

**GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT  
OF THE 2010 LEGISLATURE SINE DINE**

**GOVERNOR'S MESSAGES**

The following messages from the Governor (Gov. Msg. Nos. 287 through 470) were received by the Clerk:

Gov. Msg. No. 287, informing the House that on May 4, 2010, the following bill was signed into law:

H.B. No. 1862, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER." (ACT 075)

Gov. Msg. No. 288, informing the House that on May 4, 2010, the following bill was signed into law:

S.B. No. 2323, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY." (ACT 076)

Gov. Msg. No. 289, informing the House that on May 4, 2010, the following bill was signed into law:

S.B. No. 2409, HD 3, entitled: "A BILL FOR AN ACT RELATING TO MARINE LIFE CONSERVATION DISTRICTS." (ACT 077)

Gov. Msg. No. 290, informing the House that on May 5, 2010, the following bill was signed into law:

H.B. No. 2351, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS." (ACT 078)

Gov. Msg. No. 291, informing the House that on May 5, 2010, the following bill was signed into law:

S.B. No. 2172, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAIMUKI CHRISTIAN SCHOOL." (ACT 079)

Gov. Msg. No. 292, informing the House that on May 5, 2010, the following bill was signed into law:

S.B. No. 2544, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HONOLULU SEAWATER AIR CONDITIONING LLC PROJECTS ON THE ISLAND OF OAHU." (ACT 080)

Gov. Msg. No. 293, informing the House that on May 6, 2010, the following bill was signed into law:

S.B. No. 2400, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS." (ACT 081)

Gov. Msg. No. 294, informing the House that on May 6, 2010, the following bill was signed into law:

H.B. No. 347, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII." (ACT 082)

Gov. Msg. No. 295, informing the House that on May 6, 2010, the following bill was signed into law:

H.B. No. 2604, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER LICENSING." (ACT 083)

Gov. Msg. No. 296, informing the House that on May 7, 2010, the following bill was signed into law:

S.B. No. 2603, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT." (ACT 084)

Gov. Msg. No. 297, informing the House that on May 7, 2010, the following bill was signed into law:

S.B. No. 2449, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING." (ACT 085)

Gov. Msg. No. 298, informing the House that on May 7, 2010, the following bill was signed into law:

H.B. No. 2094, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST HAWAII PACIFIC HEALTH." (ACT 086)

Gov. Msg. No. 299, dated April 30, 2010, transmitting on behalf of the Information Privacy and Security Council, assigned to the Department of Accounting and General Services and chaired by the Comptroller, the report to comply with provisions of Act 10, SLH 2008.

Gov. Msg. No. 300, informing the House that on May 10, 2010, the following bill was signed into law:

S.B. No. 2702, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A MAJOR DISASTER TRUST ACCOUNT." (ACT 087)

Gov. Msg. No. 301, informing the House that on May 10, 2010, the following bill was signed into law:

H.B. No. 1900, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY PERSONNEL." (ACT 088)

Gov. Msg. No. 302, informing the House that on May 10, 2010, the following bill was signed into law:

S.B. No. 910, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF HOMELESS PROGRAMS WITHIN THE DEPARTMENT OF HUMAN SERVICES." (ACT 089)

Gov. Msg. No. 303, dated May 3, 2010, transmitting the Report from the Department of Transportation on Section 487J-4, Hawaii Revised Statutes, relating to a Social Security Number (SSN) Disclosure that occurred because of a document in the DOT's informational database.

Gov. Msg. No. 304, informing the House that on May 11, 2010, the following bill was signed into law:

S.B. No. 1230, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION." (ACT 090)

Gov. Msg. No. 305, informing the House that on May 11, 2010, the following bill was signed into law:

S.B. No. 2643, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX." (ACT 091)

Gov. Msg. No. 306, informing the House that on May 11, 2010, the following bill was signed into law:

H.B. No. 2016, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES." (ACT 092)

Gov. Msg. No. 307, informing the House that on May 11, 2010, the following bill was signed into law:

H.B. No. 1992, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT." (ACT 093)

Gov. Msg. No. 308, informing the House that on May 11, 2010, the following bill was signed into law:

S.B. No. 2691, SD 1, HD 1, CD 1 entitled: "A BILL FOR AN ACT RELATING TO THE PAYMENT OF EMPLOYEES' RETIREMENT SYSTEM BENEFITS." (ACT 094)

Gov. Msg. No. 309, informing the House that on May 11, 2010, the following bill was signed into law:

H.B. No. 1863, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION." (ACT 095)

Gov. Msg. No. 310, informing the House that on May 12, 2010, the following bill was signed into law:

S.B. No. 358, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS." (ACT 096)

Gov. Msg. No. 311, informing the House that on May 12, 2010, the following bill was signed into law:

S.B. No. 532, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITING CIVIL LIABILITY." (ACT 097)

Gov. Msg. No. 312, informing the House that on May 12, 2010, the following bill was signed into law:

S.B. No. 2661, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES." (ACT 098)

Gov. Msg. No. 313, informing the House that on May 12, 2010, the following bill was signed into law:

H.B. No. 2129, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GRAFFITI." (ACT 099)

Gov. Msg. No. 314, informing the House that on May 12, 2010, the following bill was signed into law:

S.B. No. 2937, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES." (ACT 100)

Gov. Msg. No. 315, informing the House that on May 12, 2010, the following bill was signed into law:

H.B. No. 2505, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACCESS HAWAII COMMITTEE." (ACT 101)

Gov. Msg. No. 316, informing the House that on May 12, 2010, the following bill was signed into law:

S.B. No. 2187, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY." (ACT 102)

Gov. Msg. No. 317, informing the House that on May 12, 2010, the following bill was signed into law:

H.B. No. 2297, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SUN SCREENING DEVICES." (ACT 103)

Gov. Msg. No. 318, informing the House that on May 13, 2010, the following bill was signed into law:

H.B. No. 1190, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC ACCIDENT INVESTIGATION." (ACT 104)

Gov. Msg. No. 319, informing the House that on May 13, 2010, the following bill was signed into law:

H.B. No. 1854, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 105)

Gov. Msg. No. 320, informing the House that on May 13, 2010, the following bill was signed into law:

S.B. No. 2395, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET." (ACT 106)

Gov. Msg. No. 321, informing the House that on May 13, 2010, the following bill was signed into law:

S.B. No. 2831, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE." (ACT 107)

Gov. Msg. No. 322, informing the House that on May 14, 2010, the following bill was signed into law:

S.B. No. 2601, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ATHLETIC TRAINERS." (ACT 108)

Gov. Msg. No. 323, informing the House that on May 14, 2010, the following bill was signed into law:

S.B. No. 2150, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION." (ACT 109)

Gov. Msg. No. 324, informing the House that on May 14, 2010, the following bill was signed into law:

H.B. No. 2721, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COURT REPORTERS." (ACT 110)

Gov. Msg. No. 325, informing the House that on May 17, 2010, the following bill was signed into law:

S.B. No. 2257, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC WARRANT VOUCHERS." (ACT 111)

Gov. Msg. No. 326, informing the House that on May 17, 2010, the following bill was signed into law:

H.B. No. 2594, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE." (ACT 112)

Gov. Msg. No. 327, informing the House that on May 17, 2010, the following bill was signed into law:

S.B. No. 2729, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION." (ACT 113)

Gov. Msg. No. 328, informing the House that on May 17, 2010, the following bill was signed into law:

H.B. No. 840, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARGING BY WRITTEN INFORMATION." (ACT 114)

Gov. Msg. No. 329, informing the House that on May 17, 2010, the following bill was signed into law:

S.B. No. 2371, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITED BENEFIT HEALTH INSURANCE." (ACT 115)

Gov. Msg. No. 330, dated April 23, 2010, transmitting the Department of Accounting and General Services report on Social Security number disclosure in accordance with Section 487J-4 Hawaii Revised Statutes.

Gov. Msg. No. 331, informing the House that on May 18, 2010, the following bill was signed into law:

S.B. No. 2697, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE." (ACT 116)

Gov. Msg. No. 332, informing the House that on May 18, 2010, the following bill was signed into law:

S.B. No. 2399, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS." (ACT 117)

Gov. Msg. No. 333, informing the House that on May 18, 2010, the following bill was signed into law:

S.B. No. 2054, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE." (ACT 118)

Gov. Msg. No. 334, informing the House that on May 18, 2010, the following bill was signed into law:

H.B. No. 2692, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS PLANNING." (ACT 119)

Gov. Msg. No. 335, informing the House that on May 18, 2010, the following bill was signed into law:

H.B. No. 2157, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EXPANDED ADULT RESIDENTIAL CARE HOMES." (ACT 120)

Gov. Msg. No. 336, dated May 17, 2010, transmitting the Hawaii Health Systems Corporation Annual Financial Audit and Report to the Legislature pursuant to HRS Section 323F-22(a), (b), and (c).

Gov. Msg. No. 337, informing the House that on May 19, 2010, the following bill was signed into law:

S.B. No. 2220, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION SITES." (ACT 121)

Gov. Msg. No. 338, informing the House that on May 19, 2010, the following bill was signed into law:

H.B. No. 1978, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING." (ACT 122)

Gov. Msg. No. 339, informing the House that on May 19, 2010, the following bill was signed into law:

S.B. No. 2745, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES." (ACT 123)

Gov. Msg. No. 340, informing the House that on May 19, 2010, the following bill was signed into law:

S.B. No. 2385, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII." (ACT 124)

Gov. Msg. No. 341, informing the House that on May 19, 2010, the following bill was signed into law:

S.B. No. 2811, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACIES." (ACT 125)

Gov. Msg. No. 342, informing the House that on May 20, 2010, the following bill was signed into law:

H.B. No. 2397, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS." (ACT 126)

Gov. Msg. No. 343, informing the House that on May 20, 2010, the following bill was signed into law:

S.B. No. 2825, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS." (ACT 127)

Gov. Msg. No. 344, informing the House that on May 20, 2010, the following bill was signed into law:

H.B. No. 1684, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES." (ACT 128)

Gov. Msg. No. 345, informing the House that on May 21, 2010, the following bill was signed into law:

S.B. No. 1062, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS." (ACT 129)

Gov. Msg. No. 346, informing the House that on May 21, 2010, the following bill was signed into law:

S.B. No. 2809, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UTILITIES REGULATION." (ACT 130)

Gov. Msg. No. 347, informing the House that on May 21, 2010, the following bill was signed into law:

S.B. No. 950, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS." (ACT 131)

Gov. Msg. No. 348, informing the House that on May 21, 2010, the following bill was signed into law:

H.B. No. 2000, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY." (ACT 132)

Gov. Msg. No. 349, dated May 18, 2010, transmitting the Report to the Twenty-Fifth Legislature, State of Hawaii, 2010, Pursuant to H.C.R. 215, S.D. 1, Requesting the Department of Health to Review and Assess the Policies and Procedures Implemented by Hospitals to Reduce Elective Cesarean Sections and Induction of Labor.

Gov. Msg. No. 350, informing the House that on May 24, 2010, the following bill was signed into law:

H.B. No. 2575, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMA." (ACT 133)

Gov. Msg. No. 351, informing the House that on May 24, 2010, the following bill was signed into law:

S.B. No. 930, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES." (ACT 134)

Gov. Msg. No. 352, informing the House that on May 24, 2010, the following bill was signed into law:

S.B. No. 2716, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT." (ACT 135)

Gov. Msg. No. 353, informing the House that on May 24, 2010, the following bill was signed into law:

H.B. No. 1987, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS." (ACT 136)

Gov. Msg. No. 354, informing the House that on May 24, 2010, the following bill was signed into law:

S.B. No. 2019, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MAXIMUM TERM OF COMMERCIAL USE AND OPERATOR PERMITS FOR THRILL CRAFT AND PARASAILING." (ACT 137)

Gov. Msg. No. 355, informing the House that on May 25, 2010, the following bill was signed into law:

S.B. No. 2806, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND." (ACT 138)

Gov. Msg. No. 356, informing the House that on May 25, 2010, the following bill was signed into law:

S.B. No. 2565, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION." (ACT 139)

Gov. Msg. No. 357, informing the House that on May 25, 2010, the following bill was signed into law:

S.B. No. 506, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT." (ACT 140)

Gov. Msg. No. 358, informing the House that on May 25, 2010, the following bill was signed into law:

S.B. No. 2105, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS." (ACT 141)

Gov. Msg. No. 359, informing the House that on May 25, 2010, the following bill was signed into law:

H.B. No. 2831, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY." (ACT 142)

Gov. Msg. No. 360, informing the House that on May 25, 2010, the following bill was signed into law:

S.B. No. 2124, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND." (ACT 143)

Gov. Msg. No. 361, informing the House that on May 26, 2010, the following bill was signed into law:

S.B. No. 2589, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS." (ACT 144)

Gov. Msg. No. 362, informing the House that on May 27, 2010, the following bill was signed into law:

S.B. No. 2116, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF COUNTY AGENCIES." (ACT 145)

Gov. Msg. No. 363, informing the House that on May 27, 2010, the following bill was signed into law:

H.B. No. 2349, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL." (ACT 146)

Gov. Msg. No. 364, informing the House that on May 28, 2010, the following bill was signed into law:

H.B. No. 2725, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS." (ACT 147)

Gov. Msg. No. 365, informing the House that on May 28, 2010, the following bill was signed into law:

S.B. No. 2169, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SHARK FINS." (ACT 148)

Gov. Msg. No. 366, informing the House that on May 28, 2010, the following bill was signed into law:

S.B. No. 2154, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS." (ACT 149)

Gov. Msg. No. 367, informing the House that on May 28, 2010, the following bill was signed into law:

S.B. No. 2607, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITY DESKS." (ACT 150)

Gov. Msg. No. 368, informing the House that on May 28, 2010, the following bill was signed into law:

H.B. No. 2450, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY FACILITIES." (ACT 151)

Gov. Msg. No. 369, informing the House that on May 28, 2010, the following bill was signed into law:

H.B. No. 2631, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY INDUSTRY REPORTING." (ACT 152)

Gov. Msg. No. 370, informing the House that on June 1, 2010, the following bill was signed into law:

H.B. No. 2020, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES." (ACT 153)

Gov. Msg. No. 371, informing the House that on June 1, 2010, the following bill was signed into law:

S.B. No. 633, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER." (ACT 154)

Gov. Msg. No. 372, informing the House that on June 1, 2010, the following bill was signed into law:

H.B. No. 2595, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX." (ACT 155)

Gov. Msg. No. 373, informing the House that on June 1, 2010, the following bill was signed into law:

H.B. No. 2661, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS." (ACT 156)

Gov. Msg. No. 374, informing the House that on June 1, 2010, the following bill was signed into law:

S.B. No. 2599, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE." (ACT 157)

Gov. Msg. No. 375, informing the House that on June 2, 2010, the following bill was signed into law:

S.B. No. 2885, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SAVINGS ACCOUNTS." (ACT 158)

Gov. Msg. No. 376, informing the House that on June 2, 2010, the following bill was signed into law:

H.B. No. 2676, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KAHOLAWE ISLAND RESERVE COMMISSION." (ACT 159)

Gov. Msg. No. 377, informing the House that on June 2, 2010, the following bill was signed into law:

H.B. No. 1808, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL AREAS." (ACT 160)

Gov. Msg. No. 378, informing the House that on June 2, 2010, the following bill was signed into law:

S.B. No. 2115, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PREAUDITS FOR PROPOSED PAYMENTS." (ACT 161)

Gov. Msg. No. 379, informing the House that on June 3, 2010, the following bill was signed into law:

S.B. No. 2472, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES." (ACT 162)

Gov. Msg. No. 380, informing the House that on June 3, 2010, the following bill was signed into law:

H.B. No. 2077, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 163)

Gov. Msg. No. 381, informing the House that on June 3, 2010, the following bill was signed into law:

S.B. No. 2859, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING ACT." (ACT 164)

Gov. Msg. No. 382, dated June 3, 2010, transmitting the Report on the Fight Against Invasive Species for the period July 1, 2007 – June 30, 2009 as required pursuant to Act 213, Session Laws of Hawaii 2007.

