

FORTIETH DAY

Thursday, March 29, 2018

The House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018, convened at 12:06 o'clock p.m., with Vice Speaker Nakashima presiding.

The invocation was delivered by Speaker Emeritus Calvin K.Y. Say, after which the Roll was called showing all Members present with the exception of Representatives Lowen, McKelvey and Souki, who were excused.

On motion by Representative Morikawa, seconded by Representative Ward and carried, reading of the Journal was dispensed with and the Journals of the Twenty-Fifth, Twenty-Sixth, Twenty-Seventh, Twenty-Eighth, Twenty-Ninth, Thirtieth, Thirty-First, Thirty-Second, Thirty-Third, Thirty-Fourth and Thirty-Fifth Days were approved. (Representatives Holt, Lowen, McKelvey, Quinlan and Souki were excused.)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 452 through 459) were received and announced by the Clerk:

Sen. Com. No. 452, transmitting H.B. No. 1911, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 28, 2018.

Sen. Com. No. 453, transmitting H.B. No. 2145, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICATION SYNCHRONIZATION," which passed Third Reading in the Senate on March 28, 2018.

Sen. Com. No. 454, transmitting S.C.R. No. 25, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPORT TO THE LEGISLATURE ON THE STATUS OF PHYSICAL EDUCATION IN HAWAII'S PUBLIC SCHOOLS," which was adopted by the Senate on March 28, 2018.

Sen. Com. No. 455, transmitting S.C.R. No. 30, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO STUDY THE IMPACT OF RECENT CHANGES TO FEDERAL INCOME TAX LAW," which was adopted by the Senate on March 28, 2018.

Sen. Com. No. 456, transmitting S.C.R. No. 40, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE OF HAWAII DEPARTMENT OF DEFENSE TO CONVENE AN EMERGENCY MANAGEMENT AGENCY REVIEW TASK FORCE," which was adopted by the Senate on March 28, 2018.

Sen. Com. No. 457, transmitting S.C.R. No. 51, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM THE STATE OF HAWAII AS A PURPLE HEART STATE IN HONOR OF THE SERVICE AND SACRIFICE OF OUR NATION'S UNIFORMED ARMED SERVICES PERSONNEL WHO WERE WOUNDED OR KILLED WHILE PROTECTING OUR FREEDOM," which was adopted by the Senate on March 28, 2018.

Sen. Com. No. 458, transmitting S.C.R. No. 57, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF AGRICULTURE TO REVIEW PROCEDURES RELATING TO AQUACULTURE IMPORTATION PERMIT APPLICATIONS AND TO SUBMIT A REPORT TO THE LEGISLATURE," which was adopted by the Senate on March 28, 2018.

Sen. Com. No. 459, transmitting S.C.R. No. 68, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ENVIRONMENTAL COUNCIL TO SUBMIT A REPORT TO THE LEGISLATURE ON THE REVISION OF ENVIRONMENTAL IMPACT STATEMENT RULES, TITLE 11, CHAPTER 200, HAWAII

ADMINISTRATIVE RULES," which was adopted by the Senate on March 28, 2018.

Representative Belatti moved to disagree to the amendments made by the Senate to the following House Bills, seconded by Representative Morikawa and carried: (Representatives Evans, Holt, Lowen, McKelvey, Quinlan and Souki were excused.)

H.B. No. 1911, HD 2, (SD 1)

H.B. No. 2145, HD 1, (SD 1)

INTRODUCTIONS

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

Representative Nishimoto introduced Mr. Ron Lockwood, Moiliili Neighborhood Board Chairman; and his staff, George White, and family.

Representative LoPresti introduced his wife, Julia; daughter, Nina; Grandmother-in-law, Ruby Avilla; and Aunt, Amanda Avilla.

Representative Ward introduced Mr. Mike Lilly, former Attorney General; and VFW members.

Representative McDermott introduced Mr. Edward Cruickshank, Director, Office of Veterans Services.

Representative San Buenaventura introduced Major General Arthur "Joe" Logan, Adjutant General.

Representative Mizuno introduced visitors from Mental Health America: Ms. Trisha Kajimura, Executive Director (Hawaii); Mr. Paul Gionfriddo, President and CEO; Mr. Danny Cup Choy, Ms. Melissa Pavlicek and Mr. Pedro Haro; and Mr. John Boyd of Kahi Mohala.

