

## THIRTY-SEVENTH DAY

**Tuesday, March 23, 2010**

The House of Representatives of the Twenty-Fifth Legislature of the State of Hawaii, Regular Session of 2010, convened at 12:05 o'clock p.m., with Vice Speaker Magaoay presiding.

The invocation was delivered by Mr. Ryan Kalei Tsuji, son of Representative Tsuji, of the New Hope Christian Fellowship, after which the Roll was called showing all Members present with the exception of Representatives Ching and Say, who were excused.

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

## GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 215) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 215, dated March 12, 2010, transmitting the Department of Labor and Industrial Relations' (DLIR) Annual Evaluation of the Hawaii Unemployment Compensation Fund for fiscal year ending June 30, 2009, as required by Section 386-126.5, Hawaii Revised Statutes.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 352 and 353) were received and announced by the Clerk:

Sen. Com. No. 352, transmitting H.B. No. 1853, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," which passed Third Reading in the Senate on March 22, 2010.

Sen. Com. No. 353, transmitting H.B. No. 2027, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DISHONORED CHECKS," which passed Third Reading in the Senate on March 22, 2010.

Representative B. Oshiro moved to disagree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representatives Ching and Say were excused.)

H.B. No. 1853, (SD 1)

H.B. No. 2027, HD 1, (SD 1)

## DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 64) was received by the Clerk and was placed on file:

Dept. Com. No. 64, dated March 19, 2010, from M.R.C. Greenwood, University of Hawaii System, transmitting the Report on a Security Breach at the University of Hawaii Honolulu Community College on February 1, 2010, per Section 487N-4, Hawaii Revised Statutes.

## INTRODUCTIONS

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

Representative Mizuno introduced employees of the City and County of Honolulu and State of Hawaii: Ms. Yolanda Faria, Ms. Sharon Yamamoto, Ms. Belinda Ortega and Ms. Diane Hettwer.

Representative Tokioka, on behalf of Representatives Morita, Sagum and himself, introduced 7th and 8th grade students from Chiefess Kamakahelei Middle School with the SkillsUSA Program: Mr. Kaiea Iwasaki, Mr. Gregie Delos Santos, Mr. Taylor Cabacungan, Mr. Race

Nakamura, Mr. Kal Anacleto, Mr. Justin Doi; and their teacher, Mr. Justin Carvalho. They were accompanied by legislative staff, Mr. Elija Davenport.

Representative Berg introduced Ms. Jocelyn Bischoff of Olomana School who was participating in the Leader for a Day legislative shadow program. She was accompanied by legislative staff, Mr. Matt Prellberg.

Representative M. Lee, on behalf of Representative Yamane and herself, introduced students from Mililani Ike elementary School with their teachers: Ms. Celeste Inaki, Mr. Lance Nishimura, Ms. Jennifer Terao, Ms. Shelly Yoshikawa; and chaperones, Mr. Patrick Kelly, Ms. Heather Tufo, Ms. Mae Miyashiro, Ms. Shannon Quista, Ms. Laura Sato, Ms. Liz Nakamura, Ms. Heidi Sparks, Ms. Cheryl Miyaji and Ms. Michele Wada.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

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

H.R.  
Nos.Re-referred to:

81 Committee on Transportation

162 Committee on Tourism, Culture, & International Affairs

H.C.R.  
No.Re-referred to:

141 Committee on Transportation

S.B.  
Nos.Re-referred to:

2532 Committee on Water, Land, & Ocean Resources

2570, Committee on Education, then to the Committee on Finance  
SD1

2571, Committee on Education, then to the Committee on Finance  
SD2,  
HD1

2617, Committee on Judiciary  
SD1

## STANDING COMMITTEE REPORTS

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 929-10) recommending that S.B. No. 2910, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 929-10 on S.B. No. 2910, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2910, HD 1, were made available to the Members of the House.

## 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 Senate Bill for Third Reading by consent calendar. (Representative Say was excused.)

### STANDING COMMITTEE REPORTS

Representative Karamatsu, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 930-10) recommending that S.B. No. 2772, SD 2, pass Third Reading.

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2772, SD 2, entitled: "A BILL FOR AN ACT RELATING TO VETERINARY MEDICINE," passed Third Reading by a vote of 50 ayes, with Representative Say being excused.

At 12:15 o'clock p.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 2772, SD 2

### SUSPENSION OF RULES

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

### FINAL READING

Representative B. Oshiro moved to agree to the amendments made by the Senate to H.B. No. 2427, HD 1, (SD 1), seconded by Representative Evans.

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

The House of Representatives reconvened at 12:17 o'clock p.m.

The motion was put to vote by the Chair and carried, and the House agreed to the amendments made by the Senate to H.B. No. 2427, HD 1, (SD 1). (Representative Say was excused.)

### H.B. No. 2427, HD 1, SD 1:

Representative B. Oshiro moved that H.B. No. 2427, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

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

Representative Nakashima's written remarks are as follows:

"I stand in strong support of HB 2427, relating to solid waste management. This measure is a demonstration of representative democracy in action, Mr. Speaker, as it was an idea that resulted from a community meeting where a member of the Honoka'a Community lamented the waste of money that the County was required to pay in order to meet the provisions of the law. This measure before us would change that law by extending the period between the submittal of integrated solid waste management plans by the counties to the Department of Health from every five years to every 10 years with an interim status report submitted at the five-year point. I urge my colleagues to support it for a number of reasons.

