

## THIRTY-THIRD DAY

## Monday, March 16, 2020

The Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2020, convened at 12:06 p.m. with the President in the Chair.

The Roll was called showing all Senators present with the exception of Senators Harimoto, Kidani, and Ruderman who were excused.

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

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 636 to 638) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 636\*, submitting for consideration and confirmation to the State of Hawai'i Third Circuit Court, the nomination of PETER K. KUBOTA, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 637, submitting for consideration and confirmation to the Contractors License Board, the nomination of CLYDE HAYASHI, term to expire June 30, 2021, was referred to the Committee on Commerce, Consumer Protection, and Health.

Gov. Msg. No. 638, submitting for consideration and confirmation to the Contractors License Board, the nomination of JOSEPH O'DONNELL, term to expire June 30, 2021, was referred to the Committee on Commerce, Consumer Protection, and Health.

## STANDING COMMITTEE REPORTS

Senator Rhoads, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3419) recommending that H.B. No. 2069, 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 Kahele, seconded by Senator Fevella and carried, the report of the majority of the Committee was adopted and H.B. No. 2069, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY FORFEITURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3420) recommending that H.B. No. 2294, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2294, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 18, 2020.

Senators Taniguchi and Dela Cruz, for the Committee on Labor, Culture and the Arts and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 3421) recommending that H.B. No. 2302, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the joint report of the Committees was adopted and H.B. No. 2302, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT

MAKING EMERGENCY APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 18, 2020.

Senators Taniguchi and Dela Cruz, for the Committee on Labor, Culture and the Arts and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 3422) recommending that H.B. No. 2303, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the joint report of the Committees was adopted and H.B. No. 2303, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 18, 2020.

Senators Taniguchi and Dela Cruz, for the Committee on Labor, Culture and the Arts and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 3423) recommending that H.B. No. 2305, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the joint report of the Committees was adopted and H.B. No. 2305, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 18, 2020.

Senators Taniguchi and Dela Cruz, for the Committee on Labor, Culture and the Arts and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 3424) recommending that H.B. No. 2306, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the joint report of the Committees was adopted and H.B. No. 2306, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 18, 2020.

Senators Taniguchi and Dela Cruz, for the Committee on Labor, Culture and the Arts and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 3425) recommending that H.B. No. 2307, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the joint report of the Committees was adopted and H.B. No. 2307, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 18, 2020.

Senators Taniguchi and Dela Cruz, for the Committee on Labor, Culture and the Arts and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 3426) recommending that H.B. No. 2308, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

\* The Senate consented to the nomination listed under Gov. Msg. No. 636 on April 12, 2020, pursuant to Article VI, Section 3, of the Hawai'i State Constitution, which reads: "If the senate fails to reject any appointment within thirty days thereof, it shall be deemed to have given its consent to such appointment."

On motion by Senator Kahele, seconded by Senator Fevella and carried, the joint report of the Committees was adopted and H.B. No. 2308, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 18, 2020.

Senators Taniguchi and Dela Cruz, for the Committee on Labor, Culture and the Arts and the Committee on Ways and Means, presented a joint report (Stand. Com. Rep. No. 3427) recommending that H.B. No. 2309, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the joint report of the Committees was adopted and H.B. No. 2309, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 18, 2020.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3428) recommending that S.C.R. No. 7 be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.C.R. No. 7, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUBMIT A REPORT TO THE LEGISLATURE ON THE IMPLEMENTATION OF THE AMENDED CHAPTERS 19 AND 89 OF TITLE 8, HAWAII ADMINISTRATIVE RULES," was referred to the Committee on Judiciary.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3429) recommending that S.R. No. 8 be referred to the Committee on Judiciary.

On motion by Senator Kahele, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.R. No. 8, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUBMIT A REPORT TO THE LEGISLATURE ON THE IMPLEMENTATION OF THE AMENDED CHAPTERS 19 AND 89 OF TITLE 8, HAWAII ADMINISTRATIVE RULES," was referred to the Committee on Judiciary.

Senators Thielen and Gabbard, for the Committee on Government Operations and the Committee on Agriculture and Environment, presented a joint report (Stand. Com. Rep. No. 3430) recommending that S.C.R. No. 38, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3430 and S.C.R. No. 38, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE LIEUTENANT GOVERNOR TO ESTABLISH A MULTI-STAKEHOLDER TASK FORCE TO ADVANCE STATE PROCUREMENT OF LOCALLY PRODUCED FOOD," was deferred until Tuesday, March 17, 2020.

Senators Gabbard and Thielen, for the Committee on Agriculture and Environment and the Committee on Government Operations, presented a joint report (Stand. Com. Rep. No. 3431) recommending that S.C.R. No. 17, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3431 and S.C.R. No. 17, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE TO BAN SINGLE-USE PLASTIC GOODS AND PLASTIC BAGS AND TO SET A SUSTAINABILITY EXAMPLE BY ELIMINATING THE USE

OF SINGLE-USE PLASTIC TABLEWARE AT STATE DEPARTMENT MEETINGS AND FUNCTIONS," was deferred until Tuesday, March 17, 2020.

Senators Gabbard and Thielen, for the Committee on Agriculture and Environment and the Committee on Government Operations, presented a joint report (Stand. Com. Rep. No. 3432) recommending that S.R. No. 18, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3432 and S.R. No. 18, S.D. 1, entitled: "SENATE RESOLUTION URGING THE STATE TO BAN SINGLE-USE PLASTIC GOODS AND PLASTIC BAGS AND TO SET A SUSTAINABILITY EXAMPLE BY ELIMINATING THE USE OF SINGLE-USE PLASTIC TABLEWARE AT STATE DEPARTMENT MEETINGS AND FUNCTIONS," was deferred until Tuesday, March 17, 2020.

The Clerk then announced:

"Members, we are moving to the Supplemental Order of the Day: Introduction of Measures."

#### SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 242) was read by the Clerk and was disposed of as follows:

S.C.R. No. 242 "SENATE CONCURRENT RESOLUTION RELATING TO THE RECESS OF THE THIRTIETH LEGISLATURE, REGULAR SESSION OF 2020."

Offered by: Senator Kouchi.

On motion by Senator Kahele, seconded by Senator Fevella and carried, S.C.R. No. 242 was adopted.

At this time, the Clerk announced:

"We're moving back to the regular Order of the Day, page 5: Standing Committee Reports Nos. 3433 and 3434."

The Chair stated:

"If there are no objections from the members, we will proceed with the adoption of said standing committee reports today and we will be taking advise and consent on consent."

#### STANDING COMMITTEE REPORTS AND ADVISE AND CONSENT

Stand. Com. Rep. No. 3433 (Gov. Msg. No. 504):

Senator Nishihara, for the Committee on Public Safety, Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 3433) recommending that the Senate advise and consent to the nomination of KENNETH S. HARA as Adjutant General of the Department of Defense, in accordance with Gov. Msg. No. 504.

Senator Nishihara moved that Stand. Com. Rep. No. 3433 be received and placed on file, seconded by Senator Wakai and carried.