Representative Tokioka introduced Colonel Ronald Han, Ret., Director, Office of Veterans' Services.

Representative Tupola introduced General David Bramlett, Ret.

Representative McDermott introduced Mr. Rick Hamada of iHeartRadio.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 223) was announced by the Clerk and the following action taken:

H.R. No. 223, entitled: "HOUSE RESOLUTION RECOGNIZING THE BRAVE MEN AND WOMEN WHO SERVED OUR COUNTRY DURING THE VIETNAM WAR AND REMEMBERING THOSE WHO GAVE THE ULTIMATE SACRIFICE," was offered by Representative LoPresti.

Representative LoPresti moved that H.R. No. 223 be adopted, seconded by Representative Ward.

Representative LoPresti recognized today as the first annual National Vietnam Veterans Day, honored the brave men and women who served our country in the Vietnam War, thanked them for their fidelity and courage, service, patience, and continuing support to our country, and requested that we recognize those who were lost with a moment of silence.

At this time, the Members of the House of Representatives stood for a moment of silence in honor of those who were lost during the Vietnam War.

Representative LoPresti then introduced honorees who were seated on the Floor of the House:

Colonel Gene Castagnetti, Ret., US Marine Corps;
 Chief Warrant Officer Steve J. Avilla, Ret., US Coast Guard;
 Staff Sergeant Robert Kent, Ret., US Army;
 Command Chief Master Sergeant Stan Fernandez, Ret., US Air Force;
 Hospitalman Second Class Michael "Doc" Steinhilber, Ret., US Navy;
 Corporal René Berthiaume, Ret., US Marine Corps; and
 Chief Master Sergeant Carswell "Caz" Ross, Jr., Ret., Hawaii Air National Guard, represented by daughter-in-law, Danielle Bass.

Representative LoPresti also recognized guests who were seated in the gallery:

Colonel Edward Cruikshank, Ret.;
 Colonel Ronald Han, Ret.; and
 Members of the 50th State Planning Committee.

Representative McDermott recognized Col Gene Castagnetti, a Silver Star recipient and Vietnam veteran who served for 28 years in the Marine Corps before becoming director of the National Cemetery of the Pacific, and thanked him for his dedicated service to our country and our veterans.

Representative Kong recognized CW4 Steve Avilla, the first Filipino-American Chief Warrant Officer who served in the US Coast Guard for nearly 26 years, and thanked him for his legacy of public service and his trailblazing accomplishments as a CWO in the US Coast Guard.

Representative Onishi recognized SSG Robert Kent, who served in the US Army for 21 years, for his efforts to maintain and broaden the scope of accessible health care for veterans, and commended and congratulated him for his distinguished record of public service, his bravery in Vietnam, and his continued work and advocacy for veterans.

Representative Ito recognized CCM Stanley Fernandez, who served in the US Air Force for 28 years, for his contributions to the community as a leader in the Civil Air Patrol and as an AFJROTC instructor, and commended and congratulated him on his legacy of public service and his honorable accomplishments.

Representative Fukumoto recognized HM2 Michael "Doc" Steinhilber for his service in the US Navy, for his community service with the Kailua National Little League Baseball team and the VFW, and commended and congratulated him on his accomplishments.

Representative Choy, as a former Marine, recognized Cpl René Berthiaume for his service in the Marine Corps, and thanked him for his lifetime of service with Hawaii nonprofit agencies in the areas of human services, construction, special needs, and affordable housing programs that serve our veterans.

Representative Keohokalole recognized CMSgt Carswell "Caz" Ross, Jr., for his 28 years of service in the Hawaii Air National Guard and for his work with the Office of Veterans' Services, and thanked him for his lifetime of service.

Representative Ward, as a Vietnam veteran, shared how traditionally Vietnam veterans were ignored and hated and unable to be proud of their service until recently, and thanked the veterans for their service.

Representative Yamane thanked veterans for their service, and recognized CMSgt "Caz" Ross for his work supporting veterans, and asked Ms. Bass to share with him that we are behind him in his fight against cancer.

The motion was put to vote by the Chair and carried, and H.R. No. 223 was adopted, with Representatives Evans, Holt, Lowen, McKelvey, Quinlan and Souki being excused.

