

ELEVENTH DAY

Monday, February 4, 2013

The House of Representatives of the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2013, convened at 12:05 o'clock p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Pastor Curtis Kekuna of Kawaihae Church, after which the Roll was called showing all Members present with the exception of Representatives Carroll, Coffman and Takumi, who were excused.

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

**KA HUA 'ŌLELO O KA LĀ
HAWAIIAN WORD FOR THE DAY**

Representative Hanohano presented *Ka Hua 'Ōlelo O Ka Lā*, the Hawaiian Word for the Day, as follows:

*"Mahalo ho'omalua 'ōlelo,
Ka hua 'ōlelo o kēia lā 'oia no 'o 'ōlelo.
'Ōlelo – Language.
He aha ka hua 'ōlelo i ka pō 'alima i hala?
'Oia nō 'o 'ula'ula – red."*

"Thank you, Mr. Speaker. Today's word is 'ōlelo – Language. What is the word for last Friday? The word is 'ula'ula – red."

INTRODUCTIONS

The following introduction was made to the Members of the House:

Representative Awana introduced Nanakuli High and Intermediate School Juniors: Ms. Nohealani Benicarlo, a participant in the Legislature's pilot public school internship program; and Ms. Ana Grozdev from Macedonia, a participant in the Youth Exchange and Study Program.

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

The House of Representatives reconvened at 12:26 o'clock p.m.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 20) recommending that H.B. No. 379, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 379, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 21) recommending that H.B. No. 362, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 362, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"In strong support, Mr. Speaker, and I would like to thank the Committee for considering this much needed service for the Leeward side of Oahu. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 362, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL CARE," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 22) recommending that H.B. No. 376, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 376, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Awana.

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

"Ruling on a potential conflict, Mr. Speaker. My wife works for Safeway, or has Safeway as a client. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 376, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 23) recommending that H.B. No. 208, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 208, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Awana.

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

"Mr. Speaker, I wish to request a ruling on a possible conflict. My spouse is a registered lobbyist for several organizations," and the Chair ruled, "no conflict."

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

"Mr. Speaker, same request with regard to conflict as the previous speaker. My wife works for Pacific Resource Partnership and does lobbying among other things. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, just a ruling. I don't know if this is a conflict or not, but my daughter works for HSTA. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 208, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," passed Second Reading

and was referred to the Committee on Finance, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 24) recommending that H.B. No. 131 pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 131, entitled: "A BILL FOR AN ACT RELATING TO MOBILITY MANAGEMENT," passed Second Reading and was referred to the Committee on Transportation, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 25) recommending that H.B. No. 395, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 395, HD 1, entitled: "A BILL FOR AN ACT RELATING TO YOUTH," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 26) recommending that H.B. No. 570 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 570, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 27) recommending that H.B. No. 868 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 868, entitled: "A BILL FOR AN ACT RELATING TO ELIMINATING THE ASSET LIMIT ELIGIBILITY REQUIREMENT FOR THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 28) recommending that H.B. No. 873 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 873, entitled: "A BILL FOR AN ACT RELATING TO THE YOUNG ADULT VOLUNTARY FOSTER CARE ACT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 29) recommending that H.B. No. 875 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 875, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Carroll, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 30) recommending that H.B. No. 876 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 876, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A SECOND DEPUTY DIRECTOR POSITION FOR THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 31) recommending that H.B. No. 196 pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 196 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Awana.

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

"Thank you, Mr. Speaker. I'd like to disclose a potential conflict and ask for a ruling that applies for this session. I'm a member of the Hawaii National Guard, a veteran, and an owner of a veteran-owned small business. And there are numerous measures that include the one before us today that will come before my Committee and on the Floor relating to these issues. Thank you."

The Chair responded, stating:

"At this point, the Chair will rule 'no conflict,' but just specifically for the measures relating to today's agenda."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 196, entitled: "A BILL FOR AN ACT RELATING TO VETERANS TREATMENT COURT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 32) recommending that H.B. No. 158, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 158, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," passed Second Reading and was referred to the Committee on Higher Education, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 33) recommending that H.B. No. 799, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 799, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA DEVELOPMENT," passed Second Reading and was referred to the Committee on Economic Development & Business, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Takai, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 34) recommending that H.B. No. 576, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 576, HD 1 pass Second Reading and be referred to the Committee on Health, seconded by Representative Awana.