Gov. Msg. No. 383, dated June 3, 2010, transmitting the Annual Report as required by Act 100, Session Laws of Hawaii 1999.

Gov. Msg. No. 384, informing the House that on June 8, 2010, the following bill was signed into law:

S.B. No. 2441, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES." (ACT 165)

Gov. Msg. No. 385, transmitting his statement of objections to S.B. No. 2401, SD 1, HD 1, as follows:

#### "P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2401, entitled "A Bill for an Act Relating to State Finances," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2401 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, JAMES R. AIONA, JR., Acting Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2401 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 9th day of  
June, 2010.

/s/ James R. Aiona, Jr.  
JAMES R. AIONA, JR.  
Acting Governor of Hawaii"

"EXECUTIVE CHAMBERS  
HONOLULU  
June 9, 2010

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2401

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2401, entitled "A Bill for an Act Relating to State Finances."

The purpose of this bill is to suspend claims for the High Technology Business Investment Tax Credit and the Technology Infrastructure Tax Credit for tax years 2010, 2011 and 2012.

This measure is objectionable because it negatively impacts Hawaii's economy and makes it more difficult to sustain our current efforts to recover. It may not achieve its purpose of generating revenues to cover the state budget shortfall, and the bill may impact the state's future credit worthiness ratings.

First, this bill negatively impacts Hawaii's economy and business climate by increasing the uncertainty of doing business in the State. In 2009, Hawaii was ranked forty-second in the nation in an assessment of its state business climate by the Small Business and Entrepreneurship Council. This measure would continue to perpetuate that perception by making Hawaii's tax law unfriendly to businesses and investors.

Investors and businesses make decisions to hire, expand or start up a company based on assessments of the risks and rewards involved. One of the factors examined is the government's tax and regulatory structure. When government policies change with little notice or rationale, businesses become wary because they are no longer able to assess the future risks of putting money into Hawaii. The fact that this bill would change the tax credit rules retroactively, implies people who put capital in Hawaii can no longer trust the State Government to keep its word. This is bad economic policy and bad public policy.

Second, this bill may not actually generate revenue as stated in the committee report for the H.D. 1 version of this measure. Rather the measure would delay a total of \$168,400,000 in state financial obligations to fiscal years 2013-2014 and 2014-2015. Because a number of investors and businesses have already stated their intent to challenge this measure in court if it becomes law, their additional tax payments under this measure will likely be transferred to the Litigated Claims Fund until all matters are resolved. As such, it is highly uncertain whether the revenues from this measure can be counted toward the financial plan, since there is a possibility that revenues will not be deposited into the general fund as expected in fiscal years 2010-2011, 2011-2012, and 2012-2013, when the budget shortfall is most severe.

Finally, while Moody's maintained Hawaii's Aa2 rating on approximately \$4,700,000,000 in outstanding general obligation bonds this past February, the agency also revised the outlook on those bonds from stable to negative. One of the reasons for that revision is "Hawaii's narrowed financial operations as underscored by significantly lower reserve levels and payment deferrals," as well as "out-year structural gaps due to one-time solutions already incorporated in the enacted budget." This bill adds \$168 million to that future structural gap by delaying our tax credit obligations. As such it could negatively impact the assessment of Hawaii's credit worthiness by adding to the payment deferrals of the State.

For the foregoing reasons, I am returning Senate Bill No. 2401 without my approval.

Respectfully,  
/s/ James R. Aiona, Jr.  
JAMES R. AIONA, JR.  
Acting Governor of Hawaii"

Gov. Msg. No. 386, informing the House that on June 14, 2010, the following bill was signed into law:

S.B. No. 2897, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY." (ACT 166)

Gov. Msg. No. 387, informing the House that on June 15, 2010, the following bill was signed into law:

H.B. No. 2486, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 167)

Gov. Msg. No. 388, dated June 21, 2010, transmitting 39 proclamations giving notice to the House of the Governor's plans to return the following bills with her objections:

H.B. No. 415, HD2, SD2, CD1 A BILL FOR AN ACT RELATING TO PUBLIC SAFETY.

H.B. No. 444, HD1, SD1 A BILL FOR AN ACT RELATING TO CIVIL UNIONS.

H.B. No. 865, HD1, SD1, CD1 A BILL FOR AN ACT RELATING TO TRANSPORTATION.

H.B. No. 921, HD1, SD2 A BILL FOR AN ACT RELATING TO PUBLIC LANDS.

H.B. No. 1015, HD1, SD2, CD1 A BILL FOR AN ACT RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND.

H.B. No. 1212, HD1, SD1, CD1 A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES.

H.B. No. 1665, HD1, SD2, CD1 A BILL FOR AN ACT RELATING TO HAWAIIAN FISHPONDS.

H.B. No. 1907, HD1, SD1, CD1 A BILL FOR AN ACT RELATING TO TAXATION.

H.B. No. 2083, HD1, SD2 A BILL FOR AN ACT RELATING TO MILK LABELING.

H.B. No. 2133, HD1, SD1, CD1 A BILL FOR AN ACT RELATING TO PROCUREMENT.

H.B. No. 2152, HD1, SD1 A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES

H.B. No. 2239, SD2, CD1 A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.

H.B. No. 2283, HD2, SD1, CD1 A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT.

H.B. No. 2289, HD2, SD1, CD1 A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES.

H.B. No. 2318, HD2, SD1, CD1 A BILL FOR AN ACT RELATING TO THE HOMELESS.

H.B. No. 2377, HD3, SD2, CD1 A BILL FOR AN ACT RELATING TO EDUCATION.

H.B. No. 2441, HD2, SD2, CD1 A BILL FOR AN ACT RELATING TO PROCUREMENT.

H.B. No. 2497, SD1, CD1 A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS.

H.B. No. 2583, SD2, CD1 A BILL FOR AN ACT RELATING TO IMPOUNDED VESSELS.

H.B. No. 2644, HD2, SD2, CD1 A BILL FOR AN ACT RELATING TO SOLID WASTE.

H.B. No. 2708, HD1, SD1 A BILL FOR AN ACT RELATING TO TRANSPORTATION.

H.B. No. 2774, HD2, SD2, CD1 A BILL FOR AN ACT RELATING TO HUMAN SERVICES.

S.B. No. 1105, SD2, HD1, CD1 A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS AND PROCEDURES.

S.B. No. 2001, SD1, HD1 A BILL FOR AN ACT RELATING TO TAXATION.

S.B. No. 2020, HD2, CD1 A BILL FOR AN ACT RELATING TO REAL PROPERTY.

S.B. No. 2045, SD1, HD1, CD1 A BILL FOR AN ACT RELATING TO CRIME.

S.B. No. 2165, SD1, HD2, CD1 A BILL FOR AN ACT RELATING TO PRIVATE GUARDS.

S.B. No. 2324, SD2, HD2, CD1 A BILL FOR AN ACT RELATING TO UNEMPLOYMENT INSURANCE BENEFITS.

S.B. No. 2434, SD1, HD1, CD1 A BILL FOR AN ACT RELATING TO SALARIES.

S.B. No. 2473, SD1, HD2, CD1 A BILL FOR AN ACT RELATING TO HOUSING.

S.B. No. 2491, SD2, HD1, CD1 A BILL FOR AN ACT RELATING TO TELEMEDICINE.

S.B. No. 2534, SD2, HD1, CD1 A BILL FOR AN ACT RELATING TO BAIL.

S.B. No. 2547, SD1, HD1 A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS.

S.B. No. 2566, HD2, CD1 A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS.

S.B. No. 2610, HD1, CD1 A BILL FOR AN ACT RELATING TO CONVEYANCE TAX.

S.B. No. 2849, SD2, HD1, CD1 A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.

S.B. No. 2883, SD1, HD2, CD1 A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES.

S.B. No. 2919, A BILL FOR AN ACT RELATING TO THE  
SD1, HD1, CD1 HAWAII STATE HOSPITAL.

S.B. No. 2951, A BILL FOR AN ACT RELATING TO  
SD2, HD2, CD1 AGRICULTURE.

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 415, entitled "A Bill for an Act Relating to Public Safety," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 415, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 415 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 444, entitled "A Bill for an Act Relating to Civil Unions," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 444, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 444 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 865, entitled "A Bill for an Act Relating to Transportation," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 865, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 865 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 921, entitled "A Bill for an Act Relating to Public Lands," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 921, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 921 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1015, entitled "A Bill for an Act Relating to Obligations of the Department of Hawaiian Home Lands Trust Fund," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1015, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1015 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1212, entitled "A Bill for an Act Relating to Information Practices," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1212, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1212 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1665, entitled "A Bill for an Act Relating to Hawaiian Fishponds," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1665, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1665 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1907, entitled "A Bill for an Act Relating to Taxation," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1907, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1907 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2083, entitled "A Bill for an Act Relating to Milk Labeling," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2083, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2083 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of



June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2133, entitled "A Bill for an Act Relating to Procurement," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2133, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2133 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2152, entitled "A Bill for an Act Relating to Building Design for Persons With Disabilities," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2152, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2152 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2239, entitled "A Bill for an Act Relating to the Deposit Beverage Container Program," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2239, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2239 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2283, entitled "A Bill for an Act Relating to Public Procurement," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2283, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2283 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2289, entitled "A Bill for an Act Relating to Gift Certificates," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2289, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2289 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2318, entitled "A Bill for an Act Relating to the Homeless," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2318, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2318 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2377, entitled "A Bill for an Act Relating to Education," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2377, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of

Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2377 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2441, entitled "A Bill for an Act Relating to Procurement," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2441, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2441 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2497, entitled "A Bill for an Act Relating to the Issuance of Special Purpose Revenue Bonds," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2497, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2497 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2583, entitled "A Bill for an Act Relating to Impounded Vessels," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2583, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2583 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2644, entitled "A Bill for an Act Relating to Solid Waste," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2644, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2644 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2708, entitled "A Bill for an Act Relating to Transportation," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2708, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2708 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 2774, entitled "A Bill for an Act Relating to Human Services," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 2774, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 2774 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1105, entitled "A Bill for an Act Relating to Legislative Hearings and Procedures," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1105, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1105 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2001, entitled "A Bill for an Act Relating to Taxation," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2001, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2001 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2020, entitled "A Bill for an Act Relating to Real Property," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2020, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of

Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2020 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2045, entitled "A Bill for an Act Relating to Crime," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2045, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2045 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2165, entitled "A Bill for an Act Relating to Private Guards," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2165, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2165 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2324, entitled "A Bill for an Act Relating to Unemployment Insurance Benefits," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2324, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2324 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2434, entitled "A Bill for an Act Relating to Salaries," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2434, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2434 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a

proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2473, entitled "A Bill for an Act Relating to Housing," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2473, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2473 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2491, entitled "A Bill for an Act Relating to Telemedicine," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2491, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2491 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2534, entitled "A Bill for an Act Relating to Bail," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2534, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2534 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2547, entitled "A Bill for an Act Relating to Small Boat Harbors," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2547, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2547 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2566, entitled "A Bill for an Act Relating to Medical and Rehabilitation Benefits," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2566, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2566 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2610, entitled "A Bill for an Act Relating to Conveyance Tax," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2610, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2610 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2849, entitled "A Bill for an Act Relating to the Hawaii Employer-Union Health Benefits Trust Fund," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2849, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2849 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2883, entitled "A Bill for an Act Relating to Employment Practices," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2883, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2883 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2919, entitled "A Bill for an Act Relating to the Hawaii State Hospital," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2919, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2919 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before

adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 2951, entitled "A Bill for an Act Relating to Agriculture," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 2951, is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 2951 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 21st day of  
June, 2010.

/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 389, informing the House that on June 22, 2010, the following bill was signed into law:

H.B. No. 2503, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT." (ACT 168)

Gov. Msg. No. 390, informing the House that on June 22, 2010, the following bill was signed into law:

H.B. No. 2288, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRANSFER FEES." (ACT 169)

Gov. Msg. No. 391, informing the House that on June 22, 2010, the following bill was signed into law:

S.B. No. 1059, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS." (ACT 170)

Gov. Msg. No. 392, informing the House that on June 23, 2010, the following bill was signed into law:

H.B. No. 1948, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION." (ACT 171)

Gov. Msg. No. 393, informing the House that on June 23, 2010, the following bill was signed into law:

H.B. No. 2775, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE." (ACT 172)

Gov. Msg. No. 394, informing the House that on June 23, 2010, the following bill was signed into law:

S.B. No. 2523, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS." (ACT 173)

Gov. Msg. No. 395, informing the House that on June 24, 2010, the following bill was signed into law:

H.B. No. 2845, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE." (ACT 174)

Gov. Msg. No. 396, informing the House that on June 25, 2010, the following bill was signed into law:

S.B. No. 2563, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY." (ACT 175)

Gov. Msg. No. 397, informing the House that on June 25, 2010, the following bill was signed into law:

H.B. No. 2688, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 176)

Gov. Msg. No. 398, informing the House that on June 25, 2010, the following bill was signed into law:

H.B. No. 2061, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN." (ACT 177)

Gov. Msg. No. 399, transmitting her statement of objections to H.B. No. 415, HD 2, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
June 24, 2010

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 415

Honorable Members  
Twenty-Sixth [sic] Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 415, entitled "A Bill for an Act Relating to Public Safety."