The following resolution (H.R. No. 224) was announced by the Clerk and the following action taken:

H.R. No. 224, entitled: "HOUSE RESOLUTION CONGRATULATING ADVENTIST HEALTH CASTLE ON RECEIVING THE 2017 MALCOLM BALDRIGE NATIONAL QUALITY AWARD," was jointly offered by Representatives Lee, Ito, Keohokalole and Thielen.

Representative Lee moved that H.R. No. 224 be adopted, seconded by Representative Thielen.

Representative Lee shared the origins of Adventist Health Castle, congratulated them on being the first organization in Hawaii to receive the Malcolm Baldrige National Quality Award, a result of the collective efforts of the medical center's staff, physicians, volunteers and partners who have pursued excellence in delivering quality care and who have contributed greatly in the areas of leadership, strategy and customer service leading to exceptional results in patient safety, patient satisfaction, workforce engagement, and financial performance, shared a personal note of thanks for their care after he suffered from a stroke, and thanked them for all they do.

Representative Thielen recognized and honored the staff and administrators of Adventist Health Castle, formerly known as Castle Medical Center, the 2017 Malcolm Baldrige National Quality Award recipient, and introduced honorees who were seated on the Floor of the House:

Ms. Kathryn Raethel, President and CEO; and
 Mr. Steve Bovey, Quality Improvement Coordinator.

Representative Keohokalole welcomed and recognized additional honorees who were seated on the Floor of the House:

Mr. Erik Anderson, Director of Quality and Clinical Information Systems;
 and
 Mr. Jonathan Kono, Governing Board Member.

Representative Ito further recognized the final honorees who were seated on the Floor of the House:

Mr. Travis Clegg, Vice President, Operations; and
 Mr. Heidar Thordarson, Vice President, Finance, and CFO.

Representative Lee then recognized guests from Adventist Health Castle who were seated in the gallery.

Representative Ward recognized former Governor Waihee, who was seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 224 was adopted, with Representatives Evans, Holt, Lowen, McKelvey, Quinlan and Souki being excused.

At 12:58 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:07 o'clock p.m.

ANNOUNCEMENTS

Representative Tokioka: "Thank you very much, Mr. Speaker. Mr. Speaker, may I be allowed to insert comments into the Journal to acknowledge the service of Speaker Emeritus Souki and his service from 1982 to this day? As well all know, today is his last day. Thank you very much."

Representative Tokioka submitted the following:

"Mr. Speaker, Speaker Emeritus Souki has spent most of his life building a legacy of service. In the past 35 years, Speaker Souki has helped see the State of Hawaii through some of its biggest challenges and most tumultuous

political periods. With all the changes we have seen over the years, his strong leadership has remained one of the few constants.

"Perhaps Speaker Emeritus Souki's greatest strength as a legislator is his ability to balance compassion and tenacity. Year after year, he has earned his reputation as a champion of the underprivileged and disadvantaged. Some call him stubborn, but he is at his most relentless when he is defending the interests of those who might otherwise be overlooked.

"I have tremendous respect for the contributions he has made and a great appreciation for what he has taught me about serving as a legislator. One of the most important traits that Speaker Emeritus Souki shared with us is the ability to put aside personal disagreements and keep our emotions separate from our decisions. In heated situations, Speaker Emeritus Souki always focused on the task at hand. He did not let his feelings distract him from his duty to serve. It is crucial that we put our respect for the institution and our service to the people of Hawaii above anything else, and we can all learn from Speaker Emeritus Souki's intense focus and commitment. His influence runs deep through the State of Hawaii, and we are better off for it."

Representative Johanson: "Thank you, Mr. Speaker. Since tomorrow is a holiday, I just wanted to announce that we have a special occasion tomorrow, it is the birthday of the Representative from Mililani Mauka tomorrow. So since we're not here, just in anticipation of that, I thought we could wish her a happy birthday early. Thank you."

Representative Choy: "Mr. Speaker, I'd like to make the same request, I'd like to have permission to enter just a short note for Speaker Souki. Thank you."

Representative Choy submitted the following:

"Speaker Emeritus Joseph Souki, it is fitting to record my final farewell and congratulations for a job well done into the record.

"Only history will decide how well a job you have done for the people of the State of Hawaii. Only history will determine the type of man you were, how you carried yourself, and how Hawaii advanced as a state over your past 36 years of public service. I, for one, can say today that you have served the people well, the kindness of your heart and your passion to give voice to the voiceless will not be forgotten.

