

## FOURTH DAY

Monday, January 23, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 9:04 o'clock a.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Ms. Kate Bryant-Greenwood of Representative Belatti's office, after which the Roll was called showing all Members present with the exception of Representatives M. Lee, Pine and Wooley, who were excused.

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

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 183 and 184) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 183, dated January 12, 2012, transmitting the Agency Privacy Designee Compliance Listing, prepared by the Department of Accounting and General Services, Information Privacy and Security Council, pursuant to Act 10, SLH 2008, and certification by entities that they will comply with Part VII, Section 11, of Act 10.

Gov. Msg. No. 184, dated January 18, 2012, transmitting the Self-Sufficiency Income Standard Estimates for 2008 and the Report on Criteria Used to Measure Growth of Emerging Industries, prepared by the Department of Business, Economic Development and Tourism pursuant to Sections 201-3(b) and 201-19(b), HRS.

## INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Aquino introduced Mr. Hernando Tan, President of Unite HERE, Local 5.

Representative C. Lee introduced Mr. Renwick 'Uncle Joe' Tassill.

## ORDER OF THE DAY

## INTRODUCTION OF BILLS

On motion by Representative Evans, seconded by Representative Thielen and carried, the following bills (H.B. Nos. 2150 through 2319) passed First Reading by title and were referred to Printing: (Representatives Pine and Wooley were excused.)

H. B. Nos.

2150 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Representatives Chang, Har, Hashem, Herkes, Ichiyama, Ito, Souki and Tsuji.

2151 "A BILL FOR AN ACT RELATING TO AGRICULTURAL-BASED COMMERCIAL OPERATIONS."

Introduced by: Representatives Chang, Har, Hashem, Herkes, Ichiyama, Ito, Tsuji and Souki.

2152 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Souki, Aquino, Cullen, Keith-Agaran, Oshiro, Rhoads and Yamashita.

2153 "A BILL FOR AN ACT RELATING TO TOLL ROADS."

Introduced by: Representatives Souki, Ichiyama and Yamashita.

2154 "A BILL FOR AN ACT RELATING TO SPECIAL MANAGEMENT AREA USE PERMITS."

Introduced by: Representatives Souki, Chang, Chong, Har, Ito, McKelvey, Oshiro, Say, Yamashita and Keith-Agaran.

2155 "A BILL FOR AN ACT RELATING TO JUDICIAL NOMINEES."

Introduced by: Representatives Marumoto, Thielen, Yamashita, Ito, Luke and McKelvey.

2156 "A BILL FOR AN ACT RELATING TO PUBLIC LAND DEVELOPMENT CORPORATION."

Introduced by: Representatives Hanohano, Luke, Wooley and Brower.

2157 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS."

Introduced by: Representatives Har, Chang, Chong, Ito, Say and Souki.

2158 "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."

Introduced by: Representatives Har, Aquino, Cullen, Herkes, M. Lee and Yamane.

2159 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Har, Aquino, Cullen, Herkes, M. Lee and Yamane.

2160 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representatives Har, Cullen and McKelvey.

2161 "A BILL FOR AN ACT RELATING TO DOGS."

Introduced by: Representatives Har, Chang, Choy, Cullen, Ito, Kawakami, McKelvey, Yamane, Aquino, Hashem, Ichiyama, Jordan and Tokioka.

2162 "A BILL FOR AN ACT RELATING TO UNIFORM COMMERCIAL CODE ARTICLE 9."

Introduced by: Representative Herkes.

2163 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTIETH REPRESENTATIVE DISTRICT."

Introduced by: Representative Thielen.

2164 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Representative Thielen.

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| 2165 | "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION."<br><br>Introduced by: Representative Marumoto.   | 2178 | "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."<br><br>Introduced by: Representative Say.   |
| 2166 | "A BILL FOR AN ACT RELATING TO ELECTRONIC WASTE."<br><br>Introduced by: Representatives Evans, Awana, Hanohano, Hashem, Morikawa, Nakashima, Nishimoto, Carroll, Coffman, Herkes and Tsuji.          | 2179 | "A BILL FOR AN ACT RELATING TO THE AUDITOR."<br><br>Introduced by: Representative Say.  |
| 2167 | "A BILL FOR AN ACT RELATING TO GREEN WASTE RECYCLING."<br><br>Introduced by: Representatives Evans, Awana, Carroll, Chang, Hanohano, Hashem, Morikawa, Nakashima, Nishimoto, Tsuji and Coffman.      | 2180 | "A BILL FOR AN ACT RELATING TO SMOKING."<br><br>Introduced by: Representative Say, by request.  |
| 2168 | "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."<br><br>Introduced by: Representative Hanohano.  | 2181 | "A BILL FOR AN ACT RELATING TO VACANCIES."<br><br>Introduced by: Representative Say, by request.  |
| 2169 | "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."<br><br>Introduced by: Representative Choy.   | 2182 | "A BILL FOR AN ACT RELATING TO EMERGENCY SHELTERS."<br><br>Introduced by: Representative Say, by request.   |
| 2170 | "A BILL FOR AN ACT RELATING TO HEALTH CARE."<br><br>Introduced by: Representatives M. Lee, Awana, Belatti, Cabanilla, Chong, Jordan, Mizuno and Takai.   | 2183 | "A BILL FOR AN ACT RELATING TO THE CONVENTION CENTER."<br><br>Introduced by: Representative Say.  |
| 2171 | "A BILL FOR AN ACT RELATING TO PHYSICIANS."<br><br>Introduced by: Representatives M. Lee, Belatti, Cabanilla, Mizuno, Rhoads, Takai, Aquino, Awana, Chong and Cullen.                                | 2184 | "A BILL FOR AN ACT RELATING TO MANAGEMENT OF STATE FUNDS."<br><br>Introduced by: Representative Oshiro.   |
| 2172 | "A BILL FOR AN ACT RELATING TO HEALTH."<br><br>Introduced by: Representatives M. Lee, Awana, Mizuno and Rhoads.  | 2185 | "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE WEIGHT TAX."<br><br>Introduced by: Representative Marumoto.  |
| 2173 | "A BILL FOR AN ACT RELATING TO HEALTH."<br><br>Introduced by: Representatives M. Lee, Awana, Mizuno and Rhoads.  | 2186 | "A BILL FOR AN ACT RELATING TO CEMETERY AND FUNERAL TRUSTS."<br><br>Introduced by: Representatives M. Lee and Evans.  |
| 2174 | "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."<br><br>Introduced by: Representatives Keith-Agaran, Belatti, C. Lee, Luke, McKelvey and Rhoads.   | 2187 | "A BILL FOR AN ACT RELATING TO THE HOMELESS."<br><br>Introduced by: Representatives M. Lee, Belatti, Carroll, Hanohano, Jordan, Pine, Yamane and Evans.   |
| 2175 | "A BILL FOR AN ACT RELATING TO ETHICS."<br><br>Introduced by: Representatives Keith-Agaran, Brower, Cabanilla, Carroll, Chong, Herkes, Ito, Luke, McKelvey, Rhoads, Say, Souki, Tsuji and Yamashita. | 2188 | "A BILL FOR AN ACT RELATING TO TAXATION."<br><br>Introduced by: Representatives M. Lee, Aquino, Carroll, Cullen, Evans, Hanohano, Johanson, Marumoto, McKelvey, Mizuno, Okamura, Pine, Thielen, Yamane, Belatti, Ichiyama, Morikawa, Nishimoto and Riviere.                                   |
| 2176 | "A BILL FOR AN ACT RELATING TO EFFICIENCY IN GOVERNMENT."<br><br>Introduced by: Representatives Okamura, Oshiro and Herkes.  | 2189 | "A BILL FOR AN ACT RELATING TO MEDICAID."<br><br>Introduced by: Representatives Mizuno, Carroll, Hanohano, Johanson, M. Lee, Marumoto, McKelvey, Morikawa, Okamura, Pine, Thielen, Aquino, Cabanilla, Ichiyama, Kawakami, Luke and Yamane.  |
| 2177 | "A BILL FOR AN ACT RELATING TO LIQUOR."<br><br>Introduced by: Representative Say.  | 2190 | "A BILL FOR AN ACT RELATING TO MANDATORY REPORTING."<br><br>Introduced by: Representatives Mizuno, Aquino, Belatti, Carroll, Choy, Cullen, Evans, Hanohano, Ichiyama, Johanson, Kawakami, M. Lee, Marumoto, McKelvey, Morikawa, Okamura, Pine, Thielen, Wooley, Yamane, Fontaine and Riviere. |