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

"Mr. Speaker, I'd like a ruling on a potential conflict. My husband is part-owner of an EB-5 regional center," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 576, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Health, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Evans, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 35) recommending that H.B. No. 625, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 625, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNERS' LIABILITY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 36) recommending that H.B. No. 20 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 20, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATE LIFEGUARDS," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 37) recommending that H.B. No. 109, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 109, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 38) recommending that H.B. No. 175, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 175, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 39) recommending that H.B. No. 218, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 218, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

CORRECTIONS POPULATION MANAGEMENT COMMISSION," passed Second Reading and was referred to the Committee on Public Safety, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 40) recommending that H.B. No. 220, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 220, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAINING," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 41) recommending that H.B. No. 223, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 223, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MAHINA 'OLELO HAWAI'I," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Hanohano, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 42) recommending that H.B. No. 222, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 222, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Finance, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 43) recommending that H.B. No. 32 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 32, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 44) recommending that H.B. No. 33 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Awana and carried, the report of the Committee was adopted and H.B. No. 33, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 45) recommending that H.B. No. 147 pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 147 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Awana.

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

"Mr. Speaker, I'd like to rise against this measure. First, let me acknowledge what a wonderful job the Judiciary Chair is doing so far, running orderly workmanlike hearings, and I really enjoy being a member of his Committee.

"On this measure, Mr. Speaker, I understand, I get it that the firearm looks real to the victim, potential victim or terroristic threatening victim, whether it's a robbery or a terrorism act. I get it, I understand that, but at the same time, it's not a real gun. And to the extent that criminals are aware of our laws, the smart ones would take a fake gun so they get a lesser sentence. This provides an incentive not to use a fake gun. Might as well use a real gun, because if you use a fake gun you're going to get the same penalty.

"So to the extent that they actually pay attention, which I'm not sure that they do, this would be an incentive to ensure that every criminal who is going to engage in a crime with a weapon, instead of using a simulated weapon, would actually use a real weapon. So those are my concerns. But I understand the intent, it's well intended and the heart is in the right place, but I have those concerns."

Representative Fale rose in opposition to the measure and asked that the remarks of Representative McDermott be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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

"Like me laua, kāko 'o 'ole.

"Same thing as both of them. No vote in opposition. *Mahalo.*"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 147, entitled: "A BILL FOR AN ACT RELATING TO SIMULATED FIREARMS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Fale, Hanohano and McDermott voting no, and with Representatives Carroll, Coffman, Takumi and Tokioka being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 17) and concurrent resolution (H.C.R. No. 32) were referred to Printing and further action was deferred:

H.R. No. 17, entitled: "HOUSE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU AND OAHU TRANSIT SERVICES TO CONSTRUCT PUBLIC RESTROOM FACILITIES AT THE ALAPAI TRANSIT CENTER," was offered by Representative Souki, by request.

H.C.R. No. 32, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU AND OAHU TRANSIT SERVICES TO CONSTRUCT PUBLIC RESTROOM FACILITIES AT THE ALAPAI TRANSIT CENTER," was offered by Representative Souki, by request.

ANNOUNCEMENTS

Representative Awana: "Mr. Speaker, I'd like to share with the Members the passing of former House Representative Helene Hale. For many who may have had the privilege to have known her, you will know that she was a woman with great conviction for all people, especially the people of Hawaii. In so much as a Legislative Woman's Caucus package was dedicated to her in the past.

"Mr. Speaker, I am also requesting to include an article that was in the *Star Advertiser* this morning entitled, *A trailblazer 'full of energy'*. And when the time is appropriate, Mr. Speaker, I'd like to also request a moment of silence to reflect upon this woman who embodied all that we should all hope to attain in our quest to become a model public servant. Thank you, Mr. Speaker."

Representative Awana submitted the following *Honolulu Star-Advertiser* article:

A trailblazer 'full of energy'

The Big Island politician's career spanned half a century

By Sarah Zoellick

Monday, February 4, 2013

A specific memory came to mind when Brian DeLima learned that Helene Hale, Hawaii's first female mayor and a Merrie Monarch Festival founder, had died. It was one he said encompasses her widely known spunk and fearlessness.