"First, it would save each of the counties between \$100,000 to \$200,000 every five years. The scope of the revision of the plans requires significant staff time and the hiring of consultants. Although a few hundred thousand dollars amount may appear small in comparison to the size of our State budget, I am sure that my colleagues would agree with me in recognizing that in these difficult fiscal times, all cost savings must be utilized. I am

certain that the mayors and county councils can find better use for this money.

"In addition to the savings, this bill would assist the counties in more accurate urban planning, as the current period of five years between waste management plans is far too short. Extending the period to 10 years will give the counties a longer period to predict and analyze waste trends, making the plans much more useful. It will also allow each county's respective environmental management office to focus on other areas as each review can take up to two years to complete in order for data to be properly collected and analyzed. This will hopefully allow the counties to garner the time and resources to implement their plans instead of constantly revising them.

"Thank you, Mr. Speaker."

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

Representative Keith-Agaran's written remarks are as follows:

"Thank you, Mr. Speaker. I strongly support H.B. 2427, H.D. 1, S.D. 1, which changes the frequency for the counties to submit solid waste plans from once every five years to once every ten years. The additional time will make the plans a more practical and useable tool for all stakeholders.

"Submitting reports every ten years provides a longer period for planning and analyzing solid waste trends. The current five-year interval is too short to complete an accurate solid waste plan, and certainly in practice the present goal of periodic updating has been followed more in the breach than in the observance. The solid waste advisory committee needs at least one year's data to analyze and then write the report. This process can take well over two years resulting in counties continuously working on plan updates rather than putting more resources into actual implementation of plans.

"In addition to making the plan an exercise in real planning, this change will also save the counties money. The revision process is complex and costly, and usually involves hiring consultants to conduct the planning process. This amendment will save the counties between one hundred thousand to two hundred thousand dollars per county for each plan revision, and hopefully will result in more meaningful data for future revisions.

"I finally commend the gentleman from Honokaa for introducing this measure and the Chairs of the Committees in both Chambers who moved this measure forward in a timely and efficient manner. I urge my colleagues to vote in favor of this measure."

The motion was put to vote by the Chair and carried, and H.B. No. 2427, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE MANAGEMENT," passed Final Reading by a vote of 50 ayes, with Representative Say being excused.

At 12:19 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 2427, HD 1, SD 1

### DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative B. Oshiro moved to agree to the amendments made by the Senate to the following House Concurrent Resolution, seconded by Representative Evans and carried: (Representatives Say was excused.)

H.C.R. No. 67, (SD 1)

**FINAL ADOPTION****H.C.R. No. 67, SD 1:**

On motion by Representative B. Oshiro, seconded by Representative Evans and carried, H.C.R. No. 67, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PASS LEGISLATION THAT PROMOTES JOBS AND INNOVATIVE ENERGY DEVELOPMENT, HEIGHTENS NATIONAL ENERGY AND ECONOMIC SECURITY, POSITIONS THE UNITED STATES TO BE AN INTERNATIONAL LEADER IN THE FIELD OF CLEAN ENERGY, AND ADDRESSES THE CONSEQUENCES OF CLIMATE CHANGE WITHOUT PREEMPTING STATES' RIGHTS TO CONTROL EMISSIONS AND TO PROMOTE RENEWABLE ENERGY," was Adopted, with Representative Say being excused.

**ANNOUNCEMENTS**

Representative McKelvey: "Thank you, Mr. Speaker. This is just a reminder Mr. Speaker and colleagues, that we are reconvening for a Joint Session here at 2:00 p.m. today to award the Hawaii Medal of Honor in these Chambers. We just ask that if Members come a little early to be seated by 1:45, that would be great.

"And for those Representatives who have volunteered to partner with a family, please don't forget to introduce yourself to your assigned family before the Ceremony begins. I know they will greatly appreciate that. Thank you, very much."

**RECESS**

At 12:21 o'clock p.m., the Chair declared a recess and the House of Representatives stood in recess, and in accordance with House Concurrent Resolution No. 3, met in Joint Session with the Senate, for the Hawaii Medal of Honor Ceremony.

**JOINT SESSION**

The Joint Session of the House of Representatives and the Senate of the Twenty-Fifth Legislature was called to order at 2:03 o'clock p.m. by the Honorable Calvin K.Y. Say, Speaker of the House.

The Speaker addressed the Chamber, stating:

"The Joint Session called pursuant to a Concurrent Resolution adopted by the Members of the House and the Members of the Senate is called to order.

"This is indeed a momentous occasion. We honor the members of the Armed Forces of the United States, with ties to Hawaii, who fought and died bravely, in a combat zone designated by Presidential Order.

"On behalf of the Senate President and all of the Members of the Hawaii State Legislature, I convey our deepest condolences to our very special guests – the family, the friends and colleagues of loved ones, who have lost their lives overseas in the Middle East. Our prayers are with you, and we are honored by your presence here today.

