

SIXTIETH DAY

Thursday, May 4, 2017

The House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017, convened at 1:10 o'clock p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Ms. Kristian Lei of Honolulu Broadway Babies, after which the Roll was called showing all Members present with the exception of Representatives Ichiyama and Souki, who were excused.

On motion by Representative Evans, seconded by Representative Ward and carried, reading of the Journal was dispensed with and the Journals of the Forty-Second, Forty-Third, Forty-Fourth, Forty-Fifth, Forty-Sixth, Forty-Seventh, Forty-Eighth, Forty-Ninth, Fiftieth, Fifty-First, Fifty-Second, Fifty-Third, Fifty-Fourth, Fifty-Fifth and Fifty-Sixth Days were approved. (Representatives Ichiyama, Oshiro and Souki were excused.)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 736 and 737) were received and announced by the Clerk:

Sen. Com. No. 736, dated May 2, 2017, informing the House that the following bill has this day passed Final Reading:

H.B. No. 100, HD 1, SD 1, CD 1

Sen. Com. No. 737, dated May 2, 2017, informing the House that the following bills have this day passed Final Reading:

H.B. No. 2, HD 2, SD 1, CD 1
 H.B. No. 50, HD 3, SD 2, CD 1
 H.B. No. 73, HD 1, SD 1, CD 1
 H.B. No. 83, HD 1, SD 2, CD 1
 H.B. No. 89, HD 1, SD 1, CD 1
 H.B. No. 110, HD 1, SD 2, CD 1
 H.B. No. 115, HD 1, SD 1, CD 1
 H.B. No. 116, HD 1, SD 1, CD 1
 H.B. No. 143, SD 1, CD 1
 H.B. No. 144, HD 1, SD 1, CD 1
 H.B. No. 165, HD 1, SD 2, CD 1
 H.B. No. 186, HD 1, SD 2, CD 1
 H.B. No. 192, HD 2, SD 1, CD 1
 H.B. No. 208, HD 2, SD 2, CD 1
 H.B. No. 209, HD 1, SD 1, CD 1
 H.B. No. 213, HD 1, SD 1, CD 1
 H.B. No. 235, HD 1, SD 1, CD 1
 H.B. No. 239, HD 2, SD 1, CD 1
 H.B. No. 279, HD 1, SD 1, CD 1
 H.B. No. 280, HD 1, SD 1, CD 1
 H.B. No. 281, HD 1, SD 1, CD 1
 H.B. No. 282, HD 1, SD 1, CD 1
 H.B. No. 301, HD 1, SD 1, CD 1
 H.B. No. 306, HD 2, SD 2, CD 1
 H.B. No. 335, HD 2, SD 1, CD 1
 H.B. No. 375, HD 1, SD 1, CD 1
 H.B. No. 423, HD 2, SD 2, CD 1
 H.B. No. 425, HD 1, SD 3, CD 1
 H.B. No. 427, HD 2, SD 1, CD 1
 H.B. No. 428, HD 1, SD 1, CD 1
 H.B. No. 451, HD 1, SD 2, CD 1
 H.B. No. 453, HD 1, SD 1, CD 1
 H.B. No. 459, HD 1, SD 1, CD 1
 H.B. No. 471, HD 1, SD 1, CD 1
 H.B. No. 475, HD 1, SD 2, CD 1
 H.B. No. 478, HD 1, SD 1, CD 1
 H.B. No. 498, HD 1, SD 1, CD 1
 H.B. No. 508, HD 1, SD 1, CD 1
 H.B. No. 511, HD 1, SD 1, CD 1
 H.B. No. 523, SD 1, CD 1

H.B. No. 530, HD 2, SD 2, CD 1
 H.B. No. 552, HD 1, SD 2, CD 1
 H.B. No. 554, HD 1, SD 2, CD 1
 H.B. No. 558, HD 1, SD 1, CD 1
 H.B. No. 561, HD 2, SD 1, CD 1
 H.B. No. 571, HD 1, SD 1, CD 1
 H.B. No. 575, HD 1, SD 1, CD 1
 H.B. No. 591, HD 1, SD 2, CD 1
 H.B. No. 606, HD 2, SD 2, CD 1
 H.B. No. 607, HD 1, SD 2, CD 1
 H.B. No. 615, HD 1, SD 1, CD 1
 H.B. No. 627, HD 2, SD 2, CD 1
 H.B. No. 632, HD 1, SD 1, CD 1
 H.B. No. 633, HD 1, SD 1, CD 1
 H.B. No. 637, HD 2, SD 2, CD 1
 H.B. No. 655, HD 1, SD 1, CD 1
 H.B. No. 674, HD 2, SD 2, CD 1
 H.B. No. 727, HD 1, SD 2, CD 1
 H.B. No. 735, HD 2, SD 2, CD 1
 H.B. No. 794, HD 1, SD 2, CD 1
 H.B. No. 839, HD 1, SD 1, CD 1
 H.B. No. 845, HD 2, SD 2, CD 1
 H.B. No. 847, HD 1, SD 1, CD 1
 H.B. No. 852, HD 2, SD 1, CD 1
 H.B. No. 880, HD 1, SD 2, CD 1
 H.B. No. 916, HD 1, SD 2, CD 1
 H.B. No. 937, HD 1, SD 1, CD 1
 H.B. No. 942, HD 1, SD 1, CD 1
 H.B. No. 957, HD 1, SD 2, CD 1
 H.B. No. 997, HD 2, SD 2, CD 1
 H.B. No. 1009, HD 3, SD 1, CD 1
 H.B. No. 1022, HD 1, SD 2, CD 1
 H.B. No. 1031, HD 1, SD 1, CD 1
 H.B. No. 1033, HD 1, SD 1, CD 1
 H.B. No. 1044, HD 1, SD 2, CD 1
 H.B. No. 1098, HD 2, SD 1, CD 1
 H.B. No. 1099, HD 1, SD 2, CD 1
 H.B. No. 1114, HD 1, SD 2, CD 1
 H.B. No. 1115, HD 1, SD 1, CD 1
 H.B. No. 1129, HD 1, SD 1, CD 1
 H.B. No. 1130, HD 1, SD 1, CD 1
 H.B. No. 1135, HD 1, SD 2, CD 1
 H.B. No. 1152, HD 1, SD 2, CD 1
 H.B. No. 1179, HD 2, SD 2, CD 1
 H.B. No. 1231, HD 1, SD 1, CD 1
 H.B. No. 1235, HD 1, SD 1, CD 1
 H.B. No. 1244, HD 1, SD 2, CD 1
 H.B. No. 1246, HD 2, SD 2, CD 1
 H.B. No. 1258, HD 2, SD 2, CD 1
 H.B. No. 1325, HD 1, SD 1, CD 1
 H.B. No. 1351, HD 1, SD 2, CD 1
 H.B. No. 1382, HD 1, SD 1, CD 1
 H.B. No. 1396, HD 2, SD 2, CD 1
 H.B. No. 1414, HD 1, SD 1, CD 1
 H.B. No. 1420, HD 1, SD 1, CD 1
 H.B. No. 1436, HD 2, SD 1, CD 1
 H.B. No. 1444, HD 2, SD 2, CD 1
 H.B. No. 1465, HD 2, SD 2, CD 1
 H.B. No. 1475, HD 2, SD 2, CD 1
 H.B. No. 1488, HD 1, SD 1, CD 1
 H.B. No. 1498, HD 1, SD 1, CD 1
 H.B. No. 1501, HD 2, SD 1, CD 1
 H.B. No. 1516, HD 1, SD 1, CD 1
 H.B. No. 1578, HD 1, SD 2, CD 1
 H.B. No. 1588, HD 1, SD 1, CD 1
 S.B. No. 26, SD 1, HD 1, CD 1
 S.B. No. 99, SD 1, HD 1, CD 1
 S.B. No. 100, SD 2, HD 1, CD 1
 S.B. No. 102, HD 1, CD 1
 S.B. No. 119, SD 1, HD 1, CD 1
 S.B. No. 149, HD 1, CD 1