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| <p>2191 "A BILL FOR AN ACT RELATING TO POWERS OF ATTORNEY."<br/><br/>Introduced by: Representatives Mizuno, Awana and M. Lee.</p> <p>2192 "A BILL FOR AN ACT RELATING TO THE ELDERLY."<br/><br/>Introduced by: Representatives Mizuno, M. Lee, Awana and Rhoads.</p> <p>2193 "A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION."<br/><br/>Introduced by: Representatives M. Lee, Hanohano, Luke, Marumoto, Mizuno, Okamura, Pine, Thielen, Ward, Carroll, Evans, Fontaine, Jordan and Riviere.</p> <p>2194 "A BILL FOR AN ACT RELATING TO LONG TERM CARE."<br/><br/>Introduced by: Representatives Ichiyama, Belatti, Carroll, Evans, Hanohano, Jordan, Kawakami, M. Lee, Okamura, Pine and Yamane.</p> <p>2195 "A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS."<br/><br/>Introduced by: Representatives Marumoto, Carroll, Evans, Fontaine, Hanohano, Jordan, M. Lee, Mizuno, Morikawa, Okamura, Pine, Riviere, Thielen, Ward and Yamane.</p> <p>2196 "A BILL FOR AN ACT RELATING TO AGING."<br/><br/>Introduced by: Representatives Marumoto, Aquino, Carroll, Cullen, Hanohano, Jordan, Kawakami, M. Lee, Mizuno, Okamura, Pine, Thielen, Yamane, Evans and Luke.</p> <p>2197 "A BILL FOR AN ACT RELATING TO EDUCATION."<br/><br/>Introduced by: Representatives M. Lee, Carroll, Evans, Hanohano, Luke, Marumoto, McKelvey, Mizuno, Morikawa, Okamura, Pine, Thielen, Johanson and Wooley.</p> <p>2198 "A BILL FOR AN ACT RELATING TO KUPUNA CARE."<br/><br/>Introduced by: Representatives M. Lee, Belatti, Carroll, Hanohano, Ichiyama, Jordan, Kawakami, Luke, Okamura, Yamane and Evans.</p> <p>2199 "A BILL FOR AN ACT RELATING TO HEALTH CARE."<br/><br/>Introduced by: Representatives M. Lee, Carroll and Evans.</p> <p>2200 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."<br/><br/>Introduced by: Representatives M. Lee, Carroll, Hanohano, Ichiyama, Jordan, Kawakami, Pine, Belatti, Evans and Okamura.</p> <p>2201 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."<br/><br/>Introduced by: Representatives M. Lee, Belatti, Carroll, Evans, Hanohano, Jordan, Pine and Yamane.</p> | <p>2202 "A BILL FOR AN ACT RELATING TO HEALTH."<br/><br/>Introduced by: Representatives Yamane, Evans, Hanohano, Ichiyama, Jordan, Kawakami, M. Lee, Luke, Okamura, Pine and Carroll.</p> <p>2203 "A BILL FOR AN ACT RELATING TO JOB CREATION."<br/><br/>Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.</p> <p>2204 "A BILL FOR AN ACT RELATING TO FISCAL NOTES."<br/><br/>Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.</p> <p>2205 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 15, OF THE HAWAII STATE CONSTITUTION TO ENACT A SUPERMAJORITY VOTING REQUIREMENT FOR PASSAGE OF LEGISLATION PROPOSING TO RAISE OR CREATE TAXES OR FEES."<br/><br/>Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.</p> <p>2206 "A BILL FOR AN ACT RELATING TO COMPUTER FRAUD."<br/><br/>Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.</p> <p>2207 "A BILL FOR AN ACT RELATING TO RECORDKEEPING."<br/><br/>Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.</p> <p>2208 "A BILL FOR AN ACT RELATING TO PRODUCTION OF RECORDS."<br/><br/>Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.</p> <p>2209 "A BILL FOR AN ACT RELATING TO UNAUTHORIZED COMPUTER ACCESS."<br/><br/>Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.</p> <p>2210 "A BILL FOR AN ACT RELATING TO RENEWABLE FUELS."<br/><br/>Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.</p> <p>2211 "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS."<br/><br/>Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.</p> <p>2212 "A BILL FOR AN ACT RELATING TO CLEAN ENERGY BONDS."<br/><br/>Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.</p> |
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- 2213 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3 OF THE HAWAII CONSTITUTION REQUIRING THAT THE GOVERNOR AND CHIEF JUSTICE DISCLOSE NAMES OF JUDICIAL NOMINEES IMMEDIATELY UPON RECEIPT OF THOSE NAMES FROM THE JUDICIAL SELECTION COMMISSION."  
Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2214 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6 OF THE HAWAII CONSTITUTION REQUIRING THAT THE GOVERNOR DISCLOSE, AT THE TIME OF EACH NOMINATION, NAMES OF ALL PERSONS NOMINATED TO SERVE IN EXECUTIVE AND ADMINISTRATIVE OFFICES AND DEPARTMENTS."  
Introduced by: Representatives Ward, Ching, Fontaine, Marumoto, Pine, Riviere and Thielen.
- 2215 "A BILL FOR AN ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT."  
Introduced by: Representatives Ward, Ching, Fontaine, Marumoto, Pine, Riviere and Thielen.
- 2216 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."  
Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Riviere and Thielen.
- 2217 "A BILL FOR AN ACT RELATING TO EMPLOYMENT VACANCIES."  
Introduced by: Representatives Ward, Ching, Fontaine, Marumoto, Pine, Riviere and Thielen.
- 2218 "A BILL FOR AN ACT RELATING TO TAXATION."  
Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2219 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."  
Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2220 "A BILL FOR AN ACT RELATING TO EDUCATION."  
Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2221 "A BILL FOR AN ACT RELATING TO VOTING."  
Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2222 "A BILL FOR AN ACT RELATING TO A SILVER ALERT."  
Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2223 "A BILL FOR AN ACT RELATING TO STATE FINANCES."  
Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2224 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."  
Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Pine, Riviere and Thielen.
- 2225 "A BILL FOR AN ACT RELATING TO MOTION PICTURES, DIGITAL MEDIA, AND FILM PRODUCTION."  
Introduced by: Representatives Ward, Ching, Fontaine, Johanson, Marumoto, Riviere and Thielen.
- 2226 "A BILL FOR AN ACT RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM."  
Introduced by: Representatives M. Lee, Hanohano, Ichiyama, Marumoto, McKelvey, Mizuno, Morikawa, Pine, Thielen, Aquino, Belatti, Carroll, Evans and Luke.
- 2227 "A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES."  
Introduced by: Representatives M. Lee, Evans, Hanohano, Jordan, McKelvey, Morikawa, Pine, Thielen, Belatti, Carroll, Ichiyama, Kawakami and Luke.
- 2228 "A BILL FOR AN ACT RELATING TO BREASTFEEDING IN THE WORKPLACE."  
Introduced by: Representatives Marumoto, Carroll, Evans, Hanohano, M. Lee, McKelvey, Morikawa, Thielen, Yamane, Aquino, Belatti, Ichiyama, Jordan, Kawakami and Luke.
- 2229 "A BILL FOR AN ACT RELATING TO BIRTH DEFECTS WARNINGS."  
Introduced by: Representatives Evans, Hanohano, M. Lee, Marumoto, Thielen, Aquino, Belatti, Carroll, Ichiyama and Morikawa.
- 2230 "A BILL FOR AN ACT RELATING TO CANCER."  
Introduced by: Representatives Ichiyama, Cabanilla, Carroll, Evans, Hanohano, Kawakami, M. Lee, Luke, Marumoto, Morikawa, Thielen and Yamane.
- 2231 "A BILL FOR AN ACT RELATING TO COMMUNITY PLACEMENT PROGRAMS FOR FEMALE OFFENDERS TRANSITIONING FROM INCARCERATION TO THE COMMUNITY."  
Introduced by: Representatives Hanohano, Aquino, Carroll, Evans, Ichiyama, Jordan, Kawakami, M. Lee, Marumoto, McKelvey, Mizuno, Morikawa, Pine, Thielen, Ward, Yamane, Belatti, Fontaine, Luke and Riviere.
- 2232 "A BILL FOR AN ACT RELATING TO HEALTH."  
Introduced by: Representatives Jordan, Belatti, Carroll, Evans, Hanohano, M. Lee, Marumoto, McKelvey, Mizuno, Morikawa, Pine, Riviere, Wooley, Yamane and Luke.
- 2233 "A BILL FOR AN ACT RELATING TO MANDATORY REPORTING REQUIREMENTS."  
Introduced by: Representatives Awana, Aquino, Carroll, Cullen, Evans, Fontaine, Hanohano, Ichiyama, Jordan, Kawakami, M. Lee, Marumoto, McKelvey, Mizuno, Pine, Thielen, Ward, Yamane and Luke.

