

## THIRTY-THIRD DAY

**Monday, March 20, 2017**

The Senate of the Twenty-Ninth Legislature of the State of Hawai'i, Regular Session of 2017, convened at 11:32 a.m. with the President in the Chair.

The Roll was called showing all Senators present.

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

At this time, Senator Baker noted it was Kick Butts Day at the State Capitol, where young people learn more about activism and being empowered to speak out about tobacco issues.

Senator Espero introduced Kaniala Peters Clark, a junior at James Campbell High School who was serving as an intern in his office.

Senator Baker recognized staff members and participants in Kick Butts Day who were present in the gallery, including members of the Youth Council that advised the Coalition for a Tobacco-Free Hawai'i and is leading the next generation to be tobacco-free. Senator Baker noted that the Youth Council was the driving force behind making Hawai'i the first state in the nation to raise the age of sale of tobacco products and e-cigarettes to 21, and that this year they were focusing on protecting keiki from harmful secondhand smoke in vehicles through the prohibition of smoking in a car when a minor is present, as well as working to make University of Hawai'i campuses tobacco-free and regulating electronic smoking devices.

Senator Dela Cruz introduced a group of students from Kanuikapono Public Charter School in Anahola, Kaua'i, who were present in the gallery.

The Chair thanked the students for the beautiful lei.

Senator Kahele recognized the presence of Dr. Leina'ala Ahu Isa, Office of Hawaiian Affairs Trustee-at-Large, in the gallery.

Senator Kidani recognized and commended the Department of Education's Teachers of the Year, and presented the following remarks:

"Colleagues, we begin our Education Week recognition program this morning with a salute to the Department of Education's Teachers of the Year. Student success in the classroom begins with strong and supportive teachers. Our public school teacher corps numbers just over 12,000 – men and women who devote countless hours to preparation and presentation, mentoring and motivating.

"I should note that we take a chance by scheduling these presentations during spring break. Of the eight teachers nominated by their peers and selected for recognition, some are, today, at workshops, and others were not able to be here. One of them is here this morning, and another has sent a representative. To begin our presentations, my colleague Senator Chang."

Senator Chang rose to present the following remarks:

"Today, we are honoring Kay Beach, who is represented by Buffy Cushman-Patz, the principal of our school. Kay is the Public Charter Schools 2017 District Teacher of the Year. She is currently an English language arts and project-based learning teacher for the School for Examining Essential Questions of Sustainability, also known as SEEQS. Her approach as a teacher is through openness, empathy, and values-learning. As a teacher, she has created a safe space for her students to develop their minds, and believes that education is the gateway to developing

a generation of individuals who create and live in a world of discovery. She is heavily influenced by supportive parents and colleagues as well as her travel experiences. Her students are able to reflect on their lives, use research to make decisions, and think critically about issues. Even though Kay could not be here, let's give one more round of applause for Kay."

Senator Shimabukuro rose to present the following remarks:

"Nominees for District Teacher of the Year must be exceptionally skillful and dedicated classroom teachers who have the respect and admiration of students, parents, and coworkers; play an active role in their school and communities; and inspire a love of learning in students of all backgrounds and abilities. Meeting this criteria, Luane Higuchi emerged as the 2017 Leeward District Teacher of the Year. For 21 years, this award-winning digital media teacher has challenged her students to surpass their own expectations. Inspired by teachers who encouraged, respected, and believed in her, Higuchi pays it forward through tireless efforts with extracurricular activities and traveling with students to competitions and awards ceremonies, and open new opportunities by coordinating the Wai'anae Coast Film Festival and launching a new video contest, the 'Na Hana Pookela o Waianae.' Please join me in commending Luane Higuchi for her commitment to public education and to the hundreds of Wai'anae students and their families whose lives she has guided and enriched over her many years in public education, and congratulating Luane for being selected Leeward District 2017 Teacher of the Year."

Senator Keith-Agaran rose to present the following remarks:

"I'm pleased to acknowledge Jennifer Suzuki, 2017 Maui District Teacher of the Year. Unfortunately, Ms. Suzuki was unable to attend today's session. Like many of our teachers during spring break, she's working. I know that Ms. Suzuki is taking 31 Maui Waena students to the annual Student Television Network competition in Orlando, Florida. Over the past few years, the Maui Waena Technology Club has dominated the event, which is the nation's premier student video convention and competition with nearly 3,000 middle and high school kids.