Senator Nishihara then moved that the Senate advise and consent to the nomination of KENNETH S. HARA as Adjutant General of the Department of Defense, term to expire at noon on December 5, 2022, seconded by Senator Wakai.

Senator Nishihara rose to request that remarks in strong support of the nominee be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Nishihara's remarks read as follows:

"I rise in strong support of GM505 – for consideration and confirmation as the Adjutant General of the Department of

Defense of Kenneth S. Hara for a term to expire at noon on 12/5/2020.

“Major General has over 36 years of military service of which 27 years were on Active Federal Service as a full-timer with the Hawaii National Guard.

“In the previous five years, he has served as the Deputy Adjutant General for the State of Hawai‘i, Department of Defense. Additionally, during the past two years, he concurrently served as the commander of the Hawaii Army National Guard and as the Deputy Chief of Staff, G3 Operations for the Eighth U.S. Army in Korea.

“Other significant military assignments include assignment as the dual status commander of Joint Task Force – 50 during the 2018 response to the Kīlauea volcanic eruption and Hurricane Lane.

“Major General served on three combat deployments. The first deployment he commanded an Infantry battalion with over 600 soldiers that deployed to Baghdad, Iraq; second as the deputy commander of the 29th Infantry Brigade Combat Team responsible for camp commands in Kuwait and convoy security missions throughout Iraq; and third as the commander of the 29th Infantry Brigade Combat Team with over 3,500 soldiers and simultaneously led the deployment of 16 Security Forces Assistance Advisor Teams to the Regional Command South, in Kandahar, Afghanistan.

“His greatest strength is his leadership style with significant strength in experience, planning, organization and supervision of tasks.

“I therefore ask that my colleagues and you, Senate President, support me to confirm the nomination of Major General Kenneth S. Hara to the position of Adjutant General, State of Hawai‘i, Department of Defense.

“Thank you, Mr. President!”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Harimoto, Kidani, Ruderman).

Stand. Com. Rep. No. 3434 (Gov. Msg. No. 505):

Senator Nishihara, for the Committee on Public Safety, Intergovernmental and Military Affairs, presented a report (Stand. Com. Rep. No. 3434) recommending that the Senate advise and consent to the nomination of STEPHEN F. LOGAN as Deputy Adjutant General of the Department of Defense, in accordance with Gov. Msg. No. 505.

Senator Nishihara moved that Stand. Com. Rep. No. 3434 be received and placed on file, seconded by Senator Wakai and carried.

Senator Nishihara then moved that the Senate advise and consent to the nomination of STEPHEN F. LOGAN as Deputy Adjutant General of the Department of Defense, term to expire at noon on December 5, 2022, seconded by Senator Wakai.

Senator Nishihara rose to request that remarks in strong support of the nominee be entered into the Journal, and the Chair so ordered.

The Chair having so ordered, Senator Nishihara’s remarks read as follows:

“I rise in strong support of GM 505 – for consideration and confirmation as the Deputy Adjutant General of the Department of Defense, Gubernatorial Nominee Stephen F. Logan, for a term to expire at noon on 12/05/2022.

“Colonel Stephen F. Logan has over 39 years of military service with the Hawaii National Guard. For 15 years, he served as a Dual-Status Federal Military Technician in the grades of GS14 and GS-15. Prior to that, three years were served in an Active Military Status in the 1990’s. All other times were served as a traditional part-time National Guard Soldier while concurrently employed with the Honolulu Police Department for a period of twenty-two years. Within that timeframe, he progressed to the rank of Metropolitan Police Lieutenant as a Patrol Watch Commander.

“In the previous three years, he served as the Chief of Staff of the Hawaii Army National Guard, comprised of over 3000 Soldiers and over 600 active, technician, and state employees. He commanded two of three major subordinate commands of the Hawaii Army National Guard: the 29th Infantry Brigade Combat Team, and the 103d Troop Command. For over ten years, he managed the multi-million dollar fixed and rotary wing aviation program as the State Army Aviation Officer; and is qualified to fly both platforms. Colonel Logan is qualified as a Certified Defense Financial Manager, and member of the American Society of Military Comptrollers.

“Other significant military assignments include assignment as the deputy commander of Joint Task Force – 50 during the 2018 response to the Kīlauea volcanic eruption and Hurricane Lane. Additionally, he served on a combat deployment as the deputy commander of the 29th Infantry Brigade Combat Team with 16 Security Forces Assistance Advisor Teams to the Regional Command South, in Kandahar, Afghanistan. While there, he detached to advise an Afghan Major General in charge of all Afghan Uniformed Police in Regional Command South; and subsequently the Kandahar Province National Directorate of Security Chief.

“His greatest strength is his ability to motivate others and his commitment to fiscal stewardship and proper execution of federal and state funding that is most applicable to the Deputy Adjutant General position.

“I therefore ask that my colleagues and you, Senate President, support me to confirm the nomination of Colonel Stephen F. Logan to the position of Deputy Adjutant General, State of Hawai‘i, Department of Defense.

“Thank you, Mr. President!”

At this time, the Chair remarked:

“Thank you. I was remiss in General Hara’s confirmation: They were originally not scheduled for today. In light of everything that is happening, I want to commend Senator Nishihara, his staff, and our staff in making sure we could get this to the floor and conduct the vote today. You know, they are the leaders of our civil defense and, with everything happening in our community today, we want to send a clear and strong message about who is in charge, so thank you, Senator Nishihara. Convey my thanks to your staff.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Harimoto, Kidani, Ruderman).

#### ORDER OF THE DAY

#### ADVISE AND CONSENT

Stand. Com. Rep. No. 3418 (Gov. Msg. No. 508):

Senator Taniguchi moved that Stand. Com. Rep. No. 3418 be received and placed on file, seconded by Senator Ihara and carried.

Senator Taniguchi then moved that the Senate advise and consent to the nomination of ANNE E. PERREIRA-EUSTAQUIO as Deputy Director of the Department of Labor and Industrial Relations, term to expire at noon on December 5, 2022, seconded by Senator Ihara.

Senator Taniguchi rose to speak in strong support of the nominee as follows:

“Your Committee on Labor, Culture and the Arts held a public hearing on February 13th. After review and consideration of the nominee’s personal history, résumé, statement, and testimony received, your committee finds Anne Perreira-Eustaquio very well-qualified to serve as deputy director of DLIR. Accordingly, your Committee on Labor, Culture and the Arts recommends that the Senate advise and consent to the confirmation of Anne E. Perreira-Eustaquio to serve as DLIR deputy director. And if I could have some comments inserted into the Journal also?”

The Chair having so ordered, Senator Taniguchi’s additional remarks read as follows:

“Ms. Eustaquio has been serving as the Acting Deputy Director since October 2019. Committed to public service, she has more than 30 years of experience with DLIR, including most recently as Unemployment Insurance Administrator—responsible for managing the safety net of the federal–state program. She previously served as an Unemployment Insurance Program Development Officer, Auditor, and Program Specialist. Born and raised in Hilo, she earned a Bachelor of Business Administration degree in Accounting, and a Master’s degree in Business Administration from Chaminade University of Honolulu.