The purpose of this bill is to require the Auditor to conduct an audit of the Department of Public Safety's contracts for prison beds and services outside Hawaii, and the department's contract with the federal detention center. As part of her comparison, the Auditor is directed to "address the closure of Kulani correctional facility" and make a recommendation on "whether the continued housing of Hawaii inmates in mainland facilities and in the federal detention center in Honolulu is advisable, in view of the explicit requirements of Chapter 353H."

This bill is objectionable because, it forces the Auditor to go beyond her duties as specified in HRS 23-4, requiring her to give a legal opinion and make a policy judgment outside the scope of a normal audit. The bill is ineffective because it proposes no solutions to the problems previously identified over many years regarding the lack of funds and facilities to house prisoners in Hawaii.

Further, the audit would duplicate an independent audit that is regularly conducted by a third party covering the fiscal conditions and finances of the Department. The redundant work would consume an estimated \$60,000 in State funds that would result in the loss of resources in the State Department of Defense, a State agency charged with protecting the safety of State residents.

For the foregoing reasons, I am returning House Bill No. 415 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 400, informing the House that on June 28, 2010, the following bill was signed into law:

S.B. No. 2600, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE." (ACT 178)

Gov. Msg. No. 401, informing the House that on June 28, 2010, the following bill was signed into law:

H.B. No. 2533, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF EMPLOYEES' RETIREMENT SYSTEM RETIRANTS." (ACT 179)

Gov. Msg. No. 402, informing the House that on June 28, 2010, the following bill was signed into law:

H.B. No. 2200, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET." (ACT 180)

Gov. Msg. No. 403, informing the House that on June 28, 2010, the following bill was signed into law:

S.B. No. 2173, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS." (ACT 181)

Gov. Msg. No. 404, informing the House that on June 28, 2010, the following bill was signed into law:

S.B. No. 2842, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PERMITTED TRANSFERS IN TRUST ACT." (ACT 182)

Gov. Msg. No. 405, informing the House that on June 29, 2010, the following bill was signed into law:

S.B. No. 2068, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY EDUCATION." (ACT 183)

Gov. Msg. No. 406, informing the House that on June 29, 2010, the following bill was signed into law:

S.B. No. 2346, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD." (ACT 184)

Gov. Msg. No. 407, informing the House that on June 30, 2010, the following bill was signed into law:

H.B. No. 2897, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS." (ACT 185)

Gov. Msg. No. 408, informing the House that on June 30, 2010, the following bill was signed into law:

S.B. No. 2231, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES." (ACT 186)

Gov. Msg. No. 409, transmitting her statement of objections to H.B. No. 1907, HD 1, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 1, 2010

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1907

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1907, entitled "A Bill for an Act Relating to Taxation."

The purposes of this bill are to: (1) place a cap on itemized deductions claimed on State income tax returns and (2) remove the refunding feature of the capital goods excise tax credit and delay its effectiveness for five years.



The bill is objectionable because it is a defacto tax increase that will adversely hurt certain individuals and businesses at a time when we should be encouraging investment and spending to recharge the economy. The tax increase not only impacts taxpayers, but also disincentivizes activities such as charitable giving and homeownership. Since itemized deductions are allowed for qualifying medical and dental expenses, contributions to qualifying charitable organizations, payment of certain taxes, home mortgage interest, and qualifying job-related expenses, capping the deduction will act to discourage these expenses. Non-profits and charitable organizations that depend on contributions to serve needy populations are particularly concerned that their ability to raise funds through donations and charitable giving would be adversely affected.

This tax increase targets a specific group of income taxpayers and businesses who file their taxes as individuals. Through the Legislature's veto overrides last session and this session, these entities are already being squeezed by an income tax increase, an income tax personal exemption phase out, and an estate tax reinstatement that amount to tax increases of almost \$97 million per year.

Second, Part II of this bill changes the terms of the capital goods excise tax credit and delays the effectiveness of this credit for five years. This is not sound economic policy since the credit serves as an incentive for companies to invest in machinery and equipment that expands and upgrades their operations at a time when we want firms to make these types of investments and encourage job growth.

For the foregoing reasons, I am returning House Bill No. 1907 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 410, transmitting her statement of objections to S.B. No. 2001, SD 1, HD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 1, 2010

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2001

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2001, entitled "A Bill for an Act Relating to Taxation."

The purpose of this bill is to repeal the High Technology Business Investment Tax Credit and the Technology Infrastructure Renovation Tax Credit retroactively on May 1, 2010, rather than December 31, 2010. This bill also extends the Tax Credit for Research Activities by one year, from December 31, 2010 to December 31, 2011.

This measure is objectionable because it raises fundamental doubts about the reliability and veracity of the State and adversely impacts the technology industry by extending support to specific parts of the technology sector at the expense of others.

Investors, entrepreneurs, and businesses make decisions to hire staff, expand operations, or start a new enterprise based on assessments of the risks and rewards they face. When government policies and commitments change with little notice or rationale, investors and firms understandably decide to pull back and invest their capital elsewhere.

This bill's retroactive elimination of a fundamental tax credit that numerous firms and individuals have depended upon since 1999, implies that people who invest in Hawaii can no longer trust State Government to

keep its word. This is poor public policy and will have long-term adverse implications for the State's ability to attract and retain new jobs and new investment.

Hawaii's technology industry is diverse in its makeup, including computer software, renewable energy, digital media, bioengineering, and defense-related companies. Depending on the field, function and maturity of these firms, research and development may or may not be a part of their ongoing functions. According to the Department of Taxation, there were a total of 203 qualified high technology companies using the business investment tax credit to attract investors in 2008, of which 76 companies also claimed the research tax credit. Many of these 76 research-oriented companies are in the fields of biotechnology and defense.

While these two sectors have contributed significantly to Hawaii's technology industry, it is vital for Hawaii to develop a diverse and vibrant industry that includes all sectors of innovation and technological development. This bill unfairly divides the industry and sacrifices companies with less research-oriented functions for the sake of companies oriented toward research and development. The State should not be in the business of picking winners and losers in the technology industry when the goal is to ensure the whole industry thrives in all its diversity.

For the foregoing reason, I am returning Senate Bill No. 2001 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 411, informing the House that on July 2, 2010, the following bill was signed into law:

H.B. No. 1015, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OBLIGATIONS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS TRUST FUND." (ACT 187)

Gov. Msg. No. 412, dated June 29, 2010, transmitting the Access Hawaii Committee and the Department of Accounting and General Services' Annual Report on the Operation of the Internet Portal for the period July 1, 2008 through June 30, 2009.

Gov. Msg. No. 413, informing the House that on July 5, 2010, the following bill was signed into law:

S.B. No. 2828, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 188)

Gov. Msg. No. 414, transmitting her statement of objections to H.B. No. 444, HD 1, SD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 444

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 444, entitled "A Bill for an Act Relating to Civil Unions."

There are many aspects to House Bill No. 444, but in its language, this legislation seeks to change Hawaii's current laws to grant partners in a civil union "all the same rights, benefits, protections, and responsibilities under law, whether derived from statutes, administrative rules, court decisions, the common law, or any other source of civil law, as are granted to those

who contract, obtain a license, and are solemnized pursuant to chapter 572," our marriage statute. It is essentially marriage by another name.

I have been open and consistent in my opposition to same gender marriage, but my personal opinion is not the basis for my decision against passage of this legislation.

This decision is of such societal significance that the people of Hawaii deserve the right to directly decide whether the changes contemplated by House Bill No. 444 should become law. It would be a mistake to allow a decision of this magnitude to be made solely on the views of a single individual or by 76 elected officials out of a population of 1,300,000. Ours is a system of representative government, but also one that recognizes that, from time to time, there are issues that require the reflection, collective wisdom, and consent of the people and reserves to them the right to directly decide those matters. This is one such issue.

The subject of this legislation has touched the hearts and minds of our citizens as no other social issue of the day, and it has touched me deeply as well.

I have been deliberative in undertaking an extensive review of this matter, inviting public testimony that has provided me with thousands of responses in the form of poignant letters, calls, emails, petitions, and personal meetings.

I have read commentaries and legal opinions, and held sessions with numerous individuals and groups, both for and against House Bill No. 444. I am extremely grateful to all who have taken the time to share with me their thoughts and feelings on this important matter.

Through this process I have gained a greater respect, understanding, and appreciation of the deeply felt emotions and beliefs that people hold on this issue and of the passion of both sides in advocating for something in which they believe so strongly.

This process has convinced me that my personal beliefs alone should not be the basis for my decision.

I have weighed the legal arguments and opinions offered on the bill and heard concerns over ambiguities that some have cited as reason enough for disallowing its passage. But this is also not a matter that should ultimately be determined on the basis of technical issues. It is a decision that should only be made based on what we as a society are willing to support.

It is not only a question of whether expanded legal recognition of same gender couples should be allowed, but a question of who should make that determination and how it should be made.

Unfortunately, the manner in which this bill has been handled has brought into question the fairness of the legislative process. A member of the majority party in the House said, "This is one of the most important votes any legislator will ever make. It is a shame that the vote couldn't have been done in a more dignified and open way." That member went on to assert, "When the legislative process is manipulated - whether unintentionally or deliberately - the public feels deceived."

I have chosen not to allow House Bill No. 444 to become law because of the respect that I have for the importance of this issue. It is one that should be decided not behind closed doors but behind the curtain of a voting booth. I have full faith and confidence that the good people of Hawaii, if given the opportunity, will choose what is best for our society.

Therefore, I call upon the members of the Legislature to allow Hawaii's citizens the right to determine whether we reserve marriage and its rights, benefits, protections, and responsibilities to heterosexual couples or expand the definition of marriage to include same gender unions by placing on the ballot at the next opportunity a straightforward question that settles this important issue.

For the foregoing reasons, I am returning House Bill No. 444 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 415, transmitting her statement of objections to H.B. No. 865, HD 1, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 865

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 865, entitled "A Bill for an Act Relating to Transportation."

The purpose of this bill is to establish a working group to determine the feasibility of transferring state highway maintenance functions to the county of Maui. The bill tasks the Director of Transportation and the Director of the Public Works Department of the County of Maui with responsibility for assembling and overseeing the work and specifies the type of findings and recommendations that shall be contained in the report.

This bill is objectionable because it requires the Department and the County of Maui to undertake this work within an unrealistic time frame without resources or staffing to handle the task.

The transfer of State highways to the counties has been an issue which has been examined and discussed for many years. The issues are serious enough that they cannot be adequately addressed within a period of less than six-months, which is all the time that is allowed under this bill.

Further, the bill fails to provide funding or staff positions to conduct the workload, meaning both the county and the State will need to divert resources from other high priority transportation and public works projects. Clearly to do an adequate job will require travel, analysis, and extensive consultation with federal officials and the legal community. There are concerns that any contemplated transfer could impact the allocation of federal highway funds, which must be spent within the constraints imposed at the Federal level. Issues of liability and the transfer of responsibility for these highways would need to be thoroughly and effectively addressed.

This measure fails to understand the complexity of the task or the impacts that may be involved and will detract from higher priority duties both the county and the State must undertake.

For the foregoing reasons, I am returning House Bill No. 865 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 416, transmitting her statement of objections to H.B. No. 921, HD 1, SD 2, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 921

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 921, entitled "A Bill for an Act Relating to Public Lands."

The purpose of this bill is to expand the potential assignees of a homestead lease to include trustees of land trusts created for the purposes of managing and holding a homestead for the benefit of the lessee and lessee's family members.

This bill is objectionable because it does not address the underlying issue of how best to resolve family disputes. The bill states that homestead leases are becoming increasingly difficult to manage as conflicts often arise between family members who may have an interest in a homestead lease. Setting up land trusts to hold and manage these leases will not resolve the conflict among surviving family members with respect to their share of the lessee's lease. The establishment of a trust can complicate the process because descendants must now also agree on the process of setting up the trust, appointing the trustee, and naming the beneficiaries. Current law, section 171-100, Hawaii Revised Statutes, allows the Office of Hawaiian Affairs to establish a successor determination program to help families with these issues.

Further, this bill would require the Board of Land and Natural Resources to take actions involving trust laws outside of their sphere of expertise.

For the foregoing reasons, I am returning House Bill No. 921 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 417, transmitting her statement of objections to H.B. No. 1212, HD 1, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1212

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1212, entitled "A Bill for an Act Relating to Information Practices."

The purpose of this bill is to expand the information in which a licensee has a significant privacy interest by only allowing the record of complaints that have been resolved against a licensee to be subject to public disclosure. As a consequence, the information about licensees available to consumers will be limited, and no longer include pending complaints.

Currently, individuals who are granted licenses in the State do not have a significant privacy interest in the record of complaints, including all dispositions, received about them. Consumers have been, and should be, encouraged to obtain licensing and complaint information prior to consulting and retaining licensed professionals. The disclosure of a licensee's complete complaint record results in increased consumer awareness and informed decision-making. This bill will decrease information available to consumers and thereby hinder this process.

Although proponents of this bill are concerned that current practices allow frivolous complaints to become public, the procedures used by the Department of Commerce and Consumer Affairs Regulated Industries

Complaints Office screen out over half of all complaints because they are frivolous, cannot be substantiated, do not involve a licensing violation, or can be resolved between the parties. Only when sufficient grounds have been found to start an investigation, does a complaint get disclosed in the Complaint History Report available to the public. As a courtesy, the State notifies the parties involved prior to the posting.

Unfortunately, this bill would restrict the Department's ability to disclose a significant number of the complaints that are currently available to over 500,000 individual reviewers who access this site each year. If complaints cannot be disclosed without an outcome, even if an investigation is underway, the complaint history becomes less useful to consumers. The report will no longer provide up to date information about licensees, and leaves consumers to question whether businesses and professionals not on the complaints list are those who truly have not received any complaints or those who have complaints pending. While improvements can be made to the complaint history record in a reasonable manner to accommodate licensee concerns, this bill is overly-broad and inappropriate.

For the foregoing reasons, I am returning House Bill No. 1212 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 418, transmitting her statement of objections to H.B. No. 2083, HD 1, SD 2, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2083

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2083, entitled "A Bill for an Act Relating to Milk Labeling."

The purpose of this bill is to require milk pasteurized, distributed, or offered for sale in Hawaii to be labeled with the date the contents were pasteurized or packaged for distribution or sale.

This bill is objectionable for three reasons.

