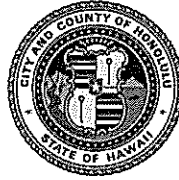


**LATE**

KIRK CALDWELL  
MAYOR



DIANE T. KAWAUCHI  
ACTING CORPORATION COUNSEL

March 15, 2013

**CONFIDENTIAL AND PRIVILEGED**  
**ATTORNEY-CLIENT COMMUNICATION**  
**DO NOT CIRCULATE**

The Honorable Karl Rhoads, Chair  
and Members  
Committee on Judiciary  
House of Representatives  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

Subject: Senate Bill No. 727  
Relating to Economic Development

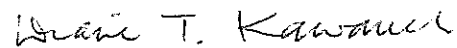
The Department of the Corporation Counsel, City and County of Honolulu respectfully opposes Senate Bill No. 727, Relating to Economic Development. The Bill significantly reduces the authority of the counties under Section 46-1.5 of the Hawaii Revised Statutes, as amended, by removing the right of the counties to enact ordinances deemed necessary to protect health and life and prohibiting the enactment of ordinances which conflict with the intent of state or federal statutes, rules, or regulations.

The interest of the City in the health and safety of its inhabitants is too essential a concern to be removed from its powers. The City already has ordinances which relate to the protection of the public health and safety. The prohibition on the enactment of ordinances which conflict with the intent of state or federal statutes rules and regulations is unnecessary as the City is already subject to such regulations.

The Honorable Karl Rhoads, Chair  
and Members  
March 15, 2013  
Page 2

For the reasons stated above, the City strongly opposes Senate Bill 727, and respectfully requests that the Bill be filed. Thank you for this opportunity to testify.

Very truly yours,

A handwritten signature in cursive script that reads "Diane T. Kawachi".

DIANE T. KAWAUCHI  
Acting Corporation Counsel

DTK:by

13-00757/275227

**LATE**

**SB727**

Submitted on: 3/15/2013

Testimony for JUD on Mar 15, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Annaliza Reiko Namiki	Individual	Oppose	No

Comments:

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**SB727**

Submitted on: 3/15/2013

Testimony for JUD on Mar 15, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Adam Hegi	Individual	Oppose	No

Comments: HANDS OFF PUBLIC PROTECTION RIGHTS OF COUNTIES

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**SB727**

Submitted on: 3/15/2013

Testimony for JUD on Mar 15, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Annjolie Vai	Individual	Oppose	No

Comments: I strongly oppose SB727

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**SB727**

Submitted on: 3/15/2013

Testimony for JUD on Mar 15, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
c.k.spellman	Individual	Comments Only	No

Comments: I am so strongly against this bill. Please do the right thing just oppose it and if you can't then kill it. Please it is the most sensible thing to do we need to be able to decide what is best for us all. Thank you

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**SB727**

Submitted on: 3/15/2013

Testimony for JUD on Mar 15, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Casey Sexton	Individual	Oppose	No

Comments: I oppose this bill!

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**SB727**

Submitted on: 3/15/2013

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dave Homcy	Individual	Oppose	No

Comments:

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**SB727**

Submitted on: 3/15/2013

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Faith Chase	Individual	Oppose	No

Comments: I strongly oppose this bill.

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**SB727**

Submitted on: 3/15/2013

Testimony for JUD on Mar 15, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
George Wood	Individual	Support	No

Comments:

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SB 727 would delete the wording that gives counties the power to enact ordinances to "protect health and life." Counties would retain the power to "protect property and preserve order and security" only.

Do you really want to give your family - your children, yourself - a government that values "property and order" over the "life and health of human beings?" What is the purpose of government if not to protect the health and life of its citizens? Please look to your conscience and vote against this outrageous bill.

If I understand the implications correctly, SB 727 would protect Monsanto's right to keep using toxic pesticides (protect property and order) while removing recourse for poisoned individuals and communities to seek protection from the county. This trend of chemical companies attempting to change laws in its favor is happening at the Federal level.

<http://naturalsociety.com/new-monsanto-protection-act-gives-monsanto-power-over-us-government/>

Also, who would propose such a frightening idea as to remove "life and health" - these are inalienable rights at the county level?

Thank you,  
Gina Hara  
Aiea, Oahu

**LATE**

**SB727**

Submitted on: 3/15/2013

Testimony for JUD on Mar 15, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jackie Reynolds	Individual	Oppose	No

Comments: I strongly oppose SB727. This strips counties of power to protect the residents. Mahalo.

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Submitted on: 3/15/2013

Testimony for JUD on Mar 15, 2013 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Julian Miller	Individual	Oppose	No

Comments: I am totally against this bill and the intrusion in the affairs of our state by the pesticide/biotech companies.

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kamaile Pahukoa	Individual	Oppose	No

Comments: I oppose SB727. Thank you for taking my position seriously.

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Submitted on: 3/15/2013

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nancy Chavaria	Individual	Oppose	No

Comments: I oppose this SB727. This removes important governing rights that will jeopardize the health and safety of citizens. Most Seriously, Nancy Chavaria

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Napua Hueu	Aloha Revolution	Oppose	No

Comments: I urge you to oppose SB727. I appreciate your listening position. Sincerely,  
Napua Hueu

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paul Solomon	Individual	Oppose	No

Comments: This bill strips counties of power to protect health and life of citizens. Please stop taking away our rights to govern ourselves at the local level. Please stop centralizing more and more power at the state level, especial when those of us on other islands cannot easily get to the capitol to make our voices heard.

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rodney Evans	Individual	Oppose	No

Comments: I believe our last line of defense against an oppressive government that has come to be dominated by big money and big corporations is the ability of counties to enact ordinances against such things as Genetically Modified Organisms being released into the ecosystem. For this reason I oppose any law that seeks to take the right of counties to protect their citizens and their environment away. This is such a law.

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roland Silva	Ka'ala Ranch	Support	No

Comments:

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sherry Lyn McNutt	Individual	Oppose	No

Comments: These changes to the role of the Counties is NOT ACCEPTABLE. Leave the language as written.

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