“Ms. Eustaquio has been an integral part of the DLIR modernization efforts by leading the information technology steering committee projects, and increasing employee engagement with the development of the Alternative Working Schedule.

“As reflected in the committee report and many testimonies, Ms. Eustaquio strives to do what is right, and her tremendous experience, expertise, people skills, and integrity all complement the efforts of Director Scott Murakami. Ms. Eustaquio is personally committed to providing both ‘leadership with passion’ and a strong, collegial work ethic to help realize the vision and mission of the Department of Labor and Industrial Relations.”

Senator Inouye rose to speak in support of the nominee as follows:

“I’m so proud of our Hilo, Big Island, girl, who has come from humble beginnings. She has shown her dedication to her work for 30 years, and I’m proud of her willingness to continue in her new role if confirmed today, and I ask that you all join me in confirming Anne Perreira-Eustaquio. Mahalo, Mr. President.”

The Chair commented:

“Thank you, Senator Inouye; I appreciate your comments. All she talked to me about was her connections to Kaua’i when she came for her appointment with me.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Harimoto, Kidani, Ruderman).

At this time, Senator Taniguchi introduced Deputy Director Anne Eustaquio, who was accompanied in the gallery by her mother, Marie Perreira; husband, Ish Eustaquio; brother and sister-in-law Duane and Kathleen Perreira; sister and nephews

Millicent, Kaleb, and Jaron Gilmore; her friends Rene and Mao Layne; as well as a large contingent of Department of Labor and Industrial Relations employees, headed by Director Scott Murakami.”

At 12:15 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:36 p.m.

At this time, the Chair remarked:

“First, I am reluctant to call a caucus and go into a space that would be, under the current advisory, inappropriate for us to meet, but we are having two resolutions being prepared that are asking the administration to prioritize issues. Senator Dela Cruz, as the introducer, will explain them; when the draft supplemental Order of the Day is completed and the amended resolution can be put on your desk, we will deal with that matter. Second, the House is still in caucus and we will wait for the House to vote on the resolution to be sure that we are in a joint action. Should they, for some reason, decide to take another action, then we are prepared to act accordingly.”

Senator Kim rose to speak on a point of personal privilege as follows:

“Colleagues, I know that, like me, many of you are disappointed in the cancellation of Education Week, and while we will not be honoring these amazing educators on the floor, we will be asking that comments be inserted into the Journal so that there is still an official record of the honorees, and with that, I’d like to ask that comments be inserted into the Journal noting the honoring of Ed Week nominees that would have been honored today.”

The Chair having so ordered, the comments on behalf of Senator Kidani, Chair of the Committee on Education, read as follows:

“Floor Recognition: Education Week

“MONDAY: March 16, 2020

“Despite the unprecedented reality that we are presently encountering due to COVID-19, this pandemic should not deter our outstanding educators and students to go without the recognition that they all deserve. For that reason, I would like to add these remarks to the Senate Journal to ensure that the Education Week recipients are rightfully recognized.

“Colleagues, today marks the first day of Education Week, where the Hawai’i State Legislature recognizes leadership, teaching, service, and scholarship within our Hawai’i education system. This year, we will show homage to teachers, counselors, librarians, and school administrators who have shown a dedication for the future generations of Hawai’i students. We will also give recognition to students who have made strides in academics and athletics.

“We would first like to recognize outstanding students. Four incredible young people have shown leadership outside of the classroom. The Prudential Spirit of Community Awards program honors middle and high school students for their volunteer work within the community.

“**Rylee Brooke Kamahale.** Rylee is a seventh-grade home-schooled student from Mililani. She does not let her young age stop her from helping her community. She started volunteering with her parents at a young age, and by the age of eight, she wanted to make her own impact. She was told at first that people ‘didn’t want to babysit while doing community service.’ However, with a strong drive and perseverance, Rylee was able to work alongside others in charitable organizations and then started her own movement. She established ‘Love is a Verb,’ an organization that has put on numerous youth-run projects,

including beach cleanups, animal protection projects, and providing Thanksgiving dinners to the homeless. Rylee also co-founded a 'Secret Santa Project' that held donation drives and made Christmas a little brighter for youth who were staying in shelters.

"I would also like to recognize **Joie Agoo**, a senior at Mililani High School. Joie is also a Prudential Spirit of the Community honoree for her incredible volunteer work. A proud member of the YMCA, she and a group of friends have been preparing lunches for those who are homeless; providing them with nutritious meals containing fresh fruits and vegetables. It has become apparent that **Joie Agoo** is a compassionate young person and explains, in her own words, that 'we don't just feed their stomachs; we strive to feed their hearts and souls.' I would like to congratulate Joie for her outstanding efforts.

"Our next honoree is **Dyson Chee**. Dyson is a home-schooled senior with a keen eye for the environment and the ocean. His initiative, 'Project OCEAN' has educated people about the issue of plastic pollution in Hawai'i. Dyson attends local schools and community events to present information on why plastic pollution is a problem and how it could be solved. In addition, he has worked with schools to eliminate their use of single-use plastic bags and distributed over 1500 reusable straws. Dyson is also a familiar face here at the Capitol, as he has been actively testifying before the Legislature. The Senate would like to thank **Dyson Chee** for his efforts in keeping our precious oceans clean and congratulate him for being a distinguished finalist for the Prudential Spirit of the Community Award.

"**Yucheng Wu** is from Maryknoll High School. After relocating from China, Yucheng started using Khan Academy, a web-based nonprofit which offers educational resources to improve her English skills. She realized how beneficial the website was for her and decided to volunteer her time to help others around the world. Yucheng has volunteered more than a thousand hours of her time to translate learning materials from English to Chinese for Khan Academy. Yucheng's efforts have been able to help even those in rural and undeveloped regions. Congratulations **Yucheng Wu** and mahalo for helping others in our community and around the world.

"A student-athlete who has proven excellence in the classroom and on the soccer field is **Liya Brooks**. She is a 14-year-old Moanalua High School student and has been selected as the only member from Hawai'i for the US Club Soccer's first ever id2 National Selection Girls Team. They will be traveling to England in March to challenge other top soccer academies. In addition to being an outstanding athlete, Liya is an outstanding student with a grade point average of 3.9. Congratulations to **Liya Brooks** for her achievement as a student-athlete.

"Education is a privilege that is often taken for granted, and we forget how much time and effort is placed into teaching our next generation. Principals, teachers, administrators, custodians, and more are involved. This incredible group of people put the time and effort to help our students excel. With that being said, I am proud to acknowledge the National Blue Ribbons Schools. These schools were selected by the U.S. Department of Education for their overall academic excellence or their progress in closing achievement gaps among student subgroups.

"The first school I would like to recognize is **Lā'ie Elementary School**, led by **Principal Eliza Loha Kaka**. **Lā'ie Elementary School** has met the performance award criteria for the Exemplary High Performing schools and is ranked in the top 15 percent of Hawai'i schools in achievement in English and math. **Lā'ie Elementary** has implemented several initiatives that have been central to its success, including detailed writing

goals, reading stamina goals, and a schoolwide Response to Intervention plan.

