

## SEVENTEENTH DAY

**Monday, February 14, 2011**

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 12:11 o'clock p.m., with Vice Speaker Manahan presiding, after which the Roll was called showing all Members present with the exception of Representatives Souki and Thielen, who were excused.

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

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 127 through 129) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 127, dated January 18, 2011, transmitting the Hawaii Ocean Resources Management Plan 2010 Annual Report, prepared by the Department of Business, Economic Development and Tourism, Coastal Zone Management Program, pursuant to HCR 137, SLH 2005.

Gov. Msg. No. 128, dated January 24, 2011, transmitting the Annual Report on the Status of the Office of Health Care Assurance Special Fund, prepared by the Department of Health pursuant to Section 321-1.4, HRS.

Gov. Msg. No. 129, dated January 27, 2011, transmitting a Report on the Statewide Children's Mental Health Services Plan, pursuant to Section 321-175, HRS, and the Biennial Review of Progress Made on the Child and Adolescent Mental Health Division's Four-Year Strategic Plan, pursuant to Section 321-176, HRS, prepared by the Department of Health, Child and Adolescent Mental Health Division.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 10 through 14) were received and announced by the Clerk:

Sen. Com. No. 10, transmitting S.B. No. 656, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," which passed Third Reading in the Senate on February 11, 2011.

Sen. Com. No. 11, transmitting S.B. No. 1281, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on February 11, 2011.

Sen. Com. No. 12, transmitting S.B. No. 1286, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," which passed Third Reading in the Senate on February 11, 2011.

Sen. Com. No. 13, transmitting S.B. No. 1288, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," which passed Third Reading in the Senate on February 11, 2011.

Sen. Com. No. 14, transmitting S.B. No. 1386, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on February 11, 2011.

On motion by Representative Evans, seconded by Representative Pine and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives Nishimoto and Thielen were excused.)

S.B. No. 656, SD 1  
S.B. No. 1281, SD 1

S.B. No. 1286, SD 1  
S.B. No. 1288, SD 1  
S.B. No. 1386, SD 1

## INTRODUCTIONS

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

Representative Luke introduced students from the Pacific Buddhist Academy along with administrators, Mr. Pieper Toyama, Head of School; Mr. Josh Morse, Assistant Head of School; and Mr. Flynn Corson, Dean of Students.

## ORDER OF THE DAY

At 12:16 o'clock p.m. Representative Pine requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:25 o'clock p.m.

## REPORTS OF STANDING COMMITTEES

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 238) recommending that H.B. No. 158, pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 158, pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Yes, Mr. Speaker, I rise in opposition to this bill. Essentially, if you're a passenger in an uninsured vehicle, and you may not even know that the vehicle is uninsured, and somebody else causes that accident. You're not in the car of the responsible driver, but another vehicle is responsible for the accident. This will take away your ability, as a passenger, to sue that driver for injuries. This will severely curtail that ability.

"So essentially you would have to verify every time you get into a car that the driver has insurance and has to show you his insurance card. It's the same situation if you happen to borrow somebody's car and not know that it is uninsured, and you get into a wreck. Again, it takes away your ability so that's why I object to this measure."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 158, entitled: "A BILL FOR AN ACT RELATING TO UNINSURED MOTOR VEHICLES," passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, with Representative Fontaine voting no, and with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 239) recommending that H.B. No. 623, as

amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 623, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"I just have some reservations on Stand. Com. Rep. No. 239. Just some reservations. As many of the Members know, I like to be tough on crime. So when we're tougher on crime, I'm usually in favor of that. But I just have some concerns about this one. That you could spend up to 30 days in jail for texting while driving. That might be a little too stiff while we're still in an education process of getting our drivers to not do that."

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

"Yes, Mr. Speaker. I also stand with reservations and have comments. The problem with this measure is that if you happen to be texting and you kill someone while driving, it makes it a Class B felony. However, if you simply just kill somebody with your vehicle, it's a Class C felony."

"So this measure actually conflicts with the negligent homicide statute currently on the books. And it would only be for texting to be Class B. So if you were putting on your makeup and you crashed and kill someone, it would still be a Class C felony. It basically carves out only people who are texting and making the penalty the more severe than the crime that is currently on the books."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 623, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OPERATION OF MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 240) recommending that H.B. No. 916, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 916, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Yes, Mr. Speaker. I'm standing with reservations on this measure as well. Presently the cost for administrating the handicap parking program is about \$500,000 per year. By tacking on a dollar, it is estimated that we will raise almost a million dollars. However that money will be placed into a special fund, and that will increase the cost of administrating the program by \$250,000. This was all part of the testimony at Committee."

