

## FORTY-EIGHTH DAY

Friday, April 13, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:05 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Pastor Elwin Ahu of New Hope Metro, after which the Roll was called showing all Members present with the exception of Representatives Giugni, Kawakami and Oshiro, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Seventh Day was deferred.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 677 through 679) were received and announced by the Clerk:

Sen. Com. No. 677, transmitting S.C.R. No. 143, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE'S FULL COMPLIANCE WITH THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET'S STATISTICAL POLICY DIRECTIVE NO. 15, ENTITLED "RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING", AND THE PUBLICATION OF COLLECTED RACE AND ETHNICITY DATA SUBJECT TO APPLICABLE STATE AND FEDERAL LAWS," which was adopted by the Senate on April 12, 2012.

Sen. Com. No. 678, dated April 12, 2012, informing the House that the Senate has on April 10, 2012, agreed to the amendments proposed by the House to the following Senate Bill and that said bill has this day passed Final Reading:

S.B. No. 2698, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL."

Sen. Com. No. 679, dated April 12, 2012, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 223, SD 1, HD 1  
 S.B. No. 490, SD 3, HD 1  
 S.B. No. 580, SD 2, HD 2  
 S.B. No. 745, SD 2, HD 2  
 S.B. No. 755, SD 2, HD 3  
 S.B. No. 824, SD 2, HD 2  
 S.B. No. 1142, SD 2, HD 1  
 S.B. No. 1168, SD 1, HD 1  
 S.B. No. 1197, SD 2, HD 2  
 S.B. No. 1276, SD 2, HD 2  
 S.B. No. 2001, SD 1, HD 2  
 S.B. No. 2030, SD 2, HD 1  
 S.B. No. 2056, HD 2  
 S.B. No. 2084, SD 1, HD 1  
 S.B. No. 2101, SD 1, HD 2  
 S.B. No. 2103, SD 2, HD 2  
 S.B. No. 2115, SD 2, HD 2  
 S.B. No. 2116, SD 2, HD 1  
 S.B. No. 2123, SD 2, HD 2  
 S.B. No. 2126, SD 2, HD 2  
 S.B. No. 2158, HD 1  
 S.B. No. 2213, SD 2, HD 2  
 S.B. No. 2214, SD 2, HD 2  
 S.B. No. 2220, SD 1, HD 2  
 S.B. No. 2226, SD 2, HD 2  
 S.B. No. 2228, SD 2, HD 2  
 S.B. No. 2235, SD 2, HD 2  
 S.B. No. 2236, HD 2

S.B. No. 2238, SD 1, HD 2  
 S.B. No. 2239, SD 1, HD 1  
 S.B. No. 2248, SD 2, HD 3  
 S.B. No. 2256, HD 2  
 S.B. No. 2261, HD 1  
 S.B. No. 2277, SD 2, HD 2  
 S.B. No. 2281, SD 1, HD 1  
 S.B. No. 2288, SD 1, HD 1  
 S.B. No. 2318, SD 1, HD 2  
 S.B. No. 2320, SD 2, HD 2  
 S.B. No. 2323, SD 1, HD 1  
 S.B. No. 2324, SD 1, HD 1  
 S.B. No. 2335, HD 2  
 S.B. No. 2341, SD 2, HD 2  
 S.B. No. 2344, SD 2, HD 1  
 S.B. No. 2354, SD 1, HD 2  
 S.B. No. 2375, SD 3, HD 2  
 S.B. No. 2378, SD 1, HD 1  
 S.B. No. 2383, SD 1, HD 1  
 S.B. No. 2386, SD 2, HD 2  
 S.B. No. 2394, SD 1, HD 3  
 S.B. No. 2402, SD 1, HD 1  
 S.B. No. 2412, SD 2, HD 2  
 S.B. No. 2424, SD 2, HD 2  
 S.B. No. 2429, SD 2, HD 1  
 S.B. No. 2434, SD 1, HD 3  
 S.B. No. 2435, SD 1, HD 1  
 S.B. No. 2438, SD 1, HD 2  
 S.B. No. 2457, SD 2, HD 2  
 S.B. No. 2466, SD 2, HD 2  
 S.B. No. 2486, SD 1, HD 1  
 S.B. No. 2489, SD 2, HD 2  
 S.B. No. 2506, SD 2, HD 1  
 S.B. No. 2528, SD 2, HD 3  
 S.B. No. 2534, SD 2, HD 2  
 S.B. No. 2536, HD 2  
 S.B. No. 2540, SD 2, HD 2  
 S.B. No. 2545, SD 2, HD 2  
 S.B. No. 2568, HD 2  
 S.B. No. 2576, SD 1, HD 3  
 S.B. No. 2579, SD 2, HD 3  
 S.B. No. 2584, SD 1, HD 1  
 S.B. No. 2630, HD 2  
 S.B. No. 2632, SD 1, HD 1  
 S.B. No. 2640, SD 1, HD 1  
 S.B. No. 2646, SD 1, HD 2  
 S.B. No. 2655, SD 2, HD 3  
 S.B. No. 2678, SD 2, HD 2  
 S.B. No. 2695, SD 2, HD 2  
 S.B. No. 2703, SD 1, HD 1  
 S.B. No. 2709, HD 2  
 S.B. No. 2712, HD 2  
 S.B. No. 2713, SD 1, HD 2  
 S.B. No. 2737, SD 1, HD 2  
 S.B. No. 2739, SD 2, HD 1  
 S.B. No. 2742, SD 1, HD 2  
 S.B. No. 2745, SD 1, HD 2  
 S.B. No. 2746, SD 1, HD 3  
 S.B. No. 2748, SD 1, HD 1  
 S.B. No. 2750, SD 1, HD 2  
 S.B. No. 2763, SD 2, HD 2  
 S.B. No. 2765, SD 2, HD 2  
 S.B. No. 2766, SD 2, HD 2  
 S.B. No. 2767, SD 2, HD 1  
 S.B. No. 2769, SD 2, HD 3  
 S.B. No. 2773, SD 1, HD 1  
 S.B. No. 2776, SD 2, HD 2  
 S.B. No. 2778, SD 1, HD 1  
 S.B. No. 2779, SD 2, HD 1  
 S.B. No. 2780, SD 1, HD 2  
 S.B. No. 2782, SD 2, HD 2

S.B. No. 2784, SD 2, HD 1  
 S.B. No. 2785, SD 2, HD 2  
 S.B. No. 2787, SD 2, HD 1  
 S.B. No. 2790, SD 1, HD 1  
 S.B. No. 2797, SD 1, HD 1  
 S.B. No. 2798, SD 1, HD 1  
 S.B. No. 2800, SD 1, HD 1  
 S.B. No. 2804, SD 2, HD 2  
 S.B. No. 2805, HD 1  
 S.B. No. 2810, SD 1, HD 1  
 S.B. No. 2813, SD 1, HD 1  
 S.B. No. 2816, SD 1, HD 1  
 S.B. No. 2818, HD 1  
 S.B. No. 2820, HD 2  
 S.B. No. 2821, HD 3  
 S.B. No. 2825, SD 1, HD 1  
 S.B. No. 2827, SD 1, HD 1  
 S.B. No. 2828, HD 3  
 S.B. No. 2833, SD 1, HD 2  
 S.B. No. 2858, SD 1, HD 2  
 S.B. No. 2859, SD 1, HD 2  
 S.B. No. 2868, SD 1, HD 1  
 S.B. No. 2873, SD 1, HD 3  
 S.B. No. 2876, SD 2, HD 3  
 S.B. No. 2927, SD 2, HD 1  
 S.B. No. 2933, SD 2, HD 2  
 S.B. No. 2939, SD 1, HD 1  
 S.B. No. 2941, SD 2, HD 2  
 S.B. No. 2946, SD 2, HD 2  
 S.B. No. 2947, SD 2, HD 2  
 S.B. No. 2958, SD 2, HD 2  
 S.B. No. 2967, SD 2, HD 1  
 S.B. No. 2981, SD 2, HD 2  
 S.B. No. 3001, SD 2, HD 2  
 S.B. No. 3002, SD 2, HD 1  
 S.B. No. 3003, SD 1, HD 2  
 S.B. No. 3006, SD 2, HD 2  
 S.B. No. 3008, HD 3  
 S.B. No. 3010, SD 2, HD 1  
 S.B. No. 3011, SD 2, HD 2  
 S.B. No. 3025, SD 2, HD 2  
 S.B. No. 3048, SD 2, HD 1  
 S.B. No. 3050, SD 2, HD 1  
 S.B. No. 3053, SD 2, HD 2  
 S.B. No. 3062, SD 1, HD 2

#### ORDER OF THE DAY

At this time, the Chair announced:

"Members, please note that H.R. No. 87 and H.C.R. No. 115 have been re-referred solely to the Committee on Public Safety and Military Affairs per Committee Referral Sheet No. 63.

"Additionally, H.C.R. No. 118, HD 1 has been re-referred solely to the Committee on Economic Revitalization and Business, also per Committee Referral Sheet No. 63.

"The Committee on Judiciary, and the Committee on Legislative Management have waived their referrals to these respective measures, and it is therefore appropriate for the House to consider action for adoption. For adoption."

Representative Ward rose, stating:

"Mr. Speaker, a point of information. House Resolution 118 is on which page?"

The Chair responded, stating:

"It's on page 2. Instead of it being referred to the respective Committees, it's being re-referred back to the original Committee for adoption."

#### SUSPENSION OF RULES

Representative Chong moved to suspend the rules of the House to reconsider action previously taken on a certain House Resolution and House Concurrent Resolutions, seconded by Representative Evans.

The Chair addressed Representative Fontaine, stating:

"Representative Fontaine, what is the motion before this Body? The first motion that was stated? Correct, to suspend the Rules. And this Members, will be a three-step process."

The motion was put to vote by the Chair and carried, and the rules were suspended to reconsider action previously taken on a certain House Resolution and House Concurrent Resolutions. (Representative Kawakami was excused.)

#### RECONSIDERATION OF ACTION TAKEN

Representative Chong moved to reconsider action previously taken pursuant to the recommendations contained in Standing Committee Report Nos. 1431-12 and 1432-12, recommending referral to the Committee on Judiciary; and Standing Committee Report No. 1456-12, recommending referral to the Committee on Legislative Management, seconded by Representative Evans.

The Chair then addressed Representative Morikawa, stating:

"Representative Morikawa, what is the motion before this Body now?"

Representative Morikawa responded, stating:

"I'm sorry, Mr. Speaker."

The Chair responded, stating:

"The motion before the Body now is to reconsider action taken. Instead of the three measures before us, the first two which are companions, are being reconsidered. Instead of being referred to the Judiciary Committee, we are reconsidering our action and it will be for adoption today.

"The final one, instead of going to Legislative Management, it will be reconsidered, and be up for adoption today."

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken pursuant to the recommendation contained in Standing Committee Report Nos. 1431-12 and 1432-12, recommending referral to the Committee on Judiciary; and Standing Committee Report No. 1456-12, recommending referral to the Committee on Legislative Management. (Representative Kawakami was excused.)

#### UNFINISHED BUSINESS

##### H.R. No. 87; and H.C.R. No. 115:

Representative Chong moved that H.R. No. 87; and H.C.R. No. 115, be adopted, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

The Chair then addressed Representative Aquino, stating:

"Representative Aquino, would you like to explain to the Members of the House, the adoption of these two Resolutions. The House Resolution and House Concurrent Resolution, the intent of the Resolutions."

Representative Aquino responded, stating:

"Thank you, Mr. Speaker. I would like to defer to the author of these the two Resolutions."

At 12:15 o'clock p.m., Representative Aquino requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:16 o'clock p.m.

Representative Aquino rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. Just some short remarks, in support. Mr. Speaker what these Resolutions do is to urge our Congress to amend the authorization of the use of military force in our national defense, for the fiscal year, 2012, to prevent the armed forces of the United States, from investigating, arresting, detaining, any person within the US. It's a matter of civil liberties, Mr. Speaker. But I'd like to defer to the author of the bill to further explain these measures."

Representative Ichiyama rose to speak in support of both measures, stating:

"Thank you very much, Mr. Speaker. I rise in strong support. And I believe that the Chair of Public Safety did explain it pretty much. Basically, what these Resolutions do is to request Congress to repeal the mandatory military detention and indefinite detention provisions of the Authorization Act that was passed last December.

"The reason why we are asking Congress to do this, is because the language as currently written could give the federal government the power to indefinitely detain US citizens, US residents without the benefits of due process, the protection of law, that's enshrined in our US Constitution. Thank you, Mr. Speaker."

Representative Souki rose to speak in opposition to both measures, stating:

"Yes Mr. Speaker, and Members of the House. I wish to speak in opposition to these measures. I don't believe that we're in a situation now where we're out of the hot water with the Taliban and Al Qaeda. We're still at war with them. And until this war is over, however long it takes, I think we need to continue with the system that we have.