"Our next National Blue Ribbon School is **Waialua Elementary School**, led by **Principal Scott Moore**. **Waialua Elementary School** met the performance award criteria for Exemplary Achievement Gap Closing and is in the top 15 percent of schools closing achievement gaps in English and Math in the last three years. Since school year 2015-16, the school has reduced the achievement gap in English by 17 percentage points and in Math by 15 percentage points. **Waialua Elementary School's** curriculum is standards-based with focused targets and clear criteria. In addition, each classroom has a teacher and a paraprofessional tutor or part-time teacher. The teaming allows for real-time interventions to minimize and prevent learning gaps from occurring.

"Our next National Blue Ribbon School is **Hickam Elementary School**, led by former **Principal Alisa Bender**, now the current Assistant Superintendent for the Office of Curriculum and Instructional Design. **Hickam Elementary School** has also met the performance award criteria for Exemplary High Performing schools and is ranked in the top 15 percent of Hawai'i schools in achievement in English and Math. **Hickam's** enrollment consists of 99 percent military-dependent students and is highly transient due to personnel movements. Understanding that one of the biggest challenges military children face is integration into new communities and schools, **Hickam Elementary School** recently dedicated its Aloha Transition Center, the 'front door' to the campus and a space that provides a feeling of belonging to the school 'ohana for any student new to the school.

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"Colleagues, each session we have the great opportunity to recognize teaching excellence in our public schools. Our teachers are some of the most selfless people in our community; the time and effort that they invest to ensure our keiki are safe, educated, and thriving surely make them altruistic human beings. I would like to first say 'thank you' to all teachers for their dedication to our keiki.

"We would like to honor the Hawai'i State Teacher of the Year and Complex Teachers of the Year. The Hawai'i State Department of Education selects from over 11,000 educators to determine one Teacher of the Year, 15 Complex Teachers of the Year and one Charter School Teacher of the Year.

"The State of Hawai'i Teacher of the Year is Ms. **Cecilia 'CC' Chung** from Ka'imiloa Elementary School. Ms. Chung is an inspiration and a mentor to her fellow educators. Her passion for teaching is an inspiration not only to her peers, but to her students, as well. Ms. Chung joined the DOE in 2013 and is currently a sixth-grade teacher at Ka'imiloa Elementary. She has led and facilitated a variety of workshops for the education community including the Schools of the Future Conference, EdCamp for West O'ahu schools, and Kamehameha Schools' Ed Tech Conference. Congratulations again to **Cecilia 'CC' Chung** for earning this well-deserved honor as the 2020 Teacher of the Year.

"We are fully aware that teaching is not always done between the four walls of a classroom. Physical education is as important as any subject learned in the classroom. The lessons taught in PE class about staying physically active and making healthy lifestyle choices will be a lifelong benefit for our keiki.

"**Ms. Jessica Adkins** is the PE department chair and recreational leadership teacher at Maui High School. She is this year's Baldwin-Kekaulike-Maui Complex Area teacher of the year. Her work with the Special Olympics Unified Champion promotes a culture of inclusion by working to improve students' self-esteem and creating an accepting school environment.

Ms. Adkins' Unified Program gained national acclaim when it was recognized by ESPN as one of the Top 30 Special Olympics programs in the country. Congratulations to **Jessica Adkins**, the Baldwin-Kekaulike-Maui Complex Area Teacher of the Year.

"Mr. **Russell Rapoza** is a career and technical education teacher at Kea'au High School. He has motivated Hawai'i Island students with hands-on engineering challenges that have led to many breakthrough moments. Mr. Rapoza is currently coordinating students to develop a self-sustaining canoe hale, complete with solar and water catchment systems that will provide a cultural center for school activities. Congratulations to **Russell Rapoza**, the Ka'ū-Kea'au-Pāhoa Complex Teacher of the Year.

"Ms. **Kathy Sewake** of Waiākea Elementary School has passion for improving the quality of instruction through technology. Her initiative to pursue HIDEOE's Innovation and Computer Science Grants enabled teachers to better support technology and innovation. As the technology coordinator at Waiākea Elementary, she also serves as the school's testing coordinator and established the school's first digital media production team. Congratulations to **Kathy Sewake** of Waiākea Elementary School, the Hilo-Waiākea Complex Teacher of the Year.

"Ms. **Kai Ah Hee** is a district resource teacher in the West Hawai'i District Office and she has led the implementation of math, AVID and Next Generation Science Standards. She skillfully integrates her deep understanding of cultural and Hawaiian education to create an innovative, place-based curriculum for students and building the Instructional Leadership and Teacher Leader initiatives of the complex. Congratulations to **Kai Ah Hee** of West Hawai'i District Office, Honoka'a-Kealakehe-Kohala-Konawaena Complex Teacher of the Year.

"Ms. **Kaui Spitalsky** is a Hawaiian language immersion teacher at Lahainaluna High School. She teaches language arts, science and performing arts and crafts through the Hawaiian language and perspective. In addition, she is excited to promote Lahainaluna High's first graduating Hawaiian Immersion class. She is part of the Nā Hopena A'o General Learner Outcomes Committee, where she serves as a Hawaiian cultural education advisor to other teachers. Congratulations to **Kaui Spitalsky** of Lahainaluna High School, Hāna-Lahainaluna-Lāna'i-Moloka'i Complex Teacher of the Year.

"Ms. **Megan Nii** is the Academic Coach, and the creator and director of the Creative Arts Program at Wilcox Elementary School. During her 14 years of service, Megan has strived to boost the next generation of teachers and has served as a mentor for numerous student teachers. She mentors new teachers, facilitates teacher collaboration, conducts professional development, assists teachers in analyzing student performance to determine best practices, and serves as RTI (Response to Intervention) Coordinator and on the Leadership and Academic Review Teams. Congratulations to **Megan Nii** of Wilcox Elementary School, Kaua'i Complex Teacher of the Year.

"WEDNESDAY: March 18, 2020

"On our third day of Education Week, we have the honor to recognize school faculty and our dedicated librarians. The individuals that are here today support our keiki beyond the classroom and beyond academia. These unsung heroes operate behind the scenes providing academic support to ensure that students have an excellent experience, all while contributing to a positive school culture.

"School administrators play significant roles to ensure efficient school operations. A school is nothing without a dedicated vice principal who is dedicated to his or her student

body and staff members. Mr. **Michael Sugano** is a prime example of a truly dedicated and extraordinary Vice Principal. Mr. Sugano was selected Hawai'i's outstanding Vice Principal of the Year by the Hawaii Distinguished District Principals for his work at Prince David Kawānanakoa Middle School.

"Grounded in Nā Hopena A'o, Mr. Sugano provides opportunities and resources for teachers to enhance instruction, curriculum and assessment. He strives to build teacher capacity in order to increase engagement and develop students into self-directed learners. Mr. Sugano believes that confident teachers provide an increase in an authentic learning experience that supports growth and independence in students.

"Although Mr. Sugano is no longer with Kawānanakoa Middle School, as he has taken his expertise and leadership skills to Kaimukī High School, we at the Hawai'i State Senate would like to thank Vice Principal **Michael Sugano** for his work.