"So we're increasing the cost to administer the program and ending up with an excess of \$250,000, which will accumulate over years, and then afford the opportunity for the Legislature to then go and raid that money at a future date. So I have my reservations because of those reasons."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 916, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR PARKING FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 241) recommending that H.B. No. 1493, as

amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1493, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 242) recommending that H.B. No. 245, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 245, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 243) recommending that H.B. No. 1069, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1069, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1069, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EFFECT OF FINDING OF UNFITNESS TO PROCEED," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 244) recommending that H.B. No. 563, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 563, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 245) recommending that H.B. No. 566, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 566, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Thank you. Reservations and a comment, please. Thank you. I understand that we have some difficult financial challenges this year, and the purpose for this bill is to help balance the budget. I am however very concerned that it would effectively cut back the tax credits for a very important and growing industry, the solar power industry. So the tax credits would be limited to \$7 million. That will send again, shudders and shockwaves through the industry, and I think that would be very bad for this State in many ways. But I understand it is going on to Finance, so reservations, please."

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

"Mr. Speaker, I rise in opposition to this bill. Mr. Speaker, we are the world leaders in renewable energy. We are the ones that people look to as a way of promoting and using, and harnessing the sun, the waves, the ocean, etc., etc.

"But this bill is a real step backwards. It turns us from world leaders into wimps, quite frankly. If we're going to cut it by \$7 million or 50%, let's look back at the last three decades. We had this in place. We only got 25% solar on our roofs. Even with the incentives in place we've only been able to do about 25%. In the last six to twelve months, eighteen months, we've soared in terms of job creation, and in terms of getting solar and photovoltaic on our roofs.

"Why we would want to do this at this time? To me it's cutting your nose to spite your face. Penny wise, pound foolish. To save a few million dollars, we take world leadership and set it aside. We need to incentivize. We need to increase. Even with the bill that hasn't been heard yet, the PACE Bill, to get a bond funding so people can get solar on their roof without even having to put the money up front.

"So, Mr. Speaker, this is really a bad bill. We should be increasing the ceiling instead of decreasing it. And quite frankly, this is the first bill that is a job killer bill for the 2011 Session."

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

"Thank you, in support. We are looking at the HD 1, and not the original bill. It doesn't have the cap. It's a good bill. It's going to Finance. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 566, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representative Ward voting no, and with Representative Thielen being excused.

Representatives Brower and McKelvey, for the Committee on Tourism and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 246) recommending that H.B. No. 647, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 647, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary, with Representative Thielen being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 247) recommending that H.B. No. 721, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 721, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOSTER YOUTH," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 248) recommending that H.B. No. 1405, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1405, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1405, entitled: "A BILL FOR

AN ACT RELATING TO PLANNING," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 249) recommending that H.B. No. 1431, pass Second Reading and be referred to the Committee on Finance.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 1431, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

Representative Marumoto's written remarks are as follows:

"The Kahala neighborhood is under siege. For the past 5 or 6 years, one incredibly wealthy individual has purchased over 2 dozen properties and had badly neglected them. Now he is talking about creating a museum in this single-family neighborhood.

"Residents and the City Department of Planning & Permitting have been vigilant in citing this individual over 50 times. When it comes time to pay up, the City Corporation Counsel has let this owner – and several others – off the hook by paying only 15 cents on the dollar. So the last time, he only had to pay \$15,000. Recently, after community admonitions that the City government could use the money, Corp Counsel settled for 25 cents on the dollar – or \$25,000.

"HB 1431, Relating to Covenants, asks the City to enforce the Bishop Estate covenants adopted by Kahala residents after they purchased the lease fee interests. They are stricter than current City ordinances and primarily cover maintenance, setbacks, and use of land. These covenants may help the City better police the neighborhood.

"Kahala Avenue is a well-travelled boulevard used by residents and tourists alike. Long-time residents are sad to see the area desecrated and demolished. Please vote for HB 1431 to allow the City to enforce the old Bishop Estate Covenants."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1431, entitled: "A BILL FOR AN ACT RELATING TO COVENANTS," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 250) recommending that H.B. No. 453, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 453, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," passed Second Reading and was referred to the Committee on Finance, with Representative Thielen being excused.

## SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering a certain House Bill for Third Reading by consent calendar. (Representative Thielen was excused.)

## THIRD READING

### H.B. No. 1077, HD 2:

Representative B. Oshiro moved that H.B. No. 1077, HD 2, pass Third Reading, seconded by Representative Evans.