"Ms. Suzuki has been teaching for 17 years at Maui Waena. Her dedication to her students has been key to inspiring the development of their talents. Her interdisciplinary and applied approach to learning has been highly effective and well-received by her students. I know, because she's taught a lot of my relatives, and her garage is no longer a garage – it's a workshop for her students. During her tenure, Ms. Suzuki has helped to initiate and expand the STEM programs to include subjects such as coding, media, and robotics, all with facilities that were not designed and equipped with those programs in mind. But when she returns from Orlando, Ms. Suzuki will finally have use of a STEM building, a project that was proposed in 2005 and which was supposed to be completed and opened in 2009. On Friday afternoon, Mr. President, I'm glad to say, she and her colleagues finally got the keys to their classrooms and the 15,000-square-foot building, which boasts nine classrooms for math, science, music, and computer resources. After a lot of delays, more than any certificates or public recognition, I think moving in and using her new classroom will be the most fitting – although very belated – reward for her work. Let's again acknowledge Ms. Suzuki."

Senator Galuteria rose to present the following remarks:

"My, my, my, what do we have here: The State Teacher of the Year that comes from Washington Middle School in the district that I represent. Oh, my – mahalo nui loa. Sung Man Park is the 2017 State Teacher of the Year from Washington Middle School. He's a mathematics teacher and has taught in public

schools for 12 years and coached Washington Middle's MATHCOUNTS team since 2010. Every year since, his team has won the state championship. Mr. Park's math knowledge is his great wealth, and he shares it with students and fellow educators in classes and competition preparation and in the school's vertical and horizontal strategies to improve math literacy. The accomplishment Mr. Park holds most dear is the community of learners, composed of his former students, who return as mentors and coaches to his current middle school students. Through math, Mr. Park develops a growth mindset, a love of learning, and resilience that are essential to student success in school and life. By his skill and determined coaching and confidence-building, his students overcome their temerity in competition. Mr. President, colleagues, although Mr. Park was unable to join us here today, I ask you to join me in congratulating Sung Man Park, the 2017 State Teacher of the Year."

Senator Kim rose to present the following remarks:

"Mr. President, who among us can't remember with great fondness and admiration that teacher who inspired us to learn, who quenched our thirst to know more about the world around us, who profoundly shaped our choices in life? And I know each of us has special memories of our favorite teacher. Tracey Idica is such a teacher and has been selected as the Department of Education's 2017 Central District Teacher of the Year. She's an English language arts teacher at Aiea High School and she holds a National Board Certification and has been in the classroom for 34 years. In her own words, she says, 'I love being a teacher and I love my students.' That passion is evident in her work. She believes it's too easy to focus only on those students who are eager to learn. She believes that all children can learn and will do so if given the proper environment, expectation, and strategies. Tracey sets very high expectations for her students and demands nothing but the best. Her mantra is 'accountability.' She expects students to meet the high standards she sets. It's little wonder that she earns the respect of her students, colleagues – not only because of her success in the classroom, but as an advocate for education in the community and before our government leaders. So, colleagues, Tracey Idica's unable to join us today because of a work commitment, but please join me in congratulating her and thanking her for achievements as a selection of the Central District Teacher of the Year. Thank you."

Senator Thielen rose to present the following remarks:

"I have the honor today of recognizing the Windward District Teacher of the Year, Kristi Kusunoki. Kristi Kusunoki is an accomplished musician and a conductor and a leader in her field. She became a music teacher 10 years ago when she realized that music would help students become contributing members to our society. Ms. Kusunoki organizes musical events to increase musical literacy and to highlight the talents of her students. While she improves their technical skills, she also develops their ability to recognize and respond to each other. Kristi recognizes that music provides a creative way to teach students about larger life lessons and also a way to reach students who do not necessarily respond to ordinary classroom lessons. As she says, 'When you are a member of a band, you realize that you are a part of something bigger than yourself. When each student plays by listening and responding to each other, they elevate their performance to create a sound that is blended, balanced, and unified.' Unfortunately, Ms. Kusunoki was not able to join us today, and she has relocated to Washington, D.C., which is a great loss to Hawai'i. We wish her well in her future endeavors, but please join me in recognizing the work that she has done and being recognized as Windward District Teacher of the Year."

Senator Ruderman rose to present the following remarks:

"Laurie Ann O'Brien has been named the 2017 Hawaii District Teacher of the Year. Laurie Ann O'Brien, a National Board Certified math instructor at Kea'au High School, was inspired to teach by a college professor who encouraged her to think outside the box and personalize learning by establishing supportive relationships with her students. As an after-school track and field coach, O'Brien worked with community members and stores to sponsor equipment and supplies to her students. Described as a lifelong learner seeking to improve her teaching and motivate her students, Laurie Ann O'Brien is also pioneering a new computer science course to further her students' understanding of and preparation for the real world. Ms. O'Brien is not able to be with us – please join me in congratulating and thanking Laurie Ann O'Brien for her service and commitment to excellence at Kea'au High School and the Hawai'i Island community."