"School faculty plays a significant role in student success with more than what is taught in the classroom. School counselors are the unsung heroes of academia; helping students with issues much more than just academics. Counselors are there for students to receive guidance, advice, and even inspiration. This is the reason that **Ms. Raemie Pagaduan** is the Department of Education's Counselor of the Year.

"Ms. Pagaduan began her career at Nānākuli High School a little over a decade ago as a 7th-12th-grade counselor. She then turned her responsibilities to college counseling and became the college and career counselor. Concerned for her students' future and welfare, she takes the initiative to invest her passion into the Early College program, as many of her students will be the first of their families to attend college. With her steady commitment, Nānākuli's Early College student participation has increased seventeen percent with the rate of student enrollment in a four-year college being the highest in over a decade. Thank you so much to you, **Raemie Pagaduan** for your commitment towards future betterment for our keiki and thank you for your work in helping our Leeward Coast students.

"As we may know, reading comprehension is still a privilege in many areas around our world. Reading allows us to expand our knowledge. As we read, we ask questions, find answers, and solve issues. Much of this curiosity for knowledge could not be done without our librarians. With thanks to our librarians, our keiki can mend and fix current issues and new learn skills. We have the opportunity to recognize two wonderful librarians.

"Our first librarian is from the island of Maui. Ms. **Jessica Gleason**. Ms. Gleason is a librarian at Wailuku Public Library. She started as a library assistant at Makawao Public Library before transferring to Wailuku Library. However, she does not let the brick and motor location limit her from spreading knowledge and reading materials. Ms. Gleason also operates the Wailuku Library's Bookmobile program, which has been making library resources more accessible since 2016. Her regular route will include stops at nursing homes, senior homes, community centers, the correctional facility, and schools that do not have access to a library. Jessica Gleason is ensuring that all members of the community have the same opportunity to learn. We would like to thank you, Ms. **Jessica Gleason**, our Librarian of the Year, for providing information to the public and breaking down the barriers that prevent people from accessing information.

"Everyone deserves the opportunity to access knowledge. There should be no barriers for anyone to learn by retrieving information. Ms. **Nani Hee** has shown a true dedication to ensure those who are visually and hearing impaired have the same opportunities as anyone else. Ms. Hee is the Supervisor of the Transcribing Section at the Library for the Blind and

Physically Handicapped. Her department is responsible for the completion of all audio and braille transcribing projects, the execution of the closed-circuit radio broadcast for visually impaired patrons, and the supervision of other technicians in her section. Ms. Hee's career with the Hawaii State Public Library System started in 1989 as a library assistant. In 1994 she transferred to the Library for the Blind and Physically Handicapped. She has worked tirelessly with dedicated volunteers, staff, and patrons to make their world a better-informed place. For this reason, Ms. **Nani Hee** is the Hawaii State Library Excellence in Service award winner. Thank you so much, Ms. Hee, for your truly selfless career to help our disabled community.

"Ms. **Larisa Gadach** of 'Ewa Makai Middle School was named Hawai'i State Assistant Principal of the Year by the National Association of Secondary Schools Principals. Vice Principal Gadach is an assistant principal for the 6th grade class at 'Ewa Makai Middle School. In her role, Ms. Gadach is passionate about building relationships with her students. She dedicates her time learning about her students, which gives her insight into who they are. Ms. Gadach says her goal every year is to learn as many students' names as she can, because knowing who they are means they know that they matter to you. Congratulations to **Larisa Gadach** for her incredible work.

"THURSDAY: March 19, 2020

"On our fourth day of Education Week, we would like to revert our attention back to our fine educators. On Monday, we were honored to recognize the Hawai'i State Teacher of the Year and the District Teachers of the Year from the Neighbor Islands. Today, we will be honoring and recognizing the District Teachers of the Year from O'ahu. As the Chair of the Committee on Education, I want to ensure our teachers are properly recognized for their super outstanding efforts to educate our keiki.

"As we move forward into the technological age, it has become apparent that tech has become more prominent in the school environment. Technology will allow students to broaden their horizon on a wide variety of topics, including coding and animation. With that in mind, we thank innovative teachers like **Celeste Endo**, our Kaimukī-McKinley-Roosevelt District Teacher of the Year.

"Ms. Endo is a technology teacher and coordinator from Queen Ka'ahumanu Elementary School. A graduate of the University of Hawai'i at Mānoa, Ms. Endo has a Bachelor's in Education and a Master's in Education Technology. She keeps lessons intriguing by introducing students to animation, coding, and video production. Ms. Endo's interest in technology allows her to use her expertise to create video projects to incorporate student voice and ways to explore creative learning opportunities for keiki. May we please have a round of applause for Ms. **Celeste Endo**, our Kaimukī-McKinley-Roosevelt District Teacher of the Year.

"At a young age, some already know what they want to be when they grow up. The Pearl City-Waipahu district Teacher of the Year, Ms. **Jennifer Yamaguchi** envisioned herself as a teacher since she was in the first grade. Fast forward to the present; Ms. Yamaguchi is a fourth-grade teacher at Pearl City Highlands Elementary School. She believes that building positive relationships with each student creates a solid foundation. Ms. Yamaguchi is not just a role model for her students, but for her peers as well. She serves as the grade-level chair and faculty head representative for the Hawai'i State Teachers Association. We congratulate you, Ms. **Jennifer Yamaguchi** for your commitment to education.

"Music is far more than what the ear hears. Music help define cultures, it brings people together, and it helps us to

creatively express out thoughts. Thanks to our dedicated music teachers, our keiki can be well-rounded thinkers. Mr. **Dustin Chang** of Pearl Harbor Elementary School is our 'Aiea-Moanalua-Radford District Teacher of the Year and an excellent example of a selfless music teacher.

"Mr. Chang played a critical role in the creation of Pearl Harbor Elementary School's band program. With his help, the program obtained a portion of a \$100,000 grant from VH1. He shows that music is a pathway to strengthen communities and teaches his students by incorporating project-based learning. Mr. Chang is not only a superb teacher, but also a solid musician whose talents can be heard with the Royal Hawaiian Band and Mana'o Company. Mr. Chang positively plays an instrumental role in the success of his students, and we would like to honor **Dustin Chang** for his effort to bring music into our lives.

"A teacher is not only an expert in one subject. Educators must be well rounded in several aspects of life. A teacher is also a positive role model for their students. Ms. **Taylor Flett**, from Wheeler Middle School is our Leilehua-Mililani-Waiialua District Teacher of the Year and a true mentor for her students. Ms. Flett is a seventh-grade math and science teacher. In addition, she is a coach for the track and field team. Ms. Flett also spends much of her time tutoring students after school, because she knows the struggles that several of her students face in her complex. A military spouse, she has a true understanding of the challenges that military students and families encounter. With her knowledge, she cultivates ties between the school and military community to ensure students have a strong chance of success. Ms. Flett is a role model for those in her community and for this reason she is our Leilehua-Mililani-Waiialua District Teacher of the Year.