S.B. No. 207, SD 2, HD 2, CD 1
 S.B. No. 288, SD 2, HD 2, CD 1
 S.B. No. 292, SD 1, HD 1, CD 1
 S.B. No. 314, SD 1, HD 1, CD 1
 S.B. No. 322, SD 1, HD 1, CD 1
 S.B. No. 339, SD 1, HD 1, CD 1
 S.B. No. 369, SD 1, HD 1, CD 1
 S.B. No. 376, SD 1, HD 1, CD 1
 S.B. No. 387, SD 1, HD 1, CD 1
 S.B. No. 396, SD 1, HD 1, CD 1
 S.B. No. 407, SD 1, HD 1, CD 1
 S.B. No. 423, SD 1, HD 1, CD 1
 S.B. No. 469, SD 2, HD 1, CD 1
 S.B. No. 488, SD 1, HD 1, CD 1
 S.B. No. 491, SD 1, HD 1, CD 1
 S.B. No. 501, SD 1, HD 2, CD 1
 S.B. No. 505, SD 1, HD 2, CD 1
 S.B. No. 513, SD 1, HD 2, CD 1
 S.B. No. 514, SD 1, HD 1, CD 1
 S.B. No. 545, SD 2, HD 1, CD 1
 S.B. No. 559, SD 1, HD 2, CD 1
 S.B. No. 572, SD 1, HD 1, CD 1
 S.B. No. 584, SD 1, HD 1, CD 1
 S.B. No. 609, HD 1, CD 1
 S.B. No. 611, SD 1, HD 2, CD 1
 S.B. No. 655, SD 2, HD 2, CD 1
 S.B. No. 712, HD 1, CD 1
 S.B. No. 713, SD 1, HD 1, CD 1
 S.B. No. 718, SD 1, HD 1, CD 1
 S.B. No. 722, SD 1, HD 1, CD 1
 S.B. No. 724, HD 1, CD 1
 S.B. No. 773, SD 2, HD 1, CD 1
 S.B. No. 786, SD 1, HD 1, CD 1
 S.B. No. 808, SD 1, HD 1, CD 1
 S.B. No. 850, HD 2, CD 1
 S.B. No. 859, SD 1, HD 1, CD 1
 S.B. No. 865, SD 1, HD 1, CD 1
 S.B. No. 885, SD 2, HD 2, CD 1
 S.B. No. 895, SD 1, HD 2, CD 1
 S.B. No. 900, SD 1, HD 1, CD 1
 S.B. No. 902, SD 1, HD 1, CD 1
 S.B. No. 908, SD 1, HD 2, CD 1
 S.B. No. 911, SD 1, HD 1, CD 1
 S.B. No. 914, SD 1, HD 1, CD 1
 S.B. No. 915, SD 1, HD 1, CD 1
 S.B. No. 917, SD 1, HD 1, CD 1
 S.B. No. 918, SD 1, HD 1, CD 1
 S.B. No. 919, SD 1, HD 1, CD 1
 S.B. No. 923, SD 1, HD 1, CD 1
 S.B. No. 926, SD 1, HD 1, CD 1
 S.B. No. 930, SD 2, HD 1, CD 1
 S.B. No. 935, SD 2, HD 1, CD 1
 S.B. No. 936, SD 2, HD 1, CD 1
 S.B. No. 941, HD 1, CD 1
 S.B. No. 946, SD 1, HD 1, CD 1
 S.B. No. 947, SD 2, HD 1, CD 1
 S.B. No. 948, HD 1, CD 1
 S.B. No. 949, SD 1, HD 1, CD 1
 S.B. No. 950, SD 2, HD 1, CD 1
 S.B. No. 951, SD 2, HD 1, CD 1
 S.B. No. 952, SD 1, HD 1, CD 1
 S.B. No. 953, SD 2, HD 1, CD 1
 S.B. No. 976, HD 1, CD 1
 S.B. No. 984, HD 1, CD 1
 S.B. No. 992, SD 2, HD 1, CD 1
 S.B. No. 997, SD 1, HD 2, CD 1
 S.B. No. 1006, SD 1, HD 1, CD 1
 S.B. No. 1016, SD 1, HD 1, CD 1
 S.B. No. 1073, SD 1, HD 1, CD 1
 S.B. No. 1074, SD 1, HD 1, CD 1
 S.B. No. 1148, SD 2, HD 2, CD 1
 S.B. No. 1171, SD 1, HD 1, CD 1
 S.B. No. 1227, HD 2, CD 1