"At this time please rise for the posting of the colors by the Joint Service Color Guard, the Hawaii Air National Guard, and the Royal Guard; and also remain standing for the singing of the National Anthem and Hawaii Pono'i by Ms. Tracy Toguchi; which will be followed by the invocation by Reverend William H. Kaina.

"Joint Service Color Guard and Royal Guard, please present the colors."

At this time, the Members of the House, Senate, guests, and audience rose for the presentation of our Nation's and our State's Colors by the Joint

Service Color Guard and the Hawaii Air National Guard, Royal Guard. The singing of the National Anthem and *Hawaii Pono'i* was led by Ms. Traci Toguchi, thereafter the invocation was delivered by Reverend William H. Kaina.

Speaker Say then addressed the Members, guests and audience as follows:

"Mahalo Joint Service Color Guard, to the Royal Guard, to Ms. Toguchi, and to Reverend Kaina for your participation in today's ceremony is greatly appreciated.

"To all of you here this afternoon, good afternoon and aloha!

"This is the 5th year that I stand on this dais in tribute to the recipients of the Hawaii Medal of Honor. On a personal note, it has not gotten any easier. Each year, I cannot reflect on the lives prematurely lost in the middle-East without feeling profound sorrow. I see the faces of the loved ones they have left behind, etched with a sadness and pain that I cannot possibly assuage. I wish I could.

"All I can do is to tell you that each of you has lost a remarkable father, mother, son, daughter, uncle, aunt, cousin, or friend this past year ... a true American patriot.

"While we take our everyday lives for granted, our soldiers are dying on foreign soil, under unforgiving conditions, to ensure that the rest of us may continue our lives and lifestyles. By their willingness to "walk the walk," instead of just "talk the talk," and by sacrificing their own personal security, they are sacrificing their own, giving up their lives which is their most precious gifts, that of liberty and freedom. We must always remember that these freedoms are not free--they have been paid for by the blood of our men and women in the armed forces.

"I only hope that you, who have lost loved ones, will be comforted in knowing that their sacrifice will not be forgotten. Many of you may not remember what was said today, but everyone will remember the brave men and women who perished in combat for the United States of America, and the ideals for which we stand. Each will be a part of a chapter in American history. Each will join the ranks of other gallant soldiers, who perished before them in conflicts dating back to our independence... all for the sake of democracy.

"President Abraham Lincoln expressed it best when he learned of Mrs. Bixby, a mother who lost two sons during the Civil War and he says and he wrote to her to say, in part:

"I cannot refrain from tendering you the consolation that may be found in the thanks of the republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom."

"I leave you with the knowledge that, one day, the name of your valiant soldier will be permanently inscribed in stone for future generations of Americans to know and appreciate. They will become eternal... like the light from the skies that brightly blesses our state and our country... forever.

"I wish you peace, comfort, and serenity in the memory of our fallen heroes.

"Before proceeding any further, I would like to acknowledge the presence of our military and congressional leaders. Would all of you please hold your applause until all of our distinguished are recognized."

At this time, the Speaker of the House introduced the following state, congressional and military leaders seated on the Floor of the House:

The Honorable Linda Lingle, Governor of the State of Hawaii;

Representing the Honorable Daniel K. Akaka, United States Senator: Mr. Ricky Oshiro;

Representing the Honorable Mazie Hirono, United States Congresswoman: Ms. Auli'i George;

Mr. Bill Paty, Civilian Aide to the Secretary of the Army Emeritus;

Ms. Christina Kemmer, Civilian Aide to the Secretary of the Army Emeritus;

Lieutenant General Keith Stalder, Commander, Marine Forces Pacific, and Mrs. Susan Stalder;

Major General Robert G.F. Lee, Adjutant General, Hawaii Department of Defense;

Major General Darryll D.M. Wong, Commander, Hawaii Air National Guard;

Major General Michael J. Terry, Commanding General, 8th Theater Sustainment Command, and Mrs. Cathy Terry;

Representing Lieutenant General Benjamin Mixon and the United States Army Pacific: Brigadier General John Ma;

Brigadier General Gary M. Ishikawa, Deputy Adjutant General, Hawaii Department of Defense;

Representing General Gary North and the Pacific Air Forces and 13th Air Force: Brigadier General H. Brent Baker, Sr.;

Brigadier General Stephen L. Jones, Commander, Tripler Army Medical Center;

Representing Major General Bernard S. Champoux and the 25th Infantry Division: Brigadier General James C. Nixon;

Brigadier General Alan Lynn, Commanding General, 311th SC (Theater), and Mrs. Brook Lynn;

Representing the Hawaii Army National Guard: Brigadier General Gary M. Hara, Assistant Adjutant General, and Mrs. Dianne Hara;

Rear Admiral Dixon R. Smith, Commander, Navy Region Hawaii, and Mrs. Kiki Smith;

Brigadier General Joseph Kim, Commander, 154th Wing, and Mrs. Kim;

Representing Rear Admiral Manson Brown and the Fourteenth Coast Guard District: Rear Admiral Steve Mehling;

Representing the Hawaii Army National Guard: Colonel Arthur Logan, and Mrs. Gaylene Logan; and

Representing Brigadier General Alexander Kozlov and the 9th Mission Support Command: Colonel Timothy Schroth.

