

H.B. No. 161, H.D. 1, S.D. 1:

On motion by Senator Menor, seconded by Senator Baker and carried, H.B. No. 161, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 214, H.D. 1, S.D. 1:

Senator Menor moved that H.B. No. 214, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Baker.

Senator Slom rose in opposition to the measure and said:

"Mr. President and colleagues, I rise in opposition to this bill.

"Normally I would be supportive of this or any bill that would reduce the bureaucracy and time involved particularly in lowering rates for the consumers, but I've got to admit I'm really baffled by this bill. This bill affects lowered rates and expedites lowered rates to go into effect immediately if they have to do with casualty, and property, and liability. But the biggest area of concern for consumers and for businesses happens to be healthcare rates, and yet strangely this bill specifically exempts them or does not give them the same expediency in terms of lowering rates.

"Last week I rose and I spoke against competition in the shipping area and also in the insurance area, pointing out that Summerlin Life and Health Insurance has given notice that they will file for a 20 percent-plus rate reduction. Now I find it really strange that we are talking so much about the high cost of health, healthcare, premiums of insurance and yet here we have a specific proposal to lower rates and that is not included in this bill. So any information that I can be given as to why that is not the case, I would certainly appreciate, but it stands out like a sore thumb.

"The other thing is that if we're going in this direction maybe we don't need an Insurance Commissioner at all, but that would

be wishful thinking. So at this point, regretfully, I will stand in opposition to the bill.

"Thank you."

The motion was put by the Chair and carried, H.B. No. 214, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE RATE REGULATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Slom, Trimble).

H.B. No. 553, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 553, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 833, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 833, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY RIGHTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1712, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 1712, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

H.B. No. 1715, H.D. 1, S.D. 1:

Senator Hanabusa moved that H.B. No. 1715, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Hemmings rose to speak against the measure as follows:

"Mr. President, I rise to speak against this bill and in favor of civil rights.

"I'm speaking in favor of civil rights because it's a two-way street, Mr. President and colleagues, and I do believe that property owners have some rights too. This is a step down an interesting road that has been addressed before by this Legislature.

"For the record, I will note that the committee report says that there was a petition signed by 600 individuals. The people that submitted the petition have on record approximately 1,500 concerned citizens that are opposed to this.

"There are many other problems with this bill, one of which is it seems that discrimination is all right if you're a member of a very narrowly focused church group, but discrimination by anybody else would seem to be problematic. To me that

recognizes some duplicity within the concept that this bill is trying to implement. And of course the way the bill is written, especially when it comes to sexual orientation, there are many interpretations of that, not necessarily couples that seem to be the same gender indulging in sex. Sexual orientation could mean any number of other things, some of which could be fairly deviate, which would leave the renter of the property, upon finding out things like this, little or no recourse or little or no recourse in making a decision on who can or cannot rent their property.

“So, I’m hoping this Legislature sees the wisdom in not ultimately condoning this bill. If an exemption can be given to a narrowly focused church group, why can’t that same privilege be given to everybody else that has properties?”

“So, there seems to be, as I said earlier, rather a dichotomy or duplicitous nature to this particular piece of legislation and I urge my colleagues to consider a ‘no’ vote in the future. Even though I think via your caucus your minds are already made up, I’m hoping you’ll give it further thought as it proceeds through the process.

“Thank you, Mr. President. I will be voting ‘no.’”

Senator Sakamoto requested his vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1715, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CIVIL RIGHTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

H.B. No. 1413, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 1413, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:36 o’clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:37 o’clock p.m.

H.B. No. 1450, H.D. 2, S.D. 1:

Senator Hanabusa moved that H.B. No. 1450, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Hemmings rose to speak against the bill and said:

“Mr. President, I rise to speak against H.B. No. 1450, H.D. 2, S.D. 1.

“Mr. President, I hope this is one of these bills that’s going to get scuttled in Conference Committee. Also, it seems extremely problematic. It actually puts into statute a definition clause that really should be looked at further because it defines expression identity or that expression includes a person’s actual or perceived gender. When we start defining sexual identity as perceived rather than actual, we’re headed down a very interesting road for all of us as a society.

“How does this affect companies that want to employ people where they wear uniforms, and what uniforms are they going to wear. I’d sure hate to be standing in the bathroom and have someone walk up to me that is a woman, but because she’s dressed in men’s clothing would feel that it’s her perceived gender identification or that she would be able to go into the men’s bathroom. This leads to many problems in the workplace and many identity problems, and I suggest that we give it further consideration before we let it pass Final Reading.

“I’m voting ‘no’ and will be urging my colleagues to do what is often done, which is to kill this bill in Conference Committee. Thank you, Mr. President.”

Senators Sakamoto and Kim requested their vote be cast “aye, with reservations,” and the Chair so ordered.

The motion was put by the Chair and carried, H.B. No. 1450, H.D. 2, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO CIVIL RIGHTS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Hemmings, Hogue, Slom, Trimble, Whalen).

H.B. No. 1453, H.D. 1, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, H.B. No. 1453, H.D. 1, S.D. 1, entitled: “A BILL FOR AN ACT RELATING TO ANIMALS,” having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

MATTERS DEFERRED FROM FRIDAY, APRIL 1, 2005

The President made the following committee assignments of House concurrent resolutions that were received on Thursday, March 31, 2005, and Friday, April 1, 2005:

House Concurrent Resolution	Referred to:
No. 8	Committee on Health
No. 34	Jointly to the Committee on Health and the Committee on Commerce, Consumer Protection and Housing, then to the Committee on Ways and Means
No. 86, H.D. 1	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means
No. 127	Jointly to the Committee on Tourism and the Committee on Intergovernmental Affairs
No. 214	Jointly to the Committee on Transportation and Government Operations and the Committee on Intergovernmental Affairs
No. 225, H.D. 1	Committee on Transportation and Government Operations

No. 245, H.D. 1 Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs

No. 246 Jointly to the Committee on Education and Military Affairs and the Committee on Intergovernmental Affairs, then to the Committee on Ways and Means

No. 247 Committee on Education and Military Affairs, then to the Committee on Ways and Means

ADJOURNMENT

At 12:41 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 5, 2005.

Respectfully submitted,

Clerk of the Senate

Approved:

President of the Senate