S.B. No. 1240, SD 2, HD 1, CD 1
 S.B. No. 1244, SD 2, HD 2, CD 1
 S.B. No. 1264, SD 1, HD 2, CD 1
 S.B. No. 1286, SD 2, HD 2, CD 1

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 346 through 352, and 354 through 359) were received by the Clerk and were placed on file:

Dept. Com. No. 346, from the Office of Enterprise Technology Services, dated April 4, 2017, transmitting the Quarterly Report on Periodic Information Security and Penetration Audits of the Executive Branch Information Technology Systems, pursuant to Act 119, Section 42(5), SLH 2015.

Dept. Com. No. 347, from the University of Hawaii System, dated April 4, 2017, transmitting a Report on Filling of Temporary Unbudgeted Positions, pursuant to Act 119, Section 128, SLH 2015.

Dept. Com. No. 348, from the Department of Health, dated April 7, 2017, transmitting the Adult Education Workgroup Report, pursuant to S.R. No. 118, SD 1 (2015), and H.R. No. 105 (2016).

Dept. Com. No. 349, from the Office of the Auditor, dated April 5, 2017, transmitting the Financial Audit, Financial Statements and Independent Auditor's Report of the Hawaii Public Housing Authority, Fiscal Year Ended June 30, 2016, pursuant to Article VII, Section 10, Hawaii State Constitution, and Section 23-4, HRS.

Dept. Com. No. 350, from the Office of the Auditor, dated April 5, 2017, transmitting the Financial Audit, Financial Statements and Single Audit Reports of the Department of Transportation, Airports Division, Fiscal Year Ended June 30, 2016, pursuant to Article VII, Section 10, Hawaii State Constitution, and Section 23-4, HRS.

Dept. Com. No. 351, from the Office of the Auditor, dated April 10, 2017, transmitting the Single Audit and Financial Statements of the Federal Financial Assistance Programs, Fiscal Year Ended June 30, 2016, pursuant to Article VII, Section 10, Hawaii State Constitution, and Section 23-4, HRS.

Dept. Com. No. 352, from the Office of the Auditor, dated April 10, 2017, transmitting the Financial Audit and Financial Statements of the Department of Health, the Financial Audit of the Department of Health Drinking Water Treatment Revolving Loan Fund, and the Financial Audit of the Department of Health Water Pollution Control Revolving Fund, Fiscal Year Ended June 30, 2016, pursuant to Article VII, Section 10, Hawaii State Constitution, and Section 23-4, HRS.

Dept. Com. No. 354, from the University of Hawaii System, dated April 17, 2017, transmitting the Semi-Annual Report on Hawaii Cancer Research Special Fund, July 1 – December 31, 2016, pursuant to Section 304A-2168, HRS.

Dept. Com. No. 355, from the University of Hawaii System, dated April 19, 2017, transmitting a Report on Filling of Temporary Unbudgeted Positions, pursuant to Act 119, Section 128, SLH 2015.

Dept. Com. No. 356, from the Office of the Auditor, dated April 19, 2017, transmitting the Financial Audit, Financial Statements and Management Letter of the Department of Education, Fiscal Year Ended June 30, 2016, pursuant to Article VII, Section 10, Hawaii State Constitution, and Section 23-4, HRS.

Dept. Com. No. 357, from the University of Hawaii System, dated April 25, 2017, transmitting a Report on Filling of Temporary Unbudgeted Positions, pursuant to Act 119, Section 128, SLH 2015.

Dept. Com. No. 358, from the Department of Health, dated April 26, 2017, transmitting the Annual Evaluation Report on Elder Programs, prepared by the Executive Office on Aging, pursuant to Section 349-5(b)(2), HRS.

Dept. Com. No. 359, from the Office of the Auditor, dated April 26, 2017, transmitting the Financial Audit, Financial Statements, and Independent Auditor's Report on the Department of Human Services, Fiscal Year Ended June 30, 2016, pursuant to Article VII, Section 10, Hawaii State Constitution, and Section 23-4, HRS.

INTRODUCTIONS

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

Representative Lowen introduced her constituents and friends, Mr. and Mrs. Keller and Wendy Laros.

Representative Hashem introduced Local 368 Laborers' International Union members; and Mr. Peter Ganaban, Business Manager.

Representative Takayama introduced his intern, William Richardson, his parents, Mr. and Mrs. Tim and Marty Richardson, and brother, Andy Richardson.

Representative Matsumoto introduced her staff: Mark Clemente, Denzel Johnson, Geno Tamayo, Justin Homma and Angela Bochi.

Representative Hashem introduced Local 630 Plasterers and Cement Masons members: Neil Agliam, Richard Anagaran, Jeanyett Burgess, Nani Correa, Patrick Culla, Rudy Domogsac, Mitchell Ednilao, Romeo Erada, John Gervacio, John Griffin, Paul Hirayama, Shade Hookano, Gustin Kaleohana, Jonathan Lopez, Max Manipan, Vika McMoore, Jurden Meyers, Driana Natua, Kamaka Natua, Tammie Oka, Chad Pavao, Ronald Pogio, Leslie Quitog and Gregorio Sibayan; and Mr. Peter Iriarte, Financial Secretary.

Representative DeCoite introduced her staff: Soana Tupua-Fanoga, Stacey Lynn Eli and Rebecca Bernal.