"And I don't know what they mean by to amend the authorization for the use of force. There are times that you need to use force. As a veteran, I can understand that. And I don't believe that these measures are in the best interest of the country. Thank you, very much."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Johanson rose in support of both measures with reservations and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Johanson's written remarks are as follows:

"I rise with some concerns on HR 87 and HCR 115 regarding provisions of the National Defense Authorization Act and the indefinite detention of U.S. citizens. I wholeheartedly honor the intent of these Resolutions and also share concerns about the United States indefinitely detaining its own citizens without charging those citizens with a specific crime. I also recognize that experts at the federal level are currently debating the particular provisions of federal law that these Resolutions refers to in an effort to further clarify federal rules as part of the U.S. anti-terrorism and safety policies.

"I have concerns about this particular part of the Resolutions and its nexus with our national security policy. I also do not wish for the abridgement of U.S. citizens' civil liberties and rights, which I believe is the crux of these Resolutions. However, these Resolutions may benefit if

we wait until the debate on the provisions within the National Defense Authorization Act is settled and federal policies clearly defined."

Representative Riviere rose in support of both measures with reservations and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Riviere's written remarks are as follows:

"I am concerned that these Resolutions send the wrong message to those who would harm American citizens. I very much support our constitutional rights as Americans, but I cannot support extending these same rights and privileges to those who enter our country to kill or harm Americans, or to those non-battlefield combatants in foreign lands who actively seek to harm our country or our citizens."

Representative Pine rose in support of both measures with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine asked to insert Representative Johanson's written remarks on this measure as her own. (By reference only.)

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Ching rose in support of both measures with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Please allow me to comment upon my support – albeit with reservations – for H.R. 87 and H.C.R. 115. These Resolutions urge the United States Congress to repeal sections 1021 and 1022 of the National Defense Authorization Act (NDAA) for Fiscal Year 2012, signed into law by President Obama on December 31, 2011. These dubious sections may be interpreted to possibly repeal the Posse Comitatus Act, and thus authorize indefinite military detention within the United States, without charge or trial, of legal permanent residents and others residing in the country. Furthermore, H.R. 87 and H.C.R. 115 suggest the United States Congress also amend provisions in the NDAA for Fiscal Year 2012 to: prevent armed forces from investigating, arresting, detaining or trying any person within the US; and prevent the detainment, without charge or trial, of any civilian captured off any battlefield. H.R. 87 and H.C.R. 115 do recognize Congress's authority to authorize military force under its declaration of war, and the President's authority to deploy the US military to repeal a sudden attack on the US, its territories, possessions, or military.

"Consistent with repeated testimony, I agree that government should not be authorized to detain private individuals upon mere suspicion, without fair trial. The American Civil Liberties Union of Hawaii stresses the NDAA to be a "historic threat," for the first time in American history "codifying indefinite military detention without charge or trial into law." A Kaneohe resident further argues that, even if President Obama does not exercise the various provisions restricting individual freedoms, the NDAA opens doors for any future president to do so, perhaps with arbitrary discretion deeming one person "suspicious" and another not. Indeed, we must strive to protect rights guaranteed by the Fifth Amendment, the Sixth Amendment, and Article III of the US Constitution, for which (as H.C.R. 115 reminds us) "generations have fought and died."

"Nevertheless, let me express my hesitations that legislation such as H.R. 87 and H.C.R. 115 may eventually drive us in directions unwarily radical, where we find ourselves gambling with the safety and security of our nation. If national foreign powers, or individual terrorists, perceive the United States to have dropped its vigilance against all potential threats, they may be more likely to exploit a seemingly weak defense. By no means do we want to infringe upon the liberties and comforts of innocent individuals on a routine basis; yet, we must remain alert to potential threats developing around us. Almost as important as monitoring situations themselves, we must present a public façade which emphasizes that

vigilance. I am confident in our ability to balance protection for the individual's freedom, along with his or her right to safety, security and thus prosperity. Thank you."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Cullen rose to speak in support of both measures, stating:

"Mr. Speaker, I rise in support. And a few comments please. Mr. Speaker, the Public Safety & Military Affairs Committee heard these Resolutions, and adopted and passed these measures out of the Committee because the National Defense Authorization Act for Fiscal Year 2012, in that first section, we want to ask Congress to amend it to prevent the Armed Forces of the United States from investigating, arresting, detaining or trying any person within the United States.

"In World War II, Mr. Speaker, I believe some of us of Japanese descent had ancestors who were in internment camps. This, Mr. Speaker, in this National Defense Authorization Act, it would give the military powers to put any of us, if they see fit, if we were against the United States military. We already have the Patriot Act, and we're giving them more power. This is a Resolution so we can actually have them look for clarification. And being that Honouliuli Internment Camp is near my district, and seeing the historic sites that I saw there, Mr. Speaker. I stand in support. Thank you."

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I would just ask for a ruling of a potential conflict. I'm still an active duty member of the Armed Forces, so I don't think I can vote on this matter. Thank you," and the Chair ruled, "no conflict."

Representative Ching rose to respond, stating:

"Thank you, Mr. Speaker. I rise with some reservations, Mr. Speaker. Thank you. With all due respect. You know, I spent a lot of time studying in the Ethnic Studies Department under Franklin Odo, Dr. Franklin Odo, who went on to Harvard, and who started the first ever Ethnic Studies Department in the United States here at the University of Hawaii. I actually have a degree in that. Very much about the contributions of the 442nd, about the horrible time of the internment. And actually, we have a lot to be proud of. The 442nd showed that being loyal Americans, and I think that there are many who are enjoying their legacy today.

"The Japanese internment was in the '40s. It was a horrible thing. We want to make sure we remember it. We want to make sure that people aren't detained that way. That being said, during 9/11, we found out that there were a lot of terrorists. We've been hearing from the military, from anyone who is involved in cyber crime, the fact that terrorism has changed. The world has changed.

"The world has changed a lot. And these people are, it's very insidious. It's very hard to detect terrorists. It's not like World War II time. It's not the 1940s. If anyone's ever in the DC area, I urge you to go visit the spy museum. It'll enlighten you a lot. Started by the KGB and a CIA person. To really understand the scope to which our people, our military forces, our people in the CIA and everyday at any given time, people are not aware of what came very close to attacks.

"So, once again, the middle road. We very much don't want to repeat what happened to our many people's ancestors. And we applaud the fact that we have hopefully learned from that. But times have changed. And need to understand and I hope people know that we need to give our military every chance to catch these terrorists. And if it means that they're in our nation and they are, in our United States of America, I don't want to be on that plane, or my loved ones, when it goes down."

Representative Rhoads rose to speak in support of both measures, stating:

"Mr. Speaker, in support. To me it's indefinite in a war. I mean, you have to look at what kind of war we're talking about here. The war against the Japanese was much more of an existential threat to the United States than terrorism would be, just because as a country of 100 million people. It was a real threat to the security of United States. Whereas terrorism is more like, it's not a war in the normal sense of the war. It's more like the War on Drugs, or the War on Poverty. There is no enemy nation.

"The reason that the terrorists resort to terrorism is because they know they have no chance against United States in a conventional conflict, and it will never end. There will always be terrorists. So if you allow for the indefinite detention of your United States citizens, it will not just be for five or six years like it was in the case of the AJs, which was a horrible black mark against the United States of America in terms of our treatment of our fellow citizens.

"At least there was an end to the Second World War. There will be no end to the War on Terrorism, because with terrorism, you're not fighting another country. You're fighting a method of conflict. And I think if we continue to allow our nation to detain people indefinitely, we're making the same mistake again, with less of a provocation than we had when we made the mistake during the Second World War. Thank you."

Representative Belatti rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In strong support. You know, these measures and the passage of this portion of National Defense Authorization Act, has caused a lot public debate. It has in fact caused debate, and agreement among groups that you would not normally think of being on the same side. You'll have conservatives and liberals, Republicans and Democrats, all against this part. And I think it's in fact the ACLU and their testimony that says it best. 'The law is a historic threat because it codifies indefinite military detention without charge or trial, into law for first time in American history.'

"Congress has an opportunity to repeal this version and I wish we as a Body will add Hawaii's voice to that call for repeal. Thank you, Mr. Speaker."

Representative C. Lee rose to speak in support of both measures, stating:

"Thank you, very much. In support. I'd just like to point out, and actually I'd like to insert the words of the two previous speakers as though they were my own. But just to add, as a clarification. We have two centuries of history in this country, of being different than everywhere else. Different in the sense that we have clear demarcation between what our military is used for, and what it is not. And there is no one here saying that we should not prosecute this war, and bring folks to justice, both without and within our country whom intend to do us harm.

"But the question is how we do that. Right now, there's a very blurry, gray area. There are limitations that the War Powers Act, *Posse Comitatus*, once held that are no longer quite as clear. This clarifies that with respect to our own citizens within the United States. Thank you."

Representative Ward rose to respond, stating:

"Thank you, Mr. Speaker. Just a brief footnote on the reservations I have. Clearly, we as a legislative body go back and forth from one extreme to the other, the pendulum. At 9/11, I was in Washington breathing the smoke from the Pentagon and its burning. But the pendulum was where we had basically terrorists in flight school, flying all around. Doing things. Coming in and out with multiple visas. We didn't know about it.

"But the reports that were issued at that period in our history, and I think they're still true today, the CIA and the FBI said there were about 100 to 150 sleeper cells. Not just people, but sleeper cells in the United States. Mr. Speaker, one of our first obligations as elected Representatives is the protection of the people of Hawaii. Safety is primary, and I think if this thing is not going to work out, it can be changed. The great thing about democracy is, it's self-correcting. If you go to one extreme, you pull it back. The same thing about the internment. Self-correcting.

"Right now, the world is in an uncertain state of terrorism. Al Qaeda lives. Al Qaeda is active. Al Qaeda is a clear and present danger to the people of the United States. So if we've gone too far in this measure, in a couple of years, we can pull back on it. But right now there's not a sense of security that the US Congress, the elected Representatives from the 50 states, believe that this is the best policy for now. Thank you, Mr. Speaker."

Representative Takumi rose to speak in support of both measures, stating:

"Thank you very much, Mr. Speaker. In support. I rarely speak for or against Resolutions, but apparently this has engendered quite a bit of debate. People have raised this point. Some of these points I'm going to make, earlier. But let me emphasize that, you know, Mr. Speaker, this nation was founded on the basis of the rule of law. And it was also founded on the basis that everyone has the right to a trial, a fair and speedy trial, by the way. So, I don't think anybody in this Chamber is saying that we shouldn't go after terrorists or we shouldn't go after people that would undermine our society.

"I think what those of us who are in support of these Resolutions are saying, is that if you are arrested, if you are suspected of any kind of activity that's not in the interest of the United States, when it comes to national security, you should be arrested. But by the way, you should be charged, and you should have the right to a trial.

"You know Mr. Speaker, we see in the civilian sector, not just the military sector, but the civilian sector. Obviously if someone is clearly guilty, I mean there's witnesses to a murder, say, we don't just say, 'Well we know you're guilty because there's 100 witnesses to this crime.' Even a person like that, rightfully so because again, we are a nation that follows the rule of law. He's entitled to a trial. So, I think that's the main point of these Resolutions. Thank you, Mr. Speaker."

Representative Chong rose to speak in support of both measures, stating:

"Mr. Speaker, in support. My main reason for support for this, other than in addition to what everyone has talked about is, do we want the military addressing this issue, versus what I think the correct way is. The FBI, Department of Homeland Security, and others who are designed and tasked with the domestic population. And not the military. Thank you."

Representative Awana rose in support of both measures with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise with reservations. Mr. Speaker, these measures urge the United States Congress to Repeal the Mandatory Military Detention and Indefinite Provisions of the National Defense Authorization Act for Fiscal Year 2012 and Amend the Authorization for Use of Force. These Resolutions are well intended. We hear of many individuals who may appear to have been incarcerated for long periods of time without reason. Other reports talk about abuses that take place while an individual is incarcerated. However, the vast majority of actions taken by our military on this Congressional Act have reflected the positive effects for our country.

"As a former military officer, there is much information that the general public does not know and should not know - for good reason. Security matters keep Americans safe from the ugly reality of others who will easily jeopardize the health of the masses. If there are injustices in the military, the military must take action to resolve such issues. The vast majority does not have all of the information and because of this, I can only provide my support with strong reservations."

Representative Ichiyama rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ichiyama's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support. These Resolutions urge the United States Congress to repeal the mandatory military detention and indefinite detention provisions of the National Defense Authorization Act and amend the authorization for use of force.

"On December 31, 2011, President Obama signed the National Defense Authorization Act for fiscal year 2012, noting his serious concerns regarding the provisions that codify indefinite military detention without charge or trial. The law could permit the President to order the military to indefinitely imprison civilians without the protections of due process. This kind of sweeping detention power is at odds with our American values, violates the Constitution and weakens our Nation's commitment to the rule of law. We must prevent this injustice and protect the fundamental freedoms enshrined in the U.S. and State Constitutions.

"Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.R. No. 87, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO REPEAL THE MANDATORY MILITARY DETENTION AND INDEFINITE DETENTION PROVISIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 AND AMEND THE AUTHORIZATION FOR USE OF FORCE," was adopted, with Representative Souki voting no, and with Representatives Cabanilla and Kawakami being excused; and

H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO REPEAL THE MANDATORY MILITARY DETENTION AND INDEFINITE DETENTION PROVISIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 AND AMEND THE AUTHORIZATION FOR USE OF FORCE," was adopted, with Representative Souki voting no, and with Representatives Cabanilla and Kawakami being excused.

#### **H.C.R. No. 118, HD 1:**

Representative Chong moved that H.C.R. No. 118, HD 1, be adopted, seconded by Representative Evans.

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Just really brief comments. This Reso is actually very important if we are going to work with the legitimate zip line operators on addressing wildcat operators in making sure that these operations are safe for our visitors. We need to get this sunrise study done. Additional written comments to the Journal. Thank you."

Representative McKelvey's written remarks are as follows:

"Hawaii's zip line tours are among the fastest growing segments of the States activities and attractions. Hawaii's zip lines are spectacular; they are long and run over forests, waterfalls, gulches and streams while providing the phenomenal views that showcase Hawaii's natural beauty. The thrill of soaring over these natural wonders provides locals and tourists alike with an unforgettable experience that they undoubtedly share with others. Perhaps we as a state will become world renown for this increasingly popular form of ecotourism.

"It is crucial that the State ensure the well-being and safety of those who enjoy Hawaii's scenic landscape via zip lines and canopy tours. While zip lines and canopy tours can be safe, this can only be accomplished when the operators and employees have the safety of the participants as their greatest concern. In the last several years, Hawaii's zip lines have gained prominence in the industry competing with the zip lines in the Amazon and Central America. However, the reputation of the entire ecotourism sector is put in jeopardy when wildcat operations crop up without safety as their top priority.

"The legislation introduced in the Regular Session of 2012 proposes regulations for zip lines and canopy tours that are currently nonexistent. Two trade groups in the United States - the Association for Challenge Course Technology and the Professional Ropes Course Association have already established regulations for zip lines and canopy tours providing the State a model as to which to operate. The question one begged to answer during the hearings in the Regular Session of 2012 was which agency is the proper authority to inspect zip lines and canopy tours and enforce regulations.

"Section 26H-6, Hawaii Revised Statutes, requires a review of the Auditor prior to the enactment of a measure that would subject an unregulated profession or vocation to licensing or other regulatory control. In the best interest of the State, the Auditor is requested to perform a sunrise review on the regulation of zip lines and canopy tours including an assessment of alternative forms of regulation. With regular inspections of all equipment being key for the prevention of injury, the Auditor must specifically address the issues of inspectors and inspector qualifications; questions raised by the Department of Labor and Industrial Relations and the Department of Commerce and Consumer Affairs in testimony on the legislation introduced during the Regular Session of 2012.

"I am in strong support of HCR118, which is a positive step to ensure the personal safety of consumers within this facet of the State's ecotourism industry and protects their reputation."

The motion was put to vote by the Chair and carried, and H.C.R. No. 118, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF REGULATIONS FOR ZIPLINES AND CANOPY TOURS," was adopted, with Representatives Cabanilla and Kawakami being excused.

#### REPORTS OF STANDING COMMITTEES

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1700-12) recommending that H.R. No. 5, HD 1, be adopted; and

(Stand. Com. Rep. No. 1701-12) recommending that H.C.R. No. 5, HD 1, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 5, HD 1; and H.C.R. No. 5, HD 1, be adopted, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Rhoads rose to speak in support of both measures, stating:

"It just always amazed me. Maybe my fellow lawyers feel the same way, but corporations are useful legal fictions to limit investor risk, and they have proven very useful over many, many centuries at this point. But to consider them as persons for really any reason other than what I can think of. That they just aren't people, despite what the Supreme Court of the United States says. And I think, and that's why I support these Resolutions. Useful little fiction, but not people. Mahalo."

Representative Souki rose, stating:

"Mr. Speaker, I was going to be voting no. But if I vote with reservations, I've been listening to the previous Representative speaking, and it seems that he's looking at unnatural persons would be corporations.

And the Constitution would have no right in protecting them. If that's the case, then I would agree with that. If I could call a recess so I can ask the Chairman."

At 12:33 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:33 o'clock p.m.

Representative Souki rose to speak in support of both measures, stating:

"Yes, Mr. Speaker. I want to change it to a yes vote. Thank you."

Representative Marumoto rose to speak in opposition to both measures, stating:

"Mr. Speaker, may I register a no vote, please? I feel that these Resolutions may have unintended consequences. Thank you."

Representative McKelvey rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In strong support. I would just like to adopt the words of the Chair of Labor as if they were my own. And just a brief additional comment. Unintended consequences. I think Citizens United and all of the Super PACs that are going to be unleashed this summer are one of those consequences that I hope Members will remember, too. Thank you."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Belatti rose to speak in support of both measures, stating:

"In strong support, and may I have the words of the speaker from Maui entered as my own. Thank you," and the Chair "so ordered. (By reference only.)

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 5, HD 1, entitled: "HOUSE RESOLUTION RECOGNIZING THAT THE UNITED STATES CONSTITUTION ONLY PROTECTS RIGHTS OF NATURAL PERSONS," was adopted, with Representative Marumoto voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 5, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THAT THE UNITED STATES CONSTITUTION ONLY PROTECTS RIGHTS OF NATURAL PERSONS," was adopted, with Representative Marumoto voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1702-12) recommending that H.R. No. 9, be adopted; and

(Stand. Com. Rep. No. 1703-12) recommending that H.C.R. No. 13, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 9; and H.C.R. No. 13, be adopted, seconded by Representative Evans.

Representative Ching rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In strong support of these Resolutions. My district, Liliha, has an issue whereby a former Councilman decided to widen the roads. We have Ho'opono Center for the Blind. We have numerous elementary schools. The Senator from the District and myself have questioned this widening. There's so much possibility with urban

design to make a difference in the lives of our people, the quality of life, and whether or not people actually interact, and are healthy. So, with that, I'd like to ask for additional written comments to be inserted. We appreciate the Representative from Mililani for this introduction."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. Please let me express my most sincere gratitude to all those who have helped to push through such beneficial measures as H.R. 9 and H.C.R. 13. These Resolutions ask the City & County of Honolulu to review its policies regarding street and road widening, with regard to impact on pedestrian safety. Within this review, it requests research on specific impacts of road widening on pedestrian safety in neighborhoods with significant senior citizen populations. Findings and recommendations would be due to the Legislature at least twenty days prior to the convening of the 2013 Regular Session, and also transmitted to the Mayor of the City & County, and the State Department of Planning and Permitting.

"Although H.R. 9 and H.C.R. 13 benefit individuals of all ages and socioeconomic backgrounds, it particularly safeguards my own constituents residing in Liliha, Nuuanu, Puunui, and Alewa Heights neighborhoods. The United States Center for Disease Control and Prevention reported in 2007 that Hawaii ranked number one in pedestrian fatalities for people ages 65 and over. Not even considering the inconveniences and dangers involved in the construction process of wider roads, seniors will also face special dangers and challenges once the wider roads are finally complete. In such neighborhoods as mine, seniors often struggle to cross the street in a timely fashion and safe manner; wider residential streets near their homes may prove even more difficult for them to navigate. Of Hawaii's 27 pedestrian fatalities in 2010, 10 (37%) were seniors. Moreover, given my district's numerous hospitals, long-term care facilities, affordable housing units, and accommodations for the blind, our pedestrian population also includes a number of chronically disabled residents. Physical disabilities correlated to these facilities often accelerate symptoms of the aging process, yielding a pedestrian sector even less adept than those of other more healthy communities of comparable age.

"Considering the particularly constructive impact H.R. 9 and H.C.R. 13 will have on the lives of my own constituents, I gladly extend a special "Mahalo" to all who have worked hard in ensuring its progress. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 9, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW ITS POLICIES REGARDING STREET AND ROAD WIDENING, WITH REGARD TO THEIR IMPACT ON PEDESTRIAN SAFETY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW ITS POLICIES REGARDING STREET AND ROAD WIDENING, WITH REGARD TO THEIR IMPACT ON PEDESTRIAN SAFETY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1704-12) recommending that H.R. No. 13, be adopted; and

(Stand. Com. Rep. No. 1705-12) recommending that H.C.R. No. 19, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 13; and H.C.R. No. 19, be adopted, seconded by Representative Evans.

Representative Cabanilla rose to speak in support of both measures, stating:

"Please note my strong support, Mr. Speaker."

Representative M. Lee rose to speak in support of both measures, stating:

"Mr. Speaker, I stand in strong support of Stand. Com. Rep. Nos. 1704 and 1705. As many of you may know, the Women's Caucus Package this year was dedicated to women veterans and all they have done. This is a very important Reso, because many times the services provided for women veterans have not been adequate. And I'd like to add some written comments. Thank you."

Representative M. Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of H.R. 13/H.C.R. 19 – URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS.

"I rise in support of the measure which is part of the 2012 package of the Women's Legislative Caucus. Women veterans suffer many of the same re-entry problems as men, yet programs for them are either behind or non-existent. At times the military has discounted or overlooked the problems and complaints of women. This seems to be changing to a certain extent, however this resolution is a reminder that women veteran's needs deserve equal treatment. I urge the Members' support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 13, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1706-12) recommending that H.R. No. 16, be adopted; and

(Stand. Com. Rep. No. 1707-12) recommending that H.C.R. No. 23, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 16; and H.C.R. No. 23, be adopted, seconded by Representative Evans.

Representative McKelvey rose to speak in support of both measures, stating:

"Mr. Speaker, in strong support. But this is just a glorified housekeeping because the Board has already approved this action. And pursuant to law, it must be approved through Resolution by the Legislature as well. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 16, entitled: "HOUSE RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING DECK AND IMPROVEMENTS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING DECK AND IMPROVEMENTS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented seven reports:

(Stand. Com. Rep. No. 1708-12) recommending that H.C.R. No. 24, be adopted;

(Stand. Com. Rep. No. 1709-12) recommending that H.C.R. No. 25, be adopted;

(Stand. Com. Rep. No. 1710-12) recommending that H.C.R. No. 26, be adopted;

(Stand. Com. Rep. No. 1711-12) recommending that H.C.R. No. 27, be adopted;

(Stand. Com. Rep. No. 1712-12) recommending that H.C.R. No. 28, be adopted;

(Stand. Com. Rep. No. 1713-12) recommending that H.C.R. No. 29, be adopted;

(Stand. Com. Rep. No. 1714-12) recommending that H.C.R. No. 30, be adopted; and

(Stand. Com. Rep. No. 1715-12) recommending that H.C.R. No. 31, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.C.R. No. 24; H.C.R. No. 25; H.C.R. No. 26; H.C.R. No. 27; H.C.R. No. 28; H.C.R. No. 29; H.C.R. No. 30; and H.C.R. No. 31, be adopted, seconded by Representative Evans.

At this time, the Chair stated:

"For Stand. Com. Rep. Nos. 1708, 1709, 1710, 1711, 1712, 1713, 1714 and 1715. Members of the House, these measures are all tied to remnant properties that the Hawaii Housing Finance & Development Corporation would like to sell to the respective tenants that are there in these particular projects. These projects were built in the '50s and '60s, and some of their tenants have already gotten their fee. This is just a way of cleaning it out, as far as their inventory."

Representative Hanohano rose to speak in opposition to the measures, stating:

"Just note my no vote for all of them."

Representative Jordan rose, stating:

"Thank you, Mr. Speaker. Please note my no vote on 1708, 1709, 1710, 1711, and 1712. Only the first five, Mr. Speaker."

Representative Awana rose to speak in opposition to the measures, stating:

"Thank you, Mr. Speaker. Please register my no vote for all. Thank you."

At 12:39 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:40 o'clock p.m.

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE

LEASED FEE INTEREST IN 593 KULIOUOU ROAD, HONOLULU, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused;

H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 619 KULIOUOU ROAD, HONOLULU, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused;

H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 644 HOKIOKIO PLACE, HONOLULU, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused;

H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2314 10TH AVENUE, HONOLULU, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused;

H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-557 KAMANAANA PLACE, WAIMANALO, HAWAII," was adopted, with Representatives Awana, Hanohano and Jordan voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused;

H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2949 ALA ILIMA STREET, NO. 303, HONOLULU, HAWAII," was adopted, with Representatives Awana and Hanohano voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused;

H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-031 KUAHELANI AVENUE, NO. 242, MILILANI, HAWAII," was adopted, with Representatives Awana and Hanohano voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-017 KUAHELANI AVENUE, NO. 321, MILILANI, HAWAII," was adopted, with Representatives Awana and Hanohano voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1716-12) recommending that H.C.R. No. 32, HD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 32, HD 1, be adopted, seconded by Representative Evans.

