

## FORTIETH DAY

## Wednesday, March 28, 2012

The Senate of the Twenty-Sixth Legislature of the State of Hawai'i, Regular Session of 2012, convened at 11:43 a.m. with the President in the Chair.

The Roll was called showing all Senators present with the exception of Senators Ihara and Solomon who were excused.

The President announced that he had read and approved the Journal of the Thirty-Ninth Day.

At this time, Senator Fukunaga, with the assistance of Senators Kahele, Ryan, Espero, Green, Slom, and Gabbard, recognized and congratulated the following recipients of the United States Small Business Administration's 2012 Awards for the State of Hawai'i:

Michael Tokunaga of S. Tokunaga Store in Hilo, recipient of the 2012 Small Business Person of the Year award, was accompanied by his wife Peggy and daughter Mykala, as well as Derek Ching, who represented Cheryl Octavio and Roberta Chu of Bank of Hawaii who nominated Mr. Tokunaga for the award;

Constance Cate of East Hawaii Small Business Center Development Network Office, recipient of the 2012 Home-Based Business Champion award, was accompanied by Clyde Kono, who represented Stacey Williams of Bank of Hawaii who nominated Ms. Cate for the award;

John and Daisy Carpenter of Island Slipper Factory in Pearl City, recipients of the 2012 Small Business Exporter of the Year award, were accompanied by their son Matt, company CPA Marshall Inagraham, and Demaney Kihei of First Hawaiian Bank who nominated the Carpenters for the award;

Vince Dydasco, volunteer at SCORE Hawaii and recipient of the 2012 Veteran Small Business Champion of the Year award, was accompanied by Cliff Silverstein of SCORE Hawaii who nominated Mr. Dydasco for the award, as well as Michael Herb, District Director of SCORE Hawaii;

Jerry Guyo of Pacific Ice Services, Inc. in Honolulu, recipient of the 2012 Young Entrepreneur of the Year, was accompanied by his wife Minnette, father Romeo, sister Jeannie, and Naomi Masuno of First Hawaiian Bank who nominated Mr. Guyo for the award;

Susumu Oshima of Oshima Brothers Stores in Kealahou, recipient of the 2012 Family-Owned Small Business of the Year award, was unable to attend but was represented by Greg Ayau of Bank of Hawaii who nominated Mr. Oshima for the award;

Glenn Kishida of Nexus Trusted Advisors in Honolulu, recipient of the 2012 Financial Services Champion of the Year award, was accompanied by Kevin Kaji and Warren Altona of Bank of Hawaii who nominated Mr. Kishida for the award;

Kathleen Davenport of Kathleen Davenport Photography, recipient of the 2012 Women in Business Champion of the Year award, was accompanied by her husband Tony, and Lauren Tonouye and Rodney Wong of Bank of Hawaii who nominated Ms. Davenport for the award; and

Dana Hauanio, Director of the Minority Business Center at the University of Hawai'i at Mānoa Shidler College of Business and recipient of the 2012 Minority Small Business Champion of the Year award, was accompanied by her husband Alan Lorie, daughter Anuhea, father Richard, Executive Director Dr. Tusi Avegalio, and Naomi Masuno who nominated Ms. Hauanio for the award.

Senator Fukunaga recognized Director Jane Sawyer and Deputy Director Mark Spain of the Small Business Administration's Hawai'i District office.

At 12:06 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 p.m.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 233 and 867 to 868) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 233, dated March 23, 2012, transmitting proposed changes to the FY 12-13 Supplemental Budget for the Departments of Business, Economic Development and Tourism, Human Services, and Land and Natural Resources, was placed on file.

Gov. Msg. No. 867, informing the Senate that on March 27, 2012, the Governor withdrew WENDIE SCHWAB, Gubernatorial Nominee to the Hawai'i Health Authority, from consideration by the Senate (Gov. Msg. No. 686), was placed on file.

Gov. Msg. No. 868, submitting for consideration and confirmation to the Board of Psychology, the nomination of ROSEMARY ADAM-TEREM, term to expire June 30, 2014, was referred to the Committee on Commerce and Consumer Protection.

## HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 330 and 331) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 330, informing the Senate that on March 27, 2012, the House disagreed to the amendments proposed by the Senate to H.B. No. 1754, H.D. 1 (S.D. 1), was placed on file.

Hse. Com. No. 331, returning S.B. No. 2503, S.D. 1, as amended in H.D. 1, which passed Third Reading in the House of Representatives on March 27, 2012, was placed on file.

By unanimous consent, action on S.B. No. 2503, S.D. 1, (H.D. 1), entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," was deferred until Friday, March 30, 2012.

## STANDING COMMITTEE REPORTS

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3013) recommending that the Senate advise and consent to the nomination of ROY AMEMIYA JR. to the Tax Review Commission, in accordance with Gov. Msg. No. 649.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3013 and Gov. Msg. No. 649 was deferred until Friday, March 30, 2012.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3014) recommending that the Senate advise and consent to the nomination of PETER HO to the Tax Review Commission, in accordance with Gov. Msg. No. 650.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3014 and Gov. Msg. No. 650 was deferred until Friday, March 30, 2012.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3015) recommending that the Senate advise and consent to the nomination of RANDALL IWASE to the Tax Review Commission, in accordance with Gov. Msg. No. 651.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3015 and Gov. Msg. No. 651 was deferred until Friday, March 30, 2012.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3016) recommending that the Senate advise and consent to the nomination of MITCHELL IMANAKA to the Tax Review Commission, in accordance with Gov. Msg. No. 652.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3016 and Gov. Msg. No. 652 was deferred until Friday, March 30, 2012.

Senator Ige, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 3017) recommending that the Senate advise and consent to the nominations of the following:

Board of Taxation Review, 1st Taxation District (O'ahu):

TRACY CHIANG, in accordance with Gov. Msg. No. 760;

ERIC CHING, in accordance with Gov. Msg. No. 761;

Board of Taxation Review, 3rd Taxation District (Hawai'i):

PETER TADAKI, in accordance with Gov. Msg. No. 762;

Board of Taxation Review, 4th Taxation District (Kaua'i):

RUSSELL KYONO, in accordance with Gov. Msg. No. 763;

RONALD PEEREN, in accordance with Gov. Msg. No. 764; and

ERIC YAMA, in accordance with Gov. Msg. No. 765.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3017 and Gov. Msg. Nos. 760, 761, 762, 763, 764, and 765 was deferred until Friday, March 30, 2012.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 3018) recommending that S.C.R. No. 5, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3018 and S.C.R. No. 5, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN VETERANS AND WOMEN ON ACTIVE DUTY," was deferred until Friday, March 30, 2012.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 3019) recommending that S.R. No. 6, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3019 and S.R. No. 6, S.D. 1, entitled: "SENATE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND THE HAWAII OFFICE OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAMS AND SERVICES TO ADDRESS THE NEEDS OF WOMEN

VETERANS AND WOMEN ON ACTIVE DUTY," was deferred until Friday, March 30, 2012.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 3020) recommending that S.C.R. No. 59 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3020 and S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM JULY 13, 2012, AS "COLLECTOR CAR APPRECIATION DAY"," was deferred until Friday, March 30, 2012.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 3021), recommending that S.C.R. No. 60 be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 60, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO PROMPTLY UNDERTAKE THE DESIGN AND CONSTRUCTION OF A SHARED-USE PATH ALONG KAHEKILI HIGHWAY," was referred to the Committee on Ways and Means.

Senator English, for the Committee on Transportation and International Affairs, presented a report (Stand. Com. Rep. No. 3022), recommending that S.R. No. 23 be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.R. No. 23, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO PROMPTLY UNDERTAKE THE DESIGN AND CONSTRUCTION OF A SHARED-USE PATH ALONG KAHEKILI HIGHWAY," was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 3023) recommending that S.C.R. No. 6, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 6, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO REINVEST FUNDS ORIGINALLY INTENDED FOR INCARCERATION INTO STRUCTURED COMMUNITY PLACEMENT PROGRAMS FOR ELIGIBLE NON-VIOLENT FEMALE OFFENDERS," was referred to the Committee on Ways and Means.