"Ms. **Brigitte Ululani Russo** is an eighth-grade science teacher at Wai'anae Intermediate School. Ms. Russo's leadership, curricular vision, and core values of educational equity motivated her to integrate Nā Hopena A'o and Next Generation Science Standards into curricula that improved academic outcomes and attitudes. She is passionate about integrating technology, science, and Hawaiian culture through culturally responsive and place-based learning. Congratulations to **Brigitte Ululani Russo**, our Nānākuli-Wai'anae District Teacher of the Year.

"Ms. **Nikki Morishige** has served as Waiāhole Elementary School's academic coach for the past three years, after nine years as a standout teacher. Nikki facilitates and coordinates Waiāhole's Professional Learning Communities, RTI (Response to Intervention) program, 21st Century Afterschool Program and teaches weekly academy lessons. Dedicated to students, she continues her professional development with Smarter Balanced Assessment writing and project-based learning, among many other endeavors. Congratulations to **Nikki Morishige**, our Castle-Kahuku District Teacher of the Year.

"Ms. **Crystal Stafford** teaches physics, biology, honors biology, and directed study in science at Kalāheo High School. Crystal dedicates her time to helping students prepare for science competitions at the state, national and international levels, including coaching students for the Science Olympiad. She also founded and created the 'Āina Hiking Club at Kalāheo, a program designed to foster collaboration and community among student, parents, and teachers, while connecting with the environment. Congratulations to **Crystal Stafford**, our Kailua-Kalāheo District Teacher of the Year.

"Ms. **Courtney Carpenter** of Waikīki Elementary School is an early adopter of Philosophy for Children, or P4C, her lessons are artfully designed to encourage intellectually safe classroom communities. Her work with the P4C program has allowed her to serve as an ambassador for Hawai'i teachers, traveling to

Japan to share her knowledge. Congratulations to **Courtney Carpenter**, our Farrington-Kaiser-Kalani District Teacher of the Year.

“**Ms. Zoe Ingerson** is an English teacher at SEEQS, the Charter School for Examining Essential Questions of Sustainability. Zoe also co-teaches a project-based agriculture class and serves as the department head and lead teacher for this interdisciplinary course. She teaches in full-inclusion classrooms, where she is passionate about supporting students across a variety of environments and subject areas. She believes all students deserve individualized instruction, inspiration, and encouragement toward developing their writing skills. Congratulations to **Zoe Ingerson**, the Charter Schools Teacher of the Year.

“FRIDAY: March 20, 2020

“Today we have the great honor of recognizing five incredible individuals. We bid farewell to two dedicated educators who have invested years of commitment in ensuring our keiki succeed. We will also honor a teacher for her Grammy recognition and a teacher who has won the Oscars of teaching awards.

“Complex Area Superintendents play a significant administrative role in the Department of Education. They maintain the balance between coordinating the needs of the complex and the needs of the area that they serve. **Ms. Ann Mahi** is the Complex Area Superintendent for the Nānākuli-Wai’anae complex. She has demonstrated her understanding of the complex through initiatives that ensure that the staff and students are cared for as well as staff.

“**Ms. Mahi’s** career in education began humbly as a teacher. She taught at Wai’anae, ‘Aiea, Radford, and Kahuku High Schools. We are certain that **Ms. Mahi** made a positive impact on the lives of the students who she has taught over the years. She then turned to administrative roles, holding numerous school and state leadership positions, including Vice Principal for He’eia Elementary School and Principal of Roosevelt High School. In 2011 she transitioned to Complex Area Superintendent, first for the Kaimukī-McKinley-Roosevelt complex and then in her current position for the Nānākuli-Wai’anae complex. The list of accolades **Ms. Mahi** has received over the years is incredible. Among her accolades, **Ms. Mahi** has been recognized as the Masayuki Tokioka Excellence in School Leadership Awardee, the University of Hawai’i College of Education Alumni Awardee, and more. She has made strides in academia to envision a better future for those who live on the Leeward Coast. She will surely be missed.

“**Mr. Bill Arakaki** is the Complex Area Superintendent for the Kapa’a-Kaua’i-Waimea district. His incredible career began as a teacher in schools, including Kailua High, Waipahu High, and Kaua’i High’s alternative learning center. **Arakaki’s** leadership traits allowed him the opportunity to become a vice principal and principal before moving to his current position as a Complex Area Superintendent. We would like to thank **Bill Arakaki** for his years of dedication and service to Hawai’i’s education.

“**Mr. Art Souza** is the Complex Area Superintendent for the Honoka’a-Kealahou-Kohala-Konawaena district. **Mr. Souza’s** career began in 1989 as a teacher at Honoka’a High and Intermediate School. He worked tirelessly as a vice principal and then as a principal before reaching the Complex Area Superintendent position. **Mr. Art Souza’s** wisdom and leadership will be missed but we wish him well and congratulate him on his well-deserved retirement.

“**Ms. Isabella Barrett** is an English teacher at her alma mater, Farrington High School. She is the recipient of the Jane Ortner Education Award, an honor given to one teacher in

America who effectively incorporates music in the classroom. **Ms. Barrett** began blending music with English lessons when she was on the mainland. She brought her curriculum home to Hawai’i to keep students engaged in the study of literary works and develop eclectic taste in music and literature. Congratulations to **Ms. Isabella Barrett**.

“**Ms. Miki Cacace** of ‘Ewa Makai Middle School is the 2019 Milken Educator Awardee. **Ms. Cacace’s** innovative approach to STEM has left a lasting impression on her students. The middle school math teacher created coding classes that were so high in demand that she created an advanced class for second year students. She is currently mentoring new teachers as an active member of the Computer Science Teachers Association (CSTA) to create a K–12 computer science program with peers in the district’s elementary and high schools. A member of the social-emotional learning (SEL) leadership team, she also developed an SEL website with lessons on empathy, going above and beyond to create a more nurturing environment for students to thrive. Thank you to **Miki Cacace** for her incredible work and congratulations for being a Milken Educator Awardee.

“MONDAY: March 23, 2020

“Today, we have the opportunity to recognize those who have demonstrated exemplary leadership skills. Our first honoree is our 2019 Principal of the Year.

“Principal **Fred Murphy** of Mililani High School has led his alma mater for the past 7 years and has also been an administrator for 13 years. Under his leadership, Mililani High School’s curriculum offering grew significantly with over 23 Advanced Placement courses, the most of any public or private school in Hawai’i. In addition, Mililani High School also offers 27 Career and Technical Education programs, 52 student extracurricular clubs, and 47 athletic teams! Congratulations to **Mr. Fred Murphy** for his outstanding leadership and his recognition as 2019 Principal of the Year!

“Our final honoree is our 2019 Team of the Year. The **Nā Hopena A’o Kanoelani Team** produced the Choose Love Conference, an impressive 400-person conference. With the coordination of local businesses and private donors, they were able to secure over \$30,000 in funding! The event received critical acclaim for the impact it has had on the local community. The team consists of seven amazing individuals: **Elaine Shibuya, Cy Ohira, Iris Oshiro, Gerald Cabral, Anthony Cabiara** and **Lynne Suefuji**. Congratulations to all of the hardworking members of the **Nā Hopena A’o Kanoelani Team** and their Principal, **Stacie Kunihisa**!