First, while it would require this type of labeling for pasteurized milk, it would exempt ultra-high temperature pasteurized milk from the labeling mandate. "Pasteurized milk" in this bill refers only to fresh milk processed by heating to at least 145 degrees Fahrenheit for a minimum of thirty minutes, or to at least 161 degrees Fahrenheit for a minimum of fifteen seconds, but does not include ultra-high temperature pasteurized milk, which is processed under different heat and time conditions. There is no good reason for this exclusion.

Second, the bill does not specify which pasteurization date should be used. Some milk shipped into the State is pasteurized twice, and using the second pasteurization date would make it seem fresher, than it actually is, including appearing fresher than locally produced milk.

Third, this bill is inconsistent with the National Conference of Interstate Milk Shippers' Pasteurized Milk Ordinance, which has been adopted in Hawaii by administrative rules. The Ordinance prohibits the sale of unpasteurized milk, and its labeling provisions require only that milk be labeled "pasteurized" or "ultra-pasteurized" and show the place of pasteurization. This bill would take Hawaii out of compliance with the Ordinance, which all fifty states currently follow pursuant to guidance from the Food and Drug Administration.

For the foregoing reasons, I am returning House Bill No. 2083 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 419, transmitting her statement of objections to H.B. No. 2133, HD 1, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2133

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2133, entitled "A Bill for an Act Relating to Procurement."

The purpose of this bill is to require the State Procurement Office to authorize local reseller agreements as part of any multi-state contracting agreement and to place orders with local resellers having a principal place of business or ancillary headquarters located within the state, and not less than thirty-five per cent of the reseller's employees residing within the state.

Although I support increased competition among resellers of vendors contracted under multi-state contracts entered into by the Western States Contracting Alliance (WSCA), this measure does not help the State realize greater discounts in its purchases or improved servicing support. On the contrary, this bill has the potential to increase the cost of goods and services for state agencies.

This bill's definition of "local reseller" is problematic, because if a reseller is authorized and designated by a WSCA multi-state contract but does not meet the thirty-five percent residency requirement, it could nullify the reseller being able to participate, and in effect interfere with the operations and business decisions of the vendor. This could hurt vendors, and by extension, the State, because the purpose of multi-state contracting is to benefit the State with reduced pricing. Interfering with vendor business decisions and decreasing the availability of resellers is antithetical to this goal. As such, the bill has the potential to increase the cost of goods and services for state agencies.

Local resellers conducting business in Hawaii may already be included on the procurement list of the State Procurement Office. WSCA solicitation allows vendors to designate resellers, including those based in Hawaii. Based on the original vendor's list of authorized resellers, the State Procurement Office adds the resellers to its procurement list to allow State agencies to solicit and procure competitive, cost-effective goods and services. Thus, requiring the use of local resellers when authorized by the vendor is unnecessary, as they may already be utilized if they are authorized by the vendor.

For the foregoing reasons, I am returning House Bill No. 2133 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 420, transmitting her statement of objections to H.B. No. 2152, HD 1, SD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2152

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2152, entitled "A Bill for an Act Relating to Building Design For Persons With Disabilities."

The purpose of House Bill No. 2152 is to allow the Disabilities and Communication Access Board ("DCAB") to charge fees for the review of construction plans and designs starting January 1, 2011, and to establish such fees in statute until DCAB revises the fees in rulemaking. Currently, DCAB does not charge a fee for its review services.

This bill is objectionable because it increases the cost of public projects, private and non-profit housing and commercial and industrial developments that impact public right of ways. This fee not only increases costs for taxpayers who ultimately finance public projects, but Hawaii residents who are seeking to build or remodel a structure or firms interested in undertaking projects that will create construction jobs. This bill is particularly ill-timed since the economy has not yet returned to full speed and my Administration is taking steps to control costs and fees that would hamper our economic recovery.

While it is understandable that the Disabilities and Communication Access Board would seek ways to address budget issues, the fiscal year 2010-2011 supplemental budget for the Executive Branch, which was signed into law as Act 180, appropriates \$323,820 in general funds for the 5.5 DCAB positions that review construction plans and designs for ADA compliance. Further, even if this bill became law the fees imposed would be deposited into the general fund and would not accrue to the Board to handle the Americans with Disabilities Act review function.

For the foregoing reasons, I am returning House Bill No. 2152 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 421, transmitting her statement of objections to H.B. No. 2239, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2239

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2239, entitled "A Bill for an Act Relating to the Deposit Beverage Container Program."

The purpose of this bill is to expand the Hawaii Beverage Container Deposit Program by removing the current recycling program exemption for liquid dietary supplement containers starting July 1, 2010.

This bill is objectionable because the inclusion of liquid dietary supplement containers will make it difficult to recycle these containers, it will not be possible to implement by the bill's effective date, and will have a negative impact on consumers during these difficult economic times.

First, this bill would include liquid dietary supplement containers in the Deposit Beverage Container Program on July 1, 2010. There is no phase-in period, as there was when the original program began. As a result, the industry will not be able to comply with the bill's requirements since it would become law on July 1, 2010, and that date has already passed.

Second, this additional fee on liquid dietary supplement containers will impact Hawaii consumers by increasing the cost of drinking dietary supplements and health-related beverages. The fee increase would occur at a time when Hawaii families are still feeling the impacts of the recession and when it is important for Government to take steps to limit the cost of living increases imposed on our families.

Finally, redeeming the refund value of these containers will be inconvenient because reverse vending machines do not accommodate energy drink and dietary supplement containers, many of which are neither standard in size nor shape. Currently, reverse vending machines already have trouble identifying non-standard containers with HI5 labels, thus forcing consumers to either make another trip to a redemption center or throw away the containers, thus losing their refund.

For the foregoing reasons, I am returning House Bill No. 2239 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 422, transmitting her statement of objections to H.B. No. 2377, HD 3, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2377

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2377, entitled "A Bill for an Act Relating to Education."

This bill would implement the amendment to Article X, Section 2 of the Hawaii State Constitution, upon its ratification, as proposed in House Bill No. 2376. This measure creates a ten-member Board of Education, establishes a seven-member Board of Education Selection Advisory Council, and exempts this Council from the open meeting and public transparency provisions of Chapter 92, Hawaii Revised Statutes.

This bill is objectionable because it is a narrowly prescribed process for selecting Board of Education members that is intended to limit the number of candidates that a Governor can consider. Rather than permit the Governor to select candidates from the State's entire community, this bill transfers that duty to a seven member council that can recommend as few as only two names to the Governor to fill a position on the Board of Education.

I am also concerned that the process established in this bill fails to ensure that the Board of Education will be composed of members who reflect the best interests of the Department of Education and the State. Four of the seven members of the Selection Advisory Council will be selected by the Hawaii P-20 Council. The Hawaii P-20 Council is not a

statutorily-based organization and is made up of approximately thirty-two members representing a variety of public and private interests. This process will not provide the public with a better understanding of who is accountable for setting the policies that guide our public education system.

This approach contradicts what public citizen trusteeship should be—that is, citizens who are independent in their individual and collective judgment and who serve the people of Hawaii, not special interest groups, as Board of Education members. Instead, House Bill No. 2377 establishes a narrowly focused constituency-based selection council with members appointed by separate interests. These individuals can recommend as few as only two names to fill a vacancy on the Board of Education, further contributing to the partisan and narrow focus of potential Board of Education candidates.

I am also troubled by the exemption of the selection council from Part I, Chapter 92, of the Hawaii Revised Statutes covering open meetings, also known as the Sunshine Law. This blanket exemption would allow this council to conduct its proceedings behind closed doors away from public scrutiny. This makes it difficult for the selection council members to be held accountable for the recommendations they make since the public will be unable to observe how candidates were selected, how qualifications were applied, what screening process was utilized, and whether political or partisan considerations were used.

A selection process that operates in secrecy benefits no one. It injures the people it seeks to serve, damages the integrity of the operation, breeds distrust, and dampens the enthusiasm of citizens to consider serving as Board of Education members.

I affirmatively state that I support the proposed Constitutional amendment to establish an appointed Board of Education and urge its ratification. I propose that the next Governor offer implementing legislation that ensures the Board of Education members are selected directly by the Governor allowing for a fair, open and accountable process with the integrity this critical task deserves.

For the foregoing reasons, I am returning House Bill No. 2377 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 423, transmitting her statement of objections to H.B. No. 2441, HD 2, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2441

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2441, entitled "A Bill for an Act Relating to Procurement."

The purposes of this bill are to (1) require the Department of Hawaiian Home Lands and the Department of Transportation, to award project contracts within thirty days of the bid opening date; and (2) provide that a gift to the State shall not be deemed to constitute a procurement contract but the agency accepting the gift must report the gift to the State Procurement Office.

Although the intentions of this measure are understandable, I must object to this bill because the rigid award deadlines are counterproductive,

unrealistic, and violate procurement rules. The gifts exemption is not conducive to transparency in government.

Part I of this measure would require the Department of Hawaiian Home Lands and Department of Transportation to award contracts within thirty days of the bid opening date. This provision may work against efforts to speed up awards and is unrealistic for certain kinds of procurements. Complex project bids can require hundreds of hours of staff time to review and verify the documentation. If a department was not able to meet the new statutory timeline, the solicitation would be invalid, requiring a repeat solicitation that would further delay the procurement process. The review process could also be delayed by the offeror not furnishing the necessary documentation in a timely manner, or by protests of an award. If an award was made after the imposed statutory deadlines, it would likely result in a procurement violation.

In addition, this bill would require an award within forty-five days of the bid opening for contracts for design professional services. However, procurement of professional services is qualification-based and does not involve a bid opening. Statements of qualifications are requested by an agency and a review committee places the qualified applicants on a listing. When a need or project arises, a selection committee reviews the statements of qualifications, ranks the submittals, and begins negotiations with the first-ranked provider. A time limitation is therefore not conducive to the professional services procurement method and also would likely constitute a procurement violation.

Part II of this bill specifies that gifts made to the State shall not be deemed to constitute or require a procurement contract. I have concerns that gifts to the State of certain types of material, labor or equipment could influence the procurement of future projects that involve these same or similar materials, labor, or equipment. Exempting gifts from procurement contracting might encourage a 'donate to play' arrangement where the donor subsequently receives residual compensation for equipment, parts, service, repair, maintenance or other realizations, "locking-in" the donor to future contracts. For example, a donor might give free materials to the State, but those materials could require maintenance or further equipment or upgrades at a cost. Rather than eliminate procurement contracting for all gifts to the State, it is better for certain gifts to go through the transparent process under the Procurement Code that clearly delineates the benefits to the donor, and gives other parties an opportunity to gift the same materials or equipment to the State.

For the foregoing reason, I am returning House Bill No. 2441 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 424, transmitting her statement of objections to H.B. No. 2497, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2497

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2497, entitled "A Bill for an Act Relating to the Issuance of Special Purpose Revenue Bonds."

The purpose of this bill is to authorize the issuance of special purpose revenue bonds under part V, chapter 39A, Hawaii Revised Statutes, in a total amount not to exceed \$40,000,000, for the purpose of assisting

Carbon Bio-Engineers, Inc., or a partnership in which Carbon Bio-Engineers, Inc., is a general partner.

This bill is objectionable because the firm in question and members of its management have not satisfactorily resolved issues associated with the patent and licensing of a process developed by the University of Hawaii. After resolving these issues, Carbon Bio-Engineers, Inc., may approach the Legislature to request authorization of special purpose revenue bonds.

For the foregoing reasons, I am returning House Bill No. 2497 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 425, transmitting her statement of objections to H.B. No. 2583, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2583

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2583, entitled "A Bill for an Act Relating to Impounded Vessels."

The original purpose of this bill was to clarify that all costs and expenses associated with the impoundment and disposal of an impounded vessel are to be borne by the vessel owner. The original bill also clarified that mooring fees incurred prior to impoundment are also the responsibility of the vessel owner, regardless of whether the vessel owner repossesses the vessel. Amendments made to the bill added a new section 1 to establish civil and administrative penalties for shark feeding, including seizure and impoundment or forfeiture of any commercial marine license, vessel, and fishing equipment, and administrative fines, fees, and costs.

This bill is objectionable because it violates Section 14 of Article III of the Hawaii Constitution, which states that "[e]ach law shall embrace but one subject, which shall be expressed in its title." The subject of this bill that is expressed in its title is "impounded vessels." The establishment of civil and administrative penalties for shark feeding appears to go beyond the scope of the subject expressed in the title of this bill.

For the foregoing reasons, I am returning House Bill No. 2583 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 426, transmitting her statement of objections to H.B. No. 2644, HD 2, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2644

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2644, entitled "A Bill for an Act Relating to Solid Waste."

The purpose of this bill is to amend section 342G-62, Hawaii Revised Statutes, to require the solid waste disposal surcharge of 35 cents per ton to apply, in addition to all solid waste disposal facilities, to solid waste that is disposed of out-of-state.

This bill is objectionable because Hawaii should continue to encourage responsible, environmentally appropriate options for disposing of solid waste including the shipment of this waste to out-of-state facilities. The shipment of solid waste out-of-state is one approach to addressing cost and space issues related to Hawaii's landfills. Imposing a fee on the movement of refuse that leaves Hawaii sends a signal that the State may want to discourage this option. It is inappropriate to do so at a time when these programs are still in their inception.

Additionally, expanding the existing surcharge is contrary to my Administration's general policy against creating or expanding fees during difficult economic periods.

For the foregoing reason, I am returning House Bill No. 2644 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 427, transmitting her statement of objections to H.B. No. 2708, HD 1, SD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2708

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2708, entitled "A Bill for an Act Relating to Transportation."

The purpose of this bill is to require the Department of Transportation to develop and use a public involvement process for public review and comment in carrying out the statewide transportation planning process, including development of all state transportation projects.

The Department of Transportation has an established public involvement policy that is applicable to all modal divisions. This policy was updated last year and can be revised whenever it is necessary and appropriate.

Implementing the public involvement process proposed in this bill requires administrative rules that will be time-consuming, and will make updating said policies inflexible, more costly, and less responsive to the general public.

For the foregoing reasons, I am returning House Bill No. 2708 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 428, transmitting her statement of objections to S.B. No. 1105, SD 2, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1105

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1105, entitled "A Bill for an Act Relating to Legislative Hearings and Procedures."

The purpose of this bill is to require reports of studies and audits requested by the Legislature or mandated by law to be submitted to the Clerk of each house of the Legislature, the President of the Senate, the Speaker of the House of Representatives, the Chair of the applicable subject matter committee of each chamber of the Legislature, and the Legislative Reference Bureau library. Furthermore, the Chairs of the subject matter committees must conduct a public hearing or an informational briefing within one year of receipt of the report, unless explicitly waived by the President of the Senate or the Speaker of the House of Representatives.