- 2234 "A BILL FOR AN ACT RELATING TO MINORS."  
Introduced by: Representatives Awana, Belatti, Cabanilla, Carroll, Evans, Hanohano, Ichiyama, Kawakami, M. Lee, Luke, Marumoto, Morikawa, Pine, Thielen and Yamane.
- 2235 "A BILL FOR AN ACT RELATING TO PROSTITUTION."  
Introduced by: Representatives Awana, Carroll, Evans, Hanohano, Ichiyama, M. Lee, Luke, Marumoto, McKelvey, Mizuno, Pine, Thielen, Ward, Wooley, Yamane, Belatti, Fontaine, Kawakami and Morikawa.
- 2236 "A BILL FOR AN ACT RELATING TO ELECTIONS."  
Introduced by: Representatives Ward, Chang, Fontaine, Har, Ito, Keith-Agaran, Marumoto, Pine, Riviere, Takai, Thielen, Cullen, Morikawa and Souki.
- 2237 "A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT."  
Introduced by: Representatives Ward, Fontaine, Har, Johanson, Keith-Agaran, Souki and Takumi.
- 2238 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."  
Introduced by: Representatives Ward, Aquino, Fontaine, Johanson, Takumi and Yamane.
- 2239 "A BILL FOR AN ACT RELATING TO TAXATION."  
Introduced by: Representatives Ward, Ching, Fontaine and Har.
- 2240 "A BILL FOR AN ACT RELATING TO TAXATION."  
Introduced by: Representatives Ward, Ching, C. Lee, McKelvey, Pine, Takai, Evans, Har, Hashem, Marumoto, Morikawa, Riviere, Thielen and Yamashita.
- 2241 "A BILL FOR AN ACT RELATING TO ANTIQUE GAMBLING DEVICES."  
Introduced by: Representatives Hashem, Carroll, Evans, McKelvey, Tsuji and Yamashita.
- 2242 "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR VETERINARIANS."  
Introduced by: Representatives Hashem, Aquino, Herkes, Ichiyama, Keith-Agaran, Wooley and Yamane.
- 2243 "A BILL FOR AN ACT RELATING TO BAIL."  
Introduced by: Representatives Hashem, Carroll, Evans, McKelvey, Aquino, Keith-Agaran, Rhoads, Tsuji and Yamashita.
- 2244 "A BILL FOR AN ACT RELATING TO AGRICULTURE INSPECTORS."  
Introduced by: Representatives Hashem, Evans, Tsuji, Aquino, McKelvey and Yamashita.
- 2245 "A BILL FOR AN ACT RELATING TO HAWAII-GROWN PRODUCE."  
Introduced by: Representatives Hashem, Aquino, Carroll, Evans, McKelvey, Tsuji and Yamashita.
- 2246 "A BILL FOR AN ACT RELATING TO HAIKU VALLEY."  
Introduced by: Representatives Ito, Carroll, Chang, Chong, Har, Thielen, Tsuji, Yamane, Cabanilla and Nakashima.
- 2247 "A BILL FOR AN ACT RELATING TO PROCUREMENT."  
Introduced by: Representative Ito.
- 2248 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII PACIFIC UNIVERSITY."  
Introduced by: Representatives Ito and Nishimoto.
- 2249 "A BILL FOR AN ACT RELATING TO LANDFILLS."  
Introduced by: Representatives Ito, Carroll, Chang, Thielen, Tsuji, Yamane, Chong, Har, Herkes, Nakashima and Tokioka.
- 2250 "A BILL FOR AN ACT RELATING TO THE EMERGENCY ENVIRONMENTAL WORKFORCE."  
Introduced by: Representatives Chang, Aquino, Awana, Brower, Cabanilla, Chong, Coffman, Cullen, Evans, Hanohano, Har, Hashem, Herkes, Ichiyama, Ito, Jordan, Kawakami, Keith-Agaran, Manahan, Mizuno, Morikawa, Nishimoto, Oshiro, Rhoads, Souki, Tokioka, Tsuji, Yamashita, Belatti, Choy, M. Lee and Say.
- 2251 "A BILL FOR AN ACT RELATING TO ELECTIONS."  
Introduced by: Representatives Morikawa and Keith-Agaran.
- 2252 "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."  
Introduced by: Representatives Morikawa, Aquino, Fontaine, Hanohano, Keith-Agaran, C. Lee, Luke, Nakashima, Takumi, Tsuji, Chong, Ichiyama, Saiki and Tokioka.
- 2253 "A BILL FOR AN ACT RELATING TO PUBLIC ORDER."  
Introduced by: Representatives Morikawa, Aquino, Chong, Fontaine, Hanohano, Keith-Agaran, C. Lee, Luke, Takumi, Tsuji, Ichiyama, Nakashima, Saiki and Tokioka.
- 2254 "A BILL FOR AN ACT RELATING TO THE PRETAX TRANSPORTATION BENEFIT."  
Introduced by: Representatives Morikawa, Hanohano, Ichiyama, Keith-Agaran, Nakashima, Saiki and Tsuji.
- 2255 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."  
Introduced by: Representatives Aquino, Cullen, Ichiyama, Keith-Agaran, M. Lee, Luke, Manahan, Takumi, Yamane, Yamashita and Fontaine.
- 2256 "A BILL FOR AN ACT RELATING TO FIREWORKS."  
Introduced by: Representative Aquino, by request.

- 2257 "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING."  
Introduced by: Representatives Aquino, Cullen, Har, Ichiyama, Ito, Luke, Manahan, Say, Souki, Yamane, Yamashita, Fontaine, Johanson and M. Lee.
- 2258 "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING."  
Introduced by: Representatives Aquino, Cabanilla, Chong, Cullen, Har, Ito, Manahan and Yamane.
- 2259 "A BILL FOR AN ACT RELATING TO ENERGY."  
Introduced by: Representative Coffman.
- 2260 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."  
Introduced by: Representative Coffman.
- 2261 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL RESPONSE, ENERGY, AND FOOD SECURITY TAX."  
Introduced by: Representative Coffman.
- 2262 "A BILL FOR AN ACT RELATING TO ENERGY."  
Introduced by: Representatives Coffman and Chong.
- 2263 "A BILL FOR AN ACT RELATING TO THE CODE OF ETHICS."  
Introduced by: Representatives Coffman, by request, Keith-Agaran, by request.
- 2264 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."  
Introduced by: Representatives Yamashita and Rhoads.
- 2265 "A BILL FOR AN ACT RELATING TO THE STATE PROCUREMENT CODE."  
Introduced by: Representative Yamashita.
- 2266 "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY."  
Introduced by: Representatives Yamashita, Chong, Choy and McKelvey.
- 2267 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CLEARCOM, INC., IN THE DEVELOPMENT OF BROADBAND INFRASTRUCTURE IN HAWAII."  
Introduced by: Representatives Yamashita, Aquino, Carroll, Choy, Cullen, Har, Hashem, Ichiyama, Ito, Kawakami, Keith-Agaran, Manahan, McKelvey, Morikawa, Nishimoto, Okamura, Rhoads, Souki, Tsuji, Yamane and Chong.
- 2268 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS."  
Introduced by: Representatives Yamashita, Aquino, Carroll, Chong, Choy, Cullen, Hanohano, Har, Hashem, Ichiyama, Ito, Kawakami, Keith-Agaran, Manahan, McKelvey, Morikawa, Nakashima, Nishimoto, Okamura, Oshiro, Rhoads, Say, Souki, Tsuji and Yamane.
- 2269 "A BILL FOR AN ACT RELATING TO EDUCATION."  
Introduced by: Representatives Fontaine, Ching, Riviere, Thielen, Ward, Aquino, Awana, Chang, Johanson, M. Lee, Mizuno, Nakashima, Nishimoto, Okamura, Pine and Takumi.
- 2270 "A BILL FOR AN ACT RELATING TO FIREARMS."  
Introduced by: Representatives Fontaine, Pine, Riviere, Aquino, Ching, Cullen, Johanson and Ward.
- 2271 "A BILL FOR AN ACT RELATING TO CRIMES."  
Introduced by: Representatives Fontaine, Brower, Ching, Pine, Souki, Thielen, Herkes, Ito, Johanson, McKelvey, Rhoads and Riviere.
- 2272 "A BILL FOR AN ACT RELATING TO PROFESSIONS AND VOCATIONS."  
Introduced by: Representative Yamane.
- 2273 "A BILL FOR AN ACT RELATING TO CONCUSSIONS."  
Introduced by: Representative Yamane.
- 2274 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES."  
Introduced by: Representatives Yamane, Chong, Mizuno and Say.
- 2275 "A BILL FOR AN ACT RELATING TO HOSPITALS."  
Introduced by: Representatives Yamane, Chong, Mizuno and Say.
- 2276 "A BILL FOR AN ACT RELATING TO SKATEBOARDS."  
Introduced by: Representatives Ichiyama, M. Lee, Aquino, Cullen, Fontaine, Hashem, Johanson, Jordan, Okamura, Souki, Takumi and Yamashita.
- 2277 "A BILL FOR AN ACT RELATING TO ALL-TERRAIN VEHICLES."  
Introduced by: Representatives Ichiyama, M. Lee, Fontaine, Johanson, Okamura, Souki, Takumi and Yamashita.
- 2278 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-FIRST REPRESENTATIVE DISTRICT."  
Introduced by: Representative Ichiyama.
- 2279 "A BILL FOR AN ACT RELATING TO CONTRACTORS."  
Introduced by: Representative Yamane.
- 2280 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."  
Introduced by: Representatives Mizuno, Aquino, Cabanilla, Chang, Cullen, Herkes and Manahan.
- 2281 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."  
Introduced by: Representatives Mizuno, Aquino, Brower, Cabanilla, Chang, Cullen, Manahan, Herkes and Keith-Agaran.

2282 "A BILL FOR AN ACT RELATING TO THE OFFICE OF COMMUNITY SERVICES."  
 Introduced by: Representatives Mizuno, Aquino, Brower, Cabanilla, Cullen, Manahan and Herkes.

2283 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."  
 Introduced by: Representatives Mizuno, Aquino, Cabanilla, Chang, Cullen, Manahan and Herkes.

2284 "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS."  
 Introduced by: Representatives Mizuno, Aquino, Brower, Cabanilla, Cullen, Chang and Chong.

2285 "A BILL FOR AN ACT RELATING TO MEDICAID."  
 Introduced by: Representatives Mizuno, Awana and Yamane.

2286 "A BILL FOR AN ACT RELATING TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM."  
 Introduced by: Representatives Mizuno, Awana and Rhoads.

2287 "A BILL FOR AN ACT RELATING TO COMPUTER CRIME."  
 Introduced by: Representatives Mizuno, Ito, Manahan, Awana, Har, M. Lee and Nishimoto.

2288 "A BILL FOR AN ACT RELATING TO RECORDKEEPING."  
 Introduced by: Representatives Mizuno, Ito, Manahan, Awana, Har, M. Lee and Nishimoto.

2289 "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE."  
 Introduced by: Representatives Mizuno, Manahan, Awana, Har, M. Lee and Nishimoto.

2290 "A BILL FOR AN ACT RELATING TO CHILDREN AND YOUTH."  
 Introduced by: Representatives Mizuno, Aquino, Awana, Cullen, Evans, Hanohano, Har, Ichiyama, McKelvey, Okamura, Pine, Thielen and Johanson.

2291 "A BILL FOR AN ACT RELATING TO FALSE REPORTING TO AUTHORITIES."  
 Introduced by: Representatives Mizuno, Awana, Evans, Hanohano, McKelvey, Okamura, Pine, Thielen, Aquino, Cullen, Ichiyama and Johanson.

2292 "A BILL FOR AN ACT RELATING TO FOSTER YOUTH."  
 Introduced by: Representatives Mizuno, Awana, Hanohano, Aquino and Okamura.

2293 "A BILL FOR AN ACT RELATING TO EDUCATION."  
 Introduced by: Representatives Mizuno, Aquino, Awana, Cullen, Hanohano, Har, Thielen, Johanson and Okamura.

2294 "A BILL FOR AN ACT RELATING TO MEDIA PRODUCTION."  
 Introduced by: Representatives Wooley and Brower.

2295 "A BILL FOR AN ACT RELATING TO CYBERBULLYING."  
 Introduced by: Representatives Wooley, Keith-Agaran, Nishimoto, Rhoads and Takumi.

2296 "A BILL FOR AN ACT RELATING TO ANIMAL WELFARE."  
 Introduced by: Representatives Wooley, C. Lee, Nishimoto, Rhoads and Keith-Agaran.