“I would like to say congratulations to all of the honorees recognized in Education Week 2020. In addition, I hope everyone is staying safe and healthy through this time of adversity. It is incredibly difficult to navigate these community challenges and changes in our daily routines, including attending school. Despite these trials we will persevere from this moment and grow stronger as a state. Mahalo.”

Senator Kim then thanked her women colleagues for taking a photo with a decorated “Flat Susan B.” in honor of the Women’s Suffrage Centennial Commission project to educate and inspire all Americans about women’s right to vote.

At 12:38 p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:11 p.m.

The Clerk then announced:

“Members, we are moving to the second Supplemental Order of the Day: Miscellaneous Business.”



**MISCELLANEOUS BUSINESS****WAIVERS OF REFERRAL**

Senator Dela Cruz, Chair of the Committee on Ways and Means, rose to request that the referrals of the following measures to the Committee on Ways and Means be waived:

S.R. No. 146, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A REVENUE LOSS ANALYSIS OF MEDICAL AND GROCERY EXCISE TAX EXEMPTIONS FOR RETIRED SENIOR CITIZENS AGED SIXTY YEARS AND OLDER."

S.R. No. 166, entitled: "SENATE RESOLUTION REQUESTING THE TAX REVIEW COMMISSION TO STUDY AND SUBMIT A REPORT ON THE TAX RAMIFICATIONS OF ENACTING LEGISLATION THAT ADDRESSES CLIMATE CHANGE MITIGATION AND ADAPTATION FACTORS IN HAWAII."

Senator Dela Cruz noted:

"Mr. President, I request a waiver of the referral on the said resolutions to the Committee on Ways and Means so that we can discuss urgent subject matters."

The Chair granted the waivers.

**ADOPTION OF SENATE RESOLUTIONS**

S.R. No. 146:

Senator Dela Cruz offered the following amendment (Floor Amendment No. 4) to S.R. No. 146:

SECTION 1. Senate Resolution No. 146 is amended by deleting its title and replacing it with language to read as follows:

"URGING THE GOVERNOR TO CREATE A COLOR-CODED ADVISORY SYSTEM TO ADDRESS THE RAPIDLY CHANGING THREAT OF COVID-19."

SECTION 2. Senate Resolution No. 146 is amended by deleting its contents and replacing it with language to read as follows:

"WHEREAS, considering the recent developments regarding COVID-19, or novel coronavirus, which causes a mild to severe respiratory illness, and the increasing danger it poses to our public; and

WHEREAS, the government of the State of Hawaii has a duty to inform and protect its citizens; and

WHEREAS, constituents have many questions based on a lack of information, and it is imperative to not only promote healthy hygiene and social distancing, but to also take steps to assure the public clearly understands the level of threat our communities face; and

WHEREAS, the President of the United States has announced a travel ban on persons arriving from Europe; and

WHEREAS, countries around the world are implementing procedures to combat and attempt to control the threat and spread of COVID-19. For example, Saudi Arabia is restricting travel to holy sites; South Korea is implementing quarantines enforced by criminal charge; Northern Italy is imposing army-guarded lockdowns of its towns, schools, and universities; China has implemented lockdowns of its cities, travel, and other public venues; Japan has closed its schools; France has requested its citizens to abandon the traditional "bise" greeting and banned public gatherings of five thousand people or more;

Iran has suspended its parliament; and Switzerland has banned gatherings of more than one thousand people; and

WHEREAS, counties and states across our nation are calling for, or have already declared states of emergency, with the states of California, Florida, and Washington having already declared a state of emergency; and

WHEREAS, Mayors of Kauai, Maui, and Honolulu have already issued separate proclamations of emergency to combat the threat of COVID-19; and

WHEREAS, government agencies, such as the Department of Defense and other states, such as Washington, have already implemented tiered response protocols; and

WHEREAS, Hawaii state government needs to present a unified, cohesive response in the form of a singular, universally applicable tiered response protocol that informs the public and state agencies alike of both the current threat level posed by COVID-19 and the government's according response; and

WHEREAS, the Department of Homeland Security has previously implemented a color-coded advisory system used to communicate risk levels for previous threats to the public's health and welfare that is easily understood by and familiar to the public; and

WHEREAS, this previously used advisory system requires clear details in the context of the current situation to be effective; and

WHEREAS, the risk posed by COVID-19 can rapidly change, necessitating a system that can be quickly adjusted to reflect the level of risk posed by COVID-19 as well as the appropriate responses to the various risk levels; and

WHEREAS, this previously used system provides a means for the government to quickly and easily inform the public of updates to the situation and to plan appropriately in the event of changing risk levels; now, therefore,

BE IT RESOLVED by the Senate of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020, that the Governor is urged to create a color-coded advisory system consistent with the system previously developed and used by the Department of Homeland Security to address the rapidly changing threat of COVID-19; and

BE IT FURTHER RESOLVED that the Governor, Department of Health, and HIEMA are requested to coordinate with the appropriate government agencies to create a single, unified system that will inform the public and agencies alike of the standing threat level and according government restrictions, protocols and policies; and

BE IT FURTHER RESOLVED that the risk advisory levels could be denoted as follows:

- (1) Red – Severe, indicating widespread community transmission, spread is ongoing, the majority of the islands in the State are involved, and recommended actions to be taken include:
  - (A) Continue all measures from the prior risk level;
  - (B) Consider restriction of movement, including quarantines, isolations, cancelation of public gatherings, avoiding congregate settings, and practicing social distancing;
  - (C) Access to public installations are limited;
  - (D) Cancel community activities; and
  - (E) Cancel all non-essential travel; and

- (2) Orange – Substantial, indicating sustained community transmission, spread is ongoing, and recommended actions to be taken include:
- (A) Continue all measures from previous risk level;
  - (B) Declare Public Health Emergency;
  - (C) Limit access to some state/public installations;
  - (D) Cancel large public gatherings and community activities; and
  - (E) Limit travel; and
- (3) Yellow – Moderate, indicating increased community transmission, multiple people in multiple locations have been infected, spread is contained, and recommended actions to be taken include:
- (A) Continue all measures from the previous level;
  - (B) Restrict travel in afflicted communities and advise civilians of the risk;
  - (C) Limit access to specific installations; and
  - (D) Strongly advise against large public gatherings; and
- (4) Blue – Limited, indicating community transmission beginning, sporadic and limited instances of infection, and recommended actions to be taken include:
- (A) Re-emphasize health and hygiene protocols;
  - (B) Limit access to areas with direct connection to infected individuals;
  - (C) Encourage cancelation of large public gatherings and communities’ activities; and
  - (D) Warn of risks of travel; and

BE IT FURTHER RESOLVED that each level would include clear instructions regarding the anticipated action of the government, for example, at the Red risk level citizens can expect the government and state facilities, including schools, will be shut down; and

BE IT FURTHER RESOLVED that this advisory system would also have clear requirements, which would effectuate a change of risk levels, such as the number of COVID-19 cases in the State; and

BE IT FURTHER RESOLVED that each level would include recommended responses and actions to be taken by the public; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Governor, all Executive Branch Directors, Chief Justice, and Mayors of each county.”