I support greater transparency in government, but this measure does not help realize this goal. Rather, this measure unnecessarily burdens state agencies with the task of appearing at mandated hearings and briefings.

Legislative briefings entail a great deal of groundwork and preparation by agencies that impacts time and staff resources. It is also well understood that not all reports are worthy of receiving a hearing or briefing. However, under this measure, even if the hearing or briefing is eventually waived, agency resources will have been expended preparing for the anticipated briefing or hearing.

Moreover, the Legislature already has the authority to hold a briefing or hearing on any area of interest, including legislative reports and audits. Mandating such hearings and briefings removes the discretion of legislative committee chairs, creating a procedural rigidity that is counterproductive. The current system, in which committees use their best judgment to determine whether or not a hearing or briefing is warranted, is more practical and efficient than the mandate proposed in this bill.

For the foregoing reasons, I am returning Senate Bill No. 1105 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 429, transmitting her statement of objections to S.B. No. 2020, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2020

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2020, entitled "A Bill for an Act Relating to Real Property."

The purpose of this bill is to extend the sunset date of Act 189, Session Laws of Hawaii 2009 (Act 189), from June 30, 2010, to June 30, 2013. Act 189 contained several provisions pertaining to renegotiations of commercial and industrial leases, and in particular specified that the term "fair and reasonable" annual rent of certain leases of commercial or industrial leasehold property be construed in a specific manner.

The constitutionality of Act 189 has been litigated in the United States District Court for Hawaii in a lawsuit brought by HRPT Properties Trust which owns significant amounts of land in the Mapunapuna area. The District Court recently provided its written inclination (a summary of the court's thinking) to find that Act 189 violates the Contracts Clause of the United States Constitution. Although a written order to that effect has not yet been issued, it appears probable that the Court will soon issue a ruling that Act 189 is unconstitutional.

Extending the life of Act 189 for three additional years serves no useful purpose, and may expose the State to an increasing amount of attorneys' fees. Allowing Act 189 to sunset may reduce or eliminate the State's liability in this case.

For the foregoing reasons, I am returning Senate Bill No. 2020 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 430, transmitting her statement of objections to S.B. No. 2045, SD 1, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2045

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2045, entitled "A Bill for an Act Relating to Crime."

The purposes of this bill are to create two new criminal offenses of Sexual Human Trafficking in the First Degree and Sexual Human Trafficking in the Second Degree, and to add Sexual Human Trafficking to the list of offenses covered under the government witness protection program.

This bill is objectionable because the proposed new offenses seek to prohibit conduct that is already prohibited under Hawaii law, and because the proposed new offenses do not clearly define prohibited conduct in such a way that they can be enforced and prosecuted in court.

The language in this measure is poorly drafted, overly broad, redundant, and inaccurate so as to make it virtually impossible to bring to trial and convict those who engage in human trafficking. The bill also fails to establish clear standards for a person knowingly or intentionally engaging in this behavior, thus jeopardizing the case that a prosecutor would have to present in a court of law.

In addition to the inadequately defined terms, the proposed offenses of sexual human trafficking do not clearly establish prohibited conduct that can be reasonably understood.

This bill is also objectionable because most of the conduct that the proposed offenses attempt to prohibit is already covered by existing statutes.

Advancing or profiting from the prostitution of a minor is prohibited by section 712-1202, Hawaii Revised Statutes, Promoting Prostitution in the First Degree. Under section 712-1202, the State need only prove that: (1) the actor knowingly advances or profits from prostitution, and (2) the prostituted person is less than eighteen years old. In contrast, proposed section 707-B of this bill would impose additional elements (enticement, fraud, or coercion; maintenance, management, supervision, or control; and transportation) that the State must prove. The additional elements would make it more difficult to obtain convictions in cases involving prostitution of minors. There is no logical reason to add them.

The proposed offenses refer to prostitution or sexually-explicit activity obtained or maintained through coercion. The use of coercion is prohibited by existing statutes. Section 712-1202, Promoting Prostitution in the First Degree, prohibits knowingly "[a]dvanc[ing] prostitution by compelling a person by force, threat, or intimidation to engage in prostitution, or profit[ing] from such coercive conduct by another." Section 707-764, Hawaii Revised Statutes, Extortion, prohibits obtaining, or exerting control over, the property, labor, or services of another with intent to deprive another of property, labor, or services by threats of word or conduct; and prohibits intentionally compelling or inducing another person to engage in conduct from which another has a legal right to abstain, or to abstain from conduct in which another has a legal right to engage, by threats of word or conduct.

I support the goals of preventing human trafficking and bringing its perpetrators to justice. Unfortunately, those goals will not be achieved by the enactment of this bill and this bill will make it more difficult to achieve the objectives of penalizing those who engage in sexual human trafficking.

For the foregoing reasons, I am returning Senate Bill No. 2045 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 431, transmitting her statement of objections to S.B. No. 2324, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2324

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2324, entitled "A Bill for an Act Relating to Unemployment Insurance Benefits."

The purpose of this bill is to allow a partially unemployed individual who quits his or her part-time job without valid reason, or is terminated for cause, to still receive unemployment insurance benefits.

This bill is objectionable because it violates the foundation upon which the unemployment insurance benefits system was based, namely a person should receive financial assistance only when they lose their job through no fault of their own. If this bill became law, a partially unemployed individual would continue to be paid unemployment benefits even if the individual voluntarily quit a part-time job without good cause or was discharged for misconduct connected with work. All other unemployed individuals are subject to disqualification for voluntarily quitting full-time employment or when they are discharged for misconduct.



Additionally, payment of benefits resulting from this bill would increase the fiscal demands on the Unemployment Insurance Trust Fund, which could eventually increase employers' contributions. This impact would occur at a time when the fund is experiencing significant draw downs due to higher than anticipated unemployment rates. It would not be responsible public policy to add beneficiaries who don't meet the appropriate threshold to enjoy these dwindling benefits.

For the foregoing reasons, I am returning Senate Bill No. 2324 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 432, transmitting her statement of objections to S.B. No. 2434, SD 1, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2434

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2434, entitled "A Bill for an Act Relating to Salaries."

The purposes of this bill are to adjust the salaries and to provide annual performance bonuses for the Superintendent of Education, the Deputy Superintendent, the Assistant Superintendents, and the Complex Area Superintendents and to provide an annual performance bonus for the State Librarian, beginning with the 2011-2012 school year.

This bill is objectionable because it could impact the funding of other education programs and comes at a time when other state workers are losing their jobs, taking furloughs, or are subject to decreased pay.

The Department of Education and the Hawaii Public Library System will be obligated to fund the salary increases and bonuses within their current resources. It is unclear how the department will find the funding to meet new fiscal obligations without a reduction or elimination of other programs and priorities. Schools have already experienced reductions or elimination of certain educational programs and parents are now being asked to pay more for school transportation and school meals.

While I fully realize that the intent of this measure is to attract a wider range of potential candidates for senior positions in the Department of Education, it should be noted that the Superintendent already receives a considerably higher salary than many other critical positions in State Government, such as the Director of Human Services and the Director of Health who are both responsible for the well-being for many individuals.

For the foregoing reasons, I am returning Senate Bill No. 2434 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 433, transmitting her statement of objections to S.B. No. 2473, SD 1, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU

July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2473

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2473, entitled "A Bill for an Act Relating to Housing."

The purpose of this bill is to allow grandparents residing in State-operated elderly housing projects to temporarily house their minor grandchildren for not more than three months in certain family crisis situations.

While I personally understand the importance of allowing grandparents to step in when family needs require their assistance, this bill is objectionable because it places additional liabilities on the State, could impact the State's coverage under the Federal Fair Housing Act, and addresses an issue that has been handled by the Hawaii Public Housing Authority through its procedures.

The Federal Fair Housing Act exempts public elderly housing if the State meets specified admission rules, population requirements, and demonstrates clear intent to limit these facilities to elderly only. Enactment of this bill could result in the Hawaii Public Housing Authority being placed in a situation where this exemption could be challenged.

The bill does not limit the number of grandchildren who are entitled to stay with a grandparent, which could conflict with occupancy limits established by building codes and other health and safety laws. Elderly housing projects are not designed to accommodate young children and do not have the safety features family housing must abide by such as higher window heights and enclosed walkways and stairways.

Moreover, while the accommodation of grandchildren is intended as a temporary accommodation of not more than three months, without a clear provision in this bill to the contrary, entitlement to a larger unit may be an unintended consequence of this bill. This would create burdens on the HPHA to coordinate larger units within a limited inventory, and may expose the HPHA to further liability if a larger unit is not available.

I am pleased that the Hawaii Public Housing Authority has recognized the need to address this matter in a manner that allows a child in need to stay with a grandparent for a limited time until more appropriate accommodations can be found, while ensuring that public elderly housing remains available for those who meet the criteria of age 62 or older.

For the foregoing reasons, I am returning Senate Bill No. 2473 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 434, transmitting her statement of objections to S.B. No. 2491, SD 2, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2491

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2491, entitled "A Bill for an Act Relating to Telemedicine."

The purposes of this bill are to: (1) Require the Insurance Commissioner to conduct a study regarding the impact of telehealth services on medical malpractice policies and rates and report the findings to the Legislature at least twenty days prior to the next legislative session; and (2) Add a new section to Hawaii Revised Statutes chapter 346 prohibiting the Department of Human Services from requiring its approval for health plans under its Medicaid or Quest services to deliver telehealth services or in-person visits to qualify any telehealth service for the foregoing Medicaid or Quest program. The foregoing mandate applies to mobile medical van programs offering telehealth services in counties with a population less than 250,000.

Although I support the expansion of telemedicine and telehealth initiatives due to their potential to increase the availability of health care services to the public, the approach taken in Part II of this bill is inappropriate.

The expansion of telehealth services provided for in this bill would have to be funded entirely by state dollars, since this expansion of services has not received federal approval, and is therefore ineligible for federal reimbursement. Indeed, the mobile medical van envisioned in this bill may offer services in conflict with federal requirements and be ineligible for funding. General funds to cover the costs of these services are not included in the bill, and therefore this bill presents the Department of Human Services with an unfunded mandate.

Enacting this bill would also set an undesirable precedent of statutorily requiring the Department of Human Services to cover the cost of a service over which it has no authority for prior review and approval. Because of the significant growth in the Medicaid budget, the Department of Human Services is continually looking at approaches to reduce costs without compromising patient safety. The provisions of this bill are an impediment to the efforts by the Department of Human Services to responsibly manage the program.

For the foregoing reason, I am returning Senate Bill No. 2491 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 435, transmitting her statement of objections to S.B. No. 2534, SD 2, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2534

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2534, entitled "A Bill for an Act Relating to Bail."

This bill requires any law enforcement agency in the county in which the person is detained to accept cash bonds, surety bonds, and recognizance bonds on weekends and holidays, to allow for the prompt discharge of a person from custody or imprisonment. It requires that the payment of a bond to a law enforcement agency be accompanied by a bond filing fee of \$60, payable in cash, and allocates the fee between the processing agency and the State general fund.

This bill is objectionable because it would adversely impact the workload of law enforcement agencies that are not staffed or trained to handle this function.

The definition of "law enforcement agency" in this bill is very broad. It could apply to the Sheriff and Narcotic Enforcement Divisions of the Department of Public Safety, the Department of Taxation, the Insurance Division of the Department of Commerce and Consumer Affairs, the Harbors Division of the Department of Transportation, the Conservation and Resources Enforcement Division of the Department of Land and Natural Resources, the Benefit, Employment and Support Services Division of the Department of Human Services, the Department of the Attorney General, the county liquor commissions, and the county prosecutors.

All of these law enforcement agencies may be required to establish weekend and holiday units that would be available to receive bail bonds and bond filing fees and have the capability to process these receipts, verify the custody status of the defendant, communicate with the custodial agencies, effectuate the release of the defendant, and follow up with the courts. Most of these agencies do not have the resources or capabilities to address the new responsibilities created by this bill.

For the foregoing reasons, I am returning Senate Bill No. 2534 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 436, transmitting her statement of objections to S.B. No. 2547, SD 1, HD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

#### STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2547

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2547, entitled "A Bill for an Act Relating to Small Boat Harbors."

The purpose of this bill is to impose a condition on small boat harbor commercial permittees to require a crew member to accompany all fare paying passengers that the permittee expects will visit and participate in recreational activity on state property adjacent to quasi-public property in a county of less than 150,000 population.

Although I understand the frustration of the residents of Lanai, this bill is objectionable because this is not the correct way to address the problem. This bill requires the Department of Land and Natural Resources to impose and enforce a permit condition on permittees using a state boating facility as a means of resolving land-based conflicts on non-state land. This is not the best use of the resources of the Department of Land and Natural Resources.

Further, the bill would be difficult to enforce. Enforcement of the condition set forth in this bill would require the Department of Land and Natural Resources to prove that the permittee has the expectation that its fare paying passengers will visit and participate in recreational activity on state property adjacent to quasi-public property before the conclusion of the excursion. It is counterproductive to require a permit condition that the Department of Land and Natural Resources either cannot, or does not have the resources to, enforce.

For the foregoing reasons, I am returning Senate Bill No. 2547 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 437, transmitting her statement of objections to S.B. No. 2566, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2566

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2566, entitled "A Bill for an Act Relating to Medical and Rehabilitation Benefits."

The purpose of this bill is to provide under the State's workers' compensation law, that a physician or surgeon may conduct diagnostic testing or engage in a one-time consultation with a specialist, and the request for or provision of such diagnostic services shall not be subject to contest by an insurer or employer. Furthermore, this bill provides that the one-time consultation may be made regardless of whether the specialist works in a medical facility in which the physician or surgeon has a financial interest.

This bill is objectionable because it unnecessarily increases workers' compensation costs in Hawaii by creating an unintended bias against employers and insurance carriers, who pay for the workers' compensation treatments. This measure denies them the opportunity to challenge services that may not be medically necessary. In addition, because it allows a consultation at a medical facility in which the referring physician or surgeon has a financial interest, this bill may allow situations to occur that involve a conflict of interest.

For the foregoing reasons, I am returning Senate Bill No. 2566 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 438, transmitting her statement of objections to S.B. No. 2610, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2610

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2610, entitled "A Bill for an Act Relating to Conveyance Tax."

The purpose of this bill is to require the Department of Taxation to provide free digital images of property conveyance certificates to county

real property assessment divisions within ten days after the end of each week, or as soon thereafter as possible.

This measure is objectionable because it forces the Department of Taxation to reprioritize its workload to serve the counties' interests, to the detriment of the State. It is also objectionable to prevent the Department of Taxation from charging the counties for work that serves their real property assessment divisions.