In the early 1990s, DeLima, then 35, was the youngest Hawaii County councilman, and Hale, then 72, the oldest.

"We had to go to an event at the Hilton Waikoloa," said DeLima, now a lawyer in private practice. "Back then it was known as the Hyatt — they had just built it, (and) it had a big water slide."

While the Council members were swimming together in the hotel pool, DeLima said he got the idea to challenge Hale to a ride down the slide. "She said, 'Oh, let's go,' and up she went," DeLima said. "She was just willing to, you know, go and try it. She surprised me. She was full of energy."

Hale died Friday of natural causes in her South Hilo Home. She was 94.

Colleagues on Sunday remembered Hale as a unique spirit, a woman with tremendous courage, a trailblazer who wasn't afraid to be contentious.

"She was not afraid of any person at all in a world of politics dominated by males," former Hawaii County Mayor Harry Kim said. "If she thought it was wrong, she would go after it. If she thought it was right, she would go after it. And that's Helene Hale."

Kim said Hale's unwavering dedication to her community inspired his political work and that he's a better person for having known and worked with her.

"You look at her lifestyle: she never capitalized on being a mayor or a councilperson or a representative — none of that," Kim said. "She never changed as a person. She just worked because she wanted to work, and she wanted to serve this community."

Hale, who was part black, moved to Kona with her first husband, William Hale, and their daughter, Indira, in 1947 because she wanted to raise a family where the color of her skin wasn't important, said her niece, Barbara Hilyer. She taught at Kona Intermediate School for a few years and had a son, Jasper.

Hale was preceded in death by both her children and her second husband, Richard Kiyota.

In 1963, Hale was featured on the cover of *Ebony* magazine for being Hawaii's top female politician. She was elected to the Hawaii Island Board of Supervisors in 1954, before statehood, and served for 10 years. Her last two years on the board were spent as chairwoman, which at the time was equivalent to county mayor.

Hale's stint as chairwoman not only made her the first black person elected to office in Hawaii; it made her the first woman to hold an executive position in local government since Queen Liliuokalani.

"She came from a family of breakthrough people," said longtime Hawaii journalist Hugh Clark. "Her grandpa was the first black graduate from (the University of) Minnesota, her father was an attorney who also graduated from Minnesota, so naturally she was a graduate from Minnesota."

But Hilyer said race was never an issue for Hale.

"That's why she moved to Hawaii; she didn't want it to be an issue," Hilyer said. "And she didn't want gender to be an issue. She could play the big leagues just because of who she was, and that's what she wanted to do."

Colleagues agreed.

"Here she is in the '60s: a woman, political leader, all of that," Kim said. "And none of those things phased her, absolutely none."

Clark said, "A lot of people want to emphasize her feminism, her gender rights, and she did have that in her, but I don't think that was her primary focus. I think it was more kind of break down the old oligarchy and create a new government."

HALE RE-ENTERED politics in 1980 and served on the County Council for a total of 10 years between 1980 and 1994.

Russell Kokubun, director of the state Department of Agriculture, who once worked alongside Hale on the Council, said her personal situation motivated her to fight hard for diversity, justice and equality in her community.

"She was always an advocate for the people, particularly those who were in an underdog role," Kokubun said. "She was always wanting to balance that table for everyone so everyone had a fair shot at whatever opportunities there were."

Kokubun paused for a moment on the phone, explaining that he had been trying to think of one word to "really home in on her character."

Then he said, "I really like 'feisty.' Yeah, she was very feisty. ... (She had) this courage to just speak up and speak out. I think that's kind of it to me, and that's what I mean by feisty: very thoughtful but at the same time very courageous."

Kokubun said he wasn't surprised when Hale decided to emerge from retirement in 2000 and run for the state House of Representatives at age 82, because she still had so much to offer.

Former Mayor Kim said Hale's last six years in politics should teach people that age doesn't need to limit a person's accomplishments.

"She projected, I mean, real energy at any age — you just don't associate old age with her," he said. "I think we should all learn, if anything, from her (that) age is only an excuse for people; she never used it."

Former county councilman and state Rep. Bob Herkes said Hale was just as powerful a politician in her 80s as she was in any other decade.