The Speaker called upon the Honorable Linda Lingle to deliver her remarks as follows:

"Senate President Colleen Hanabusa, House Speaker Calvin Say, Legislators, Major General Bob Lee, all the military leaders here with us today, especially to the husbands and wives, mothers and fathers, sisters and brothers, sons and daughters, and other loved ones of the fallen.

"I regret that we had to gather here today. Nonetheless it's important that we do so in order to honor the 28 servicemembers who are a part of our Hawaii *ohana* and who gave the ultimate sacrifice of their life.

"I want to commend Representative Mark Takai and Members of the Legislature for the formulation and initiation of this Medal of Honor Ceremony, and for it taking place each year.

"We need to come together to recognize the sacrifice that was made, and we need to put it into a historic, as well as a modern context. These Americans who gave their lives so that we could be secure in our freedoms and free from terrorism, did so much more than that for the people of Iraq, so that they could be free, and for the people in Afghanistan and the freedoms that will follow there.

"I can't help but think, as a woman, what life was like for women in Afghanistan in particular, before America's commitment. And while it's a huge price to pay, the fact is before America's involvement, women were treated like pack animals. Young girls were not able to go to school. No woman was able to reach her potential in that country, and in fact, that's what the terrorists want for the entire world. They want a place where women are no better than animals.

"So this sacrifice is one that no words can ever equal. They pale in comparison to the sacrifice that was made. And yet we each want to offer specific words of gratitude to each of the family members and loved ones.

"The recent elections in Iraq tell a part of the story of the sacrifice of these men and women because the candidates in Iraq who were backed by the extremist religious groups did not get elected. There would have been no elections without the sacrifice of the men and women we honor today, as well as thousands of others who gave their lives.

"The United States forces will continue to be drawn down in Iraq. They are projected to be down to 50,000 by the end of August of this year, with all troops expected to be out by the end of 2011. And by the grace of God, that will occur and the people of Iraq will be able to defend their own new, stable, and democratic country in the middle of the Middle East.

"It was these American troops and their sacrifices that made this happen. Just like America did in World War I, World War II, and Korea, it was your loved ones who allowed people worldwide to enjoy freedom.

"I was asked yesterday by one of the members of my personal security detail who has children. We were talking about education issues. And this person asked me if I believe there should be standard curriculum in America. And if schools everywhere in America should be teaching exactly the same thing.

"And I told him that while I think schools on the East Coast and the West Coast may come at issues in a slightly different way because of the way our histories have developed, I believe as a fact, that every American child should grow up understanding the fact that were it not for the sacrifices of tens of thousands of Americans, as well as their families, the world today would not be free. Not only would America not be free, no nation on Earth would be free had it not been for the sacrifices we made as Americans and others made in the Second World War.

"So yes, I believe American children need to be taught that in clear, unequivocal terms that it's our sacrifices. It's our sacrifices today that are enabling people to live in freedom where they wouldn't have freedom if not for these men and women, and for the support of their families.

"America has always been a beacon for liberty. We have fought for those who could not fight for themselves. This is especially true about our Hawaii based troops. Kaneohe Marines soldiers from the 25th Infantry Division and our own National Guard 29th Infantry Brigade Combat Team who have served and assisted Iraq in their national elections.

"To the families who are here today, I know I speak on behalf of Senate President Hanabusa, Speaker Say, indeed every elected official in the State and all of the people who we represent that we owe you a tremendous debt of gratitude. And that we appreciate you taking the time and going to the effort to be here today. Your sacrifice is laudable and extremely honorable. We wanted you to know that from our perspective, although the loss can never be healed completely, your family members were not lost in vain.

"The fact that we believe that does not take away your pain, but future generations will look at these family members as heroes. All of you will remain in the hearts and in the thoughts of the people of Hawaii. We all owe you, along with the rest of America, a tremendous debt of thanks and gratitude."

Speaker Say then called upon Major General Robert Lee to deliver his remarks on behalf of the military as follows:

"Thank you, Speaker Say. Good afternoon and aloha. I want to thank everyone for coming to this Medal of Honor Ceremony today. Your presence here is a strong testimony to the great support that Hawaii has for our military personnel, our veterans, and their families.

"Again we gather here at the State Capitol for this solemn ceremony and this year we honor 28 Soldiers, Marines, Sailors, and Airmen, including members of our own Hawaii Army National Guard 29th Infantry Brigade Combat team who gave their lives for our nation.

"Our nation remains engaged on two fronts, Afghanistan and Iraq, and our brave men and women in our armed forces continue to serve in harm's way as they have done for these past nine years. In the combat zone, they sacrificed. They fought for their buddies, and for their fellow Americans. They fought for the ideals found in our Constitution. They each swore to support and defend and to bear true faith and allegiance to our Constitution.

"Our 28 heroes we honor today more than fulfill any obligations they owe to us. That is why it's so difficult for families and friends to comprehend their loss. Taken in their prime of life, and whose full potential will not be realized. We will lament the missed birthdays, anniversaries, holidays, and thousands of other daily events that could have been. We will continue to mourn the premature passing of our brothers and sisters in arms.

"The State Medal of Honor is Hawaii's way to remember our Soldiers, Sailors, Marines, Airmen, and Coastguardsmen who made the ultimate sacrifice. To show our appreciation to their families, to share in their loss, and to assure them that they will always be part of our State's *ohana* or family.