This bill negatively impacts state tax collections by requiring the Department of Taxation to scan and provide conveyance certificates to the counties on a weekly basis. Currently, the Department of Taxation provides approximately 1,000 to 1,500 hardcopies of conveyance certificates to county real property assessment divisions on a weekly basis, and the Department also scans conveyance certificates after each year's tax season for its own archival purposes.

Unless the requirement to provide these images "ten days after the end of each week, or as soon thereafter as possible" can be interpreted to allow the Department to provide the digital images after tax season, this measure effectively gives the same priority to scanning conveyance certificates as scanning tax documents, tax returns, and payment vouchers. Given that the collection of state taxes is of the utmost importance, it is objectionable to prioritize the counties' needs on the same level as that of the State's.

While I support and promote the use of technologies to expedite the work flow of public agencies, it is inappropriate for the Legislature to require the Department of Taxation to undertake this task to the detriment of other State business.

For the foregoing reasons, I am returning Senate Bill No. 2610 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 439, transmitting her statement of objections to S.B. No. 2849, SD 2, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2849

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2849, entitled "A Bill for an Act Relating to the Hawaii Employer-Union Health Benefits Trust Fund."

The purposes of this bill are to: (1) require all moneys appropriated to the Hawaii Employer-Union Health Benefits Trust Fund ("EUTF") to be transferred directly to the EUTF and not be subject to budget allotment procedures or the powers of the Governor and Director of Finance; (2) change the voting structure of the EUTF board of trustees so that each trustee has one vote and the votes of six trustees are required for any action; and (3) add "surplus" to the description of what is to be held in trust for the exclusive use and benefit of EUTF beneficiaries, and not be subject to appropriation or transfer for any other purpose.

This bill is objectionable because it categorically exempts moneys appropriated for contributions to the EUTF from the allotment system. This system is necessary to control state expenditures, effectuate savings, promote efficient management of state agencies, and ensure general fund expenditures do not exceed general fund revenues, as required by the State Constitution. Under this bill, contributions would have to be made to the

EUTF even if the EUTF does not need the contributions to cover the State's share of health benefit plan costs or the general fund expenditures exceed general fund revenues.

In addition, the bill is objectionable because it creates ambiguity and confusion over when appropriations are to be transferred to the EUTF and how much is to be transferred. Appropriations for the State's contributions to the EUTF are based on the Department of Budget and Finance's estimate of the State's share of EUTF benefit plan costs each year. This is because the number of beneficiaries enrolled in EUTF benefits plans changes constantly and premium costs or rates also change during the fiscal period. Under current law, the Department is required to pay the EUTF a monthly contribution for each of the State's EUTF beneficiaries, and the amount is used toward the payment of their EUTF benefit plan costs. Specifically, sections 87A-32(2) and 87A-33, Hawaii Revised Statutes, require that the monthly contribution shall not exceed the actual cost of the health benefit plans. Under this bill, the Department would essentially pay the estimated EUTF contributions on the first day of each fiscal year, which for fiscal year 2010-2011 amount to \$478,025,239 as appropriated in the State supplemental budget. This conflict with current law would make it impossible to properly administer payments to the EUTF if this bill became law.

For the foregoing reasons, I am returning Senate Bill No. 2849 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 440, transmitting her statement of objections to S.B. No. 2883, SD 1, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2883

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2883, entitled "A Bill for an Act Relating to Employment Practices."

The purpose of this bill is to make it an unlawful practice for an employer to bar or discharge from employment, withhold pay from, or demote an employee because the employee uses accrued and available sick leave. The prohibition applies to employers who have a collective bargaining agreement and employ one hundred or more employees.

This bill is objectionable because the bill gives to the State Department of Labor and Industrial Relations the authority to find an employer in violation of state law if the employer bars, discharges from employment, or withholds pay from an employee. This determination will likely require the interpretation of the employer's negotiated sick leave and negotiated sick leave policies under a collective bargaining agreement. In Lingle v. Norge, 486 U.S. 399, 406, 108 S. Ct. 1877, 1881 (1988), the United States Supreme Court held that under section 301(a) of the Labor Management Relations Act of 1947, 29 U.S.C. section 185(a), state law is preempted if the state law depends upon the interpretation of the meaning of the collective bargaining agreement. This bill will likely require such an interpretation and therefore is preempted by federal statute.

This bill is also objectionable because the terms "legitimate use" of sick leave and "abuse of sick leave" used in the bill are vague and not defined, making enforcement and administration of its provisions difficult.

For the foregoing reasons, I am returning Senate Bill No. 2883 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 441, transmitting her statement of objections to S.B. No. 2919, SD 1, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2919

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2919, entitled "A Bill for an Act Relating to the Hawaii State Hospital."

The purpose of this bill is to require the Department of Public Safety ("PSD") to provide security for the Hawaii State Hospital.

While the security of this facility is paramount, this bill is objectionable because this added responsibility will require resources that PSD does not have and that the Legislature has not adequately provided. Securing the entire Hawaii State Hospital ("HSH") requires an extraordinary amount of additional personnel, training and expertise. The population at HSH and its special needs also require security personnel to have a different kind of training specifically geared toward addressing situations that can be anticipated with this resident population that suffer the full spectrum of mental health disorders. Failure to adequately address this assignment would expose the State to unnecessary liability.

For the foregoing reason, I am returning Senate Bill No. 2919 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 442, transmitting her statement of objections to S.B. No. 2951, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
July 6, 2010

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2951

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2951, entitled "A Bill for an Act Relating to Agriculture."

The purpose of this bill is to provide additional remedies to lessees of public land leases for intensive agricultural and pasture uses upon the withdrawal or taking of leased lands and to extend all remedies to such lessees when an easement is placed on the leased land that prevents the lessee from using the land as originally intended.

This bill is objectionable because it disproportionately and inappropriately compensates these lessees of public lands above other lessees of State lands. Current law, as embodied in Chapter 171 of Hawaii Revised Statutes, already provides procedures for the withdrawal of leased lands. Lessees must be given reasonable notice of the planned withdrawal. Their lease rents must be adjusted to reflect the portion of lands withdrawn and they must be compensated for the value of any improvements on the withdrawn portion. Further, if there are crops on the land, the lands cannot be withdrawn until the crops are harvested or the State pays for the value of the crops.

It should be noted these lessees have been paying rent well below market rates and enter into the leases knowing that leased land may be withdrawn for public purposes. Extraordinary compensation for costs attributable to the diminished use of the leased land, for the value of breeding stock that are not a part of the real property, and for the placement of easements, will discourage and impede the use of public land for valid and necessary public purposes.

For the foregoing reasons, I am returning Senate Bill No. 2951 without my approval.

Respectfully,  
/s/ Linda Lingle  
LINDA LINGLE  
Governor of Hawaii"

Gov. Msg. No. 443, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 2454 SD2 HD1 CD1

On July 6, 2010, Senate Bill No. 2454, entitled "A Bill for an Act Relating to Public Agency Meetings and Records" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill authorizes the Judiciary to assess fees on the public for the copying of court documents, but allows the court to exempt state agencies from these fees.

While I understand that it takes resources to copy court records, I remain concerned with the practice of continuing to operate government programs and services by burdening the public with higher fees. I am particularly concerned that this proposed fee structure would come at a time when our residents are dealing with economic challenges and many are having difficulty making ends meet.

Further, the fiscal impact on the public is not known since the bill gives the courts the ability to set the fees. I would urge the members of the Judiciary to be mindful that many of the people who must use our court system are of modest socio-economic means. They should not be denied legitimate access to legal records because they cannot afford to pay the fees imposed.

For the foregoing reasons, I allowed Senate Bill No. 2454 to become law as Act 189, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 444, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 2256 SD1 HD1 CD1

On July 6, 2010, Senate Bill No. 2256, entitled "A Bill for an Act Relating to the Department of Education" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill authorizes the Department of Education to assess fees for parking on roadways and parking areas under its jurisdiction, and to adopt administrative rules relating to the assessment and collection of parking fees.

The intent of the bill is to create another source of revenue for the Department of Education. I remain concerned with the practice of continuing to operate government programs and services by burdening the public with higher fees during difficult economic times. Further, the exact fiscal impact on the public is unknown since the bill does not specify who will be assessed parking fees and the parameters and scope of fee assessment and collection.

I am also concerned that the deposit of parking fees into the Department of Education's Use of School Facilities special funds does not meet the criteria of Section 37-52.3, Hawaii Revised Statutes, which states that special and revolving funds should: 1) reflect a clear nexus between the benefits sought and charges made upon the users and beneficiaries of the program; 2) provide an appropriate means of financing for the program or activity; and 3) demonstrate the capacity to be financially self-sustaining.

For the foregoing reasons, I allowed Senate Bill No. 2256 to become law as Act 190, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 445, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 2469 SD2 HD2 CD1

On July 6, 2010, Senate Bill No. 2469, entitled "A Bill for an Act Relating to the Emergency and Budget Reserve Fund" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to appropriate a total of \$23,717,136 from the Emergency and Budget Reserve Fund (EBRF) to 42 state programs or non-profit organizations to maintain various programs in fiscal year 2010-2011.

Although I understand the intent of this measure, the State continues to face a precarious fiscal future. It is unlikely State revenues will reach pre-recession levels until 2012 and prudent fiscal management requires the State to retain its reserves in the event serious financial or non-financial emergencies occur during the interim.

While I am allowing this bill to become law without my signature, it is important to note that each appropriation must still be scrutinized by the designated expending agency as well as the Department of Budget and Finance prior to the release of funds. I have instructed the Departments to not take actions to consider any of the proposed appropriations in this bill until after the first quarter of FY 2011 is completed and updated Council on Revenues estimates are available.

For the foregoing reasons, I allowed Senate Bill No. 2469 to become law as Act 191, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 446, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 2542 HD1 SD2 CD1

On July 6, 2010, House Bill No. 2542, entitled "A Bill for an Act Relating to Non-General Funds" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to reallocate an estimated \$100,000,000 from various non-general funds and programs to the general fund. This measure transfers \$46,000,000 from specific non-general funds to the general fund on July 1, 2010; and retains in the general fund approximately \$54,000,000 in cigarette tax distributions that are intended for health-related programs from July 1, 2010 to June 30, 2013.

This measure originally would have transferred a total of \$10,000,000 from five non-general funds to the general fund. However, this measure was significantly amended to transfer \$46,000,000 from 25 different non-general funds, and withhold another \$54,000,000 in cigarette tax distributions from three health special funds. While I understand the need to fill the state budget deficit, I am concerned that the magnitude of these reallocations will negatively impact the operation of many important public programs and services.

Although this measure authorizes the Director of Finance to transfer a total of \$46,000,000 from various non-general funds to the general fund on July 1, 2010, I do not believe all these transfers are appropriate. To ensure programs and services will not be dramatically impacted, transfers will only be made by the Director of Finance in cases where they have been determined to be appropriate and necessary.

Also I am concerned that any reduction of moneys in the State Highway Fund will further impact our ability to repair and maintain the roadways in our State. I have worked hard to ensure these funds remain intact for much needed repairs.

For the foregoing reason, I allowed House Bill No. 2542 to become law as Act 192, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 447, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 1818 HD2 SD2 CD1

On July 6, 2010, House Bill No. 1818, entitled "A Bill for an Act Relating to Cognitive Restructuring" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to authorize the Department of Public Safety to offer reentry/reintegration programs within Hawaii's correctional facilities that include cognitive behavioral therapy with cultural and other interventions. This measure also requires the Department of Public Safety to submit an annual report to the Legislature on these programs in Hawaii's correctional facilities no later than twenty days prior to the convening of each regular session, beginning with the regular session of 2011.

Although I support the implementation of reentry programs that are effective and help offenders transition back into the community, the Department of Public Safety already has the authority to implement the types of programs specified in this measure. Thus, this bill is unnecessary. Moreover, this legislation does not address the level of funding for such

programs, which is the primary impediment to conducting these and other kinds of programs and treatments.

Additionally, the provision of this bill that requires the Department of Public Safety to report certain statistical and demographic data fails to define key terms, such as "native Hawaiian" and "recidivism", which are important for the collection of accurate and useful data.

For the foregoing reasons, I allowed House Bill No. 1818 to become law as Act 193, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 448, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 2266 HD1 SD1 CD1

On July 6, 2010, House Bill No. 2266, entitled "A Bill for an Act Relating to Corrections" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to require the Department of Public Safety to place priority upon establishing appropriate counseling services for sexual assault within twenty-four hours of the report of an assault, and to issue policies and standards to achieve a zero-tolerance policy regarding sexual assault. In addition, this bill requires the Department of Public Safety to provide an annual report to the Legislature about its efforts to implement the federal Prison Rape Elimination Act of 2003 (PREA).

The Department of Public Safety already has implemented policies and procedures that accomplish the measure's stated purpose. The Department provides counseling services for sexual assault victims and currently has a zero tolerance policy on sexual assault. Consequently, this legislation is duplicative and unnecessary.

Additionally, implementing regulations have not yet been adopted by the Federal Government for PREA, making this bill's reporting requirements on PREA implementation premature.

For the foregoing reasons, I allowed House Bill No. 2266 to become law as Act 194, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 449, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 2289 HD2 SD1 CD1

On July 6, 2010, House Bill No. 2289, entitled "A Bill for an Act Relating to Gift Certificates" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to amend Hawaii's gift certificate law by (1) extending the minimum expiration date on certain gift certificates from two to five years; (2) conforming Hawaii's definition of "gift certificate" to the definition under federal law; and (3) permitting issuers of gift certificates to charge a limited activation fee.

I support extending the minimum expiration date on gift certificates and conforming Hawaii's definition of "gift certificate" to the federal definition as these amendments have the potential to benefit consumers. However, I question permitting gift card issuers to charge an activation or issuance fee for the purchase of a gift card. Currently, such fees are prohibited under Hawaii law. This bill does limit the fee to the lesser of ten percent of the face value of the certificate or \$5, and requires the fee to be disclosed in advance.

I understand the fees will cover some of the cost of producing, shipping and marketing gift cards. Nevertheless, I would have preferred that the current total prohibition on fees be kept intact, as Hawaii consumers deserve to have their money go towards the items that may be purchased with the gift cards, and not fees imposed by the card issuers.

For the foregoing reasons, I allowed House Bill No. 2289 to become law as Act 195, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 450, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 2832 HD1 SD2 CD1

On July 6, 2010, House Bill No. 2832, entitled "A Bill for an Act Relating to Taro Security" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill authorizes the Office of Hawaiian Affairs (OHA) to seek available federal, state, county or private funding to restore taro and lo'i cultivation. The bill also requires the Taro Security and Purity Task Force to submit reports to the 2014 and 2015 legislative sessions.