Representative Marumoto rose to speak in support of the measure, stating:

"Thank you. On Stand. Com. Rep. No. 1716, I'd like to speak in favor of this. Thank you, Mr. Speaker. I am in favor of this Resolution, but I just want to point out that this refers to universal access to care, and not universal health care. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 32, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S OFFICE TO CONDUCT A STUDY ON THE EFFICACY OF COMBINING STATE GOVERNMENT HEALTH POLICY, PLANNING, AND PURCHASING IN A SINGLE AGENCY IN ORDER TO ADVANCE TRANSFORMATION OF HAWAII'S HEALTHCARE



SYSTEM AND UNIVERSAL ACCESS TO CARE," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1717-12) recommending that H.R. No. 17, HD 1, be adopted; and

(Stand. Com. Rep. No. 1718-12) recommending that H.C.R. No. 33, HD 1, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 17, HD 1; and H.C.R. No. 33, HD 1, be adopted, seconded by Representative Evans.

Representative Marumoto rose to speak in support of both measures, stating:

"Mr. Speaker, Stand. Com. Rep. Nos. 1717 and 1718 have to do with ATVs and requesting the Department of Health to convene a task force to examine the impact of ATVs on children. I want to recognize the Representative from Moanalua for introducing these Resolutions and also a bill, to find out the impacts of ATVs on children. I think we could learn from this Resolution such as the number of accidents there are. The ages of the young people. The intensity of injuries. Whether they're head injuries or not. Whether helmets should be required. Whether they were passengers or not.

"The bill on this subject, advanced further than any other measure thus far. And you know, one of these years, we will have significant legislation passed. For your information Hawaii, unlike most other states, has no restriction on ATV use. So we're due. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 17, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO EXAMINE THE IMPACT OF ALL-TERRAIN VEHICLE ACCIDENTS ON CHILDREN," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 33, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO EXAMINE THE IMPACT OF ALL-TERRAIN VEHICLE ACCIDENTS ON CHILDREN," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1719-12) recommending that H.C.R. No. 41, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 41, be adopted, seconded by Representative Evans.

Representative Aquino rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Aquino's written remarks are as follows:

"Thank you Mr. Speaker, I rise in support of HCR 41 which would request the auditor to perform a sunrise analysis of the regulation of the music therapy profession.

"The benefits of music in emotional and physical health have been well described for many centuries and across cultures. In more recent times, studies have shown the effects of music therapy in alleviating symptoms of a variety of physical and psychological conditions. Music therapy is the clinical and evidence-based use of music interventions to accomplish

individual goals for a patient by a credentialed professional who has completed an approved program.

"As mentioned earlier, this is not something new. In fact, music therapy has over 60 years of clinical history in the United States and is recognized in our State by various departments including the Departments of Health, Human Services and Education.

"Music therapy offers a new perspective for health care. It provides an alternative therapeutic treatment to improve motor skills for individuals with physical disabilities, increase emotional expression in people with emotional conditions or have experience trauma, increase social interactions and communication skill in autistic children and increase reminiscing and mental stimulation in adults with Alzheimer's and dementia.

"We must remember that music therapy is not just a daily dose of Beethoven, Bach, Beatles or Justin Beiber. As we learned through testimonies presented during previous hearings, music therapy is a World Health Organization (WHO) acknowledged health care profession with a 40-year period of academic and research development in all parts of the world.

"That's why HCR 41 is critical in the establishment of a regulated music therapy program to meet the needs of our communities by providing additional therapeutic treatment options. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A SUNRISE ANALYSIS OF THE REGULATION OF THE PROFESSION OF MUSIC THERAPY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1720-12) recommending that H.C.R. No. 50, HD 1, be adopted; and

(Stand. Com. Rep. No. 1721-12) recommending that H.C.R. No. 51, HD 1, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.C.R. No. 50, HD 1; and H.C.R. No. 51, HD 1, be adopted, seconded by Representative Evans.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support of these two measures, Stand. Com. Rep. No. 1720, recognizing local Koreans by the placement of a commemorative plaque on the Christian Institute. And also on Stand. Com. Rep. No. 1721, the site of the Korean Methodist Church. I've for long time, been supporting these understandings of the contribution that our different ethnic groups play in Hawaii.

"I'm not sure if all our local people know that not only Sun Yat-Sen lived here in Hawaii attending Punahou, and Iolani. But also Dr. Syngman Rhee, who's a really important figure in Korean history, akin to the Abraham Lincoln of Korea who actually laid the cornerstone of the Korean Christian Church right on Liliha Street. It's kind of an important site. I'm hoping that possibly, that site might be incorporated at some point, too. We've been working on that for some time. But this a good start. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.C.R. No. 50, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN CHRISTIAN INSTITUTE," was adopted, with

Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 51, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RECOGNIZE LOCAL KOREANS BY DIRECTING THE PLACEMENT OF A COMMEMORATIVE PLAQUE DESIGNATING THE FORMER SITE OF THE KOREAN BOARDING SCHOOL FOR BOYS AND THE KOREAN METHODIST CHURCH," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1722-12) recommending that H.R. No. 36, be adopted; and

(Stand. Com. Rep. No. 1723-12) recommending that H.C.R. No. 56, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 36; and H.C.R. No. 56, be adopted, seconded by Representative Evans.

Representative Jordan rose to speak in support of both measures, stating:

"Mr. Speaker, thank you. I'd like to note my support for Stand. Com. Rep. Nos. 1722, and 1723. This is a very important measure that was introduced by our Chair of Health, and I do appreciate it. As you all know, the Waianae Coast is far from any emergency trauma center, and during the conflict of the last several years, we lost our ambulance helicopter service when the 25th got deployed. The National Guard stepped in during that time. And then the National Guard got deployed, and then we lost that service. So currently, we do not have a helicopter service at the Waianae Coast Comprehensive Health Center, and I truly appreciate this. This measure was introduced by our Health Chair, and I do support this. Thank you, very much."

Representative Awana rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I rise in strong support, and I'd like to echo the sentiments of the Representative from the 45th District with regards to the strong need to have this type of service provided for those on the Waianae Coast, especially in times when it may take longer than an hour just to get out of the Coast to provide the medical services that are needed.

"So with that I rise in strong support, and would like to enter just a few more written comments. Thank you."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in strong support. With the existing lack of proper infrastructure for the Leeward Coast, these Resolutions are greatly needed. There have been, and continue to be trauma cases where immediate transport is necessary to save lives. I would like to commend the Chair on Health for these measures, and I urge the support from the other Members of this Body. Thank you, Mr. Speaker."

Representative Yamane rose to speak in support of both measures, stating:

"Yes, Mr. Speaker. I'm standing in strong support. Mr. Speaker, in the drafting of this measure, these Resolutions before you, we took keen consideration into the distance of those living on the Leeward Coast. And hearing the concerns by those area Representatives, the Chair made this Reso on their behalf, to address the distance, and actually at the time, the pending closure of HMC. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 36, entitled: "HOUSE RESOLUTION URGING THE HAWAII ARMY NATIONAL GUARD

TO PROVIDE EMERGENCY TRANSPORT SERVICES BY HELICOPTER TO INDIVIDUALS FROM LEEWARD OAHU AND COMMUNITIES IN THE IMMEDIATE VICINITY WHO REQUIRE IMMEDIATE TRAUMA CARE," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII ARMY NATIONAL GUARD TO PROVIDE EMERGENCY TRANSPORT SERVICES BY HELICOPTER TO INDIVIDUALS FROM LEEWARD OAHU AND COMMUNITIES IN THE IMMEDIATE VICINITY WHO REQUIRE IMMEDIATE TRAUMA CARE," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1724-12) recommending that H.C.R. No. 77, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 77, be adopted, seconded by Representative Evans.

Representative Yamashita rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. In strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT AND ESTABLISH A NATIONAL BROADBAND NETWORK," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1725-12) recommending that H.R. No. 57, be adopted; and

(Stand. Com. Rep. No. 1726-12) recommending that H.C.R. No. 82, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 57; and H.C.R. No. 82, be adopted, seconded by Representative Evans.

Representative Mizuno rose to speak in support of both measures, stating:

"In support of Stand. Com. Rep. Nos. 1725 and 1726, Mr. Speaker. I think it's commendable that we allow opportunities to deal with homelessness, especially from nongovernmental agencies. Therefore, I support these Resolutions. Thank you."

Representative Cabanilla rose to speak in support of both measures, stating:

"In strong support, Mr. Speaker."

Representative Awana rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I rise in strong support. There are many efforts that are already ongoing in the community with various faith-based organizations and nonprofit organizations, working to address homelessness. These Resolutions are simply a sign from the Legislature to show that we too are in strong support of their efforts and initiatives that are being made. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 57, entitled: "HOUSE

RESOLUTION SUPPORTING EFFORTS BY NON-GOVERNMENTAL ORGANIZATIONS THAT ASSIST IN FINDING OPPORTUNITIES AND SOLUTIONS TO ADDRESS HOMELESSNESS IN HAWAII," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING EFFORTS BY NON-GOVERNMENTAL ORGANIZATIONS THAT ASSIST IN FINDING OPPORTUNITIES AND SOLUTIONS TO ADDRESS HOMELESSNESS IN HAWAII," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1727-12) recommending that H.R. No. 59, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1728-12) recommending that H.C.R. No. 85, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1729-12) recommending that H.R. No. 60, HD 1, be adopted; and

(Stand. Com. Rep. No. 1730-12) recommending that H.C.R. No. 86, HD 1, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 60, HD 1; and H.C.R. No. 86, HD 1, be adopted, seconded by Representative Evans.

Representative Manahan rose to speak in support of both measures with reservations, stating:

"Yes, Mr. Speaker. I'm standing in support, but with some reservations. I can appreciate the intent and the value of these Resolutions, however it may have unintended consequences as far as the residents who are living there on Mokauea Island who may need to do home repairs, or just additional work on their homes. So by declaring it a historical site, that might impede it. And given that there was no testimony from the residents or from DLNR, I'm going to be voting with reservations. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 60, HD 1, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES NATIONAL REGISTER OF HISTORIC PLACES TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND ON THE NATIONAL REGISTER OF

HISTORIC PLACES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 86, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES NATIONAL REGISTER OF HISTORIC PLACES TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND ON THE NATIONAL REGISTER OF HISTORIC PLACES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1731-12) recommending that H.C.R. No. 98, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 98, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE OFFICE OF SOLID WASTE MANAGEMENT TO DEVELOP A PLAN OF INITIATIVES FOR IMPROVED REUSE AND RECYCLING OF GREEN WASTE BY WORKING WITH THE COUNTIES TO ADDRESS EACH COUNTY'S UNIQUE NEEDS ACCORDING TO THEIR GEOGRAPHY, POPULATION, AND UNIQUE INDUSTRY MAKE-UP," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1732-12) recommending that H.C.R. No. 99, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 99, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO WORK WITH STAKEHOLDERS AND APPROPRIATE AGENCIES TO CREATE AN EFFICIENT TRACKING METHOD FOR DEOXYRIBONUCLEIC ACID (DNA) RAPE KITS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1733-12) recommending that H.R. No. 73, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 73, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IMPLEMENT AN INCENTIVE PROGRAM TO PROMOTE THE PURCHASE OF HAWAII-GROWN AGRICULTURAL COMMODITIES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1734-12) recommending that H.C.R. No. 101, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO IMPLEMENT AN INCENTIVE PROGRAM TO PROMOTE THE PURCHASE OF HAWAII-GROWN AGRICULTURAL COMMODITIES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1735-12) recommending that H.R. No. 75, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 75, entitled: "HOUSE RESOLUTION EXPRESSING SUPPORT FOR THE

DEPARTMENT OF AGRICULTURE'S EFFORTS TO STIMULATE THE STATE'S AGRICULTURE INDUSTRY, INCREASE AND DIVERSIFY AGRICULTURAL OUTPUT, AND PROMOTE FOOD SECURITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1736-12) recommending that H.C.R. No. 103, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 103, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE DEPARTMENT OF AGRICULTURE'S EFFORTS TO STIMULATE THE STATE'S AGRICULTURE INDUSTRY, INCREASE AND DIVERSIFY AGRICULTURAL OUTPUT, AND PROMOTE FOOD SECURITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1737-12) recommending that H.C.R. No. 104, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO DESIGNATE THE MAGOON RESEARCH AND TEACHING FACILITY SITE FOR THE UNIVERSITY OF HAWAII AT MANOA COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1738-12) recommending that H.C.R. No. 107, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CREATION OF AN EXPLORATORY COMMITTEE TO CONSIDER THE ESTABLISHMENT OF AN INTERNATIONAL AVIATION TRAINING CENTER AT THE HILO INTERNATIONAL AIRPORT AND AN ADVANCED AVIATION DEGREE TRAINING PROGRAM AT THE UNIVERSITY OF HAWAII AT HILO," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1739-12) recommending that H.C.R. No. 108, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 108, be adopted, seconded by Representative Evans.