Representative Ward introduced his staff: Jean-Pierre Bourguin and Shuya Lou; and Councilwoman Kymberly Marcos Pine.

Representative Tupola introduced her staff: Liana Segal, Kalei Gilbert, Kelli Timoteo and Mahealani Kahala; her constituents, Demont and Momi Conner; and incoming House Minority Research Office Director, Marcia Tagavilla.

Representative Ing introduced his staff: Yvette Cudal, James "Brad" Stubbs and Alan Akao.

Representative Lee introduced his staff: Ryan Senaga, Aran Wilson and Jen Wilbur; and visitors, Donna Wilbur and Joanne Ng.

Representative Holt introduced his staff: Joyleanne Santos, Daphne Henion and Roth Puahala.

Representative Choy introduced his staff: Pamela Seeney and Ray Oda.

Representative Cachola introduced Reverend Bob Nakata.

Representative Gates introduced his friend, Mr. Kamaka Natua.

Representative Ward introduced Mr. Henry Curtis and Ms. Kat Brady of Life of the Land.

At 1:25 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:41 o'clock p.m.

Representative Oshiro introduced Mr. Michael Brittain, Assistant Business Manager, IBEW Local 1260.

ORDER OF THE DAY

UNFINISHED BUSINESS

At this time, the Chair stated:

"Members, page 1, Senate Bill 1183, Senate Draft 2, House Draft 2, Conference Draft 2, will be deferred one legislative day."

S.B. No. 1183, SD 2, HD 2, CD 2:

By unanimous consent, action was deferred one legislative day.

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Ward and carried, the rules were suspended for the purpose of considering a certain Senate Bill for Final Reading by consent calendar. (Representatives Ichiyama, Ito and Souki were excused.)

UNFINISHED BUSINESS

S.B. No. 382, SD 2, HD 1, CD 2:

On motion by Representative Saiki, seconded by Representative Evans and carried, S.B. No. 382, SD 2, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Final Reading by a vote of 49 ayes, with Representatives Ichiyama and Souki being excused.

At 1:44 o'clock p.m., the Chair noted that the following bill passed Final Reading:

S.B. No. 382, SD 2, HD 1, CD 2

At 1:44 o'clock p.m., Representative Tupola requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:45 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 164) was announced by the Clerk and the following action taken:

H.R. No. 164, entitled: "HOUSE RESOLUTION ELECTING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-NINTH LEGISLATURE," was offered by Representative Luke.

Representative Luke moved that H.R. No. 164 be adopted, seconded by Representative Evans.

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

"Mr. Speaker, I rise to speak against House Resolution Number 164, and at the appropriate time, may I ask for a roll call on House Resolution 164, Mr. Speaker?"

The Chair addressed Representative Oshiro, stating:

"Yes, you can. You just need the roll call to be seconded, and then we will see if there are sufficient numbers for the roll call or not."

Representative Oshiro: "Mr. Speaker, what is the sufficient numbers for a roll call?"

Vice Speaker Mizuno: "I apologize. No need a second. You're asking for the number for a sufficient roll call? One fifth. If there are 51 members, you need at least 11."

Representative Oshiro continued, stating:

"Okay, thank you, Mr. Speaker. Mr. Speaker, I'm opposing this resolution. I find this highly irregular on the last day of the session to be making such an important decision like this. I believe that most of the members of this body, including the Republicans, have not had an opportunity to carefully vet and weigh the various choices we have here for the presiding office of this august body.

"This is one of those votes, Mr. Speaker, that all of us have an equal right to cast our vote, fully knowing who we're selecting to be the leader of this chamber. All 51 of us, Mr. Speaker. I just became informed of this resolution but several minutes ago, Mr. Speaker. Although I learned earlier today that the Speaker had tendered his resignation, I have had not the time to ponder or even digest the ramifications of the current Speaker resigning.

"In fact, Mr. Speaker, I'm curious on the timing of the current Speaker resigning. Have not having the chance to spend much time with him, I do not know if it was under duress."

The Chair addressed Representative Oshiro, stating:

"Actually, I don't think you can impugn motive or sinister motive on any members of the body, that would be not in decorum, Representative. Speculation, but you can't arraign any sinister motive on any members of this body. You cannot do that."

Representative Oshiro continued, stating:

"I'm not sure if the Speaker has tendered his resignation. I do not know the cause or the circumstances. I think that's relevant to my decision today. Not having had the time to even consider the ramifications of this decision, I have to stand against it.

"I don't know how many members understand what this means. The Speaker that we'll select in the next several minutes or maybe hour will be the presiding officer of this chamber during the next eight months, while we're in the intercession period. We're going to *sine die* today, and that individual will be acting on behalf of all of us, as the Speaker of the State House of Representatives. That is a heavy mantle to carry for anyone.

"I don't know if the current leadership team that's in place, including myself, are able to render service consistent with, congruent with, the new Speaker. Same goes for the various committee chairs and vice chairs, and the membership thereof.

"I do know this, Mr. Speaker, that elevating the current member who currently serves as the Majority Leader of the Democrat Caucus to the Speaker of this House does leave a vacancy in the Democrat Caucus. So who will lead the Democrat Caucus over the next eight months? Who's going to lead the 45 Democrats over the next eight months, Mr. Speaker? That's one obvious question that weighs on many people's minds.

"Mr. Speaker, the first bill of today on the rail was also deferred one legislative day, to cause the effect that that bill will still be old business, carryover business, when this body reconvenes in January of 2018. First up.

"Mr. Speaker, I don't normally find myself wanting to display this kind of concern on the last day."

Representative Kong rose to yield his time, and the Chair "so ordered."

Representative Oshiro continued, stating:

"But in all honesty, Mr. Speaker, I am really puzzled by this. And I wish I had the opportunity, even several hours, Mr. Speaker, to go and see the current Speaker. Is he well? Did something terrible happen in his personal life? Can I lend my assistance to him? Can I make myself available to his cause? I don't know that, Mr. Speaker.