2297 "A BILL FOR AN ACT RELATING TO THE PERFORMING ARTS."  
 Introduced by: Representative Wooley.

2298 "A BILL FOR AN ACT RELATING TO PRIVACY RIGHTS."  
 Introduced by: Representatives Nishimoto, Brower, Keith-Agaran, Nakashima and Takumi.

2299 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."  
 Introduced by: Representative Carroll.

2300 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."  
 Introduced by: Representative Carroll.

2301 "A BILL FOR AN ACT RELATING TO AGRICULTURE."  
 Introduced by: Representatives Carroll, Cullen and Tsuji.

2302 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."  
 Introduced by: Representatives Cabanilla, Chong, Aquino and Yamashita.

2303 "A BILL FOR AN ACT RELATING TO GENERAL ASSISTANCE."  
 Introduced by: Representatives Cabanilla, Mizuno, Carroll, Choy, Ito and M. Lee.

2304 "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT."  
 Introduced by: Representatives Belatti and C. Lee.

2305 "A BILL FOR AN ACT RELATING TO EDUCATION."  
 Introduced by: Representatives Belatti, C. Lee, Nishimoto and Wooley.

2306 "A BILL FOR AN ACT RELATING TO CHAPTER 328J, HAWAII REVISED STATUTES."  
 Introduced by: Representatives Evans, Brower, Cabanilla, Hanohano, Har, Awana, Carroll, Hashem, Ito, Luke, McKelvey and Souki.

- 2307 "A BILL FOR AN ACT RELATING TO EDUCATION."  
Introduced by: Representatives Wooley, Nishimoto, Keith-Agaran, Nakashima and Takumi.
- 2308 "A BILL FOR AN ACT RELATING TO AIRLINES."  
Introduced by: Representatives Chong, Brower, Chang, Choy, Cullen, Hashem, Ichiyama, Jordan, Kawakami, Keith-Agaran, Morikawa, Okamura, Say, Tokioka, Tsuji, Yamashita, Cabanilla, McKelvey and Souki.
- 2309 "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION."  
Introduced by: Representatives Chong, Cullen, Hashem, Ichiyama, Jordan, Keith-Agaran, Morikawa, Tsuji, Yamashita and Say.
- 2310 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."  
Introduced by: Representatives Brower, Cabanilla, Choy, Hanohano, C. Lee, M. Lee, Luke, Manahan, Mizuno, Nakashima, Nishimoto, Okamura, Rhoads, Takumi, Awana, Chong, Cullen, Keith-Agaran, McKelvey and Souki.
- 2311 "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES."  
Introduced by: Representatives Brower, Evans, Hanohano, C. Lee, Luke, Nishimoto, Okamura, Awana, Cabanilla, Chong, Cullen, Keith-Agaran, Manahan and McKelvey.
- 2312 "A BILL FOR AN ACT RELATING TO TORTS."  
Introduced by: Representatives Brower, Awana, Chong, Choy, Evans, Hanohano, Keith-Agaran, C. Lee, Luke, Manahan, McKelvey, Okamura, Oshiro and Cullen.
- 2313 "A BILL FOR AN ACT RELATING TO RESISTING ARREST."  
Introduced by: Representatives Brower, Cullen, Hanohano, Keith-Agaran, C. Lee, Luke, Manahan, McKelvey, Nishimoto, Okamura, Awana and Chong.
- 2314 "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."  
Introduced by: Representatives Brower, Awana, Keith-Agaran, C. Lee, McKelvey, Mizuno, Nishimoto, Takumi and Tokioka.
- 2315 "A BILL FOR AN ACT RELATING TO TRAUMATIC BRAIN INJURY."  
Introduced by: Representatives McKelvey, Awana, Cullen and Mizuno.
- 2316 "A BILL FOR AN ACT RELATING TO A LOTTERY."  
Introduced by: Representatives McKelvey, Carroll, Hanohano and Souki.
- 2317 "A BILL FOR AN ACT RELATING TO AGRICULTURAL TOURISM."  
Introduced by: Representatives McKelvey, Awana, Carroll, Fontaine, Keith-Agaran, Souki and Yamashita.

- 2318 "A BILL FOR AN ACT RELATING TO PROCUREMENT."  
Introduced by: Representatives McKelvey, Aquino, Awana, Carroll, Cullen, Mizuno and Yamashita.
- 2319 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."  
Introduced by: Representatives McKelvey, Choy and Yamashita.

#### ANNOUNCEMENTS

Representative Fontaine: "Thank you, Mr. Speaker. Mr. Speaker, I am requesting this morning that we all provide a moment of silence in the passing of Officer Garret Davis. Officer Davis passed away while helping motorists stranded on the H-1 Freeway. He's a very young officer and this is a very tragic death that we've lost one of our own. So I'd like all the Members, if they would, to please stand and give a moment of silence to Officer Davis and his family."

Vice Speaker Manahan: "Thank you. At the appropriate time, if there are no more announcements from other Members, we will stand for a moment of silence in honor of Officer Davis."

Representative Thielen: "Thank you, Vice-Speaker. I also would like to ask that we have a moment of silence for the six Marines that we lost in the tragic helicopter accident."

Vice Speaker Manahan: "Thank you. We will also include in our moment of silence, these ladies and gentlemen."

Representative Rhoads: "Mr. Speaker, I just wanted to wish everyone a Happy Lunar New Year. Today is the first day of the Year of the Dragon. Kung hee fat choy."

Vice Speaker Manahan: "Thank you, very much. Are there any further announcements, Members? If not, let's please stand for a moment of silence for the fallen officer, as well as the fallen soldiers over the past weekend."

At this time, Members of the House of Representatives stood for a Moment of Silence in honor of the late Officer Garret Davis of the Honolulu Police Department; and the 6 Kaneohe Marine Corps Base Marines who died in a helicopter crash in Afghanistan: Capt. Daniel Bartle, Capt. Nathan McHone, Master Sgt. Travis Riddick, Cpl. Jesse Stites, Cpl. Kevin Reinhard, and Cpl. Joseph Logan.

#### COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

- | <u>H.B.</u><br><u>Nos.</u> | <u>Referred to:</u>  |
|----------------------------|--|
| 2150                       | Committee on Agriculture, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection         |
| 2151                       | Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Water, Land, & Ocean Resources |
| 2152                       | Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance                    |
| 2153                       | Committee on Transportation, then to the Committee on Finance  |



2154	Committee on Transportation, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance	2177	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2155	Committee on Judiciary	2178	Committee on Economic Revitalization & Business, then to the Committee on Finance
2156	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	2179	Committee on Legislative Management, then to the Committee on Finance
2157	Committee on Judiciary	2180	Committee on Health, then to the Committee on Transportation, then to the Committee on Judiciary
2158	Committee on Housing, then to the Committee on Consumer Protection & Commerce	2181	Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2159	Committee on Housing, then to the Committee on Consumer Protection & Commerce	2182	Committee on Housing, then to the Committee on Human Services, then to the Committee on Finance
2160	Committee on Economic Revitalization & Business, then to the Committee on Finance	2183	Jointly to the Committee on Tourism and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
2161	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2184	Committee on Finance
2162	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2185	Committee on Transportation, then to the Committee on Finance
2163	Committee on Finance	2186	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2164	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2187	Committee on Housing, then jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2165	Committee on Transportation, then to the Committee on Finance	2188	Jointly to the Committee on Health and the Committee on Human Services and the Committee on Economic Revitalization & Business, then to the Committee on Higher Education, then to the Committee on Finance
2166	Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2189	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2167	Committee on Energy & Environmental Protection, then to the Committee on Finance	2190	Committee on Human Services, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2168	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance	2191	Committee on Judiciary
2169	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2192	Committee on Human Services, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2170	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2193	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2171	Committee on Health, then to the Committee on Finance	2194	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2172	Committee on Health, then to the Committee on Finance	2195	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2173	Committee on Health, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2196	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2174	Committee on Judiciary, then to the Committee on Finance	2197	Committee on Human Services, then to the Committee on Judiciary
2175	Committee on Legislative Management, then to the Committee on Judiciary	2198	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2176	Committee on Finance		

2199	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance	2224	Committee on Labor & Public Employment, then to the Committee on Finance
2200	Committee on Human Services, then to the Committee on Finance	2225	Committee on Economic Revitalization & Business, then to the Committee on Finance
2201	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2226	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2202	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	2227	Committee on Health, then to the Committee on Finance
2203	Committee on Economic Revitalization & Business, then to the Committee on Labor & Public Employment, then to the Committee on Finance	2228	Committee on Labor & Public Employment, then to the Committee on Economic Revitalization & Business, then to the Committee on Judiciary
2204	Committee on Legislative Management, then to the Committee on Finance	2229	Committee on Health, then to the Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2205	Committee on Judiciary, then to the Committee on Finance	2230	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
2206	Committee on Judiciary	2231	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2207	Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance	2232	Committee on Health, then to the Committee on Judiciary
2208	Committee on Judiciary, then to the Committee on Finance	2233	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2209	Committee on Judiciary	2234	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2210	Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance	2235	Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2211	Committee on Legislative Management, then to the Committee on Finance	2236	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2212	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, then to the Committee on Finance	2237	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance
2213	Committee on Judiciary, then to the Committee on Finance	2238	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
2214	Committee on Judiciary, then to the Committee on Finance	2239	Committee on Economic Revitalization & Business, then to the Committee on Finance
2215	Committee on Judiciary	2240	Jointly to the Committee on Economic Revitalization & Business and the Committee on International Affairs, then to the Committee on Finance
2216	Committee on Transportation, then to the Committee on Judiciary	2241	Committee on Judiciary
2217	Committee on Labor & Public Employment, then to the Committee on Finance	2242	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2218	Committee on Housing, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2243	Committee on Judiciary, then to the Committee on Finance
2219	Committee on Education, then to the Committee on Finance	2244	Committee on Agriculture, then to the Committee on Finance
2220	Committee on Education, then to the Committee on Finance	2245	Committee on Agriculture, then to the Committee on Education, then to the Committee on Finance
2221	Committee on Judiciary	2246	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance
2222	Committee on Human Services, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance		
2223	Committee on Finance		