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

"Yes, in opposition. I apologize for voting no so early in the Session. I was hoping to work with this bill a little bit more, but it has gone through the House rather quickly and so I'm going to go by what my constituents who own businesses and have employees have told me.

"What has happened in the last year is for some of the businesses in my district, they've gone from an average of maybe paying \$200 to \$300 for the unemployment insurance tax, to now paying \$640 per employee. In July that will go up to an average of \$900 an employee. So that's a huge jump from just about a year and a half, go from \$200 to \$300 to about \$900 to pay for an employee. For a small business that's a lot.

"What this bill does now is it raises the Employment and Training Fund. It may seem like it's small because it's \$6 an employee, but when we add all these things together, plus the increased cost in electricity and the economy the way it is, and they're cutting back already, it just seems like everything is like a little paper cut and this is the final little paper cut that's going to really hurt the businesses in my community.

"They do understand that this Fund does need to be replenished, however we're increasing this to pay for interest that is going to be paid to the federal government for borrowing from them to help this fund.

"However, I guess I have a lot of trust in President Obama. Yes, believe it or not, I do. He has pledged to waive all the interest that would have been charged to the states for this very reason that we're raising the \$6.

"So I was kind of hoping that this would take a little bit more time to get through the Legislature so we can see the President's budget, which I understand it is in the budget of the President. So I think this is just a little bit too premature for now."

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

"Mr. Speaker, I'm standing in support. I just wanted to point out and make sure it gets in the Journal that the way the bill was drafted, it adds a provision that if Title II interest payments are waived by federal law, interest payments collected by employers will be applied to the Employment and Training Fund assessments for 2012 and no further assessments will be collected in that year. And also that this bill is only applying to calendar year 2011. This is the way the bill is drafted. Thank you."

Representative Ward rose, stating:

"Mr. Speaker, would the Chair of Finance submit to a question?"

At 12:37 o'clock p.m. Representative M. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

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

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

"Mr. Speaker, I will be voting in favor of House Bill 1077, House Draft 2. And we have assurances that this bill is the increase on the Employment and Training Tax is only for one year. It's a very small tax, but we were concerned about the use of the word 'increments' in it that could be increased by one person, the Director, in increments of .01% and there was no cap on it.

"So that was our apprehension. We think the intent of it is to use this until the bill, the loan, is paid off. I think that people should be aware that this is a percentage of the Unemployment Insurance Tax. That tax went up quite high, and it will be close to a \$1,000 in the next year. This rises with the increase in percentage of the Unemployment Insurance Tax. So I just wanted to flag it out for employers to know that this is how this Employment and Training Tax will go up.

"So hopefully it is only for one year. Hopefully the federal government will forgive the interest, and then all we have to do is pay the principle. Thank you."

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

"Mr. Speaker, in support. Just to put everyone's minds at rest. Section 5 of the bill which is at the very end of the bill. This actually will take effect upon its approval, and shall apply retroactively to January 1, 2011, provided that on January 1, 2012 this Act will be repealed. So this is for only one year.

"The rates would have gone up much higher for Unemployment Insurance Taxes if this Body and the Legislature had not, and Governor had not signed last year, Act 2, which gave tax relief, employment tax relief for both 2010 and 2011, and the Chamber of Commerce supported the bill.

"In fact the Chamber of Commerce supported borrowing a lot more money which would require paying back a lot more interest. So I think this is a prudent thing to do since we do have to pay back the interest, and we can't pay it back with the Fund itself. Mahalo."

Representative Pine rose to respond, stating:

"I really appreciate the clarification and I feel a little bit more easy, but I'm still in opposition. I know it sounds really great, and I know that everyone worked really hard on this bill, and I appreciate the Chamber. But when I hear from the small businesses in my community, one business has pretty much had to lay off all their employees already, and it's down to the son and the daughter and the husband left as employees working for minimum wage and so they, I know, will not be for this."

The motion was put to vote by the Chair and carried, and H.B. No. 1077, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Pine voting no, and with Representative Thielen being excused.

At 12:43 o'clock p.m., the Chair noted that the following bill passed Third Reading:

H.B. No. 1077, HD 2

## INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 40 and 41) and concurrent resolutions (H.C.R. Nos. 47 and 48) were referred to Printing and further action was deferred:

H.R. No. 40, entitled: "HOUSE RESOLUTION REQUESTING THAT ALL EATING ESTABLISHMENTS AT THE UNIVERSITY OF HAWAII-MANOA CAMPUS BE REQUIRED TO ACCEPT STUDENT MEAL CARDS," was offered by Representative Nishimoto.