"It doesn't matter if the servicemember grew up in Hawaii, or first set foot upon these beautiful islands as part of a Hawaii-based unit. They are still embraced as part of our *ohana*.

"We appreciate even more President Abraham Lincoln's humble wisdom at Gettysburg:

When brave young men and women die, it is their deeds, not our words that are remembered. It is their sacrifice, not our brief recollection that will offer everlasting testimony to their love for others and their love for us.

"So to the families and friends of our fallen heroes, I humbly ask that you accept this Hawaii Medal of Honor on behalf of the people of Hawaii who today, and forever, shall be your devoted *ohana*. May God bless all of you, and may God Bless the United States of America."

At this time, the Speaker of the House and the President of the Senate presented the Hawaii Medal of Honor. The Clerk of the House of Representatives announced the names of the Hawaii Medal of Honor recipients, which was followed by the ringing of the memorial bell.

United States Army Specialist Cwislyn K. Walter.  
Specialist Walter was 19. She was from Honolulu, Hawaii, a 2007 graduate of Farrington High School and served with the 29th Special Troops Battalion, 29th Infantry Brigade Combat Team of the Hawaii National Guard. Here to receive her medal were her parents Kiwis and Conception Walter.

United States Army First Lieutenant Daniel B. Hyde.  
First Lieutenant Hyde was 24. He was from Modesto, California and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks. Here to receive his medal was his father Brian Hyde.

United States Army Sergeant Devin C. Poche.  
Sergeant Poche was 25. He was from Jacksonville, North Carolina and served with the Special Troops Battalion, 3rd Brigade, 25th Infantry Division from Schofield Barracks. Here to receive his medal were his mother Sandra Poche and his sister Nikia Poche.

United States Army Corporal Michael J. Anaya.  
Corporal Anaya was 23. He was from Crestview, Florida and served with the 2nd Battalion, 27th Infantry Regiment, 3rd Infantry Brigade Combat Team, 25th Infantry Division from Schofield Barracks. Here to receive his medal were family friends Sergeant Justin Minisall and Specialist Christopher Stone.

United States Air Force First Lieutenant Roslyn L. Schulte.  
First Lieutenant Schulte was 25. She was from St. Louis, Missouri and served with the Pacific Air Forces Headquarters at Hickam Air Force Base. Here to receive her medal was her Commander Lieutenant Colonel Christopher Sartorius.

United States Army Sergeant Jasper K. Obakrairur.  
Sergeant Obakrairur was 26. He lived in Hilo, Hawaii and was a student at the University of Hawaii at Hilo. He was from Koror, Palau and served with the 2nd Battalion, 87th Infantry Regiment, 3rd Brigade Combat Team, 10th Mountain Division (Light Division) from Fort Drum, New York. Here to receive his medal were his parents Damei Obakrairur and Florence Kambalang.

United States Army Major Rocco M. Barnes.  
Major Barnes was 50. He was from Los Angeles, California, a member of the Tactical Command Post, 40th Infantry Division of the California Army National Guard and served as an individual augmentee to the 3rd Marine Regiment, 3rd Marine Division, III Marine Expeditionary Force, from Marine Corps Base Hawaii. Here to receive his medal were his mother Grace Barnes-Filo and sister Therese Barnes-Filo.

United States Marine Corps Lance Corporal Joshua R. Whittle.  
Lance Corporal Whittle was 20. He was from Downey, California and served with the 2nd Battalion, 3rd Marines, 3rd Marine Division, III Marine Expeditionary Force from Marine Corps Base Hawaii. Here to receive his medal were his mother Crystal Vincent and aunt Denise Vincent.

United States Army Corporal Casey L. Hills.  
Corporal Hills was 23. He was from Salem, Illinois and served with the 100th Battalion, 442nd Infantry Regiment from Pago Pago, American Samoa that was attached to the Hawaii National Guard's 29th Infantry Brigade Combat Team. Here to receive his medal was his Commander Lieutenant Colonel Michael Peeters.

United States Marine Corps Corporal Matthew R. Lembke.  
Corporal Lembke was 22. He was from Tualatin, Oregon and served with the 2nd Battalion, 3rd Marines, 3rd Marine Division, III Marine Expeditionary Force from Marine Corps Base Hawaii. Here to receive his medal were family friends Staff Sergeant Kevin Clark and Priscilla Clark.

United States Marine Corps Lance Corporal James D. Argentine.  
Lance Corporal Argentine was 22. He was from Farmingdale, New York and served with the 2nd Battalion, 3rd Marines, 3rd Marine Division, III Marine Expeditionary Force from Marine Corps Base Hawaii. Here to receive his medal was his mother Janet Argentine.

United States Marine Corps Lance Corporal Travis T. Babine. Lance Corporal Babine was 20. He was from San Antonio, Texas and served with the 2nd Battalion, 3rd Marines, 3rd Marine Division, III Marine Expeditionary Force from Marine Corps Base Hawaii. Here to receive his medal was family friend Hospital Corpsman Third Class Jordan Potts.