"I haven't had a chance to talk to the member listed to become the next Speaker. Is this a person that I can support? That philosophically we have alignment of values, an alignment of vision, alignment of values and vision, and whether we can work together. I don't know that.

"And here we are, on the last day of this session, probably making one of the most important decisions as a collective body on who we're going to select of a leader amongst leaders, as the Speaker of the State House of Representatives. And we have many, many questions, Mr. Speaker.

"Mr. Speaker, I apologize to you, I apologize to the members, and I apologize to the Speaker. Thank you."

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

"Thank you very much, Mr. Speaker. In favor of the resolution. Thank you very much. My good friend the Representative from Wahiawa, who's my seat mate, actually, for the last several years, I'm afraid is conflating a number of issues into this resolution.

"The condition of the Speaker of the House who resigned, that is public knowledge, and all of us got the Speaker's resignation letter, so whatever motivated the Speaker to resign his office is not germane to the resolution before us. I hope he's in perfect health, I hope he's in good spirits, but that is not germane to the resolution before us.

"As far as the timing, the House rules, or the policy, or any law that I know of, this does not violate any of that. Could the timing have been better? Some on this floor will argue, perhaps. But you know, Mr. Speaker, those of us who've been here and have gone through a number of reorganizations and picking a new Speaker, we all know the timing of all of those in the past may not have been ideal.

"And as far as the measure before us, Mr. Speaker, I look at it as two paragraphs. It's in plain English. This is not like the rail bill. This is not like the landlord-tenant code. This is not like a condominium bill, and trust me, I've been through a few condominium bills in the last half of the crossover, and I can say those are nuanced, subtle, complicated, complex, difficult to understand.

"This, Mr. Speaker, any one of us on this floor reading it I hope can understand what it is. And while my friend from Wahiawa may want more time to digest what is before us and he's puzzled, for me, Mr. Speaker, there are many colleagues on this floor who understand what this resolution is, they are not under duress, and on their own free will, will vote whether they support it or not. Thank you."

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

"I stand in support. In the midst of change, we should not lose sight of the fact that Speaker Emeritus from Maui has shown great leadership. He is the only Representative who has been Speaker twice in his tenure. He has shown and backed causes even though it was unpopular in this body.

"It is not with disrespect that I support H.R. No. 164. In fact, I hope that the proposed Speaker would be able to stand and have the same honor and integrity as the Speaker. Thank you."

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

"Mr. Speaker, this afternoon I rise in opposition to the resolution. As a former Speaker, I am very much concerned on behalf of this body that what you've heard on the floor is correct. It's very, very difficult in choosing a leader of this illustrious institution. But more importantly, not having to hear what the Speaker who had just resigned his position should have said to this august body of his reasons.

"But more importantly, I would like to wish the incoming Speaker the very best, that they would be upholding the true values of this institution, in reference to transparency and openness, no self-dealings, Mr. Speaker, and also having the communication bridge that we have all lost at this point in time.

"Yes, I did read the former Speaker Emeritus's resignation letter, where some of the shortcomings that he tried five years ago in bringing this body together. Five years ago, Members of the House, this Democratic Caucus was deadlocked, 22-22, and the 22 that was with the Speaker and the present leadership went with the Republicans. And I can appreciate that, I really do. In politics, in organization, all it is is 26 to organize the House of Representatives.

"In closing, Mr. Speaker, I have a prayer that I wanted to insert on behalf of all of you as far as moving ahead. But at this point in time, may I respectfully request that I cast a no vote. Thank you."

Representative Say's written remarks are as follows:

"Mr. Speaker, I have stated on the floor my opposition to HR 164, regarding the selection of the Majority Leader to become the Speaker of the House of Representatives. For closing my remarks, I wanted to share a prayer to the Members of the House of Representatives.

I thank God for you and your service to me as your constituent. Thank you for your commitment to public service and the good of the people.

I pray that you would see God for solutions to our problems. I pray also that you would respect, remember, and incorporate the family principles of our society into your work. I pray that you would act with integrity and honor in your position. I pray that God would help you daily to face the difficulties of public service. I pray for blessing on your family and strength for you personally. In Jesus' name, Amen.

"Prayer written by Edmund Morse."

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

"In opposition, Mr. Speaker. I'd like to adopt the words of the former Speaker of the House. Thank you," and the Chair "so ordered." (By reference only.)

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

"In opposition. Thank you very much, Mr. Speaker. And for a gentleman, and I will say that, I'm not guessing, I did talk to the Speaker this morning just before we came down here, and I do know that he was wanting to continue to lead this body, but circumstances before us changed that.

"And I really hope that it had nothing to do with him defending me on House Bill 475, asking the leadership to pass the bill. I really hope it has nothing to do with that. For a man that has spent half of his lifetime here in this body, Mr. Speaker, I would hope that we could have at least—"

The Chair addressed Representative Tokioka, stating:

"Representative, I'm sorry. I've got this, Majority Floor Leader. With complete respect, Representative Tokioka, I apologize for repeating myself. It's clear in the rules. You cannot arraign a sinister motive to any member in the body."

Representative Tokioka continued, stating:

"Okay, I'll stick to the language in the resolution, the two paragraphs here. I would just hope that, for the members in this body, Mr. Speaker, that do want to say their *aloha* to the Speaker and to support all the years that he's been here, that they can have the option by the Representative, the Majority Leader that's on this resolution, to vote no on this resolution, and not as a matter of being against this resolution, but being in support of all of the work that the Speaker has contributed to this state and this body. Thank you very much, Mr. Speaker."

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

"Thank you, Mr. Speaker. In strong support. I just note briefly that our good Speaker has resigned this morning, and a vacancy in leadership has been created that I think all of us have an obligation to fill.

"There are any number of great issues that have yet to be resolved, and I think the public expects us to take action. And to do that, I think we have to organize ourselves quickly and efficiently, and any member who has earned the respect and trust of a majority of our colleagues should do well to take that position and move us all forward. So because of that, I stand in strong support, and support HR 164. Thank you."