Senator Espero, for the Committee on Public Safety, Government Operations, and Military Affairs, presented a report (Stand. Com. Rep. No. 3024) recommending that S.C.R. No. 30, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 30, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO AMEND THE UNFUNDED MANDATES REFORM ACT," was referred to the Committee on Ways and Means.

Senator Fukunaga, for the Committee on Economic Development and Technology, presented a report (Stand. Com. Rep. No. 3025) recommending that S.C.R. No. 55, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and S.C.R. No. 55, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LIEUTENANT GOVERNOR TO REPORT TO THE LEGISLATURE ON THE STATE'S STRATEGIC PLAN TO EXPAND ASIA-PACIFIC BUSINESS DEVELOPMENT OPPORTUNITIES FOR HAWAII BUSINESSES, AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO INCLUDE IN THE DEPARTMENT'S ANNUAL REPORT THE PROGRESS OF IMPLEMENTATION OF THE STRATEGIC PLAN," was referred to the Committee on Ways and Means.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3026) recommending that H.B. No. 1858 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 1858, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE INFORMATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 30, 2012.

Senator Hee, for the Committee on Judiciary and Labor, presented a report (Stand. Com. Rep. No. 3027) recommending that H.B. No. 2841 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Espero, seconded by Senator Slom and carried, the report of the Committee was adopted and H.B. No. 2841, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 30, 2012.

#### ORDER OF THE DAY

#### AGREE/DISAGREE

#### MATTER DEFERRED FROM TUESDAY, MARCH 27, 2012

S.B. No. 2648 (H.D. 1):

Senator Hee moved that the Senate agree to the amendments proposed by the House to S.B. No. 2648, seconded by Senator Galuteria.

Senator Hee noted:

"What the House did is they clarified the word 'student' by adding the words 'full-time' to the word 'student'. Thank you."

The motion was put by the Chair and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2648 and S.B. No. 2648, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," was placed on the calendar for Final Reading on Friday, March 30, 2012.

At this time, the Chair made the following announcement:

"Referrals and re-referrals are made in accordance with the listings on the Order of the Day and the Supplemental Order of the Day that may be distributed to your offices later this afternoon.

#### RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

H.B. No.:                      Re-referred to:

H.B. No. 2338, H.D. 2      Jointly to the Committee on Economic Development and Technology and the Committee on Ways and Means

H.B. No. 2483, H.D. 1      Jointly to the Committee on Energy and Environment and the Committee on Ways and Means

H.B. No. 2808              Committee on Ways and Means

At this time, Senator Galuteria rose to make the following remarks:

"Colleagues, we are on the second day of our Hawaiian Caucus Week, and today I speak in honor of, in this Senator's opinion, the greatest of Hawai'i's warriors: Kamehameha the Great. So, let me begin by naming some other great warrior leaders: Alexander the Great, arguably one of the greatest generals of antiquity; Sun Tzu, a Chinese general and author of the first and most sophisticated book on military theory ever written, *The Art of War*, which covers logistics, espionage, and strategy with a deep reliance on philosophy; Julius Caesar, a general, a statesman, a law-giver, his government endured for centuries and he never lost a war.

"Colleagues, only one great Hawaiian leader stands equal to these great names and more: Kamehameha the Great. King Kamehameha was one of the most striking figures in Hawaiian history, a leader who united and ruled the islands during a time of great cultural change. Accounts vary, but many think that Kamehameha was born into a royal family in North Kohala sometime between 1753 and 1761. At the death of King Kalani'ōpu'u in 1782, the island of Hawai'i was divided between his son Kiwala'ō and his nephew Kamehameha. Peace reigned until July 1782, when a dispute between their chiefs ensued and it led to an outbreak of war. Kiwala'ō was slain. Kamehameha then embarked upon a series of conquests that by 1795, had brought all of the islands but Ni'ihau and Kaua'i island—who still are sovereign today—under his control. When these were ceded to him under peaceful negotiations in 1810, Kamehameha was the undisputed ruler of the entire island group.