Representative Ito rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ito's written remarks are as follows:

"Mr. Speaker, I rise in support of HSCR1739-12, HCR108.

"On March 11, 2011 a 9.0 undersea earthquake struck Honshu Island, Japan. The resulting tsunami devastated the northeast coastline of Japan, sending approximately 20 million tons of debris into the Pacific Ocean, much of which may have already sunk into the vast ocean or broken up into smaller pieces. When will the debris, if any, reach Hawaii? What percentage of that 20 million tons of tsunami debris can we expect to reach Hawaii?"

"We, the State of Hawaii, must take a proactive role to ensure that we find a solution to this issue. HCR108 is a good starting point in planning how to address this issue.

"Mr. Speaker, for these reasons I ask my colleagues to please support HSCR1739-12, HCR108."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A REVIEW AND MAKE RECOMMENDATIONS ON THE REMOVAL OF MARINE DEBRIS CREATED BY THE 2011 TSUNAMI IN JAPAN," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1740-12) recommending that H.R. No. 94, be adopted; and

(Stand. Com. Rep. No. 1741-12) recommending that H.C.R. No. 123, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 94; and H.C.R. No. 123, be adopted, seconded by Representative Evans.

Representative Ward rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker, I shall proceed. I will start over again. I commend you for the speed at which we are going through this. It's not rapid fire. But some of us went over to the Senate this morning to celebrate Sam Slom's 70th birthday, and they took 20 pages in like 35 seconds. So your pace, which often we think is fast, is considerably reasonable.

"Now back to the goody two shoes I was referring to in the Resolutions, which for socially responsible corporations we must have the best service to the public of safety, whether it's food or otherwise. But this goes a bit far and these Resolutions make pejorative comments about our military, in that it singles out corporations that do military defense contracts, as unacceptable, or let's say, less desirable as a part of the American corporate culture.

"Mr. Speaker, just a few days ago, or yesterday, we had the National Guard exhibit here. I had the privilege of looking at some of their new equipment. And one of the fully uniformed individuals with his breastplate on said he could take an M40 bullet, point blank right at his vital organs. And because of Kevlar, it would be repelled. Lifesaving devices that these corporations are now being spoken of as pejorative in this Reso would be set aside.

"Mr. Speaker, last night at the Washington Place, we had a goodwill understanding with the people of Turkey, of which the Representative from Waianae did an excellent job in welcoming the business people from the Turkish-American community in Los Angeles. Tremendous goodwill. One was a defense contractor, because he made parts for the F-16 plane that keeps those 4,000 planes flying throughout the world. These people are looked upon as pejorative here.

"So Mr. Speaker, it's the lack of balance. We need socially responsible, but if we start picking winners, and saying that these are bad, we forget about the defense. We forget about the military, and those who are now in harm's way as we speak. Thank you, Mr. Speaker."

Representative Fontaine rose to speak in support of both measures with reservations, stating:

"Yes, Mr. Speaker. I'm also standing in reservations and for the same reasons as the previous speaker. Thank you."

Representative Jordan rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In strong support. In my life of dealing with people's personal matters such as taxes, investing, building their lives for

their future retirement, I have met many individuals that are socially conscious on what they invest in. I think this measure truly stands to those thoughtful and conscious individuals. I support our Chief Investment Officer to start looking at more conservative, and more positive, thoughtful and conscientious investing. I do support these measures. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 94, entitled: "HOUSE RESOLUTION ENCOURAGING AND REQUESTING A REPORT ON SOCIALLY RESPONSIBLE INVESTMENTS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING AND REQUESTING A REPORT ON SOCIALLY RESPONSIBLE INVESTMENT," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1742-12) recommending that H.C.R. No. 140, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 140, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF THE OFFICE OF AEROSPACE DEVELOPMENT TO COORDINATE COMMENTS AND IDENTIFY A LEAD ENTITY TO PREPARE A PROPOSAL, ON BEHALF OF THE STATE, FOR HAWAII TO BE SELECTED AS ONE OF THE FEDERAL AVIATION ADMINISTRATION'S SIX UNMANNED AIRCRAFT SYSTEM TEST SITES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1743-12) recommending that H.R. No. 95, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 95, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF VEHICLE IMMOBILIZATION AS A SANCTION FOR OPERATING A MOTOR VEHICLE WITH A LICENSE REVOKED OR SUSPENDED FOR OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1744-12) recommending that H.C.R. No. 124, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 124, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY OF VEHICLE IMMOBILIZATION AS A SANCTION FOR OPERATING A MOTOR VEHICLE WITH A LICENSE REVOKED OR SUSPENDED FOR OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1745-12) recommending that H.R. No. 107, HD 1, be adopted; and

(Stand. Com. Rep. No. 1746-12) recommending that H.C.R. No. 145, HD 1, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 107, HD 1; and H.C.R. No. 145, HD 1, be adopted, seconded by Representative Evans.

Representative McKelvey rose to disclose a potential conflict of interest, stating:

"Mr. Speaker. Just a ruling on a potential conflict. Our family does business with Bali, Indonesia through our import and antique industry," and the Chair ruled, "no conflict."

Representative McKelvey continued to speak in support of both measures, stating:

"Thank you, very much. In strong support, then."

Representative Ward rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, a potential conflict. I'm one of the founding members of the Indonesian Hawaii Chamber of Commerce. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 107, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII AND THE HAWAII SISTER-STATE COMMISSION TO APPROVE THE ESTABLISHMENT OF A SISTER-STATE RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE PROVINCE OF BALI, INDONESIA," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 145, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII AND THE HAWAII SISTER-STATE COMMISSION TO APPROVE THE ESTABLISHMENT OF A SISTER-STATE RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE PROVINCE OF BALI, INDONESIA," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1747-12) recommending that H.C.R. No. 152, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 152, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT TO CONVENE A TASK FORCE TO EXAMINE MANAGEMENT POLICIES REGARDING THE USE OF OVERTIME BY STATE AND COUNTY EMPLOYEES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1748-12) recommending that H.R. No. 118, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 118, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP A STATE ACTION PLAN TO COMBAT CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN THE STATE," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1749-12) recommending that H.C.R. No. 154, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE

DEPARTMENT OF HEALTH TO DEVELOP A STATE ACTION PLAN TO COMBAT CHRONIC OBSTRUCTIVE PULMONARY DISEASE IN THE STATE," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1750-12) recommending that H.C.R. No. 163, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE PUBLIC LAND DEVELOPMENT CORPORATION, WITH THE ASSISTANCE OF THE COUNTY OF HAWAII, TO CONDUCT A STUDY ON THE ESTABLISHMENT OF A PUBLIC-PRIVATE PARTNERSHIP TO DEVELOP AND IMPROVE THE EAST HAWAII AREA OF HAWAII COUNTY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1751-12) recommending that H.R. No. 139, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 139, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A REPORT OF ALL STATE DEPARTMENT EXPENDITURES RELATING TO ENERGY CONSERVATION CONTRACTS AND POWER PURCHASE AGREEMENTS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1752-12) recommending that H.C.R. No. 178, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 178, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT OF ALL STATE DEPARTMENT EXPENDITURES RELATING TO ENERGY CONSERVATION CONTRACTS AND POWER PURCHASE AGREEMENTS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1753-12) recommending that H.R. No. 147, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 147, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE STATE REGULATION OF THE HARVESTING OF HAWAIIAN SANDALWOOD," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1754-12) recommending that H.C.R. No. 190, HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 190, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EXAMINE STATE REGULATION OF THE HARVESTING OF HAWAIIAN SANDALWOOD," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1755-12) recommending that H.C.R. No. 192, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF PUBLIC SAFETY TO CONVENE A TASK FORCE TO DEVELOP A PLAN FOR THE DESIGN, DEVELOPMENT, CONSTRUCTION, AND OPERATION OF A SECURE FORENSIC FACILITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1756-12) recommending that H.R. No. 155, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 155, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DETERMINE FINANCING MECHANISMS TO ASSIST PRIVATE PARKING LOT OWNERS WITH THE COSTS ASSOCIATED WITH PROVIDING PARKING STALLS AND CHARGING UNITS FOR ELECTRIC VEHICLES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1757-12) recommending that H.C.R. No. 201, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DETERMINE FINANCING MECHANISMS TO ASSIST PRIVATE PARKING LOT OWNERS WITH THE COSTS ASSOCIATED WITH PROVIDING PARKING STALLS AND CHARGING UNITS FOR ELECTRIC VEHICLES," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1758-12) recommending that H.R. No. 157, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 157, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR THE PLANNING, DESIGN, CONSTRUCTION, TURNKEY, AND FINANCING OF A NEW MAUI REGIONAL PUBLIC SAFETY COMPLEX AT PUUNENE, MAUI," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1759-12) recommending that H.C.R. No. 203, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FOR THE PLANNING, DESIGN, CONSTRUCTION, TURNKEY, AND FINANCING OF A NEW MAUI REGIONAL PUBLIC SAFETY COMPLEX AT PUUNENE, MAUI," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1760-12) recommending that H.R. No. 167, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 167, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES

HOUSE OF REPRESENTATIVES ARMED SERVICES COMMITTEE AND SUBCOMMITTEE ON MILITARY PERSONNEL TO ACT FAVORABLY ON H.R. 2148 AND TO REPORT THE BILL TO THE UNITED STATES HOUSE OF REPRESENTATIVES FOR FURTHER ACTION," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1761-12) recommending that H.C.R. No. 216, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES HOUSE OF REPRESENTATIVES ARMED SERVICES COMMITTEE AND SUBCOMMITTEE ON MILITARY PERSONNEL TO ACT FAVORABLY ON H.R. 2148 AND TO REPORT THE BILL TO THE UNITED STATES HOUSE OF REPRESENTATIVES FOR FURTHER ACTION," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1762-12) recommending that H.R. No. 4, HD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.R. No. 4, HD 1, be adopted, seconded by Representative Evans.

Representative Rhoads rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'd like to request a no vote on this one. It's not the substance of it that's concerning to me. It's like we're trying to influence ourselves. Urging the Governor and the Legislature of the State of Hawaii to Preserve the Counties' ... If we want to preserve the TAT share, keep the counties' share, then we should just do it. But I don't see any point in telling ourselves to do it."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.R. No. 4, HD 1, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF HAWAII TO PRESERVE THE COUNTIES' SHARE OF THE TRANSIENT ACCOMMODATIONS TAX," was adopted, with Representative Rhoads voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1763-12) recommending that H.R. No. 116, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 116, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE CITY AND COUNTY OF HONOLULU TO INSPECT, CLEAN, AND FIX THE DRAINAGE SYSTEM IN EAST HONOLULU," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1764-12) recommending that H.R. No. 74, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1765-12) recommending that H.C.R. No. 102, as amended in HD 1, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 74, HD 1; and H.C.R. No. 102, HD 1, be adopted, seconded by Representative Evans.

Representative Ward rose to speak in opposition to both measures, stating:

"Mr. Speaker, a no vote on these measures, please. We could name this the Library Peace Talks Reso. The difficulty is the warring parties of Kailua and Aina Haina are excluded as to the people that are going to be called to the table, and it ultimately is going to be difficult because there has been a real turmoil that the reinterpretation of the statute has brought out in Finance Committee hearing. I'm hopeful that something might come of this, but unless you get North and South Korea at the table, you're not going to get too much in terms of a Korean resolution. So for this reason, I think it's not going to be very helpful. Thank you."

Representative Hashem rose to speak in support of both measures, stating:

"Mr. Speaker, I stand in support. This has been a very long and painful issue that we've been dealing with this Legislative Session. It doesn't specify the exact two warring parties, but if you read the Reso which it says, a representative from the Friends of the Library of Hawaii affiliate group, and a representative that is not an affiliate group. Kailua is an affiliate group, and Aina Haina is not an affiliate group. So it does include them. Thank you very much, Mr. Speaker."

Representative M. Lee rose to speak in support of both measures, stating:

"I stand in support and I would like to include the words of the Vice Chair of Agriculture. I would like to note too, that there was no negative testimony on these Resolutions when it was heard in Committee. Thank you."

Representative Marumoto rose to speak in support of both measures with reservations, stating:

"My. Speaker, I rise in favor of these resolutions, with reservations. And first of all, I'd like to point out that in the Committee Reports, it shows that I voted free and clear. And also Representative Ward. In actuality, I voted with reservations in Committee, and Representative Ward voted no. So, just to clarify that.

"All the bill purported to do, not these Resolutions, but a bill from the Senate introduced by I believe Senator Tokuda, was to allow the Friends of the Aina Haina Library to continue selling books at the library. They have been doing this to raise money for the library for 50 years.

"Apparently, the Librarian felt that it was not proper that they should be on State property since they were a nonaffiliated, private nonprofit. So, essentially they were kicked off. So we tried to get a bill passed that would allow them to continue their activities. It just dawned on me. I think the bill was introduced by Senator Slom. It's in his district. But that bill failed, and so these Resolutions are a result. I'm not sure that these Resolutions will work, but I certainly hope it will. So in that respect, I am very much for it."