United States Marine Corps Sergeant Jay M. Hoskins. Sergeant Hoskins was 24. He was from Paris, Texas and served with the 2nd Battalion, 3rd Marines, 3rd Marine Division, III Marine Expeditionary Force from Marine Corps Base Hawaii. Here to receive his medal were his wife Chandler Hoskins and their sons Tristen and Jay Hoskins.

United States Marine Corps Corporal Christian A. Guzman Rivera. Corporal Guzman Rivera was 21. He was from Homestead, Florida and served with the 2nd Battalion, 3rd Marines, 3rd Marine Division, III Marine Expeditionary Force from Marine Corps Base Hawaii. Here to receive his medal were his parents Felix and Velma Torres.

United States Marine Corps Lance Corporal Joshua M. Bernard. Lance Corporal Bernard was 21. He was from New Portland, Maine and served with the 2nd Battalion, 3rd Marines, 3rd Marine Division, III Marine Expeditionary Force from Marine Corps Base Hawaii. Here to receive his medal were his parents John and Sharon Bernard.

United States Marine Corps Lance Corporal John J. Malone. Lance Corporal Malone was 24. He was from Yonkers, New York and served with the 2nd Battalion, 3rd Marines, 3rd Marine Division, III Marine Expeditionary Force from Marine Corps Base Hawaii. Here to receive his medal were family friends Corporal Ryan Broadsky and Lance Corporal Michael Duchini.

United States Marine Corps Lance Corporal Zachary D. TenBrook. Lance Corporal TenBrook was 21. He was from Middlebury, Indiana and served with the 1st Battalion, 3rd Marines, 3rd Marine Division, III Marine Expeditionary Force from Marine Corps Base Hawaii. Here to receive his medal were his parents Doug and Kim TenBrook.

United States Army Chief Warrant Officer 2 Earl R. Scott III. Chief Warrant officer Scott was 24. He was from Jacksonville, Florida and served with the 2nd Squadron, 6th Cavalry Regiment, 25th Brigade Combat Team, 25th Infantry Division from Schofield Barracks. Here to receive his medal was his girlfriend Tara Reyna.

United States Marine Corps Lance Corporal Mark David Juarez. Lance Corporal Juarez was 22. He was from San Antonio, Texas and served with the 1st Battalion, 3rd Marines, 3rd Marine Division, III Marine Expeditionary Force from Marine Corps Base Hawaii. Here to receive his medal were his parents George Juarez and Cynthia Juarez Flores.

United States Marine Corps Lance Corporal Jacob A. Meinert. Lance Corporal Meinert was 20. He was from Fort Atkinson, Wisconsin and served with the 1st Battalion, 3rd Marines, 3rd Marine Division, III Marine Expeditionary Force from Marine Corps Base Hawaii. Here to receive his medal was his mother Krista Meinert Edquist.

The Clerk of the Senate proceeded to read the names of the other Hawaii Medal of Honor recipients whose friends and family could not be at the ceremony today:

United States Army Specialist Christopher P. Sweet

United States Army Sergeant Raphael A. Futrell

United States Navy Lieutenant Junior Grade Francis L. Toner IV

United States Army Command Sergeant Major Benjamin Moore Jr.

United States Army Staff Sergeant Randy S. Agno

United States Navy Petty Officer 3<sup>rd</sup> Class (Hospital Corpsman) Anthony C. Garcia

United States Marine Corps Lance Corporal Alfonso Ochoa Jr.

United States Army Chief Warrant Officer 2 Mathew C. Heffelfinger

At this time, Members of the Hickam Base Honor Guard proceeded with a 21-gun Salute and the playing of Taps outside the House Chamber in the Capitol Rotunda, which was then followed by a moment of silence.

President Hanabusa then gave her closing remarks as follows:

"In the 2005 Legislative Session, what has come to be known as Act 21 was passed into law. It's time for us to reflect as to what exactly the Legislature intended at that time.

"The preamble says, "The purpose of this Act is to provide for a Hawaii Medal of Honor that will help express a deep gratitude and appreciation of the people of Hawaii through the loved ones of members of the military who sacrificed their lives in defense of our nation and its freedom."

"It is all but a small token of the appreciation of the people of this State for your loved ones who have touched us by either serving in our military establishments here, or being one of our *keiki 'o ka aina* as we would say.

"Let's look at what it has represented over the past five years. There have been 269 medals presented in these Chambers. In the year 2006, there were 120. I remember the medals came after 9/11 and part of the 120 in that year reflected 83. 83 who had died in combat in Afghanistan and Iraq since 9/11 up to the date February 14, 2005. In 2007, 67 medals were given. In 2008, 31. In 2009, 23; and this year, 28.

"For us, there are truly 269 medals too many. And we may not say that to the loved ones who are here to receive the medal. For many of us, five years is too long. And each year I know, as Speaker and I sit at this dais, we always look at each other and say, 'I hope this is the last year.'

"This is one of the most difficult things that we do as a legislative body, and this year Sergeant Hoskins, his two children, made it very difficult. And I thought at that time, what do you say to two young boys? What do you say to them?

"You know, we reflected upon something that I recalled. I was there when the Medal of Honor was presented to the 442nd in Washington D.C. One of my classmate's father was a recipient. He never mentioned anything. When I ask him why? Why did you not even mention that you were a Silver Star recipient, and that even to get him to go to the Medal of Honor ceremonies was a task. He said, 'I did what I did for my country so that my children would never have to see war again.'