This bill raises several concerns. First, it should be noted that OHA already has the authority to seek federal, state, local and private funding for projects. Thus this bill does not grant that organization any powers it does not already possess.

However, the measure is troubling in that it proposes the implementation of recommendations that may not be in the best interests of the public, including the taro farming community. It would be unfortunate if projects were undertaken that did not address the needs and concerns of commercial taro growers that provide the foodstuff many of us enjoy and depend on. The bill would also support implementation of proposals that would violate other sections of the Hawaii Revised Statutes, including the manner in which fair lease rents are determined for the use of public lands.

I urge OHA and members of the Task Force to proceed with caution and to ensure that projects are in the best interest of all of the residents of our islands.

For the foregoing reasons, I allowed House Bill No. 2832 to become law as Act 196, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 451, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 2919 HD1 SD2 CD1

On July 6, 2010, House Bill No. 2919, entitled "A Bill for an Act Relating to the Employees' Retirement System" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to allow sewer maintenance, service and inspection supervisors enrolled in the State Employees' Retirement System (ERS) to retire early like their sewer worker subordinates, starting on July 1, 2011.

Although I am not opposed to providing equal benefits for equal work, and do not believe government employees working in the same capacity should be treated differently, I am fundamentally concerned with whether ERS benefits provided at current levels are financially sustainable. Over the years, the expansion of ERS benefits has led to increases in unfunded liability, which only eased recently with the moratorium on benefits expansion, pursuant to Act 256, Session Laws of Hawaii 2007. However, the current ERS unfunded liability is approximately \$6.2 billion and the moratorium is expected to sunset on January 2, 2011.

This large unfunded liability calls into question whether retirement benefits can be maintained at current levels. Just as Hawaii's Medicaid benefits must be restructured to ensure the program remains financially sustainable and available to help the State's most needy; ERS benefits, such as early retirement benefits, must also be reassessed to ensure the system remains financially sustainable to provide for future retirees. Although current retirement benefits have already been promised to certain state and county employees, we must consider whether those benefits are reasonable and financially feasible in the future.

For the foregoing reasons, I allowed House Bill No. 2919 to become law as Act 197, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 452, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 2545 SD2 HD2 CD1

On July 6, 2010, Senate Bill No. 2545, entitled "A Bill for an Act Relating to Intoxicating Liquor" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill has several purposes. First, it creates a new class of liquor license to regulate certain "bring-your-own-beverage" establishments. Second, it changes the conditions of Class 14 brewpub licenses on brewpubs. Third, this bill attempts to create an exemption to the liquor liability insurance requirements for certain retail dealers.

The provisions of this bill regarding bring-your-own-beverage (BYOB) establishments, balances the right of the public to peace and safety with the right of the business community to operate without unduly burdensome regulation. The brewpub amendments contained in this bill are also satisfactory.

Unfortunately, I find the last portion of this bill more emblematic of the legislation that typically reaches my desk. During the 2009 session, the Legislature passed Act 177, which imposed a blanket requirement for \$1,000,000 in liquor liability insurance for hundreds of local businesses. In my Statement of Concerns, I noted that the bill would likely put some small establishments out of business.

The measure now before me, Senate Bill No. 2545, incorporates an attempt to mitigate the adverse impacts of last year's Act by creating an exemption for certain businesses. Unfortunately, the language is poorly

drafted. Exempting "convenience minimarts" without a clear definition of what a "convenience minimart" is creates confusion and is unlikely to help the small businesses that need it the most. This bill makes a feeble attempt at defining a "convenience minimart" as a "mom and pop store," but also fails to define what qualifies as a "mom and pop store." Does this automatically exclude unmarried owners of small convenience stores or persons who are related but not married? This ambiguity is unfortunate because it involves the livelihood of island families.

However, because of the multi-faceted nature of this bill, a veto of this measure would stifle the beneficial provisions. The flawed language in this bill regarding liquor liability insurance will have to be corrected in a future legislative session. The public would be better served if the Legislature considered the impacts of burdensome regulation before enacting laws, not afterwards. This would avoid multi-year attempts at fixing legislation after the fact, as we see here with this bill.

For the foregoing reasons, I allowed Senate Bill No. 2545 to become law as Act 198, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 453, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 2698 HD2 SD2 CD1

On July 6, 2010, House Bill No. 2698, entitled "A Bill for an Act Relating to Technology" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to require the Director of Commerce and Consumer Affairs to promote telework and the expansion of broadband services in the State. This bill also requires the administrator of the Department of Commerce and Consumer Affairs Cable Television Division to: (1) convene and chair the Telework Promotion and Broadband Assistance Advisory Council and advise the Department of Commerce and Consumer Affairs on promoting telework and broadband services in the State, and (2) convene a work group to discuss and develop procedures to streamline the State and County permitting process for broadband services. This measure also appropriates moneys from the Compliance Resolution Fund for fiscal year 2010-2011 to fund telework and broadband activities, and requires DCCA to report annually to the legislature on all expenditures of federal moneys received pursuant to the American Recovery and Reinvestment Act (ARRA) of 2009.

This bill represents a modest approach to the advancement of broadband services in the State of Hawaii. Far more comprehensive broadband initiatives were under consideration by the Legislature, including proposals introduced by the Senate Majority, House Majority, House Minority, and this Administration. These alternative proposals recognized the evolution and convergence of telecommunications technology by consolidating regulation of communications services (cable and telephone) under a new Hawaii Communications Commission, in order to expedite the availability of the latest communications services at the earliest possible time to Hawaii's residents. The Commission would have been funded from existing fees and would have been directed to achieve transformational goals, including creating broadband access on a competitive basis at reduced prices, increasing service penetration and quality, streamlining the permit process, and providing access to businesses and residents by 2012 at prices and speeds that would have made Hawaii a world leader. Regrettably, the Legislature decided to pass this bill instead, which, although helpful, is primarily concerned with promotion, advocacy and advice with respect to broadband matters.

Additionally, this measure adds functions related to telework to the responsibilities of the Department of Commerce and Consumer Affairs

that are not a part of its core mission. The Department's function is to protect consumers from unfair business practices while "upholding fairness in the marketplace." The Department's mission does not and should not include promoting telecommuting by state and county employees.

For the foregoing reasons, I allowed House Bill No. 2698 to become law as Act 199, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 454, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 2548 SD2 HD1 CD1

On July 6, 2010, Senate Bill No. 2548, entitled "A Bill for an Act Relating to Information Technology" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to establish the position of Chief Information Officer within the Office of the Governor, create an Information Technology Steering Committee within the Governor's office, and set up a Shared Services Technology Special Fund to be funded by an unspecified percentage of central services fees. This bill also requires the Governor to submit a report to the 2011 Legislature recommending the state agency to house the Chief Information Officer, the funding level for the special fund, and legislation necessary to implement the Governor's recommendations.

I support improvements in Information Technology (IT) management and my Administration has demonstrated this through leadership that has automated numerous state functions that now allow the public to interact with state agencies electronically. We have also consolidated State Information Technology functions and enhanced the functions of the Information and Communication Services Division (ICSD) within the Department of Accounting and General Services (DAGS).

This legislation raises legal, fiscal and structural concerns that will need to be addressed in future legislation.

First, by failing to place the Chief Information Office and Steering Committee within a principal department, this bill likely violates Section 6 of Article V of the State Constitution which requires all executive offices, departments and instrumentalities of the State to be allocated within one principal department. A permanent location will need to be found for this office, which is recognized by this bill since it instructs the next Governor to determine where the function should be located.

Further this bill does not appear to provide an organizational structure or framework within which the Chief Information Officer can effectively manage and oversee statewide information technology governance. This bill has the Chief Information Officer bypassing the Director of DAGS and supervising the Department's ICSD. This creates reporting difficulties for the ICSD staff and will blur the lines of accountability for information technology functions.

Additionally, the special fund established in this bill does not meet the requirements of Section 37-52.3 and 37-52.4 of the Hawaii Revised Statutes which require such funds to have a clear nexus between the benefits sought and the charges levied. The bill does not create an appropriate means of financing the information technology functions.

Fortunately the Legislature recognized these failings and the measure contains language asking the Governor to propose legislation to correct these flaws.

For the foregoing reasons, I allowed Senate Bill No. 2548 to become law as Act 200, effective July 6, 2010, without my signature.



Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 455, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 2817 SD1 HD1 CD1

On July 6, 2010, Senate Bill No. 2817, entitled "A Bill for an Act Relating to Solar Energy Devices" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to require private homeowners associations to revise their rules by July 1, 2011, so as not to impose conditions or restrictions that render a solar energy device more than 25 per cent less effective; increase the cost of installation, maintenance, and removal of a solar energy device by more than 15 per cent; or until June 20, 2015, require an encumbrance on title because of the placement of the solar energy device.

Solar energy technology remains an integral part to achieving Hawaii's 70% clean energy goals by 2030. I believe that facilitating access to and expanding the use of renewable energy technology, such as solar energy panels, helps the community achieve this critical goal.

However, I am concerned that this bill gives too much latitude to homeowners in community, condominium, and apartment associations. The legislation fails to address installation and placement of solar energy devices and does not consider the necessity for association control over common areas and structural elements. This bill impacts the planned community associations' ability to monitor community aesthetics and uniform conditions which may adversely impact the property values of homeowners.

Further, the bill would limit the ability of homeowner associations for a period of five years to ensure that the liability and costs of these devices are properly borne by the individual homeowner who benefits from its installation. Exposing homeowners associations to the electrical costs, repairs, maintenance and possible damage caused by a solar device without recourse to take action against the homeowner's property could create undue fiscal and legal liabilities.

For the foregoing reasons, I allowed Senate Bill No. 2817 to become law as Act 201, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 456, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 2386 HD1 CD1

On July 6, 2010, Senate Bill No. 2386, entitled "A Bill for an Act Relating to the University of Hawaii Capital Improvements Program Project Assessment Special Fund" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to create a University of Hawaii Capital Improvements Program Project Assessment Special Fund to cover certain administrative costs, including staff salaries, involved in carrying out

capital improvements program projects managed by the University. The special fund is to be funded by assessments made on capital improvement projects that are managed by the University.

My Administration remains concerned with the practice of using borrowed funds to pay short-term costs, such as salaries and administrative expenses. Such a practice increases the debt burden of a jurisdiction, is misleading regarding the current and future costs of government operations, and results in considerably higher operating costs when both principal and interest are calculated as part of the carrying costs for these personnel.

I am also concerned that the special fund does not meet the requirements of Sections 37-52.3 and 37-53.4, Hawaii Revised Statutes, including: 1) reflecting a clear nexus between the benefits sought and the charges made; 2) providing an appropriate means of financing for the program or activity; and 3) demonstrating the capacity to be financially self-sustaining.

For the foregoing reasons, I allowed Senate Bill No. 2386 to become law as Act 202, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 457, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 2084 HD1 SD1 CD1

On July 6, 2010, House Bill No. 2084, entitled "A Bill for an Act Relating to the Federal Disproportionate Share Hospital Funds" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to extend the lapse date to June 30, 2011 for a \$12,291,054 appropriation out of the general fund authorized by Act 23, Special Session Laws of Hawaii 2009. The appropriation would serve as a State match required to access \$15 million in federal funding available through the federal Disproportionate Share Hospital payment program.

Although the purpose of this bill holds merit, the State general funds continue to show revenue levels considerably below operating costs. As a result the State has had to postpone making payments, cut funding to selected programs, and reduce staffing. The state's six year financial plan reflects the assumption that money lapses. Since the appropriation in Act 23 was valid until June 30, 2010 but this bill did not take effect until July 6, 2010, after the lapse date, the provisions of this bill are effectively moot.

I am proud my Administration has found innovative approaches to drawing down additional federal Medicaid money through a special waiver program arranged by the State Department of Human Services. Hospitals in Hawaii have received a total of \$84 million in additional federal money since 2005, including \$14.4 million in fiscal year 2010 to help cover charitable and uncompensated care. Using federal rather than State funds to help our hospitals is the most prudent approach during these lean budget times.

For the foregoing reasons, I allowed House Bill No. 2084 to become law as Act 203, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 458, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 2461 SD2 HD2 CD1

On July 6, 2010, Senate Bill No. 2461, entitled "A Bill for an Act Relating to Transportation" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to raise the rental motor vehicle customer facility surcharge from \$1.00 per day to \$4.50 per day, effective September 1, 2010; and appropriate funds from the Rental Motor Vehicle Customer Facility Charge Special Fund for the planning, design, and construction of consolidated rental car facilities at our state airports.

I support the State Airport Modernization Plan and other initiatives that improve motor vehicle facilities and services at Hawaii's airports. This not only attracts visitors and businesses to Hawaii, but also improves our state's reputation as a world class destination.

I previously expressed concern about the fiscal impact of Act 226, Session Laws of Hawaii 2008, which established the \$1.00 per day surcharge on car rentals at Hawaii airports. I continue to have reservations with this bill because the significant impact of \$4.50 per day surcharge may negatively affect the visitor industry by increasing the cost of vacationing in Hawaii. The fee would cost an additional \$45,000,000 per year and comes at a time when the State is trying to encourage and support visitor arrivals, not make it more costly to come and enjoy Hawaii.

In addition, I also note that the surcharge special fund will lose an estimated \$1,700,000 in revenue during the months of July and August 2010, after the current \$1.00 surcharge is repealed on July 1, 2010 and before the new \$4.50 surcharge is imposed on September 1, 2010.

For the foregoing reasons, I allowed Senate Bill No. 2461 to become law as Act 204, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 459, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 2774 HD2 SD2 CD1

On July 6, 2010, House Bill No. 2774 entitled "A Bill for an Act Relating to Human Services" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purposes of this bill are to lift the restriction on the use of generic psychotropic medications for patients on Medicaid; to adjust the state death benefit to match the Federal Social Security Administration death benefit; and to limit the ability of the Administration to effectively use Medicaid moneys to address job creation and economic recovery.

The lifting of the restriction on the use of generic brand medications will help address the growing costs of prescription drugs for those patients that rely on psychotropic medicines. Requiring the State to only pay for brand name medications has placed an undue cost on the program without any proof that lower-cost generic drugs can not satisfactorily treat these patients.

Likewise, the bill ensures that the relatives of low-income individuals receiving government assistance payments receive similar lump sum amounts when the recipient passes away. This will have a modest cost

savings for the state and provide equity in the treatment of these individuals who receive public assistance.

It is troubling that this bill contains a restriction against allowing my Administration and the next Administration to propose creative ideas on the use of federal and state Medicaid funds. Earlier this year, with the approval of senior federal officials in Washington DC, we launched the Hawaii Premium Plus program. This program allows the State to use Medicaid funds to help offset the health care costs of new employees. This helps overcome one of the barriers employers face when deciding whether to hire or rehire an individual during difficult economic periods.