Representative Takumi rose to speak in opposition to both measures, stating:

"Thank you very much, Mr. Speaker. I stand in opposition to these resolutions. Well first of all, these Resolutions started off being referred to the Agricultural Committee. And then it morphed into this Library bill. And I do realize in the library you do have books about farming and whatnot. But you know, I don't quite see the connection for it to go to the Ag Committee, and then to the Finance Committee. These Resolutions obviously should have been heard by your Education Committee.

"Besides, we have as previous speakers have mentioned in dealing with this issue this whole Session, I think I've learned more about the Friends of the Library, and the Little Friends of the Library than I ever have in my entire career here. But the point is that this is going to require statutory change. So you can convene a task force, and they can meet for the next year and so on. I just don't think the library such as the Aina Haina Friends of the Library are going to be able to conduct any business in the coming

year while this task force meets. A simple fix to the law, according to the Attorney General, would have taken care of this, and I see no need for a Resolution. I see a need for a bill to change the current law. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Mr. Speaker, I just heard from the Aina Haina Library people and they were, at the very last minute informed of something that they could no longer make. So the fact that they had 48 hours notice is immaterial.

"Second point I wanted to mention was that even though there is a non-affiliate, there are many non-affiliates. Even though there are affiliates on this group, there are many affiliates. So to say at the North and South Korea peace talks, we're going to have one Asian and one non-Asian among the millions of possibilities, is really not bringing the warring parties to the table. That's the problem.

"And as the Representative of Kaimuki, Kahala said, these people have been doing this for 50 years. Over a quarter million dollars they have brought in. If it doesn't work out, it's going to shut down a lot of goodwill, Mr. Speaker, and we don't want to do that. We don't want to have Kailua fighting with Aina Haina, and back and forth. There should be peace, and this unfortunately, I don't think is going to settle it. Thank you."

Representative Hashem rose to respond, stating:

"Mr. Speaker, in rebuttal. I would just like to ask, if we don't have a Resolution like this, and we don't have the parties come together and talk about it, and yes, everybody is right. They're all completely correct in what they're saying. They've been doing this for 50 years, and we've been trying to work this through. We do need a bill, but what is your option? If we don't do this, then what? You vote no, and you don't do anything? The AG already said that, we have to change the law. So we have to do something, and this is doing something. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 74, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE STATE LIBRARIAN TO CONVENE A TASK FORCE ON THE USE OF PUBLIC LIBRARY FACILITIES FOR CONCESSIONS," was adopted, with Representatives Takumi and Ward voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 102, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE LIBRARIAN TO CONVENE A TASK FORCE ON THE USE OF PUBLIC LIBRARY FACILITIES FOR CONCESSIONS," was adopted, with Representatives Takumi and Ward voting no, and with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1766-12) recommending that H.R. No. 115, be adopted; and

(Stand. Com. Rep. No. 1767-12) recommending that H.C.R. No. 153, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 115; and H.C.R. No. 153, be adopted, seconded by Representative Evans.

Representative Choy rose to speak in support of both measures, stating:

"Yes, Mr. Speaker. In strong support. You know, Mr. Speaker. We have a road that I think each and every one of us has used in the back of the Manoa Valley. It goes to Paradise Park, and it goes to Manoa Falls, the Lyon Arboretum. That little stretch of road is not owned by anybody, and therefore not maintained by anybody. We have been battling to figure out who owns the road and who should maintain it.

"Well, in the last couple months there have been several accidents on the road, and it's coming to a point that we have to do something to figure out who owns this particularly road. So I'm hoping that this particular task force will be successful, and we can figure out who owns the road and then we can maintain the road.

"And if this particular task force is successful, then hopefully we can use this for a model, because I know about two or three other roads in Manoa that also don't have an owner designated. So I think these are really good Resolutions. Thank you, very much."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 115, entitled: "HOUSE RESOLUTION CONVENING A MANOA ROAD TASK FORCE TO DISCUSS OWNERSHIP, MAINTENANCE, AND REPAIR RESPONSIBILITY OF THE PORTION OF MANOA ROAD LEADING UP TO THE LYON ARBORETUM," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION CONVENING A MANOA ROAD TASK FORCE TO DISCUSS OWNERSHIP, MAINTENANCE, AND REPAIR RESPONSIBILITY OF THE PORTION OF MANOA ROAD LEADING UP TO THE LYON ARBORETUM," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1768-12) recommending that H.R. No. 143, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 143, entitled: "HOUSE RESOLUTION REQUESTING THE STATE'S FULL COMPLIANCE WITH THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET'S STATISTICAL POLICY DIRECTIVE NO. 15, ENTITLED "RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING", AND THE PUBLICATION OF COLLECTED DATA SUBJECT TO APPLICABLE STATE AND FEDERAL LAWS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1769-12) recommending that H.C.R. No. 185, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 185, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE'S FULL COMPLIANCE WITH THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET'S STATISTICAL POLICY DIRECTIVE NO. 15, ENTITLED "RACE AND ETHNIC STANDARDS FOR FEDERAL STATISTICS AND ADMINISTRATIVE REPORTING", AND THE PUBLICATION OF COLLECTED DATA SUBJECT TO APPLICABLE STATE AND FEDERAL LAWS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1770-12) recommending that H.R. No. 121, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 121, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND BENEFITS OF ESTABLISHING CERTIFICATION AND LICENSURE FEES TO SUPPORT CERTAIN DEPARTMENT OF HUMAN SERVICES' PROGRAMS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.



Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1771-12) recommending that H.C.R. No. 157, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 157, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND BENEFITS OF ESTABLISHING CERTIFICATION AND LICENSURE FEES TO SUPPORT CERTAIN DEPARTMENT OF HUMAN SERVICES' PROGRAMS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1772-12) recommending that H.R. No. 123, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 123, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON THE STATE'S COMPLIANCE WITH THE PATIENT PROTECTION AND AFFORDABLE CARE ACT WITH EMPHASIS ON MEDICAID PROGRAM INTEGRITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1773-12) recommending that H.C.R. No. 159, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 159, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A STUDY ON THE STATE'S COMPLIANCE WITH THE PATIENT PROTECTION AND AFFORDABLE CARE ACT WITH EMPHASIS ON MEDICAID PROGRAM INTEGRITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1774-12) recommending that H.C.R. No. 183, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 183, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A FOCUSED FINANCIAL AND PERFORMANCE AUDIT OF THE CABLE TELEVISION DIVISION OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Yamashita, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1775-12) recommending that H.C.R. No. 177, HD 1, as amended in HD 2, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 177, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON REQUIRING INSURANCE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Yamashita, for the Committee on Legislative Management presented two reports:

(Stand. Com. Rep. No. 1776-12) recommending that H.R. No. 7, be adopted; and

(Stand. Com. Rep. No. 1777-12) recommending that H.C.R. No. 9, be adopted.

Representative Chong moved that the reports of the Committee be adopted, and that H.R. No. 7; and H.C.R. No. 9, be adopted, seconded by Representative Evans.

Representative M. Lee rose to speak in support of both measures, stating:

"Mr. Speaker, I stand in strong support of this. And I do want the Members to know that, these Resolutions and the bill that preceded it, were part of a project by the University of Hawaii School of Nursing Students. I think these are important Resolutions and it's an important issue, and I'm glad to see it pass today. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 7, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused; and

H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION PROCEDURES FOR PERSONS OF REPRODUCTIVE AGE WHO HAVE BEEN DIAGNOSED WITH CANCER AND WILL UNDERGO TREATMENT THAT MAY ADVERSELY AFFECT FERTILITY," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1778-12) recommending that H.C.R. No. 58, HD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that H.C.R. No. 58, HD 1, be adopted, seconded by Representative Evans.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Just with reservations. But also a thank you to the Chair of CPC for including wave energy in it. My reservations are because of the direction to the utility to develop an under seas electricity transmission cable."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 58, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO DIRECT ELECTRIC UTILITIES TO EXAMINE SPECIFIC RENEWABLE ENERGY SCENARIOS IN THE INTEGRATED RESOURCE PLANNING PROCESS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1779-12) recommending that H.C.R. No. 165, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALCOHOL RETAILERS AND LICENSED PREMISES UNDER CHAPTER 281, HAWAII REVISED STATUTES, TO POST A SIGN IN OR ABOUT THE PREMISES WARNING WOMEN NOT TO DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY AND THE DEPARTMENT OF HEALTH TO CONTINUE ITS EFFORTS TO

PROVIDE STATEWIDE TRAINING ON FETAL ALCOHOL SPECTRUM DISORDER PREVENTION, IDENTIFICATION, AND INTERVENTIONS," was adopted, with Representatives Chang, Kawakami, Oshiro and Tokioka being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1780-12) recommending that H.C.R. No. 169, be adopted.

At this time, Representative Har offered Floor Amendment No. 6, amending H.C.R. No. 169, as follows:

"SECTION 1. House Concurrent Resolution No. 169 (URGING THE COUNTIES TO DEVELOP AND IMPLEMENT COMMUNITY CONCERNS COUNCILS IN RURAL AREAS) is amended by deleting its contents and replacing it with new language to read as follows:

"HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF KOREATOWN AND DEVELOPMENT OF A MASTER PLAN FOR THE DEVELOPMENT OF A KOREATOWN.

WHEREAS, Koreans have a long history in Hawaii which started with 16 Koreans in 1902 and the first group of Korean laborers arriving in January 1903; and

WHEREAS, after the passage of the Immigration and Nationality Act of 1965, Koreans have become one of the fastest growing Asian groups in the United States which spurred the opening of the University of Hawaii's Center for Korean Studies in 1973; and

WHEREAS, immigration has continued, resulting in a population of 23,537 Koreans in Hawaii, according to the 2000 United States Census, and causing the Center for Korean Studies to broaden the teaching of Korean history and culture; and

WHEREAS, Hawaii has been at the forefront of encouraging the federal government to approve a visa waiver program for Korea; and

WHEREAS, on June 16, 2003, the Korean Consulate, Hawaii Korean Tourism Association, and Korean Air formed the Hawaii Tourism Promotion Association for the purpose of promoting tourism and a visa waiver program for Koreans; and

WHEREAS, on August 19, 2003, the Korean-Hawaii Visa Waiver Action Committee was created to promote and advocate the necessity of a visa waiver program for Koreans; and

WHEREAS, on April 26, 2004, the Legislature adopted House Concurrent Resolution No. 202, urging the members of Hawaii's congressional delegation to introduce federal legislation to provide additional resources to expand visa processing capacity in the Consular Section of the United States Embassy in Seoul in the Republic of Korea, and to include the Republic of Korea in the Visa Waiver Program; and

WHEREAS, on October 17, 2008, following several years of advocacy and lobbying efforts by the Korean-Hawaii Visa Waiver Action Committee in Washington, D.C. and in Korea, President Bush announced the visa waiver program for Koreans, effective November 17, 2008; and

WHEREAS, Koreans entering Hawaii between 2005 to 2008 totaled 35,008 in 2005, 37,911 in 2006, 42,140 in 2007, and 38,110 in 2008, and the number dramatically increased to 54,739 in 2009; and

WHEREAS, the upward trend has continued, totaling 81,921 Korean visitors in 2010 and 100,172 visitors in 2011, with projections that the number of Koreans entering in Hawaii will continue to grow at 30 to 50 percent annually; and

WHEREAS, Korean Air schedules fourteen flights a week to Hawaii, Asiana Airlines schedules two flights a week to Hawaii and will increase to seven flights a week starting in July 2012, and Hawaiian Airlines schedules four flights a week to Hawaii and will increase to seven flights a week starting in July 2012; and

WHEREAS, more than 92 percent of the Korean tourists in Hawaii visited Oahu, of which approximately 82 percent are first-time visitors to Hawaii; and

WHEREAS, many Koreans have given their time and expertise in serving the State of Hawaii, one of the most notable being Chief Justice

Ronald T.Y. Moon, whose grandparents were among the first Korean immigrants to Hawaii; and

WHEREAS, Census Tracts 36.01 and 36.02 give the general boundaries encompassing areas west of Kalakaua Avenue to Pensacola Street and north of Kapiolani Boulevard to South King Street which has become known as the Korean business district; and

WHEREAS, according to numbers from the 2000 United States Census, Census Tract 36.02 was home to 1,008 Koreans and part-Koreans, making it the neighborhood with the highest concentration of Koreans in the State; and

WHEREAS, areas surrounding, in, and around Census Tracts 36.01 and 36.02 are home to approximately 18 percent of Hawaii's Korean population; and

WHEREAS, as Hawaii continues its efforts to overcome the existing global financial crisis, it must look to its own state resources as well as develop international partnerships to plan for its current recovery and future to prevent another economic crisis; and

WHEREAS, Koreatowns or Korean-themed streets or districts exist in large United States cities such as Los Angeles, New York, Dallas, Chicago, Philadelphia, and Atlanta, and internationally Koreatowns exist in Toronto, Sydney, Tokyo, Osaka, London, Auckland, Hong Kong, and Beijing; and

WHEREAS, establishing a Koreatown is the first and natural step in recognizing the long history and bonds developed throughout the decades of Korean immigration and influence in Hawaii; and

WHEREAS, as Korea globally grows in recognition as an economic power, Hawaii must be at the forefront and establish itself as a gateway to Korean investment; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-sixth Legislature of the State of Hawaii, Regular Session of 2012, the Senate concurring, that the Legislature urges the establishment of a Koreatown; and

BE IT FURTHER RESOLVED that the Office of Planning in coordination with the City and County of Honolulu Department of Planning and Permitting are urged to develop a master plan for the development of a Koreatown to include but not be limited to the following:

- (1) Area boundaries;
- (2) Incentives to promote and perpetuate further investment with Korea;
- (3) A museum and cultural center highlighting Korea's contributions in culture, music, fashion, art, and society in Hawaii and the world and including statues of Korean leaders from Hawaii; and
- (4) Specialized design plans to reflect Korean architecture; and

BE IT FURTHER RESOLVED that the Office of Planning is requested to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than 20 days prior to the convening of the Regular Session of 2013; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Governor, Mayor of the City and County of Honolulu, Director of the Office of Planning, and Director of the City and County of Honolulu Department of Planning and Permitting."