2247	Committee on Economic Revitalization & Business, then to the Committee on Finance	2269	Committee on Education, then to the Committee on Finance
2248	Committee on Higher Education, then to the Committee on Finance	2270	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
2249	Committee on Energy & Environmental Protection, then to the Committee on Finance	2271	Committee on Judiciary, then to the Committee on Finance
2250	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance	2272	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce
2251	Committee on Judiciary, then to the Committee on Finance	2273	Committee on Health, then to the Committee on Education, then to the Committee on Finance
2252	Committee on Transportation, then to the Committee on Judiciary	2274	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2253	Committee on Transportation, then to the Committee on Judiciary	2275	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
2254	Jointly to the Committee on Labor & Public Employment and the Committee on Transportation, then to the Committee on Finance	2276	Committee on Health, then to the Committee on Judiciary
2255	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance	2277	Committee on Transportation, then to the Committee on Judiciary
2256	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Culture & the Arts, then to the Committee on Judiciary, then to the Committee on Finance	2278	Committee on Finance
2257	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2279	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce
2258	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	2280	Jointly to the Committee on Human Services and the Committee on Housing, then to the Committee on Judiciary
2259	Committee on Public Safety & Military Affairs, then to the Committee on Health, then to the Committee on Finance	2281	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2260	Committee on Energy & Environmental Protection, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance	2282	Jointly to the Committee on Labor & Public Employment and the Committee on Human Services, then to the Committee on Judiciary, then to the Committee on Finance
2261	Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance	2283	Jointly to the Committee on Labor & Public Employment and the Committee on Human Services, then to the Committee on Finance
2262	Jointly to the Committee on Energy & Environmental Protection and the Committee on Agriculture, then to the Committee on Finance	2284	Jointly to the Committee on Human Services and the Committee on Labor & Public Employment, then to the Committee on Finance
2263	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary	2285	Committee on Human Services, then to the Committee on Legislative Management, then to the Committee on Finance
2264	Committee on Labor & Public Employment, then to the Committee on Finance	2286	Committee on Human Services, then to the Committee on Finance
2265	Committee on Economic Revitalization & Business, then to the Committee on Finance	2287	Committee on Judiciary
2266	Committee on Economic Revitalization & Business, then to the Committee on Finance	2288	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce
2267	Committee on Economic Revitalization & Business, then to the Committee on Finance	2289	Committee on Judiciary
2268	Committee on Economic Revitalization & Business, then to the Committee on Finance	2290	Committee on Human Services, then to the Committee on Finance
		2291	Committee on Human Services, then to the Committee on Judiciary
		2292	Committee on Human Services, then to the Committee on Finance

2293 Committee on Economic Revitalization & Business, then to the Committee on Education, then to the Committee on Finance

2294 Committee on Economic Revitalization & Business, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2295 Committee on Judiciary

2296 Jointly to the Committee on Agriculture and the Committee on International Affairs, then to the Committee on Judiciary

2297 Committee on Culture & the Arts, then to the Committee on Finance

2298 Committee on Economic Revitalization & Business, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce

2299 Committee on Hawaiian Affairs, then to the Committee on Finance

2300 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

2301 Committee on Agriculture, then to the Committee on Finance

2302 Committee on Housing, then jointly to the Committee on Economic Revitalization & Business and the Committee on Labor & Public Employment, then to the Committee on Finance

2303 Committee on Human Services, then to the Committee on Finance

2304 Committee on Judiciary, then to the Committee on Finance

2305 Committee on Education, then to the Committee on Finance

2306 Jointly to the Committee on Health and the Committee on Economic Revitalization & Business, then to the Committee on Judiciary

2307 Jointly to the Committee on Education and the Committee on Culture & the Arts, then to the Committee on Finance

2308 Jointly to the Committee on Tourism and the Committee on Economic Revitalization & Business, then to the Committee on Finance

2309 Committee on Transportation, then to the Committee on Judiciary

2310 Committee on Transportation, then to the Committee on Judiciary

2311 Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2312 Committee on Health, then to the Committee on Judiciary

2313 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

2314 Committee on Tourism, then to the Committee on Finance

2315 Committee on Health, then to the Committee on Education, then to the Committee on Finance

2316 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

2317 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Water, Land, & Ocean Resources

2318 Committee on Public Safety & Military Affairs, then to the Committee on Economic Revitalization & Business, then to the Committee on Finance

2319 Committee on Economic Revitalization & Business, then to the Committee on Finance

#### COMMITTEE REASSIGNMENTS

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

#### H.B. Nos.

#### Re-referred to:

1696 Committee on Transportation, then jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Revitalization & Business, then to the Committee on Finance

1814 Committee on Transportation, then jointly to the Committee on Economic Revitalization & Business and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

1896 Jointly to the Committee on Economic Revitalization & Business and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1939 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance

1941 Jointly to the Committee on Agriculture and the Committee on Transportation, then to the Committee on Finance

1972 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance

2054 Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

#### RECESS

Vice Speaker Manahan: "Thank you very much, Members. Members, the House will stand in recess for the purpose of convening in Joint Session in this Chamber at 10:00am for the State of the State Address by the Governor. We will convene again Wednesday, January 25th, at 12:00 noon."

At 9:13 o'clock a.m., the Chair declared a recess and the House of Representatives stood in recess, subject to the call of the Chair, and in accordance with House Concurrent Resolution No. 2, met in Joint Session with the Senate, to receive the Governor's State of the State Address.

## JOINT SESSION

The Joint Session of the House of Representatives and the Senate of the Twenty-Sixth Legislature was called to order at 10:02 o'clock a.m. by the Honorable Calvin K.Y. Say, Speaker of the House of Representatives.

The Speaker then welcomed and recognized the following honored and distinguished guests:

Lt. Governor Brian Schatz, who was presented with lei by Representative Cindy Evans;

Chief Justice Mark E. Recktenwald, who was presented with lei by Senator Jill Tokuda;

Ms. Colette Machado, Chair, Office of Hawaiian Affairs, who was presented with lei by Senator Ron Kouchi;

Dr. Nancie Caraway, wife of Governor Abercrombie, who was presented with lei by Vice Speaker Joey Manahan;

Former Governor George R. Ariyoshi;

Former Governor John D. Waihee III and Mrs. Lynne Waihee;

Former Governor Ben Cayetano and Mrs. Vicky Cayetano;

Brigadier General Mark E. McLeod, U.S. Pacific Air Forces;

Ms. Janice Nielsen, U.S. Army Pacific;

Associate Justice Paula A. Nakayama;

Associate Justice Simeon R. Acoba, Jr.;

Associate Justice James E. Duffy, Jr.;

Associate Justice Sabrina S. McKenna;

Mayor Peter Carlisle, City & County of Honolulu, and Mrs. Judy Carlisle;

Mayor Bernard P. Carvalho, County of Kauai;

Mayor Alan Arakawa, County of Maui, and Mrs. Ann Arakawa;

Council Chair Ernest Y. Martin, City & County of Honolulu;

Council Chair Jay Furfaro, County of Kauai;

Council Chair Danny Mateo, County of Maui;

Mr. Yoshihiko Kamo, Consul General of Japan;

Mr. Young Kil Suh, Consul General of Korea;

Mr. Paul Raymund Cortes, Deputy Consul General of the Philippines; and

Mr. Paul Chang, Director General Taipei Economic & Cultural Office.

The Speaker then called upon Representatives Pono Chong and Gene Ward on behalf of the House of Representatives, and Senators Brickwood Galuteria and Sam Slom on behalf of the Senate, to escort the Honorable Neil Abercrombie to the rostrum.

The Governor was presented with lei by Representative Marilyn Lee on behalf of the House of Representatives, and Vice President Donna Mercado Kim on behalf of the Senate. The Speaker then presented to the Members of the Twenty-Sixth Legislature and the audience, the Honorable Neil Abercrombie, Governor of the State of Hawaii.

The Governor then addressed the Joint Session as follows:

"Thank you. *Mahalo nui*. Thank you very, very, much everyone. Ladies and gentlemen. This is a solemn occasion, in more ways than one. For those who are able, I would ask you all to stand at this time, for a moment of silence on behalf of two fallen officers, Eric Fontas and Garret Davis, who gave their lives for all of us here in Hawaii in their service with the Honolulu Police Department."

At this time, the Members of the House of Representatives and the Senate, honored guests and audience rose for a moment of silence in honor of the fallen officers of the Honolulu Police Department.

The Governor continued, stating:

"Mahalo. Thank you. Chief Kealoha said, 'Today our officers risk their lives daily to protect our community, and I am pleading with all of you to help protect them while driving with care while you see them performing their duties on the highways.' It is a sobering thought, but one that caused me to reflect that it is the obvious that we have to repeat to ourselves everyday because it's the obvious we tend to take most for granted and perhaps forget first. And one of the obvious things is that people who are committed to public service in the broadest range of activities. Those things that we count on everyday can sometimes be brought to our attention in a very forceful way. And on behalf of the people of this State, I'm sure you will not object to me extending our deepest sympathies and aloha to the families of Garret Davis and Eric Fontas.

"Mr. President, and Mr. Speaker, distinguished Justices of the Courts, Mayors, representatives of our Congressional Delegation, Members of the Hawaii State Legislature, other elected officials, honored guests, family and friends. I would like to make a reintroduction if I could just for a moment. Because as I just said to the Speaker, last year when I gave my first State of the State, it was in kind of a dream state. To be back in the Chamber and to be with friends and people I've known so long like my former student, Speaker Say. I said, 'How come you still don't recognize me as the professor here?' It's been that kind of length of time, but I know the Governors have already been introduced, but I want to reintroduce because when I said, 'my friends,' I want to indicate how important it has been to me to have their mentorship and friendship.