"Now colleagues, later today we will gather in joint session to honor those in military service who gave the ultimate sacrifice so we may be here today sharing these thoughts. Kamehameha was our unified commander-in-chief, and any and all military leadership would be proud to hear his story today. Kamehameha died in May of 1819. He had accomplished what no man in the history of the Hawaiian people had ever done by uniting all of the islands under one rule. Study the Hawaiian value of leadership to any degree and the name Kamehameha the Great rises above all others, and nearly two centuries later the repeated telling of his reign makes him even more legendary.

"So let me conclude, colleagues, with Kamehameha's famous battle cry to his troops prior to the battle of Kepaniwai as we head into our session's midpoint: Imua, imua e nā poki'i a inu i ka wai 'awa'awa, 'a'ohē hope e ho'i mai ai—Go forward, go forward little brothers and drink the bitter waters, there is no turning back. Eō Kamehameha. Mahalo."

At 12:22 p.m., on motion by Senator Espero, seconded by Senator Slom and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives, in accordance with House Concurrent Resolution No. 35, to award the Hawai'i Medal of Honor to United States military service members with Hawai'i connections who were killed in action while serving in dangerous, volatile, and unstable areas of the world, including Iraq and Afghanistan.

## JOINT SESSION

The Joint Session of the Senate and the House of Representatives of the Twenty-Sixth Legislature of the State of Hawai'i, Regular Session of 2012, was called to order at 2:02 p.m. by the Honorable Calvin K.Y. Say, Speaker of the House of Representatives.

The Speaker then addressed the Chamber, stating:

"This is indeed a momentous occasion. We honor members of the Armed Forces of the United States, with ties to Hawai'i, 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 Hawai'i State Legislature, I convey our deepest condolences to our very special guests—the family, 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.

"Please rise for the posting of the colors by the Joint Service Color Guard, the Hawai'i Air National Guard Royal Guard, and remain standing for the singing of the National Anthem and 'Hawai'i Pono'i' by Ms. Megann Sala, which will be followed by the Hawaiian Blessing by Ms. Puakeala Mann from Halau Hula O Maiki."

At this time, the members of the Twenty-Sixth Legislature and special guests rose for the Posting of Colors by the United States Pacific Command Joint Service Color Guard and the Hawai'i Air National Guard Royal Guard.

The members of the Legislature and guests remained standing for the singing of the National Anthem and "Hawai'i Pono'i" by Ms. Megann Sala.

The Hawaiian Blessing was then invoked by Ms. Puakeala Mann.

At this time, the Speaker thanked the Joint Service Color Guard, the Royal Guard, Ms. Sala, and Ms. Mann for their participation in today's ceremony.

The Speaker then addressed the members of the Legislature and guests as follows:

"Good afternoon and aloha! Our nation has been at war for more than a decade, and as time passes it is easy to allow our attention to be diverted from what our brave servicemen and women do overseas. However, the reality is that the threats our military personnel face today are no less real and no less grave than they were when this all began in those days following the September 11th attacks. We are gathered here to pay respects to those that have given their lives, so that we may enjoy the level of comfort, security, and freedom found in the United States of America.

"These patriots whom we honor today were also fathers, sons, and brothers. They had hopes, dreams, and plans for the future as all of us do, but for the love of the country, they put those plans aside. By volunteering, deploying to a combat zone, and laying down their lives, these brave men gave away all of their tomorrows, so that we can go on to see ours.

"This is the seventh year that the State has awarded the Hawai'i Medal of Honor. The day that we gather each year to honor our heroes and their families is the day that I am most proud, and yet, most sorrowful, to be standing here before you. For while we, as lawmakers, are honored to recognize these outstanding individuals, we also hope the day comes soon when such ceremonies are no longer necessary.

"I would like to thank the families and loved ones for participating in today's proceedings. Every one of us owes you

a great debt, one that we can never fully repay. We truly mourn your loss, and it cannot be said enough: These heroes, these patriots, who made the ultimate sacrifice for your nation, will never be forgotten."

"Before proceeding any further, I would like to acknowledge the presence of our state, congressional, and military leaders."