"And I thought today, especially as we watched those two young children, that that is probably why everyone in uniform serves: so that they will never need to see war. But we need all of you, because you are so willing, and so many have given the ultimate sacrifice so the rest of us can sit here, stand here, and engage in open debate and open discussion, because you have done the ultimate sacrifice and that's to ensure our freedom and our ability to be Americans, and our ability to appreciate all the freedoms that this Country represents.

"So please, on behalf of the State of Hawaii, of the people of this wonderful place that we all call home, accept our deep-felt thanks to all of you, the loved ones. And all of you who are in uniform who will continue to serve so that we may benefit from the greatest freedoms on this earth, and the wonderful right to be Americans and to call the United States our home. Thank you, very much.

"Members of the House and Senate, and special guests, please rise for the retiring of the colors."

The President of the Senate then called on the Joint Service Color Guard and the Hawaii Air National Guard, Royal Guard for the retiring of the Colors, and at 3:13 o'clock p.m., declared the Joint Session of the House of Representatives and the Senate adjourned.

#### ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 12:00 o'clock noon, Wednesday, March 24, 2010.

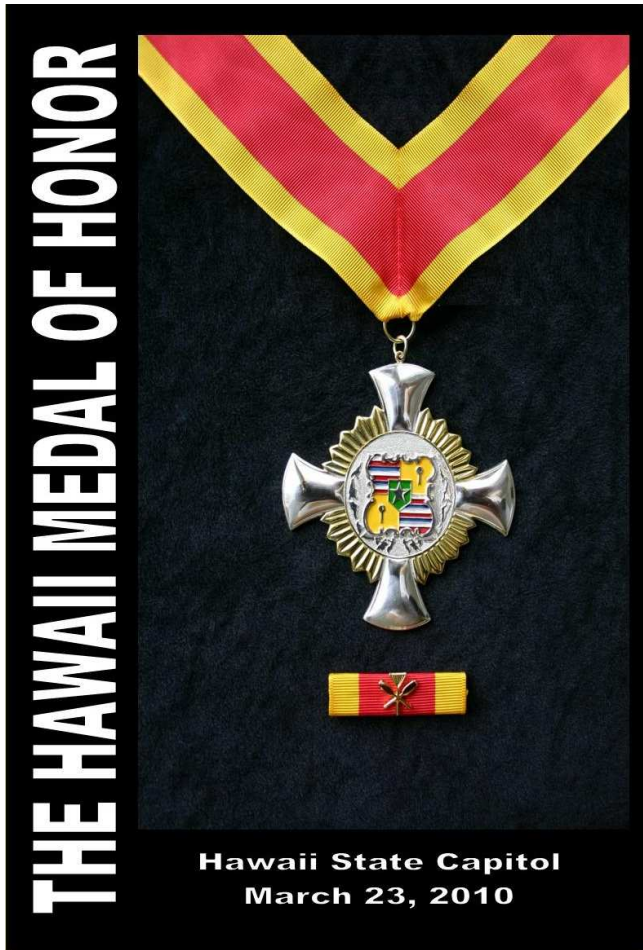
#### HOUSE COMMUNICATIONS

House Communication dated March 23, 2010, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has disagreed to the amendments made by the Senate to the following House Bills:

H.B. No. 1853, SD 1  
H.B. No. 2027, HD 1, SD 1

House Communication dated March 23, 2010, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bill on Final Reading:

H.B. No. 2427, HD 1, SD 1



**Symbolism of the Hawaii Medal of Honor**

The Hawaii Medal of Honor was designed by Sergeant First Class Aaron Pollick from the Hawaii Army National Guard. This medal consists of the following six components, superimposed on each other:

**Circle of Kalo Leaves:** The kalo leaves represent the family or Ohana. The leaves are designed in an encircled fashion and represents the concept of Ohana, which we strive to embrace.

**Coat of Arms:** The Great Shield is the keystone of the design. The eight bars represent the eight major islands of the State of Hawaii. The kapu sticks, or Pulo'ulo'u, symbolize authority and protection. The star in the center of the medallion is the Star of Hawaii, the 50<sup>th</sup> star on the flag of the United States. This star also represents the honorees of this prestigious award.

**Maltese Cross:** The Maltese Cross represents the four directional axes of the globe, denoting Hawaii as the Crossroads of the Pacific.

**Sun Rays:** The irradiant sun is symbolic of the new era. Its position in the center of the Maltese Cross represents our sunny shores and warm hearts ever shining on all the corners of the world.

**The Neck Drape:** The neck drape is red and golden yellow in color. These colors symbolize the royal monarchy that once ruled these islands. The red represents courage and strength. The golden yellow depicts the honor that the recipients have brought to our islands.

**Service Ribbon & Attachment:** The service ribbon represents distinguished service. Its colors are identical to the colors of the neck drape. The attachment device at the middle of the ribbon is an ancient flag or puela of Hawaiian Chiefs. In olden times, the puela was raised above the sail of the ancient Hawaiians' canoes while at sea. Our puela signifies that the person receiving this medal is of high rank or honor.