"First, I want to reintroduce Governor George Ariyoshi for a simple reason. Governor Ariyoshi provided the leadership necessary in our State to recognize the true meaning of environment. He is the one that led the way, for us to understand what sustainability was all about. To understand in its entirety how we would be able to sustain ourselves. The State Plans that he caused to come into effect are as true today as they were then. If there is a true pioneer of understanding Hawaii in its most modern context, it is George Ariyoshi. Governor.

"And next, I would like to reintroduce to you, Hawaii's first Native Hawaiian Governor, who is now leading, once again, Native Hawaiians into their future. The Native Hawaiian role which is now being assembled is under the leadership and the direction of Governor John Waihe'e. It will be truly said of this son of Hawaii, this *keiki o ka 'aina*, that he has led his people into a future that will renew and reinvigorate the entire values associated, as we all do, with the culture of Hawaii. Governor John Waihe'e.

"And I understand that there is a lot of interest these days in friendship, and what friendship means. And I would like to introduce my friend, who apparently is looking for something else to do now. Governor Ben Cayetano.

"And I have one other introduction I want to make if I may. We understand that the media focuses on celebrity, and personalities, and drama, and in the political sphere perhaps there's a concentration on names and years, but there are those who triumphed. *Keiki o ka 'aina*, people of Hawaii from the most diverse backgrounds. People who are heroes. People who perhaps are not necessarily always recognized. But there is someone who has been a friend to all of us here in this Legislature. Someone, who has helped to guide in terms of understanding what real

heroism is all about. What discipline, what professionalism is all about. What concentration, what dedication is all about. For a number of years now we've had the opportunity to have as a Sergeant-at-Arms in the Senate, a friend to all of us, a hero to the Filipino community, a giant of people from Hawaii. The former Junior Lightweight Champion of the World, Ben Villaflor. Ben, come out and take a bow. Champion of the World. I know all of you are saying, 'He's not a Junior Lightweight anymore.' But I ask you to take a look at ourselves and maybe we won't be so quick to make that observation.

"One year ago, I stood before you to present the sobering fiscal reality facing Hawaii. At that time, we faced an enormous deficit and the effects of fractured government services. The discussion was not about "whether" we needed to find additional revenues, but about "where" we needed to find them. But by working together and through shared sacrifice, we have started to turn the corner. This past year has not been easy, but we have accomplished our purpose.

"I want to thank the Legislature for your cooperation, each and every one of you. I want to thank you for your collaboration. And I want to thank the public gathered here in numbers today for weathering through those difficult choices.

"Thank you, especially to our State employees, who agreed to labor savings, and additional payments for health benefits, in order to effectuate this recovery. There was no way for us to have balanced our budget and achieved today's fiscally favorable outlook without the commitment of everyone. To all of you who came to work each day bearing the burden of cuts and slashes to your programs over these past three years; and to those of you who gave up your furloughs because of your commitment to serving the people of Hawaii, I thank you. Mahalo plenty to each and every one of you.

"Together, we are moving forward. And moving forward means leaving behind the drama of the recent past. It is for that reason that I have again, requested that the Hawaii State Teachers Association provide us with a proposal as soon as possible. After good faith negotiations achieving two agreements, the teachers still have not ratified a contract. I want to emphasize, I will continue to press for a resolution.

"Nonetheless, we must continue our focus on our children and students' performance. We cannot wait any longer. We wanted to cross the Race to the Top finish line side-by-side with the HSTA, but make no mistake we will cross that finish line. Our students deserve no less. I will be using all management, administrative, legislative and legal tools we have at our disposal to implement an evaluation system that not only measures, but achieves student growth; turns around low-performing schools; and supports teachers in achieving and increasing their effectiveness.

"Just as we must concentrate on providing for our children's future, it is critical that we continue the economic momentum we have achieved. Since last year, Hawaii's recovery has been steady. The visitor industry – a key element – saw 3.4 percent growth in the number of visitor arrivals, and total visitor expenditures have grown over 15 percent, resulting in an additional \$5 billion flowing into Hawaii's economy.

"A solid indicator of our growth is the average 8 percent increase in our general excise tax revenue compared to last year. Very welcomed. Despite the unfortunate closing of Hawaii Medical Center, our unemployment remains one of the lowest in the nation. Payroll employment increased 1.3 percent after three years of decline. Initial unemployment claims declined 8 percent in 2011. Bankruptcies dropped 15.9 percent.

"Nonetheless, my budget team and House and Senate fiscal committees have warned, we must remain wary of the current national and European economic uncertainties, which continue to loom ahead. Earlier this month, the Council on Revenues projected a 3 percent decline in our revenue forecast, which amounts to \$130 million. The question then, is how do we address what could be a daunting fiscal picture.

"Last year, when the revenue projections plummeted, we met the enormous challenge, and I want to emphasize, we met this enormous challenge of our shortfall through shared sacrifice and collaboration. We

instituted fiscal prudence and discipline, through tools provided, and I thank you, by the Legislature. The result was a general fund balance, today, of \$126 million; a \$300 million plus dollars turn around in a year. That is fiscal discipline. That's showing what Hawaii can do when we all work together. This was the first positive balance achieved in three years.

"Despite this budget success, current fiscal uncertainties swirling around us mean that our supplemental budget proposal must reflect continued discipline. Through our strong management of resources in 2011, we were able to achieve nearly \$86 million in general fund savings. It's these savings that we will use to propose initiatives that will support and strengthen our economic recovery.

"The first is construction. All the signs show that private investment and construction appears hesitant and tentative. Therefore, it is the public sector that must step up to invest in repairs and maintenance, construction projects and infrastructure improvements. By aggressively putting these projects into action, we will ensure that job creation continues.

"Our recent bond and refinancing sale of nearly \$1.3 billion, along with \$1 billion in projects that are already on the budget books, thanks to the Legislature, and another \$300 million that I am proposing in this supplemental budget, will spur an immediate rise in job growth.

"These New Day Work Projects were chosen because they not only address critical infrastructure needs, but more importantly, they are primed and they're ready to go. We looked for projects that were not mired in permitting delays, or only in design and planning stages, but rather those that are ready to provide impact now.

"After my initial discussions with the House and Senate, I know we are all committed to looking at an aggressive budget schedule for these repair and maintenance construction projects. I am committed as well to working with you to make sure that we have a healthy and strong construction budget and a solid plan to continue our investment in our economy.

"But, investment is not only about immediate impacts to the economy. It's about our long term vision towards the future. A prime example is the proposed Pohukaina project that is designed around the consolidation of mixed-use and mixed-income. If we want to curtail sprawl and we want to protect precious available lands, we must focus on increasing urban density and provide working families affordable housing opportunities, assisted living opportunities, long-term care opportunities. This is the first step. This is a central project in that quest. It's the first step in future plans for further smart development along the corridor from Iwilei to Waikiki.

"Not only is it important to emphasize brick and mortar, but we must also build an infrastructure for technology to meet the demands of the 21st century. This is the intellectual and social infrastructure we must have to provide opportunities and experience for our people to become an advanced workforce that can compete in the global marketplace. This is why we have to have early education. This is why we have to back the Race to the Top. This is why we need to get our young people ready for the future. We are not going to leave our young people behind.

"We're going to move forward on our Hawaii Broadband Initiative. We'll be requesting \$2.9 million to enhance the online services for eHawaii.gov, advance research for trans-Pacific fiber landing stations statewide, and initiate a "one-to-one" laptop program for all of Hawaii's schools that will provide laptops for every single student. Not only are these advances needed, but they are crucial in ensuring Hawaii's global connectivity and technological advancement.

"We'll also be seeking more oversight of telecommunications by putting it in the Department of Commerce and Consumer Affairs. Telecom will now be regulated by one agency, rather than having multiple functions spread over multiple departments.

"Similarly, we are ... Scattered applause. You can put that right in there if you want. Similarly, we're moving forward on our comprehensive plan to consolidate all of our State technology under the Office of Information Management and Technology, led by Hawaii's first Chief Information Officer, Sonny Bhagowalia. Stand up. You're the one I'm going to blame if

it doesn't work. I'm introducing him personally because afterwards I'm going to ask the legislators *en masse* to say his name five times in a row very quickly.

"It reminds me of the first day that I ever taught. My first day at the University of Hawaii. Saturday morning, eight o'clock. We were on a six-day week then. And the *haole* boy from the East Coast was coming in to teach. I was scared to death of taking the roll, because the first name on the list was Sampson Poomaihealani. I got it right, and Sampson and I have been friends for 50-plus years. 50-plus years. Sonny, you're easy.

"For this important mission, we are requesting \$10 million.

"Finally, in this area of our economic future, we must never forget that we need to invest in being proper stewards of our *Hawaii nei* as Governor Ariyoshi has reminded us. We must nurture our environment, not only because it is *pono*, but because it is an essential investment for *kama'aina* and visitors alike. It is for that reason that I am proposing that we invest \$5 million in protecting our watersheds. If we are going to nurture the *ahupua'a* of every island, we need to keep the oceans blue. We must save Hawaii's forests and preserve our water resources.

"Ladies and gentlemen, paradise is our home. It needs our devotion and it needs our care.

"Our islands reflect travelers and attract travelers from around the world. So too, the film industry also depends on showcasing the beauty and variety of our Aloha State. We've seen what these islands can look like on big screen and television. Having top-rated television shows and award-winning films like "The Descendants," speaks volumes about Hawaii as a television and cinema venue. It is for that reason that we will be requesting the Legislature to look at the TV and Film Tax Credit with the intention of drafting necessary changes in making it permanent.

"All of our work comes down then, to one underlying purpose – to serve Hawaii and its people. I mean it broadly, and I mean it inclusively. It's part of our culture and part of our history. We're one *'ohana*, one family, one state. So, we create programs, we establish services, we pass laws to meet that obligation. In short, we best care for our people by investing in them.