At this time, the Speaker welcomed and introduced the following distinguished guests to the members of the Twenty-Sixth Legislature:

The Honorable Neil Abercrombie, Governor of the State of Hawai'i;

The Honorable Brian Schatz, Lieutenant Governor of the State of Hawai'i;

Representing the Honorable Daniel K. Inouye, United States Senator—Colonel Retired Walter Kaneakua;

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

Representing the Honorable Mazie K. Hirono, United States Congresswoman—Ms. Lauren Montez;

Representing the Honorable Colleen Hanabusa, United States Congresswoman—Mr. Richard Rapoza;

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

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

Major General Darryll D. M. Wong, Adjutant General, Hawai'i Department of Defense;

Representing the United States Army Pacific and Lieutenant General Francis Wiercinski—Major General William Beard;

Representing the 8th Theater Sustainment Command and Major General Michael Terry—Mrs. Cathy Terry accompanied by Colonel Glenn Grothe;

Brigadier General Gary M. Hara, Commander, Hawai'i Army National Guard, and Mrs. Dianne Hara;

Brigadier General Stanley J. Osserman, Jr., Commander, Hawai'i Air National Guard;

Brigadier General Keith Gallagher, Commander, Tripler Army Medical Center, and Mrs. Sandra Gallagher;

Representing the 25th Infantry Division and Major General Bernard Champoux—Brigadier General Paul LaCamera;

Brigadier General Joseph Kim, Deputy Adjutant General, Hawai'i Department of Defense;

Rear Admiral Fernandez Ponds, Commander, Navy Region Hawai'i, and Mrs. Carolyn Ponds;

Representing the United States Marine Forces Pacific and Lieutenant General Duane Thiessen—Colonel James Reilly;

Representing the United States Coast Guard District 14 and Rear Admiral Charles Ray—Captain David Vaughn;

Representing the Hawai'i National Guard—Chief of Joint Staff Colonel Joe Logan and Mrs. Gaylene Logan;

Colonel Brad Sakai, Commander, United States Air Force 154th Wing, and Mrs. Momi Sakai;

Command Chief Master Sergeant Robert Lee, Senior Enlisted Officer, Hawai'i National Guard; and

Representing the United States Pacific Air Forces and General Gary North—Chief Master Sergeant Robert Webb.

The Speaker then stated:

“Let us acknowledge these fine state, congressional, and military leaders and all other military personnel who are here today.”

At this time, the Speaker called upon the Honorable Neil Abercrombie, Governor of the State of Hawai‘i.

The Governor addressed the Joint Session and guests as follows:

“Aloha, dear friends. This gathering today is not the first occasion where we have had a similar ceremony. Yet, we find ourselves, in some respects, as the Speaker has indicated, repeating ourselves, sometimes with regret, but more often with a sense of acknowledgement as to what constitutes the human dimension.

“Those who we honor today, those who we acknowledge today, are those who are rich in character. Their circumstances, in terms of their material life may be humble, but they are rich in character. The issues with which conflicts have ensued and individuals’ commitments up to and including their very lives are large in scope, but our acknowledgement is individual and personal. The implications of the issues, ostensibly in contention in wars and battles and conflicts, are immense on the overall picture that we present to ourselves as human beings, but the implications for those assembled here today are intensely personal. In some respects, you could say they are even isolated, or insulated or involuted, but this would not truly represent what it is we do today. Yes, we look to ourselves, and we look inward to determine for ourselves, what meaning we are to derive from gatherings such as this, but more importantly, we reach out to one another in solidarity as brothers and sisters in our common humanity.

“I periodically review, as I contemplate and reflect upon the responsibilities that I have now as Commander-in-Chief of the National Guard, and upon the circumstances of my public life on the Armed Services Committee in the United States House of Representatives, and take from my shelf, when I am struck with a sense of responsibility for determining what it is that I need to do, this volume of James Gould Couzen’s *Guard of Honor*, a novel which, probably within the context of reference out of the period of War World II, is not necessarily in the first rank of critics’ choices as being representative of the era. One thinks of *The Naked and the Dead*, *From Here to Eternity*, William Styron’s book *Lie Down in Darkness*, or William Manchester’s *Goodbye Darkness*. But *Guard of Honor* takes as its theme a quotation from Shakespeare in *The Tempest*, and it gives me pause every time I think about it and read it, and gives me perspective on our proceedings here today:

I and my fellows are ministers of Fate: the elements, Of whom your swords are temper’d, may as well Wound the loud winds, or with bemock’d-at stabs Kill the still-closing waters, as diminish

One dowle that’s in my plume: my fellow-ministers Are like invulnerable...