H.R. No. 41, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES NAVY TO DESIGNATE A PORTION OF THE WAIPIO PENINSULA SOUTH OF WAIPAHU DEPOT ROAD AS A STATE PARK," was jointly offered by Representatives Cabanilla, Aquino, Pine and Cullen.

H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT ALL EATING ESTABLISHMENTS AT THE UNIVERSITY OF HAWAII-MANOA CAMPUS BE REQUIRED TO ACCEPT STUDENT MEAL CARDS," was offered by Representative Nishimoto.

H.C.R. No. 48, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES NAVY TO DESIGNATE A PORTION OF THE WAIPIO PENINSULA SOUTH OF WAIPAHAU DEPOT ROAD AS A STATE PARK," was jointly offered by Representatives Cabanilla, Aquino, Pine and Cullen.

#### ANNOUNCEMENTS

Representative Ching: "Thank you, Mr. Speaker. As you know, it's a tradition for me to get up here and speak on Valentine's Day. And it's usually a tradition that I have chocolate on everyone's desk, although we were early this year, on February 1st. And we're hoping everyone will go into their own neighborhoods and patronize the small businesses around them.

"And I just wanted to add that Valentine's Day, as many may or may not know, actually is named after St. Valentine who was a clergyman who was executed for secretly marrying couples in ancient Rome. And so February 14, St. Valentine's Day was established in the year 496 by Pope Gelasius.

"But more importantly and maybe relevant for Hawaii is that, may I add, that there are thousands, over 2,000 manufacturing establishments producing chocolate in the US, with California leading the nation, with Hershey, Pennsylvania, due to Hershey of course, in second. The fact is, that \$14.4 billion will be spent on this day alone, over a billion. Only Hawaii can grow chocolate.

"And the reason the connection between chocolate and St. Valentine's Day is because it has been proven now medicinally, that it improves the serotonin levels in the mind and it makes people press on. Because the reality is that chocolate was actually never for children. Chocolate was reserved for the warrior. For the warrior, the priest, and the royalty because it helped people to press on in war.

"So with that, but with your wonderful loved ones, I hope you will go to your neighborhood wonderful confectionaries and if you see Hawaiian grown chocolate, invest in Hawaii. Mahalo."

Representative Aquino: "Thank you, Mr. Speaker. Mr. Speaker, this past weekend we celebrated the life of a very special individual. Barney Hajiro had been the nation's oldest Medal of Honor recipient and a resident of Waipahu. He was an Army Private who served with the famed, segregated Japanese American 100th Battalion and the 442nd Regimental Combat Team in World War II. Mr. Hajiro who had battled cancer, passed away January 21st at the age of 94.

"On March 1943, he volunteered to join the 442nd. He and many of his colleagues were decorated for the regiment's most celebrated operation known as the rescue of the Lost Battalion. Its 14,000 men earned 9,486 Purple Hearts, 8 Presidential Unit Citations and 52 Distinguished Service Crosses, the second highest individual honor in the military. Mr. Hajiro received three of those. His honors also include the British Military Medal, and the Legion of Honor, the highest decoration awarded to him by the French Government.

"In 2000, President Clinton presented Mr. Hajiro with the Medal of Honor, the highest military decoration awarded by the United States Government for his extraordinary devotion to duty. Mr. Barney Hajiro epitomized the Unit's brash motto: Go for Broke, and will forever be remembered for his ultimate act of bravery and sacrifice.

"Mr. Speaker, at the appropriate time, I would like to request a moment of silence to honor and acknowledge Mr. Hajiro. Thank you, very much."

At this time, the Members of the House of Representatives stood for a moment of silence in honor of the late Mr. Barney Hajiro.

#### COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

#### H.R. Nos.

#### Referred to:

- 40 Committee on Higher Education, then to the Committee on Finance
- 41 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

#### H.C.R. Nos.

#### Referred to:

- 47 Committee on Higher Education, then to the Committee on Finance
- 48 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

#### S.B. Nos.

#### Referred to:

- 656, SD1 Committee on Energy & Environmental Protection, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
- 1281, SD1 Committee on Education, then to the Committee on Finance
- 1286, SD1 Committee on Finance
- 1288, SD1 Committee on Finance
- 1386, SD1 Committee on Higher Education, 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:

- 308, HD1 Committee on Judiciary
- 783 Committee on Finance
- 808 Committee on Finance
- 833 Committee on Transportation, then to the Committee on Housing, then to the Committee on Finance
- 904, HD1 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

#### ADJOURNMENT

At 12:48 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 15, 2011. (Representatives Cabanilla and Thielen were excused.)