Senator Dela Cruz moved that Floor Amendment No. 4 be adopted, seconded by Senator Keith-Agaran.

Senator Dela Cruz rose to speak in support of the amendment as follows:

“In light of the current situation, I believe that these resolutions are important for the Senate to pass. Last week, the Majority of the Senate had several meetings with the administration, and there are many concerns about the response, not just within government but how government is interacting and guiding the public. So I ask my colleagues to support this resolution.”

The motion to adopt Floor Amendment No. 4 was put by the Chair and carried.

On motion by Senator Dela Cruz, seconded by Senator Keith-Agaran and carried, S.R. No. 146, S.D. 1, entitled: “SENATE RESOLUTION URGING THE GOVERNOR TO CREATE A COLOR-CODED ADVISORY SYSTEM TO ADDRESS THE RAPIDLY CHANGING THREAT OF COVID-19,” was adopted.

S.R. No. 166:

Senator Dela Cruz offered the following amendment (Floor Amendment No. 5) to S.R. No. 166:

SECTION 1. Senate Resolution No. 166 is amended by deleting its title and replacing it with language to read as follows:

“REQUESTING ALL EXECUTIVE BRANCH DEPARTMENTS AND ATTACHED AGENCIES TO INFORM THE SENATE AND HOUSE OF REPRESENTATIVES WHEN IMPLEMENTING THEIR PLANS AND PROCEDURES RELATING TO THE COVID-19 PANDEMIC.”

SECTION 2. Senate Resolution No. 166 is amended by deleting its content and replacing it with language to read as follows:

“WHEREAS, the World Health Organization has declared COVID-19 to be a pandemic; and

WHEREAS, the Centers for Disease Control and Prevention is implementing its pandemic preparedness and response plans and working on multiple fronts, including providing specific guidance on measures to prepare communities to respond to local spread of the virus that causes COVID-19; and

WHEREAS, there is an abundance of pandemic guidance developed in anticipation of an influenza pandemic that is being adapted for a potential COVID-19 pandemic; and

WHEREAS, current Centers for Disease Control and Prevention pandemic planning considerations include:

- (1) Disease severity in the community where a business is located;
- (2) Impact of disease on employees that are vulnerable and may be at higher risk for COVID-19 adverse health complications, including informing employees that some people may be at higher risk for severe illness, such as older adults and those with chronic medical conditions;
- (3) Preparing for possible increased numbers of employee absences due to illness in employees and their family members and dismissals of early childhood programs and K-12 schools due to high levels of absenteeism or illness;
- (4) Encouraging employers with more than one business location to provide local managers with the authority to take appropriate actions outlined in their business infectious disease outbreak response plan based on the condition in each locality;
- (5) Coordinating with state and local health officials for all businesses so that timely and accurate information can guide appropriate responses in each location where their operations reside;
- (6) Encouraging all employers to be ready to implement strategies to protect their workforce from COVID-19, while ensuring continuity of operations, including encouraging sick employees to stay home, the practice of respiratory etiquette and hand hygiene, and the routine cleaning of commonly used areas;

- (7) Identifying possible work-related exposure and health risks to employees;
- (8) Reviewing human resources policies to make sure that policies and practices are consistent with public health recommendations and existing state and federal workplace laws;
- (9) Exploring whether policies and practices can be established to increase the physical distance among employees and between employees and others in the workplace, if state and local health authorities recommend the use of social distancing strategies, including telecommuting and teleconferencing;
- (10) Encouraging businesses to identify essential business functions, essential jobs or roles, and critical elements within supply chains required to maintain business operations;
- (11) Requesting businesses to set up authorities, triggers, and procedures for activating and terminating a business' infectious disease outbreak response plan, altering business operations, and transferring business knowledge to key employees;
- (12) Urging businesses to plan to minimize exposure between employees and between employees and the public, if public health officials call for social distancing;
- (13) Asking businesses to establish a process to communicate information to employees and business partners on a business' infectious disease outbreak response plan and the latest COVID-19 information;
- (14) Whether early childhood programs and K-12 schools should be dismissed, particularly if COVID-19 worsens;
- (15) How local conditions will influence the decisions that public health officials make regarding community-level strategies;
- (16) Canceling non-essential business travel to additional countries per travel guidance by the Centers for Disease Control and Prevention;
- (17) Travel restrictions enacted by other countries that may limit the ability of employees to return home if they become sick while on travel status;
- (18) Canceling large work-related meetings or events; and
- (19) Engaging state and local health departments to confirm channels of communication and methods for dissemination of local outbreak information; now, therefore,

BE IT RESOLVED by the Senate of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020, that all executive branch departments and attached agencies are requested to inform the Senate and House of Representatives when implementing their plans and procedures relating to the COVID-19 pandemic; and

BE IT FURTHER RESOLVED that all state departments and attached agencies are requested to inform the President of the Senate and members of the Senate and Speaker of the House of Representatives and members of the House of Representatives when adjusting or deviating from normal operating procedures, such as reduced hours, telecommuting, or cancellation of public meetings; and

BE IT FURTHER RESOLVED that all state departments and attached agencies are requested to communicate all new

procedures being implemented and include the start and end dates of the new procedures; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Governor and all executive branch departments and attached agencies."

Senator Dela Cruz moved that Floor Amendment No. 5 be adopted, seconded by Senator Keith-Agaran.

Senator Dela Cruz rose to speak in support of the amendment as follows:

"Mr. President, I rise in support of the floor amendment for the same reasons that I mentioned on the previous resolution."

The motion to adopt Floor Amendment No. 5 was put by the Chair and carried.

On motion by Senator Dela Cruz, seconded by Senator Keith-Agaran and carried, S.R. No. 166, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING ALL EXECUTIVE BRANCH DEPARTMENTS AND ATTACHED AGENCIES TO INFORM THE SENATE AND HOUSE OF REPRESENTATIVES WHEN IMPLEMENTING THEIR PLANS AND PROCEDURES RELATING TO THE COVID-19 PANDEMIC," was adopted.

**RE-REFERRAL OF A HOUSE BILL**

The Chair re-referred the following House bill that was received:

H.B. No.:	Re-referred to:
H.B. No. 2421, H.D. 2	Jointly to the Committee on Commerce, Consumer Protection, and Health and the Committee on Education, then to the Committee on Ways and Means

**MESSAGE FROM THE GOVERNOR**

On motion by Senator Kahele, seconded by Senator Fevella and carried unanimously, the Senate authorized the Clerk to receive messages from the Governor. In consequence thereof, and subsequent to its recessing at 1:16 p.m., the Senate took the following action on the following message from the Governor:

Gov. Msg. No. 639, submitting for consideration and confirmation as Compact Administrator, State Council for the Interstate Compact for Juveniles, the nomination of KRISTIN DAVIDSON, term to expire June 30, 2022, was referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

**ADJOURNMENT**

At 6:00 p.m., pursuant to S.C.R. No. 242, Relating to the Recess of the Thirtieth Legislature, Regular Session of 2020, the Senate adjourned until a date and time jointly declared by the Speaker of the House of Representatives and the President of the Senate.