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

"Thank you, Mr. Speaker. I rise in opposition. Before I get started, may I please incorporate the words of the Speaker Emeritus as well as the Representative from Lihue into the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Har continued, stating:

"Thank you, Mr. Speaker. Mr. Speaker, today before us we have a resolution. We know this is unprecedented. Given the fact that the Speaker, now Emeritus, has resigned, to still go forward with this resolution is somewhat unnecessary."

The Chair addressed Representative Har, stating:

"I'm sorry, I'm not arguing. I think until the resolution's actually passed, he's not Speaker Emeritus, he's currently the Speaker."

Representative Har continued, stating:

"Excuse me. Thank you for that clarification, Mr. Speaker. So at this point in time, I think that, again, knowing that this resignation was delivered to all of us this morning, I think it is a sad time at this point, and to move forward with this resolution could have been done at some other appropriate time, out of respect and deference for the Speaker's position. That said, for those reasons, Mr. Speaker, I remain in opposition. Thank you."

Representative Cachola rose, stating:

"Mr. Speaker, before I decide to go in support or against this resolution, let me make this statement. What is before us is whether or not we are going to approve the Majority Leader as the Speaker of the House. The Speaker already resigned. What is before us is whether we are going to support this resolution to appoint the Majority Leader as the Speaker.

"When the Speaker resigned, I believe that he already knows what's coming. And it's to my mind, he is a very magnanimous person, he doesn't want to split this House. And the way I look at it is, let's not split this House. One thing that I should ask the Majority Leader is this. Are we doing this thing now because there is a possibility that when Lieutenant Governor Shan Tsutsui resigns—"

The Chair addressed Representative Cachola, stating:

"You're out of order, Representative. You can't, this does not relate to this resolution before us."

Representative Cachola: "Wait, it is."

At 2:02 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:03 o'clock p.m.

Representative Cachola continued, stating:

"I just really want to know if we can possibly do these things at the beginning of session next year. But I can see the possibility, and I want a commitment from the Majority Leader. I can see the possibility of whoever is the Speaker to get appointed as lieutenant governor. So to the point, I'll be supporting this. I'll be supporting this resolution because the Speaker is no longer the Speaker. The thing before us is whether or not we have to come out voting for the next Speaker. I can just see some things. So to a point, that's my concern. Thank you."

Representative Ward rose, stating:

"Mr. Speaker, I don't have a dog in this fight. I don't have an axe to grind. But I know that what we do on this floor should be honorable. To choose the last day to literally cut off an 84-year-old man, I'm not sure that's the honorable thing to do, Mr. Speaker. And I know it's about power, it's about different things, but Mr. Speaker, I—"

Representative Evans rose to a point of order, stating:

"Mr. Speaker, the speaker is talking about motive, and I think that's out of order."

Vice Speaker Mizuno: "Absolutely correct. I agree."

Representative Tokioka rose to a point of order, stating:

"Point of order, Mr. Speaker."

At 2:05 o'clock p.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:06 o'clock p.m.

Representative Ward continued, stating:

"Mr. Speaker, there's always a better way to do things, and I guess I was commenting on the methodology and the moment of where we are now. So, Mr. Speaker, in summary, I would like to say that the Representative from Maui has served us well."

Representative Ing rose to a point of order, stating:

"Mr. Speaker, point of order. You have to pick a side of the debate in order to have the floor."

The Chair addressed Representative Ward, stating:

"Representative Ing is correct. Are you supportive, with reservations, in opposition?"

Representative Ward: "*Kanalua*."

Representative Ing: "Point of order. The member does not have the floor."

Vice Speaker Mizuno: "Representative, I apologize. And Representative Ing, we're going to allow Rep. Ward to go. He—"

At 2:07 o'clock p.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:08 o'clock p.m.

At this time, the Chair stated:

"Members, your kind indulgence. I apologize, we got the rules straightened out. I believe Representative Ward is spot on with the rules. The Chair recognizes Representative Ward, please continue."

Representative Ward: "In summary, Mr. Speaker."

Vice Speaker Mizuno: "I apologize again. Your position on the measure before us?"

Representative Ward: "I get two more *kanaluas*, right?"

Vice Speaker Mizuno: "I think we already discussed that."

Representative Ward continued, stating:

"Actually, I'm going to say that at the end, because I'm going to abstain from the vote after I thank the new Speaker for his dedication to this House, and to thank the old Speaker for his dedication to the people of Hawaii. Since there is no vote for abstention, Mr. Speaker, I'm forced to walk off from this august body. Thank you."

At this time, the Chair stated:

"Any further discussion on the measure before us? If not, a roll-call vote has been called for by Representative Oshiro. So we're going to ask, if you support that roll-call vote, members, stay with me for a minute. If you can raise your right hand and leave your right hand up, and I will let you know when it's sufficient time to put your hand down. The Clerk will let me know."

The request for roll call was put to vote by the Chair, and upon a show of hands, the request was granted.

Roll call having been approved, the motion that H.R. No. 164, entitled: "HOUSE RESOLUTION ELECTING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-NINTH LEGISLATURE," be adopted, was put to vote by the Chair and carried on the following show of ayes and noes:

Ayes, 39: Aquino, Belatti, Brower, Cachola, Creagan, Cullen, DeCoite, Evans, Fukumoto, Gates, Hashem, Holt, Ing, Johanson, Keohokalole, Kobayashi, Lee, LoPresti, Lowen, Luke, Matsumoto, McKelvey, Mizuno, Morikawa, Nakamura, Nakashima, Nishimoto, Ohno, Onishi, Quinlan, Saiki, San Buenaventura, Takayama, Takumi, Thielen, Todd, Woodson, Yamane and Yamashita.

Noes, 9: Choy, Har, Ito, Kong, McDermott, Oshiro, Say, Tokioka and Tupola.

Excused, 3: Ichiyama, Souki and Ward.