“That—I think—is the fundamental message that we bring to one another today and bring to those whom we recognize today, that our commitment to one another as human beings, our commitment to those core values that make up the very basis of our humanity are like invulnerable.”

The Speaker thanked Governor Abercrombie and then presented to the members of the Twenty-Sixth Legislature and special guests Major General Darryll Wong to deliver his remarks.

General Wong addressed the Joint Session and guests as follows:

“Governor Abercrombie, Lieutenant Governor Schatz, our congressional delegation, Senate President Tsutsui, Speaker Say, members of the State Senate, Legislature, family and friends of our honored heroes, and all of our military sitting in the gallery above. As State Adjutant General, presiding over this ceremony is probably part of the most difficult duties that I have of the many duties that I do. I’m responsible for the training and the equipping of the Hawai‘i National Guard Soldiers and Airmen, and it’s always with a heavy heart when I see them off as they leave our shores.

“As a Homeland Security Advisor, I must ensure that we have done all we can to prevent this state from falling victim to any act of terrorism, and as Director of State Civil Defense, I feel the burden of preparing and keeping Hawai‘i’s residents and tourists safe from the effects of any natural or manmade disaster. But none of these responsibilities can compare to the burden felt by any of these family members with us today who have lost a loved one in the service to our nation.

“My duty today is in some small way to try to comfort those when comfort may not be enough, and to massage the pain of a broken heart. While I may fall short in this endeavor, I can at least take solace in knowing that the State of Hawai‘i has provided some closure to these families by recognizing the supreme sacrifice made by their soldiers, sailors, airmen, and marines, on behalf of this grateful state.

“Hawai‘i has a long tradition of welcoming mainland service personnel to our shores. After World War II, many G.I.s stopped in Honolulu on the way back from the South Pacific. So, many of them fell in love with Hawai‘i, and they never got back on the ships and stayed and planted their roots. During the Korean and Vietnam wars, tens of thousands of G.I.s and airmen, soldiers, sailors, and marines touch American soil for the first time again, in Hawai‘i, after a long absence, and decided they belong here.

“Hawai‘i welcomes thousands of new armed forces personnel each year, and each one is touched in at least some small measure by their time here. This is more than just a beautiful place. It’s more than just beautiful weather. It’s the feeling of aloha and the feeling of ‘ohana, family, that makes our men and women in uniform feel welcome. So, it does not matter whether our fallen heroes were born or raised here, or whether they were stationed here for a couple months or a couple years before deployment. They are part of the ‘ohana, or family, and by extension, their families become ours as well, and always will be.

“This feeling of family could not be more evident than the request made by Major General Bernard Champoux, Commanding General of the 25th Infantry Division here at Schofield, whose assignment was to close down and bring home the final U.S. forces in Iraq. For his final departure home after a year-long deployment, his request was for a Hawai‘i-based C17 from the Hawai‘i Air National Guard to pick him up and take him and his headquarters element back home to Hawai‘i. This says a lot.

“The State Medal of Honor symbolizes the strength and character of each hero as well as the feeling of ‘ohana. The kalo, or taro, leaves, in the medal is emblematic of the embrace of the people of Hawai‘i. Following America’s tradition in past wars, a gold star was often placed, displayed, to let the neighborhood know that the life of a hero who had grown up there had been taken. Today, the gold star on the medal coat of arms represents the 50th State star on the American flag, and also represents the person being honored.

“The attachment device in the red and yellow ribbon is a rendering of the ancient puela, or flag, the Hawaiians raised at sea above the sail of their canoes. All who saw the puela from

afar knew that a person of highest rank or honor was coming. Today, this service ribbon and this puella will remind us that these families are the highest rank and honor. It is our hope that this medal will continuously remind the families and friends of these fallen heroes that this state will always remember the sacrifice you and your family member have made, that you are and forever shall be a member of this family and hold a special place in our heart. Mahalo.”