JOINT SESSION OF  
THE HAWAII STATE LEGISLATURE  
HOUSE CHAMBERS  
March 23, 2010 \* 2:00 pm  
**HAWAII MEDAL OF HONOR**  
PROGRAM

Call to Order	House Speaker Calvin K.Y. Say
Posting of the Colors	United States Pacific Command Joint Service Color Guard Hawaii Air National Guard Royal Guard
National Anthem & Hawaii Pono'i	Ms. Traci Toguchi Former Miss Hawaii
Invocation	Reverend William H. Kaina
Welcome & Introduction of Guests	House Speaker Calvin K.Y. Say
Governor's Message	Governor Linda Lingle
Military Address	Major General Robert G.F. Lee
Hawaii Medal of Honor Presentation	House Speaker Calvin K.Y. Say Senate President Colleen Hanabusa Governor Linda Lingle Major General Robert G.F. Lee
Presentation of Certificates	Representative Angus L.K. McKelvey Senator Will Espero
Rendering of Honors	United States Navy
21-Gun Salute	Hickam Base Honor Guard
Taps	Marine Forces Pacific Band
Closing Remarks	Senate President Colleen Hanabusa
Retiring of the Colors	

**2010 HAWAII MEDAL OF HONOR RECIPIENTS**

- United States Army Specialist Christopher P. Sweet
- United States Army Specialist Cwislyn K. Walter
- United States Army First Lieutenant Daniel B. Hyde
- United States Army Sergeant Raphael A. Futrell
- United States Navy Lieutenant Junior Grade Francis L. Toner IV
- United States Army Sergeant Devin C. Poche
- United States Army Corporal Michael J. Anaya
- United States Army Command Sergeant Major Benjamin Moore Jr.
- United States Army Staff Sergeant Randy S. Agno
- United States Air Force First Lieutenant Roslyn L. Schulte
- United States Army Sergeant Jasper K. Obakirairur
- United States Army Major Rocco M. Barnes
- United States Marine Corps Lance Corporal Joshua R. Whittle
- United States Army Corporal Casey L. Hills
- United States Marine Corps Corporal Matthew R. Lembke
- United States Navy Petty Officer 3<sup>rd</sup> Class (Hospital Corpsman)  
Anthony C. Garcia
- United States Marine Corps Lance Corporal James D. Argentine
- United States Marine Corps Lance Corporal Travis T. Babine
- United States Marine Corps Sergeant Jay M. Hoskins
- United States Marine Corps Corporal Christian A. Guzman Rivera
- United States Marine Corps Lance Corporal Joshua M. Bernard
- United States Marine Corps Lance Corporal John J. Malone
- United States Marine Corps Private First Class Zachary D. TenBrook
- United States Marine Corps Lance Corporal Alfonso Ochoa Jr.
- United States Army Chief Warrant Officer 2 Earl R. Scott III
- United States Army Chief Warrant Officer 2 Mathew C. Heffelfinger
- United States Marine Corps Lance Corporal Mark David Juarez
- United States Marine Corps Lance Corporal Jacob A. Meinert



**From House Bill 8, designated as Act 21,  
Session Laws of Hawaii 2005:**

*“The purpose of this Act is to provide for a Hawaii Medal of Honor that would help express the deep appreciation and gratitude of the People of Hawaii to the loved ones of members of the military who sacrificed their lives in defense of our nation and its freedoms.”*

**Acknowledgements**

Patricia A. Mau-Shimizu, House Chief Clerk & her staff  
Carol Taniguchi, Senate Chief Clerk & her staff  
Kevin R. Kuroda, House Sergeant-at-Arms & his staff  
Ben Villafior, Senate Sergeant-at-Arms & his staff  
Linda Luli Nakasone Oamilda, House Majority Staff Office & her staff  
Dennis Fujii, United States Pacific Command  
Kole M. Miller, Chief of Protocol, 25<sup>th</sup> Infantry Division  
Ms. Ernestine Pratt, US Army  
Mr. Leighton Siu  
Sergeant First Class Aaron R. Pollick  
Kent Untermann & Valerie Wang, Pictures Plus  
Rose Lee, Rose Lee’s Alterations  
Ty & Cindy Tamanaha, Awardline  
Pearl Harbor Historic Sites  
    World War II Valor in the Pacific National Monument  
    USS Bowfin Submarine Museum & Park  
    Battleship Missouri Memorial  
    Pacific Aviation Museum – Pearl Harbor  
Hale Koa Hotel  
Polynesian Cultural Center  
Hawaii Hotel & Lodging Association  
Capitol TV

**Planning Committee**

Senate President Colleen Hanabusa  
House Speaker Calvin K.Y. Say  
Senator Will Espero  
Representative Angus L.K. McKelvey  
Representative K. Mark Takai  
Major General Robert G.F. Lee  
Patricia A. Mau-Shimizu, House Chief Clerk  
Carol Taniguchi, Senate Chief Clerk  
Kevin R. Kuroda, House Sergeant-at-Arms  
Ben Villafior, Senate Sergeant-at-Arms  
Lisa Vargas

**Special Acknowledgement**

Representative K. Mark Takai and Ms. Lisa Vargas for their unwavering commitment to honor these families and tireless efforts to ensure that each designated medal is received by the intended family.