At this time, the Chair stated:

"The motion is carried. Speaker Saiki, please come to the rostrum."

At this time, Speaker Saiki assumed the rostrum.

The following resolutions (H.R. Nos. 162 and 163) were announced by the Clerk and the following action taken:

H.R. No. 162, entitled: "HOUSE RESOLUTION AUTHORIZING AND EMPOWERING THE SPEAKER TO PERFORM AND CARRY OUT ANY OFFICIAL LEGISLATIVE BUSINESS DURING THE INTERIM BETWEEN THE 2017 AND 2018 REGULAR SESSIONS," was jointly offered by Representatives Saiki and Tupola.

On motion by Representative Evans, seconded by Representative Tupola and carried, H.R. No. 162 was adopted, with Representatives Ichiyama, Oshiro and Souki being excused.

H.R. No. 163, entitled: "HOUSE RESOLUTION INFORMING THE SENATE AND THE GOVERNOR THAT THE HOUSE OF REPRESENTATIVES IS READY TO ADJOURN SINE DIE," was jointly offered by Representatives Souki and Mizuno.

Representative Evans moved that H.R. No. 163 be adopted, seconded by Representative Tupola.

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

"Mr. Speaker, I do not think we should adjourn *sine die* until we deal with the issue of the train. This is the largest public works project in the history

of our state, and we're going to walk away today and leave it unsolved. And I think that's just a travesty. So I object, sir."

At 2:15 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:15 o'clock p.m.

The motion was put to vote by the Chair and carried, and H.R. No. 163 was adopted, with Representative McDermott voting no, and with Representatives Ichiyama, Oshiro, Souki and Tokioka being excused.

ANNOUNCEMENTS

Representative Fukumoto: "Thank you, Mr. Speaker. I just wanted to announce and thank, we have somebody on the floor today, Arwyn Jackson, who is the House Minority Research Director who I hired a couple of years ago, this is her last day. So I just wanted to say thank you, Arwyn, for your service and your friendship, and if we could all give her a round of applause."

Representative Ward: "Thank you, Mr. Speaker. Mr. Speaker, over 50 years ago, a guy known for give 'em hell Harry did something historical. He created the National Prayer Day, a national day of prayer. I wanted to announce there's going to be one in the rotunda and one in the Auditorium today. And lastly that, as today is the fourth of May, May the fourth be with you. Thank you."

ADJOURNMENT

Representative Evans moved that the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017, adjourn Sine Die, seconded by Representative Tupola.

The motion was put to vote by the Chair and carried, and at 2:17 o'clock p.m., the Speaker rapped his gavel and declared the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017, adjourned Sine Die. (Representatives Ichiyama, Oshiro, Souki and Tokioka were excused.)

HOUSE COMMUNICATIONS

House Communication dated May 4, 2017, from Brian L. Takeshita, 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 passed the following bill on Final Reading:

S.B. No. 382, SD 2, HD 1, CD 2

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 738 and 739) were received by the Clerk:

Sen. Com. No. 738, dated May 4, 2017, informing the House that the following bill has this day passed Final Reading:

S.B. No. 382, SD 2, HD 1, CD 2

Sen. Com. No. 739, transmitting S.R. No. 97, entitled: "SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE," which was adopted by the Senate on May 4, 2017.

OTHER COMMUNICATIONS

JOSEPH M. SOUKI
Speaker of the House



HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL, ROOM 431
415 SOUTH BRETHERTON STREET
HONOLULU, HAWAII 96813

Phone: (808) 586-6100
Fax: (808) 586-6101

May 4, 2017

MEMORANDUM

TO: All House Members
FROM: Speaker Joseph M. Souki *JMS*
SUBJECT: Resignation as Speaker of the House

First, I would like to thank the members of this body for their confidence in me, and for allowing me the opportunity to lead the House of Representatives.

Five years ago I did not seek this position, but was asked to lead this body in order to bring all members' voices to our deliberations. I hope that to some extent I was able to do that. I was humbled to lead this body, and it has been an honor to serve the people of this state.

There were some disappointments this session such as the failure to pass the Compassionate Aid in Dying and the immunity for our lifeguards bills. With the dynamics in this legislature, we were also unable to agree with the Senate on funding to complete Honolulu's rail system. I regret that on these issues we were not able to do the work of the people.

It is with much gratitude that I thank the members of the House, and especially those who have stood with me through thick and thin. I would like to thank the people of Hawaii, particularly the people of Maui, who I will continue to serve with the same dedication and compassion that I have always given for all these years.

I am resigning my position as Speaker of the House effective immediately.

c: Senate President Ronald D. Kouchi
Brian Takeshita, Chief Clerk



OFFICE OF REPRESENTATIVE MARCUS R. OSHIRO
State Capitol, Room 424, Honolulu, Hawaii 96813
Phone: (808) 586-6700 • Fax: (808) 586-6702 • E-Mail: repmeshiro@capitol.hawaii.gov

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2017 MAY -4 P 12:51
SPEAKER'S OFFICE

May 4, 2017

Speaker Joseph M. Souki
Speaker of the House
Hawaii House of Representatives
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear Speaker Souki:

Effective immediately, I resign from my position as Majority Policy Leader.

It was my honor to serve you.

Should you have any questions, please do not hesitate to contact me at 586-6700.