The Speaker thanked Major General Wong for his continued leadership and then stated:

“Madam Clerk, please begin the announcement of the Hawai‘i Medal of Honor recipients.”

At this time, the House Clerk proceeded to read the names of the following individuals who were represented by family members, friends, and colleagues to receive their medals and certificates:

United States Army Corporal Andrew C. Wilfahrt;  
 United States Army Staff Sergeant Mark C. Wells;  
 United States Army Sergeant Kevin W. White;  
 United States Army Specialist William S. Blevins;  
 United States Army Private First Class Andrew M. Krippner;  
 United States Marine Corps Private First Class Josue Ibarra;  
 United States Army Private First Class Joshua L. Jetton;  
 United States Army Specialist Levi E. Nuncio;  
 United States Army First Lieutenant Dimitri A. Del Castillo;  
 United States Army Staff Sergeant Nigel D. Kelly;  
 United States Army Specialist Kevin J. Hilaman;  
 United States Marine Corps Lance Corporal Christopher L. Camero;  
 United States Army Staff Sergeant James M. Christen;  
 United States Army Sergeant William B. Gross Paniagua;  
 United States Navy Senior Chief Petty Officer Kraig M. Vickers;  
 United States Army Sergeant First Class Houston M. Taylor;  
 United States Army Specialist Ronald Wildrick; and  
 United States Army Staff Sergeant Joseph J. Altmann.

The Speaker then stated:

“Members of the House and members of the Senate, please recognize and thank the recipients’ family members, friends, and colleagues who have joined us in the Chamber today.

“Madam Clerk, please begin the announcement of the names of other recipients of the Hawai‘i Medal of Honor, whose families could not be present for today’s ceremony.”

The Senate Clerk proceeded to read the names of the following individuals whose families were not able to attend today’s ceremony:

United States Army Private First Class Thomas C. Allers;  
 United States Army Staff Sergeant Kristofferson B. Lorenzo;  
 United States Army Sergeant Jacob Molina;  
 United States Marine Corps Corporal Nicholas S. Ott;  
 United States Army Staff Sergeant Christopher R. Newman;  
 and  
 United States Army Sergeant Christopher L. Muniz.

Senate President Shan S. Tsutsui then gave his closing remarks as follows:

“To all who have gathered here today, thank you for being part of this very important ceremony. Today’s ceremony reminds us of the bravery, the dedication, and the commitment that these soldiers demonstrated throughout their lives. To the family and friends of our honorees, thank you for sharing America’s heroes with the rest of us. We are truly humbled by their courage and commitment in their service to others even in the face of great adversity and physical danger.

“The loss of loved ones leaves an emptiness that is not easily filled. However, it is our hope that you may find some comfort in the deep appreciation and gratitude that the people of Hawai‘i and the people of this nation have for the sacrifices that have been endured. Yours is a debt that cannot be repaid, but through our collective efforts to remain truly appreciative of the rights and freedoms that we cherish most in our country, we can and must continue to honor the memories of our fallen soldiers.”

At this time, President Tsutsui made the following announcement:

“Members of the House and Senate and special guests, please rise and turn your attention to the rotunda level for the three-volley salute and the playing of ‘Taps’. Following this will be a moment of silence. Members of the Hickam Base Honor Guard, please proceed.”

A 21-gun Salute and Taps were then carried out by the U.S. Air Force and the U.S. Navy. Hickam Base Honor Guard and the Marine Forces Pacific Band.

The President then stated:

“Members of the House and Senate and special guests, please stand for the retiring of the colors.”

At this time, the members of the Twenty-Sixth Legislature and special guests rose for the Retiring of the Colors by the Joint Service Color Guard and the Hawai‘i Air National Guard Royal Guard.

The President stated:

“There being no further business, I now declare this Joint Session adjourned.”

At 3:00 p.m., the President declared the Joint Session adjourned.

#### ADJOURNMENT

At 3:00 p.m., the Senate adjourned until 11:30 a.m., Friday, March 30, 2012.