"Of the many lessons I learned from you, the most valuable is, '*Attached to each number on a ledger, a budget or journal is a person.*' Your wisdom taught me that this person can be a family member, a neighbor, a friend, or even a stranger, but be certain that a person is being affected by that number on that piece of paper. When considering how to balance budgets or reconcile figures, the importance is not only to strive for the correct number or the perfect balance, but also one must consider the well-being of that person. When one achieves this understanding, one will become a statesman.

"Thank you, Speaker Joe. May the next chapter in your life touch and enrich the people's lives in the State of Hawaii, as you did in the past. *Aloha.*"

Representative Ward: "Mr. Speaker, just to remember that tomorrow is Good Friday, and Happy Easter for Sunday to all."

Representative Matsumoto: "Thank you, Mr. Speaker. All of you have been so patient with the Women's Legislative Caucus announcing the Easter basket drive every single day. The day is finally here when we're able to give the baskets to the three organizations, IHS, Salvation Army, and Windward Spouse Abuse Center. I was a little worried, I'll admit, as of yesterday we had 70 baskets, but I'm proud to announce that today we got 214 baskets, so we exceeded our goal of 210.

"So if you can all come down at 1:45 p.m. in the front lobby right across from the Auditorium, right outside the parking lot. We're going to have the Easter Bunny, a special guest, and if I could have a late introduction, we will also have Miss Hawaii, if you could please stand, Kathryn Teruya, and then her mom Kim, if we could give them a round of applause. Miss Hawaii will also be there to take photos, because she has her platform around dental

health, and she donated a whole bunch of toothbrushes and toothpaste to the Easter basket drive. So if you can all come out at 1:45 p.m. for photos, we'd love to see you there. So thank you again for all of your work."

Representative Say: "Mr. Speaker, may I be permitted to submit some written comments in regards to Speaker Souki's 36 years of public service? Thank you very much."

Representative Say submitted the following:

"Mr. Speaker and Members of the House of Representatives, House of Representative employees and the general public.

"Thank you, Speaker Emeritus Joseph Souki, for 36 years of public service. One employee has already stated, 'I miss you,' with your witty comments.

"I for one will miss you for our legislative tenure in the House of Representatives. You remind me of an older brother, a cunning politician, a caring person for all of Hawaii, a Maui Banker in bringing home the pork, and an overall true gentleman who has respected this institution of the State House of Representatives.

"Another individual said, 'I will miss him also and love him and his Portuguese smile and jokes. We all will keep him in our prayers for both Frances and Joe.'

"So as one door closes another opens and I personally know that 'public service' will still continue for you in the future.

"From my own political experience during the 36 years I worked with him, workers compensation, public housing, education, health and human service, transportation, budget and finance, and developing and constructing the organizations of the House. I will truly miss all of his expertise.

"To Joe, Frances, Desiree and Mark, may the Lord bless, protect and love the Souki Family."

Representative Ward: "Same request."

Representative Ward submitted the following:

"Thank you, Mr. Speaker. I am writing comments into the Journal to commend Speaker Emeritus Joseph M. Souki for 36 years of service to this body, his constituents, and the people of Hawaii. I am saddened that his distinguished career in public service is ending in such a manner, but am grateful for the good he has done for our state.

"I will never forget the budget discussions many years ago, in which then Speaker Souki called for my removal from the House Floor. While often adversaries on a number of policy issues, Speaker Emeritus Souki and I maintained a civil and friendly relationship over the 20+ years we have served together in this body, even though I'm the only member to be kicked off the Floor of the House because of Speaker.

"I bid the former Speaker farewell and best wishes in his retirement. *Mahalo.*"

ADJOURNMENT

At 1:11 o'clock p.m., on motion by Representative Morikawa, seconded by Representative Ward and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, April 2, 2018. (Representatives DeCoite, Evans, Hashem, Holt, Ichiyama, Ing, Ito, LoPresti, Lowen, McKelvey, Quinlan, Souki, Todd, Tupola and Woodson were excused.)

HOUSE COMMUNICATIONS

House Communication dated March 29, 2018, 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 disagreed to the amendments made by the Senate to the following measures:

H.B. No. 1911, HD 2, SD 1
H.B. No. 2145, HD 1, SD 1