I am pleased that the program was approved by the Centers for Medicare and Medicaid Services (CMS) and the Department is working with local employers to start the hiring process. I am concerned that the ambiguities created by this bill's language made some businesses hesitant to participate and has cost us precious time in starting to enroll the unemployed in new jobs. This is indeed unfortunate, since getting people off of unemployment and back into the work force should be our united goal.

It should be noted that based on our legal analysis of this measure, we conclude the funding cap applies only to the state portion of the funds that will be spent for the Hawaii Premium Plus program.

For the foregoing reasons, I allowed House Bill No. 2774 to become law as Act 205, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 460, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 466 SD2 HD1 CD1

On July 6, 2010, Senate Bill No. 466, entitled "A Bill for an Act Relating to Pollution" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to ban the use of leaf blowers in or around residential areas except, between 8:00 a.m. to 6:00 p.m. on Mondays through Saturdays and 9:00 a.m. to 6:00 p.m. on Sundays and state or federal holidays. This bill also prohibits persons from operating a leaf blower in such a way that debris is deposited onto adjacent properties or public rights of way. The bill imposes a maximum fine of \$500 on violations. This ban does not apply to government entities operating leaf blowers and is effective July 1, 2010.

Although leaf blowers can be a nuisance, it is unfortunate that a specific type of landscaping equipment is being considered for regulation by law because neighbors cannot communicate with each other, or do not have the common courtesy to operate this equipment responsibly. Moreover, it is uncertain whether enforcement of this ban will be effective since leaf blowers are portable and citations cannot be issued without proof of violations.

However, the exceptions provided for in this ban still allow landscaping companies to operate during regular business hours and allows homeowners to do yard work on weekends and holidays.

For the foregoing reasons, I allowed Senate Bill No. 466 to become law as Act 206, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 461, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 2283 HD2 SD1 CD 1

On July 6, 2010, House Bill No. 2283, entitled "A Bill for an Act Relating to Public Procurement" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to require public employees, and actual or prospective bidders, offerors, contractors, and businesses, when participating in public procurements, to do so in an ethical manner. The bill provides for specific ethical standards.

I support ethical practices in public procurement. This measure is redundant of existing administrative rules. Similar standards of ethical behavior are already required of public procurement participants by Hawaii Administrative Rule section 3-131-1.02. Consequently, this bill is another example of unnecessary legislation.

For the foregoing reasons, I allowed House Bill No. 2283 to become law as Act 207, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 462, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 2165 SD1 HD2 CD1

On July 6, 2010, Senate Bill No. 2165, entitled "A Bill for an Act Relating to Private Guards" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to impose new registration, training, classroom instruction, education, and criminal history requirements for all guards and employees of guard agencies who act in a guard capacity. In so doing, this measure repeals the current regulatory exemption for guards who are employed solely by an employer in connection with the affairs of the employer. The new registration requirements take effect July 1, 2013, and are repealed on July 1, 2016.

Raising the professional standards for security guards in Hawaii is an admirable goal. However, I have concerns about some of the impacts of these new registration requirements on business and industry in Hawaii, as well as the amount of state resources it will take to implement these new requirements.

First, the costs associated with guard services for certain private employers will likely increase since this bill mandates that the guard employees of any private business entity that provides its own in-house guard services are now subject to regulation. Some members of the retail industry have indicated that these new requirements are manageable, and believe that rule-making by the Board of Private Detectives and Guards will afford them the opportunity to craft appropriate procedures to implement these new registration requirements. I support them in this effort.

Second, there are cost and staffing implications for the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, an estimated 10,700 individual guards will require registration. Prior to implementation of the new registration requirements, the Division will need the staff and resources to meet these demands. Given current fiscal realities, this may not be the best use of limited

resources. Moreover, this bill would require the establishment of procedures to register all guards, promulgation of rules to effectuate this measure, and the expenditure of moneys for implementation, only to have the law sunset on July 1, 2016.

Third, it may not be appropriate to apply these new registration and training requirements to armored car guards. Guards in the armored car industry have their own training standards, as the function of armored car guards is substantially different from the duties of other security guards. Consequently, the public and the industry would likely be better served with separate training requirements for armored car guards. I encourage stakeholders in the armored car industry to become involved in the rulemaking process, so that their concerns might be addressed. Additionally, there is still time to address these and other concerns via statutory amendment prior to implementation of the new registration requirements in 2013.

For the foregoing reasons, I allowed Senate Bill No. 2165 to become law as Act 208, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 463, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 979 HD1 SD1 CD1

On July 6, 2010, House Bill No. 979 entitled "A Bill for an Act Relating to the Environment" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill temporarily authorizes moneys from the Special Land and Development Fund and the Land Conservation Fund to be used for invasive species control and to promote reforestation.

Although species control, erosion control and reforestation are worthwhile activities, it is not appropriate to fund these programs at the expense of other high priority public projects and activities. The Land Conservation Fund is used to protect cultural, natural and historic resources through the purchase of private lands where these resources are located.

The Special Land Development Fund supports the operations of the Office of Conservation and Coastal Lands. I am particularly concerned that this fund also supports our Dam Safety programs that should remain a high priority with sufficient funding to protect the safety of the public. It would have been better if the Legislature had identified alternative sources of funding for invasive species control and reforestation projects.

For the foregoing reasons, I allowed House Bill No. 979 to become law as Act 209, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 464, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 1665 HD1 SD2 CD1

On July 6, 2010, House Bill No. 1665, entitled "A Bill for an Act Relating to Hawaiian Fishponds" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

Under current law (171-52 HRS) land acquired by condemnation that is in excess of the needs for which condemned, may be disposed of by the Board of Land and Natural Resources. This bill would prevent the Department of Transportation from asking the Board to dispose of two parcels that contain fishponds even though they were acquired by condemnation and are excess to the Department's needs.

While I understand the cultural and economic significance of preserving existing Hawaiian fishponds, I am concerned this bill will require the Department of Transportation to continue to maintain these properties when it has limited resources to do so.

The Department of Transportation has not been successful in convincing other government agencies to assume responsibility for these fishponds which require considerable maintenance. Federal law requires the Department to be compensated at fair market value for parcels which are acquired using federal funds. When a parcel is transferred, the fair market value must be recouped via another piece of land of equal or greater value. This bill did not address the fair market value issue and does not provide a mechanism to allow the transfer of these fishponds to another entity.

Given that the sale of state lands is currently subject to approval by the Legislature through concurrent resolution pursuant to chapter 171-64.7, Hawaii Revised Statutes, this measure also does not increase the protections for government-owned Hawaiian fishponds since the Legislature already retained the power to preserve them through their authority to approve or disapprove land sales.

For the foregoing reasons, I allowed House Bill No. 1665 to become law as Act 210, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 465, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 2003 HD3 SD2

On July 6, 2010, House Bill No. 2003, entitled "A Bill for an Act Relating to Campaign Financing" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The primary purpose of this bill is to repeal and recodify, Chapter 11 of Hawaii Revised Statutes, the campaign spending laws.

I understand the need for a recodification of the campaign finance statute, and support such efforts to clarify their applicability. Nevertheless, although this measure is improved from House Bill No. 128 HD1 SD1 CD2, that I vetoed last year, it still retains certain provisions that were grounds for that veto with which I still have concerns. It also contains new provisions that raise equity issues.

First, this bill increases the limit on campaign contributions by nonresidents from the twenty percent presently specified in section 11-204.5, Hawaii Revised Statutes, to thirty percent of the total contributions received by a candidate or candidate committee in an election period. The Administration has taken the position that full disclosure of all contributions both Hawaii and mainland-based is more appropriate than artificial or politically-motivated limits on these contributions.

Second, this bill adds a new section that requires corporations to file reports with the Commission if they give donations of \$1,000 or more in the aggregate. However, this provision does not apply to labor unions or

related associations that may also contribute and who, as a matter of equity, should be subject to the same reporting requirements.

For the foregoing reasons, I allowed House Bill No. 2003 to become law as Act 211, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 466, dated July 7, 2010, informing the House that on July 6, 2010, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 2318 HD2 SD1 CD1

On July 6, 2010, House Bill No. 2318, entitled "A Bill for an Act Relating to the Homeless" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to establish the Housing First Special Fund in the state treasury. Deposits to this special fund are to come from appropriations from the Legislature and gifts, donations, and grants from public agencies and private persons. The bill provides that each county may provide matching funds.

The bill also requires the Hawaii Public Housing Authority (HPHA), and the Department of Human Services, in consultation with the United States Department of Housing and Urban Development, to implement Housing First programs and services, as deemed appropriate, subject to the availability of funds.

Addressing the needs of the homeless has remained a priority for my Administration. Since 2006 we have built emergency shelters and transitional facilities to address the needs of families with children and adults who seek a clean, safe place to sleep at night. We have partnered with non-profit, private and faith-based organizations to establish a continuum of care that has provided pathways for thousands of families and individuals to move out of homelessness. But we also are cognizant more needs to be done.

This bill recognizes there are those within the homeless community who have been without shelter for extended periods. Many of them suffer from substance abuse or mental health issues. This measure attempts to address the needs of these chronically homeless but fails to provide sustainable, long term funding to tackle this problem.

This bill establishes the Housing First Special Fund, but does not contain an appropriation. Although \$1,000,000 is appropriated out of the Emergency and Budget Reserve Fund through Senate Bill No. 2469, such funding is limited to only one year. A successful Housing First program would need to have dedicated funding for more than a year. Further it would be inappropriate to fund Housing First programs at the expense of current programs that serve those with children and those who are "clean and sober."

I am also concerned with the vague terminology in this measure. The bill defines "chronically homeless" as "a homeless individual who has an addiction or a mental illness, or both." "Addiction" and "mental illness" are undefined. The resulting impact of the definition of "chronically homeless" is that it is very broad. The definition covers individuals who have any kind of addiction or mental illness and do not have a home, regardless of the length of time or number of times spent without a home. Further, the bill fails to exclude persons who have the resources to rent or who have access to other housing alternatives. This does not serve the purpose of servicing the truly chronically homeless.

We should not underestimate the resources it will take to address this fact. I urge the departments involved to develop a reasoned, realistic funding plan that can be implemented over the coming years to mirror the

progress we have achieved to date in helping families, children and adults to regain a place to live.

For the foregoing reasons, I allowed House Bill No. 2318 to become law as Act 212, effective July 6, 2010, without my signature.

Sincerely,  
/s/ Linda Lingle  
LINDA LINGLE"

Gov. Msg. No. 467, dated July 8, 2010, transmitting the Department of Land and Natural Resources' report on Implementation Of Chapter 190D, Hawaii Revised Statutes, Ocean And Submerged Lands Leasing in response to Section 12 of Act 176, Session Laws of Hawaii 1999.

Gov. Msg. No. 468, dated July 15, 2010, transmitting the 2009 Annual Report prepared by the Department of Hawaiian Home Lands, pursuant to Section 222, Hawaiian Homes Commission Act, 1920, as amended.

Gov. Msg. No. 469, dated July 21, 2010, transmitting the Department of Taxation's Annual Report 2008-2009 as required by section 231-3(8) Hawaii Revised Statutes (HRS).

Gov. Msg. No. 470, dated July 19, 2010, transmitting the Dairy Industry Strategic Plan as required pursuant to Act 46, Session Laws of Hawaii 2008.

**DEPARTMENTAL & MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER  
THE ADJOURNMENT OF THE 2010 LEGISLATURE SINE DINE****DEPARTMENTAL COMMUNICATIONS**

The following departmental communications (Dept. Com. Nos. 71 through 74) were received by the Clerk and were placed on file:

Dept. Com. No. 71, dated May 19, 2010, from Marion M. Higa, State Auditor, transmitting their 2009 Annual Report.

Dept. Com. No. 72, dated June 7, 2010, from Marion M. Higa, State Auditor, transmitting the report, Program and Management Audit of the State's Purchasing Card Program.

Dept. Com. No. 73, dated June 16, 2010, from Marion M. Higa, State Auditor, transmitting the report, Audit of the Department of Public Safety, Sherriff Division.

Dept. Com. No. 74, dated July 7, 2010, from M.R.C. Greenwood, University of Hawaii System, transmitting the Report on a Security Breach at the University of Hawaii at Manoa, per Section 487N-4, Hawaii Revised Statutes.

**MISCELLANEOUS COMMUNICATIONS**

The following miscellaneous communications (Misc. Com. Nos. 13 through 20) were received by the Clerk and were placed on file:

Misc. Com. No. 13, dated April 28, 2010, from Kenneth G. Goodenow, County Clerk, County of Hawaii, transmitting a copy of Resolution 309-10 (Draft 2) which was adopted by the Council of the County of Hawaii on April 20, 2010.

Misc. Com. No. 14, dated May 13, 2010, from Bernice K. N. Mau, City Clerk, City and County of Honolulu, informing the House that Resolution 10-13, urging the Hawaii State Legislature to enact legislation to authorize the county police departments to impound vehicles used to patronize prostitutes, was adopted by the Council of the City and County of Honolulu at its meeting on Wednesday, May 12, 2010.

Misc. Com. No. 15, dated June 8, 2010, from Speaker Calvin K.Y. Say, to Representatives Jerry L. Chang, Denny Coffman, Cindy Evans, Faye P. Hanohano, Sharon Har, Robert N. Herkes, Ken Ito, Mark M. Nakashima and Clift Tsuji, informing them that Pursuant to House Resolution No. 136, HD 1, they are appointed to the investigative committee to investigate the County of Hawaii Department of Water Supply, with the Representative of the Fourth District to serve as Chair and the Representative of the Fifth District to serve as Vice-Chair.

Misc. Com. No. 16, dated June 8, 2010, revising Misc. Com. No. 15, with the Representative of the Fifth District to serve as Chair and the Representative of the Fourth District to serve as Vice-Chair.

Misc. Com. No. 17, dated June 7, 2010, from Susan S. Stepleton, President & CEO, National Center for Parents as Teachers, confirming receipt of House Concurrent Resolution No. 70.

Misc. Com. No. 18, dated July 9, 2010, from Michael Walcoff, Acting Undersecretary of Veterans Affairs For Benefits, Department of Veterans Affairs, acknowledging receipt of House Resolution No. 30.

Misc. Com. No. 19, dated July 20, 2010, from Portia L. Roberson, Director, U.S. Department of Justice, Office of Intergovernmental and Public Liaison, acknowledging receipt of House Resolution No. 140.

Misc. Com. No. 20, dated August 25, 2010, from Michael Walcoff, Acting Undersecretary of Veterans Affairs For Benefits, Department of Veterans Affairs, acknowledging receipt of House Resolution No. 82.