"That investment begins, as I've indicated, with our youngest children. Early childhood education lays the foundation for a lifetime of learning and results in productive citizens who will someday manage our businesses, build our homes and offices, welcome our visitors, care for our sick, make new discoveries in science, enter this Legislature, cast votes on behalf of the people of Hawaii and lead us into the future.

"We're at a crossroads then when it comes to early childhood education. For too long, we have continued old patterns that treated early education as something that is optional, a luxury for only those few who have the means.

"Research shows that 85 percent of a child's brain development takes place before the age of five and that children who have quality early experiences are more likely to graduate from high school, attend college, contribute positively to the economy and to their families. Yet, many of Hawaii's children are entering school unprepared. It's time to invest in our children, and invest in our future, so that our state can thrive."

"My friends, that was a direct quotation and observation from 'Be My Voice Hawaii'. Be My Voice Hawaii who advocates for young children. It illustrates without equivocation that early education is not just an option; it's a fundamental necessity if we are to set the broader educational stage for our children. It is not just about learning to read and write. It establishes healthy attitudes towards learning that will stay with them throughout their lives. We also know that early education greatly enhances a young person's sense of self-worth and confidence and that, in turn, positively affects learning.

"Early childhood education must be the initial step on the education ladder. Failure to act now virtually ensures our children will be left behind. I cannot emphasize that enough. Failure to act now ensures that our

children will be left behind. If they are not our top priority, then we no longer know the meaning of that word.

"The State's Early Childhood Coordinator Terry Lock has put together a team to create a unified framework. This early education plan for the State will be the guide for building a stronger quality early care and education system for our youngest children and all their families. Investing in the next generation is the wisest decision that we can make as a people. And make no mistake – it is an investment with long-term returns that will far outweigh the initial costs.

"Last Session, I forwarded difficult proposals to you to address difficult times. In stark contrast to one year ago, as a result of the aforementioned tough-minded administrative and legislative action, the State finds itself in an all-too-rare financial situation of not having to pay for debt or to balance the budget by raising taxes.

"We will continue on this path of strong fiscal management and strategic financial investments, as indicated in Opening Day remarks by President Tsutsui and Speaker Say. Yes, I read those speeches and read them more than once. They're well worth reading, by the way. I commend them to your attention. I think we are in exactly the same position, right straight across. They were very, very excellent admonitions not just to ourselves, but a genuinely clear reflection of the context fiscally and programmatically that we find ourselves in.

"So, we now have the luxury of weighing solutions to behavioral and societal issues on their own merit. We can ask ourselves what will be most effective and do the most good for our children without the distraction of having to balance the budget on a new tax program.

"Nonetheless, the fact remains that the link between one of those issues that I mentioned last year, sugar-sweetened beverages and health is undeniable. The link between them is undeniable. The policies or the proposals that might be associated with that, in reaching out to deal with it, that may be subject to discussion. Obviously it is. How we go about it. Remember, in the beginning of my remarks I indicated how we are going to do things is the most important thing, if we agree on what needs to be done.

"The connection is undeniable. I have proposed then the establishment of a task force, with members from the public and private sectors, to identify and then implement a solution to this very real health issue in our State. This is a fiscal issue. This is a money issue. But it is fundamentally and primarily a public health issue. It is not going to go away and is only going to accelerate and be exacerbated in time to come. This group's objective will be navigating us away from the path that has led obesity rates in Hawaii to have doubled, doubled in the last 15 years. Sadly, more deaths and illnesses have occurred from chronic diseases than from contagious diseases in Hawaii. We're controlling contagious disease. It's the chronic disease that is getting away from us. That's why we're having these arguments that we're having today. Not maybe arguments. These discussions, having to confront the idea of healthcare costs. Why are the healthcare premiums rising? It's not spending. Spending is chasing the costs, and the costs are what are involved in us not having the kind of healthy lifestyle that we must have in order to survive.

"The Director of the State Department of Health recently noted that, 'Obesity is not just about losing weight for our children ...' That is not what I'm concentrating on. Yes, that brings us to an immediate focus, but it is a deadly accurate predictor of cancer, heart disease, stroke, diabetes and other mental and physical ailments. This will follow our children as it is following adults now throughout their lives. And it is having immediate impact on our Medicaid funding; an immediate impact on what constitutes Medicare generally throughout the nation; and immediate impact on what we have to do in order to meet our obligations with regard to healthcare premiums.

"So for these early childhood education and health initiatives, I'm only requesting \$1 million total, but we can do it. There is commitment throughout the State. There are people and groups ready to go to work on this, ready to come up with a consensus conclusion that we can get behind. Thank you for your attention to this because this, for this modest amount

of investment, can have long-term payoffs for us in terms of health and in terms of security for our people that can scarcely be measured at this time.

"As important as these issues are for our children, the issues affecting our *kupuna* are growing in importance in conjunction with their numbers. Last year, the first of the Baby Boomers reached retirement age. Hawaii acutely felt this demographic shift not only because of their sheer numbers, but also because Hawaii enjoys one of the highest life expectancies in the nation.

"That is why I am proposing \$1.4 million appropriation to begin creating one-stop shops across the State for information on aging, to assist all of our *kupuna* who face the challenges of aging and restricted mobility. We are working with federal, county and community partners to establish Aging and Disabilities Resource Centers, which will serve as a single point of entry for all long-term care support and services in the State. The centers will streamline eligibility determination, minimize the need to navigate multiple bureaucracies, and facilitate informed choices about long-term care. This group will address the question of assisted living; address the question of living in place; address the question of how do we meet the long-term care needs of our people. But this initiative to ease access to services is only the start. We need then to have a further and deeper conversation about long-term care. Seniors want to age in their communities, they want to age in their homes. But more importantly, they deserve to do so; they deserve to do so with dignity. That is why I am committed to strengthening our system of home- and community-based services. These needs can no longer, and should no longer, be ignored.

"As I mentioned earlier, the sudden shut down of two Hawaii Medical Center hospitals on 'Oahu at the start of this year emphasizes this issue. It had widespread ramifications throughout the medical community and the State, including those who suffer from kidney-related diseases.

"An emergency appropriation for a grant of \$1.8 million to the National Kidney Foundation of Hawaii will support this important health service. It's fundamental. It is just fundamental. I suspect there will be very few of us in the State, at some time or another, who are not going to have someone in the family, or friends, or in the community that you know who's going to need dialysis. That's part of the legacy of not coming to grips with our nutritional and health needs to this point. We pledge to help those who have stepped forward in the private sector to ensure that the people of Hawaii have this crucial medical care and expertise.

"Our State Department of Labor and Industrial Relations immediately provided rapid response services to employees at the Hawaii Medical Center worksites, giving them information on applying for unemployment benefits, health insurance options, potential workforce training programs and other services.

"We appreciate all the assistance the Department has received and I want to emphasize that. Everyone has pulled together here. I'm very, very grateful, as is everybody in the Department of Labor and Industrial Relations. We're grateful that you put these opportunities together and you're helping these workers transition. In Hawaii, we must think of ourselves as *'ohana* first and that's what's taking place today.

"It reflects a spirit of aloha, and this spirit of aloha is deeply rooted in the diverse cultures of these islands. We must never forget that it is the culture of our Native Hawaiians that we so proudly share with ourselves and the world that causes this to be in the forefront of our consciousness. The recent settlement in principle with the Office of Hawaiian Affairs directly addresses ongoing issues that have remained unresolved for decades. The proposed settlement transfers about 25 acres in Kaka'ako to the Office of Hawaiian Affairs. OHA can use that resource to immediately benefit Native Hawaiians. We're going to stop talking about what needs to be done and give Native Hawaiians the opportunity to do something for, and with themselves now.

"In turn, this proposal provides approximately \$200 million in value to settle claims against the State. More importantly, it brings closure to this longstanding rift allowing both the Native Hawaiian community and the State to move forward. It is my hope that this proposal heals old wounds.

"We have also begun to make progress in one of the biggest challenges faced by the whole community – homelessness. A coordinated approach and strong desire to help people has been the basis of a multi-pronged effort to assist the homeless in Hawaii – to provide not only temporary shelter for those who need it, but to help them to become productive citizens.

"We have and we will continue to invest in the potential of those who are currently homeless. That's what we're focusing on. This is not a dead end. Everyone has potential. And that's what we're going to focus on relentlessly. In July 2011, I signed an Executive Order that established the Hawaii Interagency Council for Homelessness, a 24-member council comprised of community leaders, State department directors, federal agency representatives and others to develop a unified plan on addressing homelessness. We had never had unity of effort previous to this. The Council aligns its efforts with the United States Interagency Council on the Homeless, established by President Obama in 2009.

"Led by the State's first Coordinator on Homelessness, Marc Alexander, the Council worked to bring together a patchwork of organizations that are now seamlessly put together in a single quilt to meet their goals of: 1) increasing transitional and permanent housing options, and 2) acquiring increased federal funding and funding from any other sources that can aid and abet this process.

"Now, all these initiatives that I've been discussing are not only about saving or spending money, or programs or projects. It is about how to spend the precious taxpayer dollars.

"A key example of this is the Justice Reinvestment Initiative. The data is clear that from 1997 to 2010, violent and property crime throughout the State steadily decreased by nearly half. But despite these improvements in public safety, the incarceration population has remained the same. We must change the way in which our laws work, change the way in which the system works, so that we can make a clear distinction between those that need to stay in prison to keep the public safe, versus those who present little risk or have the potential to be rehabilitated. But, we must also provide proper and consistent supervision of those who are released so that we can act with dispatch when any offender fails to take advantage of the opportunity offered for a productive life. I can speak, as many of you know, with some authority in this area as a former probation officer.

"The Justice Reinvestment Proposals have nothing to do with any decline in public safety. I hope we do not have a false argument about whether or not we want to keep people safe. There is not a legislator here, there is not a responsible citizen anywhere in Hawaii that is talking about at all, with declining safety or imperiling public safety. What we're talking about is, as a matter of fact, the exact opposite. If you keep people in prison for long terms; if you keep them away from their family and their community; if you separate them from the possibility of being able to integrate themselves back in to a society, I can guarantee that you're going to have not just recidivism, but you're going to have destroyed families and destroyed possibilities.