Very Truly Yours,

REPRESENTATIVE MARCUS R. OSHIRO
46th District (Wahiawa, Whitmore Village, Launani Valley)

C: Majority Leader

EMPLOYEES OF THE HOUSE

The following is a list of all House employees for the 2017 Session:

Representative Aquino: Maureen Andrade, Janelle Guerrero-Miguel, Ruffalyne Villanueva

Representative Belatti: Jon Kawamura, Robert Choy, Mika Unno

Representative Brower: Cynthia Nyross, Lauren Easley

Representative Cachola: Leo Gozar, Randy Cortez, Dennis Galolo

Representative Choy: Pamela Seeney, Raymond Oda, Hector Venegas

Representative Creagan: Jason Young, Wyatt Gordon, Erik Kling, Janine Laurent-Low, Michael Moskowitz

Representative Cullen: Shanell Cullen, Kevin Aganos, Maricar Apuya, Kacie Manabe, Sheila Marie Pacariem

Representative DeCoite: Soana Tupua-Fanoga, Rebecca Bernal, Stacelynn Eli

Representative Evans: Teriitavae "Terii" Perez, Rhonda Roldan, Tania Cortez-Camero, Joana Da Silva-Gonzalez

Representative Fukumoto: Sarah Fukumoto, Chelsea Roy, Desmond Albarracin-Ahana, Maureen Fukumoto, Noah Murakami, Marlo-John Ting

Representative Gates: Venus Delos Santos, Thomas Baldwin, Benjamin Gates

Representative Har: Wendee Wilson, Ryan Ferguson, Chanelle Miwa, Rachel Schaedel, Dylan Waterfall

Representative Hashem: Kathy Kato, Kenneth Best, Michael Leong

Representative Holt: Roth Puahala, Daphne Henion, Joyleanne Santos

Representative Ichiyama: Rise Doi, Brandon Sekiya, Kaci Takara

Representative Ing: Alan Akao, Yvette Cudal, James Stubbs

Representative Ito: Roxanne Kamalu, Richard Haru, George Okuda, Janina Tully

Representative Johanson: Cody Hensarling, Isaiah Baclaan, Vanessa Rivera

Representative Keohokalole: Julia Peleiholani, Anthony Lamorena, Saumalu Mataafa

Representative Kobayashi: Edward Thompson, Jessi Cadorna, Joni Ekimura, Richard Oshiro

Representative Kong: Jacqueline Miyashiro, Crystal Kionia, Charles Struwe, Beverly Wong

Representative Lee: Jennifer Wilbur, Melita Lani, Ryan Senaga, Aran Wilson

Representative LoPresti: Charles Izumoto, Randy Gonce, Isabella Pineda

Representative Lowen: Jade McMillen, Lauren NuDelman, Mark Ogata

Representative Luke: Julie Yang, Jennifer Byun, Steven Chan, Wren Fukada, Alyssa Hayamoto, Darian Kwon, Ryan Louie, Sarah Nagaji, Joy Nakashima, Michael Nakasone, Ian Nishimura, Erin Roh, Aaron Tao, Ivana Tran

Representative Matsumoto: Brittany Rits, Mark Anthony Clemente, Taylor Goodspeed, Mitsuhiro Homma, Denzel Johnson, Geno Tamayo

Representative McDermott: Keith Rollman, Cesar Caoili, Harvey Hukari

Representative McKelvey: Deanza Apodaca, Valerie Dionne, Ronald Lau, Michael Brady, Michael Ganoot, Christian Wellisch

Representative Mizuno: Joje May Mizuno, Christine Fehn, Charles St. Sure, Allan Christopher Acosta, Erwin Gabrillo, Charles Jenks, May Price

Representative Morikawa: Mark Mararagan, Chad Bauer, Megan Mararagan, Debra Shiraishi-Pratt

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Representative Nakashima: Lori Hasegawa, Chelsey Choy, Brandon Wong

Representative Nishimoto: Michelle Herr, Bronson Avila, Emily Hughes, Andrew Nguyen, Keoni Williams, Kevan Wong

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Representative Onishi: Tracy Weidie, Isaac Goya, Derek Inaba, Alina Tassano

Representative Oshiro: Cynthia Au, Elton Fukumoto, Pamela Ito, Jared Munemitsu

Representative Quinlan: Kamalei Grace, Tiare Thomas, Neil Baarde, Aukai Walk

Representative Saiki: Kay Yasufuku Tam, Lindsey Allred, Jonathan Cham, Scott Collins, Geraldine Duff

Representative San Buenaventura: Bylth Iwasaki, John Honda, Allison Jacobs, Tai Pa

Representative Say: Evelyn Hee, Erik Abe, John Kong Kee, Dustin Lee, Karen Taroc

Representative Souki: Floriene "Flo" Hamasaki, Eloise Kuniyoshi, Denise Liu, Brian Yamane, Vernon Souki

Representative Takayama: Karen Kawamoto, Sheldon Galdeira, Christiane Lucas, Aristotle Santa Cruz

Representative Takumi: Nancy Nishimura, Jane Clark, Emily Green, Gayle Hirohata-Goto, Jamila Jarmon, Elizabeth Kor, Alan Takumi

Representative Thielen: Charlotte Farmer, Wanda Adams, Jorene Barut, Daniel Hugo

Representative Todd: Julie Haruki, Chloe O'Neill, Cynthia Okazaki

Representative Tokioka: Kristine Reitan, Connor Dance, Lauren Fetherston

Representative Tupola: Kaleiokalani Gilbert, Kao Kealoha-Lindsey, Mahealani Kahala, Kelli Timoteo

Representative Ward: Elaine Tsai, Marco Valera, Garvin Chun, Shuya Lou

Representative Woodson: Daniel Kalili, Elliott Khlopin, Napela Shim, Judy Sokei, Kaley Vatalaro

Representative Yamane: Danielle Bass, Spencer Haugen, Monique Michelsen

Representative Yamashita: Lois Tambalo, Kathy Sio, Edwin Hayashi, Calla McCarthy, Derek Shigano

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House Sergeant-at-Arms Office: Rod Tanonaka, Leonard "Lon" Paresa, Paulette Abe, Jesse Alvarado, Andrew Barroga, Olinda "Nina" Fisher, Grant Okamoto, Glenn Okamura, Rupert "Rudy" Park III, Desiree Souki, Stephen Adams, Glenn Ganigan, Jonathan Keen, Heather Kelii, Ivan Levy, Bronson Low, Henry Muronaga, Neal Nagata, Geoffrey Oshiro, Wesley Seto, Jon Shitabata, Jeffrey Spencer