Senator Kidani rose and stated:

"Thank you, Mr. President. And on your behalf, I'd like to acknowledge David Mireles, Kaua'i District Teacher of the Year. Mr. President, though he is unable to attend today's session, I would like to recognize the 2017 Kaua'i Teacher of the Year from Kapa'a High School. After graduating from University of California, Berkeley, David spent some time figuring out what would be his next path in life and then began working with at-risk young people in Emeryville, West Oakland. After reflecting on the experience, David went on to receive his teaching license and master's degree from the UCLA Graduate School of Education and Information Studies.

"For the past 27 years, David has educated students across the globe, including California, India, and Indonesia. He has helped every student achieve greater heights in their futures, utilizing his talents to guide students in unlocking their full potential regardless of perceived ability or income.

"As a dedicated, veteran teacher, David Mireles established himself on the island of Kaua'i, which he believes to be 'the most beautiful place on Earth.' He has been teaching at Kapa'a High School for the past 10 years. David has been praised by colleagues, students, and parents for his enthusiastic, consistent, and innovative approach on education. Mr. President and colleagues, I would like to extend my sincerest congratulations and mahalo to Mr. David Mireles for his exemplary initiative and outstanding contributions to the Kaua'i community and for being named the 2017 Kaua'i Teacher of the Year.

"Before we conclude, Mr. President, I would like to acknowledge guests who are with us in the gallery and elsewhere in the Capitol this morning. This day during Education Week has been designated Charter School Day. In 1999, Hawai'i passed the first charter school law, converting Wai'alaie and Lanikai Elementary Schools to public charters. Today, there are nearly 11,000 students enrolled in 34 charter schools – about 6 percent of public school students statewide. As with any public school, charters are staffed by certified teachers – this morning we acknowledged Kay Beach as one of the DOE's Teachers of the Year.

"The Hawaii Charter School Network has been set up in Room 225 this morning, with more than a dozen schools represented by students and teachers with displays. They will be making the rounds visiting your offices during the day, and I hope you will listen to their stories of success. With us in the gallery today is executive director of Hawai'i State Public Charter School Commission Sione Thompson and Yvonne Lau, his chief operating officer. Also with us in the gallery: staff from the Charter School Network – Jeannine Souki and Malia Gray. And with them are students and leaders from almost two

dozen of the state's 34 charter schools, representing a wide variety of specialty education programs. Thank you all for joining us today.

"Mr. President, that concludes our Education Week presentation for today. Tomorrow, we will be honoring Hawai'i's Milken Educators, our two National Blue Ribbon Schools, and several students – including the Prudential Spirit of Community Award recipients who have been involved in outstanding community service projects. Thank you, Mr. President."

Senator Taniguchi recognized Boy Scouts from Troop 33, who were accompanied in the gallery by Carl Silva, Leah Inouye, Paige Inouye, Mark Okikawa, Masako McMann, Harlan Kimura, Ross Ishida, and Chris Lee.

At 11:54 a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 p.m.

#### STANDING COMMITTEE REPORTS

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 929) recommending that H.B. No. 1081, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 1081, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CITATIONS FOR BEAUTY CULTURE VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary and Labor and the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 930) recommending that H.B. No. 1027, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and Labor.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 1027, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS," passed Second Reading and was referred to the Committee on Judiciary and Labor.

Senator Gabbard, for the Committee on Agriculture and Environment, presented a report (Stand. Com. Rep. No. 931) recommending that H.B. No. 605, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 605, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER," passed Second Reading and was referred to the Committee on Commerce, Consumer Protection, and Health and the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 932) recommending that H.B. No. 235, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 235, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Baker, for the Committee on Commerce, Consumer Protection, and Health, presented a report (Stand. Com. Rep. No. 933) recommending that H.B. No. 206, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Espero, seconded by Senator English and carried, the report of the Committee was adopted and H.B. No. 206, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

At this time, Senator Baker announced that there were only eight more session days until the deadline to receive governor's messages nominating people to boards and commissions, and urged colleagues on the fifth floor to send the messages before the deadline.

Senator Kidani announced that Education Week would continue the following day, with the annual book sale by the Friends of the Library in Conference Room 225 from 8:30 a.m. to 1:00 p.m.

#### ADJOURNMENT

At 12:03 p.m., on motion by Senator Espero, seconded by Senator English and carried, the Senate adjourned until 11:30 a.m., Tuesday, March 21, 2017.