Representative Har moved that Floor Amendment No. 6, be adopted, seconded by Representative Ito.

Representative Har rose to speak in support of the proposed Floor Amendment, stating:

"Thank you, Mr. Speaker. Mr. Speaker, and Members, yesterday your Committee on Water, Land, & Ocean Resources heard a proposed H.D. 1 for H.C.R. 169 of which you have the Floor Amendment in front of you, which is urging the establishment of a Koreatown and development of a master plan for the development of a Koreatown.

"The room was packed yesterday, for those that were in that hearing. We had over 3500 pieces of testimony in support. And I think in the elation and overwhelming excitement of it all, we accidently, and I should say, I

accidentally, instead of adopting the proposed H.D. 1, we actually passed it out un-amended. As a result, your Committee voted on the wrong Resolution. Therefore, as a result we are trying to amend the error of the Vice Chair from yesterday's hearing and we ask for your favorable consideration on the adoption of the Floor Amendment."

The motion that Floor Amendment No. 6, amending H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO DEVELOP AND IMPLEMENT COMMUNITY CONCERNS COUNCILS IN RURAL AREAS," be adopted, was put to vote by the Chair and carried, with Representatives Chang, Kawakami and Tokioka being excused.

Representative Chong moved that H.C.R. No. 169, HD 1, be adopted, seconded by Representative Evans.

Representative Har rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker, and may I enter written comments into the Journal?"

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support on HCR 169, HD 1. The purpose of this Resolution is to urge the establishment of a Koreatown in Honolulu, Hawaii. The Office of Planning and the City and County of Honolulu Department of Planning and Permitting are also urged to create a master plan for the development of a Koreatown.

"Koreans have a long history in Hawaii dating back to 1903. The establishment of a Koreatown will serve to recognize the long history of Korean immigration and influence in Hawaii. According to the 2010 United States Census, at least 40,000 Koreans now live in Hawaii. The Korean population in Hawaii has come a long way since the first group of one-hundred-and-two arrived over one hundred years ago.

"But the development of a Koreatown will do more than highlight the century-long influence of Korean culture, history and service in the State of Hawaii. A Koreatown will also serve to welcome and recognize the thousands of Korean visitors to Hawaii each year. In 2011 alone, 100,172 visitors from Korea visited Hawaii, a total that is projected to increase by thirty to fifty percent annually. With such a large and dedicated group of visitors, Hawaii is well aware of its close ties to Korea and the influence visiting Koreans have on the state's economy. On June 16, 2003, the Korean Consulate, Hawaii Korean Tourism Association, and Korean Air formed the Hawaii Tourism Promotion Association in order to promote tourism and a visa waiver program for Koreans. Two months later the Korean-Hawaii Visa Waiver Program Action Committee was also created to further advocate for a visa waiver program. After years of lobbying in Washington, D.C. and in Korea by the Action Committee, President Bush announced the visa waiver program for Koreans, effective November 17, 2008.

"The establishment of a Koreatown in Hawaii will attract Korean investment opportunities that will benefit the State's economy and provide visitors and *kama'aina* with another site that proudly displays the State's multi-cultural and multi-ethnic heritage. The recognition of a Koreatown will help foster stronger relations between Hawaii and the Republic of Korea, and further solidify the significance of the United States-Korea Free Trade Agreement Implementation Act passed by the U.S. House of Representatives in October of 2011.

"Dozens of Koreatowns already exist in cities across the United States, including Los Angeles, New York, Chicago, and Philadelphia, and internationally in Toronto, Sydney, Tokyo, London and Beijing. Mr. Speaker, your House Committee on Water, Land, & Ocean Resources heard this Resolution in a packed room of individuals enthusiastically supporting the measure, and received 3,480 petition signatures from the Korean community in support of the measure. It is clear that development of a Koreatown is wanted, and it is time for Honolulu to be added to this list.

"Finally, as a second-generation Korean living in Hawaii, I personally understand the need for an area where Koreans can be recognized for their unique and significant contributions and am proud to have participated in shepherding this Resolution forward as the Vice Chair of your House Committee on Water, Land, & Ocean Resources.

"For these reasons, Mr. Speaker, I stand in strong support."

Representative Luke rose to speak in support of the measure, stating:

"In support. But since I would want the Neighbor Island Members to go home, I will refrain from making a long speech. Thank you."

Representative Ward rose, stating:

"Mr. Speaker, a point of information. If this is Amendment No .6, which were Nos. 1 to 5? Or are we talking about a different day? This says Floor Amendment No. 6. Did we have the other five prior to this?"

The Chair responded, stating:

"Yes, from previous sessions days."

Representative Ward: "Okay, so it's cumulative. Okay, that's understandable because I didn't see Nos. 1 to 5 today. Okay, thank you."

Speaker Say: "There was only one Floor Amendment today. This past Tuesday, we had 3, or 4. Or 5."

Representative Awana rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in strong reservations and ask to insert written comments."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise with strong reservations. Before I begin, I would like to first state that my reservations have nothing to do with the Korean people, or their culture. I have Korean friends and some of what I will be speaking with you comes with their sentiments as it was their concern that flagged me about this measure. Although their comments were much stronger than what I will share, they have concerns just the same.

"Mr. Speaker, as a Representative who was born and raised in these islands, I am quite perplexed with this Resolution. This measure which urges the establishment of a Koreatown and development of a master plan for the development of a Koreatown appears to be counterproductive to what our island state is recognized by those around the world. If this Resolution were to establish a Japanesetown, or a Filipinotown, or even a Hawaiiantown, I would still stand with reservations. To set aside a prime location in the center of the most populous location on Oahu, I strongly believe will divide our community when we should be united.

"Hawaii hosted a monumental event last year – APEC. The heads of the world's largest economies met here and the response was nothing but positive. My discussion with those who travelled thousands of miles over and over shared their personal experiences surrounding the beauty of people who can come from different areas and look different, but still be able to live harmoniously. As well all know the appeal to our State is a place where people are able to get along and the color of our skin or our origin takes a back seat to establishing a place where we all belong without barriers.

"Mr. Speaker, I ask that we not go back to a time when camps were established and people who were not of a certain race were not welcomed in a particular community. This Resolution, I believe will take us back instead of moving forward Mr. Speaker. For these reasons, I stand with strong reservations."

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with some reservations, and request to insert further written comments into the Journal."

Representative Belatti's written remarks are as follows:

"Mr. Speaker, I rise with some reservations to this resolution.

"Like the Office of Planning that testified about this proposal, this is an exciting concept for an area in urban Honolulu that is already colloquially known as "Korea-moku." However, as the Office of Planning pointed out, they would need approximately \$250,000 to \$450,000 and at least two years to produce the deliverables that are being requested here. If we want this planning process done correctly and with as much community involvement as possible, we should provide funding and more time for this important work to be done.

"Furthermore, as pointed out by the Office of Planning this work is more appropriately carried out by the City and County of Honolulu whose Department of Planning and Permitting has testified in opposition to this measure. DPP's opposition echoes the Office of Planning's concerns of lack of funding and limited staffing, especially since the DPP is heavily involved in its planning process for rail transit. In fact, the DPP offers an interesting way to move forward with this "Koreatown" concept by engaging the residential and business communities around the Ala Moana rail transit station in the City's transit-oriented development planning that they expect to begin this summer.


"Please find attached the testimony of the DPP and the Office of Planning below.

"Thank you Mr. Speaker for allowing me to express my reservations and I look forward to all the planning efforts that are moving forward in this culturally diverse area of urban Honolulu."

The Honorable Jerry L. Chang, Chair  
and Members of the Committee on Water,  
Land, & Ocean Resources  
State House of Representatives  
Re: HCR169, Proposed HD1  
April 12, 2012  
Page 2

Lastly, we are beginning the planning process for the area around the Ala Moana rail transit station. It will include the area referenced in these resolutions. We expect to hold the first community meeting this summer. If the residential and business communities raise the desire of developing a Koreatown character to the area, we are willing to consider it as part of our transit-oriented development plan.

In short, this resolution is not justified given the limited resources at both the state and city levels of planning. Rather than encouraging inter-governmental coordination and maximizing use of scarce government resources, it is redundant with ongoing city work and infringes on home rule. Thank you for this opportunity to testify.

Very truly yours,  
  
David K. Tancoue, Director  
Department of Planning and Permitting

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hcr169ProposedHD1-Koreatown-ba.doc

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PETER B. CARLISLE  
MAYOR



April 12, 2012

DAVID K. TANOUE  
DIRECTOR  
JIRD A. SUMADA  
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Statement of  
**JESSE K. SOUKI**  
Director, Office of Planning  
Department of Business, Economic Development, and Tourism  
before the  
**HOUSE COMMITTEE ON WATER, LAND AND OCEAN RESOURCES**  
Thursday, April 12, 2012  
11:30 AM  
State Capitol, Conference Room 325

in consideration of  
**HCR 169 PROPOSED HD 1  
URGING THE ESTABLISHMENT OF KOREATOWN AND DEVELOPMENT OF A  
MASTER PLAN FOR THE DEVELOPMENT OF A KOREATOWN.**

Chair Chang, Vice Chair Har, and Members of the House Committee on Water, Land and Ocean Resources.

The Office of Planning (OP) is excited by the concept of establishing a Koreatown and a master plan for the development of a Koreatown. However, we must oppose this resolution unless the legislature provides staff and/or funding to complete the tasks assigned to OP in the subject resolution. Also note that even if adequate staff and funding were provided, the time for deliverables is not practicable. To begin preparing an adequate plan, we would need approximately \$250,000 to \$400,000 to hire a consultant. The City and County of Honolulu would be the proper entity for carrying out such a task. They engaged a consultant for similar work, which resulted in the attached report entitled, "Rediscovering Chinatown Honolulu."

The Honorable Jerry L. Chang, Chair  
and Members of the Committee on Water,  
Land, & Ocean Resources  
State House of Representatives  
State Capitol  
Honolulu, Hawaii 96813

Dear Chair Chang and Committee Members:

Subject: HCR 169 Proposed HD 1  
Establishment of Koreatown

The Department of Planning and Permitting **opposes** the Proposed HD1 for HCR 169, based on home rule and the City and County of Honolulu's role in the development of community-based plans. This resolution would direct the Office of Planning to develop a master plan for "Koreatown", in coordination with our department, for the area generally defined by Census Tracts 36.01 and 36.02.

The City and County of Honolulu has prepared many neighborhood plans. We have found that one of the prerequisites for a successful plan – one that moves beyond the planning phase and into implementation – is community support. While we are aware of the label Koreatown, we are not aware of a strong desire to introduce Korean architecture and urban design to the Keeaumoku Street area.

Further, "specialized design plans" would imply special design regulations. We are not aware that residents and businesses in the proposed area, whether connected to Korean culture or not, desire Korean designs. More importantly, additional permits and reviews will be required to develop such a character.

We also note to be done well, with good community participation, neighborhood plans need significant planning support. Given our limited staffing, our planning efforts will depend on consultant services. We would recommend funding this effort with about \$400,000.

In 2007, we prepared a needs assessment and conceptual design study for a Korean Cultural and Community Center, working with an advisory committee made up of Korean-American leaders and others. We completed the task and the community leaders were able to proceed with fundraising for the project, including land acquisition.

OP's limited resources are currently fully employed. Although the Office of Planning's resources have diminished, OP has leveraged its resources to conduct comprehensive, long-range and strategic planning. As an example, OP sought federal funds to help offset the 30% general fund budget reductions in 2009. However, federal funds have constraints. These funds must be used for purposes of the grant and usually have matching requirements. About 50% of OP's staff is federally funded and the remaining staff provides a portion of the one to one match requirement for these funds.