"There's no question that she was a fighter, and that's one of the things I think that made her so successful," Herkes said. "She never gave up, and she always fought for what she thought was right, and that carried her on for many, many years."

Hale had a reputation for being a pit bull in the political ring, Kim said, but he never thought of her that way because "even pit bulls take a break." He said that despite her no-nonsense attitude, she disagreed with people in a way that commanded respect.

Hale's niece agreed: "I think people respected her because they knew even if you didn't agree with her, she did her homework and you could talk to her."

Former councilman Jimmy Arakaki, familiar with the receiving end of Hale's fearlessness, echoed that sentiment.

"We had our differences but we made up our differences," Arakaki said, recalling that the two bonded in her state representative's office over a box of manapua that he brought her, and he eventually came to consider her a close friend. "Those times that we didn't agree just faded away, and I offered my help and she accepted my help."

Arakaki said the two then worked together to make a reality Hale's last big political influence: an \$8.6 million project to build a new gymnasium for Pahoehoe High and Intermediate School, which is now named after her.

"All the way back to her early advocacy for the Merrie Monarch Festival up until the Pahoehoe gymnasium, she was always just an anchor for the Big Island," Kokubun said.

Hawaii County Mayor Billy Kenoi said he has a picture of himself with Hale at the gym dedication last March that he is proud of and will now cherish.

"It was an honor to know a true public servant, a leader who is a pioneer in so many ways ... who cared really deeply about our Hawaii ... our people," Kenoi said. "She was everything we want in a public servant: a servant, leader, tough, courageous, smart, hardworking but most of all kind, compassionate and caring."

Hale is survived by Hilyer; granddaughter Angelique Kaiulani Tucker Stephens of Hollywood, Calif.; son-in-law Judge Marcus Tucker of Long Beach, Calif.; nephew retired Judge Bruce Hilyer of Seattle; grandnieces; and a grandnephew.

A tribute to her life will be held later in Hilo.

Representative Evans: "Thank you, Mr. Speaker. I too, for the Big Island delegation, I want to say we are really sorry with the passing of Representative Helene Hale, whom I think all of us knew pretty well. I served with her here in the State House, and I just wanted to share one thing that she told me. She said, 'Representative Evans, any bill that comes in front of me that's over 60 pages, I automatically vote no.' Thank you."

Representative Hanohano: "I too would like to express my sentiments of the death of Helene Hale. When she left office, I decided to run for this office, so I'm currently in her position. So hopefully her *mana* transfers to me. Thank you."

Representative Cachola: "Mr. Speaker, your Special Committee to Address Unfunded Liability will be having a public informational briefing to address bills that have unfunded liability implications just for health benefits, in Room 329 at 2:15 this afternoon. Thank you."

Representative Fale: "Mr. Speaker, I would like to make the announcement that once again the great State of Hawaii was well represented yesterday at the Super Bowl between the San Francisco 49ers and the Baltimore Ravens. And at this time, 6 out of the last 8 Super Bowls we had a Red Raider who was on the field. This past Super Bowl added one more ring to the Kemoeatu family. Now they have 3 Super Bowl championship rings in one family and they're all Red Raiders. It's been a momentous event for the State of Hawaii and for Red Raider nation, Mr. Speaker."

Representative Ward: "Mr. Speaker, for those who lost money on yesterday's Super Bowl game, the Anti-Gambling Coalition luncheon is in Room 225 today."

At this time, the Members of the House of Representatives stood for a moment of silence in honor of the late former Representative Helene Hale.

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
65	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
114, HD1	Committee on Higher Education, then to the Committee on Finance
535	Committee on Housing, then to the Committee on Finance
691	Committee on Finance
745	Jointly to the Committee on Labor & Public Employment and the Committee on Education, then to the Committee on Finance
979	Committee on Transportation, then to the Committee on Judiciary
1260	Committee on Agriculture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1357	Committee on Transportation, then to the Committee on Water & Land, then to the Committee on Finance
1449	Committee on Agriculture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

ADJOURNMENT

At 12:39 o'clock p.m., on motion by Representative Awana, seconded by Representative Fukumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 5, 2013. (Representatives Carroll, Coffman, Say, Takumi and Tokioka were excused.)