"However, for those particularly in the grip of today's drug culture, if we can give them an alternative; if we can work with them together as a community, for those who do want to take advantage of it. Then I can assure you that this reinvestment procedure, the changes that we're seeking to make will have a positive benefit for everybody, including seeing to it that public safety is first and foremost, and a future for the individuals who can be rehabilitated can be assured.

"So after this unprecedented collaboration with the Governor's Office, the Justice Department, the Public Safety Department, key lawmakers, the Judiciary, The Council of State Governments Justice Center, we will be proposing legislation that will improve the criminal justice system using the most up-to-date strategies. And we'll do this with existing resources. I'm not asking for a dime for this. I'm not asking for a penny extra for this. I'm asking that we use our brains, and we use our aloha with one another and make it work for all of us.

"And I'd be totally remiss, if I'm talking about how we spend our money, if we didn't ask ourselves, "Why do we continue to send billions of dollars



a year outside of the islands to meet our energy needs?" If there's one thing we export from Hawaii it's dollars. It's our major export, for oil, for food, for prisoners. We've got to keep these dollars here in Hawaii, and we most especially have to keep them here where energy is concerned.

"Two weeks ago, Tesoro Corporation announced it would be selling its refinery here in Hawaii. This news is not a surprise. Over the years, I have indicated we are at risk given the rising cost of crude oil and the severity of speculation in the global world market. Does everyone understand that the speculative price of oil in Singapore is what dictates what happens to us here in Hawaii? If you want to talk about being a victim of globalization, or you want to talk about how globalization affects all of us, just reflect for a moment on the fact that we are totally in the hands of oil speculators in Singapore, because that's where the price is established for the oil that's imported. I know that there is uncertainty for current employees at Tesoro as it starts the process of seeking an appropriate buyer. Again our Department of Labor and Industrial Relations stands ready to provide job assistance for those who need it.

"I also know there is uncertainty for those who are wondering what the sale of the State's largest refinery means to the cost of fuel in the State. Well, Hawaii has never had control over the high cost of energy. Going back, and I daresay Governor Ariyoshi will agree, certainly when I first came into the Legislature, we were talking about the high cost of fuel. This is something that we've tried to come to grips with over the years, and we've always had to look to an outside source to see if we could get somebody out there to pay attention to us in a positive way. Well, how's that working? Not very well. We're going to have to take our destiny in to our own hands. So, one thing is certain – and you have heard this before – we must lessen our dependence on imported oil. It has to stop, to the degree and extent we can make it happen.

"This is not just an issue then about sustainability. This is about the survival of our State. In moving forward our path to advance a clean energy future, failure is not an option. Reducing our dependence on imported oil will take an equal commitment by government, business, community, family and individuals. We can no longer view energy production or distribution as an island-by-island operation. We must be united on a statewide basis to produce and distribute energy. My Administration is committed to clean alternative and renewable energies for the benefit of all of our islands.

"In November, I signed two international agreements that demonstrate that commitment. The first was signed during the APEC Summit with the Vice Chairman of the China Council for Promotion and International Trade to pursue mutual interests in clean energy development. This year, we will continue to build upon that relationship and, by April, I hope to have a more defined Memorandum of Understanding to advance projects that will result in business opportunities.

"I signed a second agreement with Japan-based New Energy and Industrial Technology Development Organization (NEDO) to collaborate on building a first-of-its-kind smart grid demonstration project on the Island of Maui.

"For this project, Hitachi, NEDO and Mizuho are investing \$37 million in advanced smart grid technology to improve integration of variable and renewable resources into the electrical grid. These agreements mark Hawaii's emergence as the test bed of the Pacific for clean energy demonstrations and clearly indicates the promise that energy projects offer for economic growth, and I want to thank the Lieutenant Governor, Brian Schatz, for heading everything that we did in APEC, for reaching out to the Asia-Pacific region. Particularly in terms of energy, for getting people in Japan and China to understand that we have a test bed here in the Pacific. And I think that his efforts need to be recognized. Lieutenant Governor Schatz, we thank you.

"In no small measure, thanks to the efforts of members of this Legislature and our Department of Business, Economic Development and Tourism, and our Lieutenant Governor, there are currently about 80 renewable energy projects that are demonstrating progress in becoming commercial enterprises which have the potential, obviously, to serve and help the State of Hawaii achieve its energy goals. My Administration will

continue to look at every option – wind, solar, natural gas, photovoltaic, geothermal, bio-fuels, ocean energy and other technologies. We'll be aggressive, but respectful in our approach of the island environment

"These projects are just the first step, and in the next few months we will be unveiling a comprehensive roadmap for the State, beginning on the Big Island of Hawaii. We're going to be building a world-leading, sustainable economy standing on our people's history of self-sufficiency in both food and energy. It's time for us to work together, and the Big Island is going to lead the way. It's time for us to put our willpower to our resources and make this a reality, not just for the Big Island, but for the State as a whole.

"That is why I have assigned Lieutenant Governor Schatz to coordinate and support these energy priorities. We must stay the course when it comes to advancing our clean energy future and ensure that collaborative decisions are being made. Swift and appropriate regulation must take place, as well as healthy competition and local entrepreneurship, community involvement and integration.

"The time for sustainability rhetoric is over. Bold action is needed now. In order to accomplish that ... Thank you, Gil. In order to accomplish that, we must address two critical issues to position ourselves for increasing use of alternative energy – reliability and infrastructure. This is not just some rhetorical device that we're going through here. We know what we have to deal with, the infrastructure part and the reliability part.

"While Hawaii has an abundance of natural resources that I've just outlined, we can tap into those. But the system cannot maintain itself solely with sources that shift with the changing of the wind or the sun hiding behind the clouds. The system demands a clear measure of reliability to feed that energy into the grid. Therefore, one of my primary energy initiatives will be to provide the Public Utilities Commission with the explicit authority to develop, adopt and monitor electricity reliability standards. This will include jurisdiction over how independent power producers connect to the grid. Currently, while the PUC can take on issues through its formal docket process, there is no comprehensive authority to oversee reliability standards. We simply can't succeed unless we do this. To ensure that we have control over the reliability of the energy feeding into the system, we need to give the PUC this authority.

"But more importantly, we need to create the infrastructure for stability. This means making the long-term infrastructure investments that ensure our electric grids are stable, reliable and modern enough to integrate alternative and renewable energy technologies. Our investment will benefit future generations. Had we made this commitment in years past we would be benefitting from it today. We cannot ignore it any longer.

"One of those investments is an undersea cable that can connect our island grids to provide stable, reliable electricity between the islands. This integrated grid will provide stable energy prices and equalize rates between the islands, which will benefit all of us. To pay for this critical piece of infrastructure, we are proposing legislation that will attract private capital resources and expertise, perhaps even international. In today's uncertain world, we cannot postpone Hawaii's clean energy future any longer. We can only get there if we move now. There is no legislation more critical to our future.

"I assure you, the energy debates that will take place this Session will echo the debates that took place here when I was a legislator in these Chambers. This goes back to Governor Ariyoshi. It goes to Governors Waihe'e and Cayetano. We were here when the energy committees presented similar admonitions to us in the 1970s. We have to act. We cannot wait any longer. Let us not repeat a history of failure by failing to act in 2012.

"I want to close if I might, with something that exemplifies what aloha is all about. Whether these initiatives are aimed at reducing our dependence on fossil fuels, or to assist and uplift the homeless, or to help our *kupuna* or our children, all represent wise, and I believe prudent investments in our people. The cost of not taking action now will most certainly result in higher costs not only in dollars, but in social dysfunction as well.

"I am deeply grateful to Speaker Say and President Tsutsui for clearly recognizing and delineating the opportunity to work together on these issues in their respective Opening Day remarks. With the theme of "*Pupukahi I Holomua – Unite to Move Forward*," they have specifically referenced the main objectives that I've outlined – growing a sustainable economy, investing in people and transforming government. I want to extend my pledge to Members of the House and Senate here assembled, to work collaboratively with you to serve all our constituents.

"I know for many it is hard to see beyond today's needs when today's needs loom immediate. But unless dealt with now, today's challenges can only multiply in difficulty. We have the obligation to make a better future for our children. We live in paradise and taking care of each other is a value that's fundamental to the aloha spirit. This is about having aloha for one another and doing what is *pono*. What is *pono* then? What is aloha for each other all about?

"At one point, when the way forward was not always clear to me, Representative Karen Awana sent me a note, the essence of which was, *A'ohe Hana Nui Ke Alu 'Ia* – no task is too big when done together by all. I keep it at my desk. I have it with me now for when I can use a little reminder of the meaning of aloha for one another.

"There is a Buddhist saying, "Words have the power to destroy or to heal. When words are both true and kind they can change our world." Her kindness and her goodness is truly aloha in every way. I pledge my aloha to you all in that spirit. *Mahalo nui*."

"*Imua Hawaii*."

President Tsutsui then rose and stated:

"Thank you, Governor. On behalf of the Senate and the House of Representatives, we would like to thank you for addressing our entire State this morning. We greatly appreciate your leadership and vision, and your enthusiasm and passion in which you lead our great State. While we agree that the past year has been very challenging, the foundation that your Administration has laid provides a basis for us to build upon and move forward.

"We are here today to pledge our support to help you shoulder the burden of any anticipated and unanticipated challenges during this Legislative Session. Through collaboration, *pupukahi i holomua*, we will realize an even better tomorrow.

"With no further business, I declare this Joint Session adjourned."

At 11:02 o'clock a.m., President Tsutsui declared the Joint Session of the House of Representatives and the Senate of the Twenty-Sixth Legislature adjourned.

#### ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 12:00 o'clock noon, Wednesday, January 25, 2011.