In addition to the projects and programs discussed in our recent *Fiscal Year 2010 – 2011 Office Of Planning Report to the Twenty-Sixth Legislature Regular Session of 2012* (available at <http://hawaii.gov/dbedt/main/about/annual>), I would like to highlight the following projects.

#### Climate Change Adaptation Policy

OP worked with numerous stakeholders to develop a climate change policy to be included as a Priority Guideline in Part III of the Hawaii State Planning Act, HRS ch. 226. (SB 2745 and HB 2483 Relating to Environment) *A Framework for Climate Change Adaptation in Hawaii*, was prepared in November 2009. This was a collaborative effort of the Ocean Resources Management Plan Working Group with the assistance of the University of Hawaii, Center for Islands Climate Adaptation and Policy. OP is working with the Ocean Resources Management Plan Policy and Working Groups, University of Hawaii Center for Island Climate Adaptation and Policy, U.S. Army Corps of Engineers, and other stakeholders on issues pertaining to climate change adaptation. This work is made possible through federal Coastal Zone Management Act grant funds and matching OP services-in-kind.

#### National Ocean Policy

Governor Abercrombie designated the Director of OP as his representative for initiatives of the National Ocean Council (NOC) and the designated US Pacific Islands region (American Samoa, Guam, CNMI, and Hawaii). OP through its Coastal Zone Management Program received a \$250,000 competitive grant award from the National Oceanic and Atmospheric

strategies and projects for implementation. Completion and acceptance of the Report demonstrates that the State of Hawaii has gone through a deliberative and thorough planning process to provide a framework for recommending projects for EDA funding. A CEDS is a precondition to obtain funding under most EDA grant programs.

The 2010 CEDS was a collaborative effort with OP, the State Department of Business and Economic Development and Tourism (DBEDT), the Economic Development Alliance of Hawaii (EDAHI), Enterprise Honolulu, Economic Development Boards, County Economic Development Agencies, community, business, non-profit and other organizations; and the public. (\$133,360 EDA Federal Funds; match provided by services-in-kind by OP and economic development agencies and organizations).

#### Planning for Rural Economic Development

Planning for Rural Economic Development (Rural Report), 2010, examines rural economic development in Hawaii. Prepared by SMS Marketing and Research Services, Inc., the Rural Report defined "rural", identified rural communities statewide, and developed a baseline of socio-economic conditions of rural communities. Best practices were then identified through a nationwide and statewide review of rural communities who have successfully integrated economic development while maintaining rural character. Lastly, recommendations to support rural economic development in Hawaii were provided (\$100,000 EDA Federal Funds; matched by OP services-in-kind).

#### Master Plan for Agricultural Resources at Hoeha

Master Plan for Agricultural Resources at Hoeha (Master Plan), July 2011, is comprised of an environmental assessment and a site plan for the development of an agricultural resource center and processing facility in North Kohala, Island of Hawaii. The Master Plan provides the basis for moving forward with land acquisition, design, and construction of this facility. It will help the residents of North Kohala move closer to their goal of strengthening this rural area's local economy.

The resource center envisioned in the plan will support small farmers and ranchers to ensure the future of agriculture and ranching in the region. Kalua Paa Mui, Inc. and the Hawaii Future Farmers of America Foundation prepared the plan for OP and County of Hawaii (\$20,000 EDA Federal Funds; matched by in-kind services from OP, Department of Research and Development, County of Hawaii, Hawaii Future Farmers of America Foundation and Kahua Paa Mui, Inc.).

Administration (NOAA) to strengthen the Ocean Resources Management Plan and implement the National Ocean Policy.

#### Ocean Resources Management Plan (ORMP) Update

An update of the ORMP is underway. The ORMP sets forth guiding principles and recommendations for the State to achieve comprehensive and integrated ocean and coastal resources management. HRS §205A-62 charges the Coastal Zone Management (CZM) Program with the review and periodic update of the ORMP, as well as coordination of the overall implementation of the plan. The ORMP is an integrated, place-based approach to management of ocean resources in the islands, based on recognition of the ecological connections between the land and sea, the link between human activities and its impacts on the environment, and the need for improved collaboration and stewardship in natural resources governance.

Charged with coordinating meaningful interagency and multi-sectoral engagement for plan implementation, the CZM Program established an ORMP Policy Group and an ORMP Working Group. These groups have been meeting consistently since they originated in 2007, and have continuously reached out to new partners and grown stronger as it becomes more evident that collaborative governance is essential for effective natural and cultural resource management. (CZM Federal funds; matched by OP services-in-kind)

#### Sustainability 2050

OP worked with the UH Public Policy Center for the passage of Act 181 (2011), which made the Hawaii 2050 Sustainability Plan a Priority Guideline under the Hawaii State Planning Act. OP coordinated and facilitated the two-day workshop by the Governors' Institute on Community Design to allow Administration decision-makers to consider how to implement sustainability under the New Day agenda, Hawaii 2050 Sustainability Plan, and State Planning Act.

OP, in coordination with the Governor's office and the Chief Information Officer, are working on an interagency, statewide strategic plan to further these objectives and make that information available online. OP is also working on securing potential funding to support the Administration's planning efforts in the urban core.

#### 2010 Hawaii Statewide Comprehensive Economic Development Strategy (CEDS)

Accepted in March 2011 by the United States Economic Development Administration (EDA), the 2010 CEDS (Report) is an economic development strategy document for the State of Hawaii to increase Hawaii's economic competitiveness. The Report supports key industry clusters through proposed

#### Food Self-Sufficiency Strategy

OP was awarded a federal grant of \$100,000 from EDA to develop a strategic plan to increase food security and self-sufficiency in Hawaii. The Special Plans Program has begun work on the development of this plan in cooperation with the State Department of Agriculture.

#### Natural Disaster Economic Recovery Strategy

The goal of this grant is to improve economic recovery after natural disasters. OP will prepare a Natural disaster economic recovery strategy as a supplement to the CEDS to address pre-disaster continuity planning and post-disaster recovery actions for both public and private sectors. OP will work closely with State Civil Defense on this project (\$150,000 EDA Federal Funds; matched by OP services-in-kind).

#### Economic Development Strategy for Native Hawaiian Communities

The goal of this grant is to prepare an economic development strategy for native Hawaiian communities in cooperation with the Department of Hawaiian Home Lands (\$150,000 EDA Federal Funds; matched by OP services-in-kind).

#### Coastal Nonpoint Source Pollution Control Program (CNPCCP)

OP through the Coastal Zone Management Program is working to reduce polluted runoff into our ocean and streams. Hawaii Watershed Planning Guidance 2011 was created to help local community organizations understand and prepare watershed plans in compliance with EPA guidelines for funding through Section 319 of the Federal Clean Water Act and serve as a means to reintroduce all CNPCCP management measures. The Guidance presents a user friendly, step by step guide to ensure that as watershed plans are developed and updated in Hawaii, appropriate CNPCCP management measures will be considered to achieve water quality improvements. The program is conducting training to government and other organizations on reducing coastal nonpoint source pollution. This work is made possible through federal Coastal Zone Management grant funds and matching OP services-in-kind.

In addition to the above specified projects, which leverage general funds for additional federal funding support, OP has updated its Web site to provide agencies and the public with better access to information about our programs and services. We provide planning expertise and support to various state agencies and programs and coordinate with

county and federal agencies on initiatives of statewide concern. For example, these activities include, but are not limited to, membership on the Oahu Metropolitan Planning Organization (OMPO) Advisory Committee, the City's Transit Oriented Development (TOD) Advisory Committee, the Pacific Regional Ocean Partnership, and interactions with military planning officials.

Thank you for the opportunity to provide testimony on this measure.

live in the Keeaumoku end of my district, as some people might suspect. They live in Chinatown, and in Palama. So I hope as the planners move forward, they don't forget about the thousands of Korean Americans who live in the Chinatown and Palama area of my district. Mahalo, or should I say, *kamsahamnida*."

The motion was put to vote by the Chair and carried, and H.C.R. No. 169, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF KOREATOWN AND DEVELOPMENT OF A MASTER PLAN FOR THE DEVELOPMENT OF A KOREATOWN," was adopted, with Representatives Chang, Kawakami, Souki and Tokioka being excused.

## ANNOUNCEMENTS

Representative Aquino: "Thank you, Mr. Speaker. I just wanted to thank all the Members who participated and took time out of their busy schedules to visit our National Guard members on National Guard Legislative Day on Wednesday. Many of us got to hear and experience what our Guard members experience, and what they do in service for our State and country.

"I just wanted to acknowledge and give special thanks to our State Adjutant General, General Darryll Wong, for working hard to make that day happen, along with Major Troy Cullen, and Captain Eric Shimodoi, who did a lot of the legwork in preparation for that day.

"Also, I wanted to acknowledge and give special thanks to the Representative from Waikale, Village Park and his staff, as well as my staff, Mr. Speaker. Lastly I would like to acknowledge some hardworking people who assisted us that day, who assisted tremendously I might add, mostly in the background. But I'd like to acknowledge our House Sergeant-at-Arms, especially Lon Paresa, Glenn Okamura, and John Baker. Also, Mr. Speaker, Denise Liu from House Journal, and staff members from DAGS.

"And mahalo again to everyone who took the time to show support for our National Guard members. Thank you, very much."

Representative M. Lee: "I'd also like to say thank you to all the people who participated in our annual Women's Caucus Easter Basket drive. All the many offices, the departments and really people from around the building, and even outside the building. I'd also like to give a special thanks to the Easter Bunny, who participated. Thank you, very much."

Representative Ching: "Thank you, Mr. Speaker. I just wanted to make an announcement that, as someone who likes to let people know what's going on historically. This coming Sunday, there's a couple of things that are kind of important.

"Number one, the *Voices of Palama* will be airing. This is the 100th anniversary, the centennial of Palama Settlement, of which many people, particularly of the Democrat Party came from. Senator Mercado Kim, Ben Cayetano. It's 6:00 on K5, Sunday the 15th.

"And it also happens to be on the day the Titanic sank. For those of you who may not know the historical district which I represent, has the lone survivor in the State of Hawaii of the Titanic. Her name was Mrs. Lucy Parrish. A lot of people visit her at the Oahu Cemetery, across the street from where I live. So just this weekend, when we're thinking about history, when we're thinking about the things we do. Palama Settlement. And it's been, you know, 100 years."

Representative Thielen: "Mr. Speaker, next Friday is our annual Hemp Aloha Friday, aloha shirt Friday. And I was hoping that Members would either wear a hemp shirt, or a natural fiber shirt in honor of Earth Day. Thank you."

Representative Ward: "Mr. Speaker, notwithstanding next Friday when we wear our hemp shirts, there was as proposal that we would wear our APEC volunteer shirts on Friday. And a resounding success of a total of 1 person has worn that. The message is let's not forget that success. We were

HCR169\_PROPOSED HD1\_BDD-OP\_04-12-12\_WLO

- 6 -

Representative Cabanilla rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker. And I just would like to make a few comments. I was member of the Committee, and I was really touched with the number of people that showed up, and the number of petitions that they signed. I wished I was a Korean that day so I can also say that I am very proud that I am a part of this Resolution. I would like this initiative to come through. Thank you, Mr. Speaker."

Representative Morikawa rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I have recently been a fan of this television station, KBFD, when I came to Oahu. And I was stunned to see that it was on their news last night, on that station. They had the hearing. So with that, I really think this is important. Thank you."

Representative Manahan rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker. And just hopefully in the future, maybe we, this Legislature, can consider also giving some funding to the counties for this project. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I would just like the words of the good Representative from Ewa entered into the record as if they were my own. And just a couple of brief additional comments in support. To quote the great minstrels, Lipps Inc.: We can talk about it, talk about it, talk about it, talk about it. But in the end Mr. Speaker, I want you to take me to Koreatown."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I'm afraid I can't be as eloquent as the Representative from Maui, but I did just want to say that I do represent several thousand Korean Americans, but the vast majority of them do not

on the world stage. We hit a homerun. And maybe it should be like the hemp shirt, once a year, rather than every Friday. Thank you, Mr. Speaker."

#### COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

##### S.C.R.

<u>Nos.</u>	<u>Referred to:</u>
74	Committee on Hawaiian Affairs, then to the Committee on Finance
151, SD1	Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection
169	Committee on International Affairs

#### COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

##### S.C.R.

<u>No.</u>	<u>Re-referred to:</u>
97, SD1	Committee on Transportation, then to the Committee on Finance

#### ADJOURNMENT

At 1:20 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m., Monday, April 16, 2012. (Representatives Chang, Kawakami, Souki and Tokioka were excused.)

#### HOUSE COMMUNICATIONS

House Communication dated April 13, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2012, HD 1, SD 1	Oshiro, Chr.; Choy, Cullen, Giugni, Har, Hashem, Ichiyama, Jordan, Kawakami, C. Lee, M. Lee, Morikawa, Tokioka, Yamashita, Marumoto, Riviere, Ward
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