

## TWENTY-NINTH DAY

Monday, March 14, 2022

The Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2022, convened at 11:35 a.m. with the President in the Chair.

The Roll was called showing all Senators present, with the exception of Senators Fevella and Keith-Agaran who were excused.

The President announced that he had read and approved the Journal of the Twenty-Eighth Day.

At this time, Senator Chang introduced members of his staff who were seated in the gallery: full-time intern from the Department of Defense, the U.S. Army, Wenxuan Zhang, who had offered a moment of contemplation prior to the Senate's floor session; session legislative aides Jimmy Nguyen and Kathryn Emanuel; office manager Lynn Robinson-Onderko; and legislative aide Ian Ross. Senator Chang then acknowledged committee clerk Chelsea Lockridge, who was not present in the gallery.

## MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 752 to 757) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 752, submitting for consideration and confirmation to the Hawaii Sister State Committee, the nomination of KURT OSAKI, term to expire June 30, 2023, was referred to the Committee on Labor, Culture and the Arts.

Gov. Msg. No. 753, submitting for consideration and confirmation to the Hawaii Sister State Committee, the nomination of JANE CLEMENT, term to expire June 30, 2026, was referred to the Committee on Labor, Culture and the Arts.

Gov. Msg. No. 754, submitting for consideration and confirmation to the Public Utilities Commission, the nomination of NAOMI KUWAYE, term to expire June 30, 2028, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 755, submitting for consideration and confirmation to the Board of Naturopathic Medicine, the nomination of JOY KIMURA, term to expire June 30, 2026, was referred to the Committee on Commerce and Consumer Protection.

Gov. Msg. No. 756, submitting for consideration and confirmation to the Hawaii Advisory Council on Emergency Management, the nomination of DARRYL OLIVEIRA, term to expire June 30, 2026, was referred to the Committee on Public Safety, Intergovernmental, and Military Affairs.

Gov. Msg. No. 757, submitting for consideration and confirmation to the Early Learning Board, the nomination of MEGAN MCCORRISTON, term to expire June 30, 2024, was referred to the Committee on Education.

## HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 357) was read by the Clerk and was placed on file:

Hse. Com. No. 357, informing the Senate that on March 11, 2022, the House disagreed to the amendments proposed by the Senate to H.C.R. No. 32 (S.D. 1).

## STANDING COMMITTEE REPORT

Senator Wakai, for the Committee on Energy, Economic Development and Tourism, presented a report (Stand. Com. Rep. No. 3220) recommending that the Senate advise and consent to the nomination of CLAIRE TAMAMOTO to the Stadium Authority, in accordance with Gov. Msg. No. 552.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3220 and Gov. Msg. No. 552 was deferred until Tuesday, March 15, 2022.

## ORDER OF THE DAY

## ADVISE AND CONSENT

Stand. Com. Rep. No. 3215 (Gov. Msg. No. 652):

Senator Moriwaki moved that Stand. Com. Rep. No. 3215 be received and placed on file, seconded by Senator Dela Cruz and carried.

Senator Moriwaki then moved that the Senate advise and consent to the nomination of STEPHEN COURTNEY to the Enhanced 911 Board, term to expire June 30, 2025, seconded by Senator Dela Cruz.

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

Ayes, 23. Noes, none. Excused, 2 (Fevella, Keith-Agaran).

Stand. Com. Rep. No. 3216 (Gov. Msg. No. 518):

Senator Keohokalole moved that Stand. Com. Rep. No. 3216 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nomination of VIRGILIO VIERNES to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, term to expire June 30, 2025, seconded by Senator Baker.

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

Ayes, 23. Noes, none. Excused, 2 (Fevella, Keith-Agaran).

Stand. Com. Rep. No. 3217 (Gov. Msg. No. 519):

Senator Keohokalole moved that Stand. Com. Rep. No. 3217 be received and placed on file, seconded by Senator Baker and carried.

Senator Keohokalole then moved that the Senate advise and consent to the nomination of CHARLOTTE TOWNSEND to the Disability and Communication Access Board, term to expire June 30, 2025, seconded by Senator Baker.

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

Ayes, 23. Noes, none. Excused, 2 (Fevella, Keith-Agaran).

The Chair stated:

"I have had a request to defer one day because not all of the members have had a chance to speak to the nominees, and the board that they are recommended to serve on, he has great interest, so we'll be reaching out to the nominees and, hopefully, we'll be able to vote tomorrow."

Stand. Com. Rep. No. 3218 (Gov. Msg. Nos. 559, 560, and 561):

By unanimous consent, action on Stand Com. Rep. No. 3218 and Gov. Msg. Nos. 559, 560, and 561 was deferred until Tuesday, March 15, 2022.

### THIRD READING

H.B. No. 2500, H.D. 1:

On motion by Senator Dela Cruz, seconded by Senator Inouye and carried, H.B. No. 2500, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Fevella, Keith-Agaran).

### RE-REFERRAL OF HOUSE BILLS

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

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| H.B. No.:                | Re-referred to:   |
| H.B. No. 1548,<br>H.D. 1 | Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Ways and Means   |
| H.B. No. 1550,<br>H.D. 1 | Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Ways and Means   |
| H.B. No. 1640,<br>H.D. 2 | Jointly to the Committee on Agriculture and Environment and the Committee on Government Operations and the Committee on Energy, Economic Development, and Tourism, then jointly to the Committee on Judiciary and the Committee on Ways and Means |
| H.B. No. 2399,<br>H.D. 1 | Jointly to the Committee on Agriculture and Environment and the Committee on Energy, Economic Development, and Tourism, then to the Committee on Ways and Means   |

### RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION

The Chair re-referred the following Senate concurrent resolution that was offered:

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| S.C.R. No.:  | Re-referred to:   |
| S.C.R. No. 9 | Committee on Education, then to the Committee on Ways and Means |

### RE-REFERRAL OF A SENATE RESOLUTION

The Chair re-referred the following Senate resolution that was offered:

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| S.R. No.:  | Re-referred to:   |
| S.R. No. 3 | Committee on Education, then to the Committee on Ways and Means |

At this time, Senator Kidani rose to present the following remarks:

"Colleagues, each year, the chairs of the Senate and House Education committees designate a week during which we invite teachers, students, and education professionals to the Capitol to be recognized during floor presentations and education-related events. This week marks our 2022 Education Week. But, as was the case last year, limited public access to the Capitol and to the

Senate floor required us to do things differently once again. Instead of public and in-person presentations, our honorees are receiving their official Senate congratulatory certificates by mail along with a program booklet that you have on your desk and a small makana. In this case, a Senate lapel pin is the small makana. It's included to further express our recognition, admiration, and gratitude for their achievements and for their contributions to educational excellence in our schools.

"Let us be clear: the fact that we are not able to recognize our honorees in person does not in any way diminish their awesome accomplishments. Indeed, the fact that they were able to do the things they did and carry on in an ambitious, orderly, and professional manner despite the tremendous challenges faced in pandemic mode speaks volumes about their capabilities; their focus; and their stick-to-it, can-do approach to their task at hand. For this, they deserve perhaps even greater praise. Their determination has been truly inspiring.

"This week, we recognize teaching excellence, student achievement, and campus leadership. Those we honor are just a few of the thousands who are involved in the total Department of Education effort in our state. We must never forget how important education is in building successful futures for our keiki, their families, and our communities. Education is and can be a great equalizer. As chair of your Committee on Education, that inspires my work every day.

"Mr. President and colleagues, you have each received a program booklet for Education Week 2022. I urge you to read about the exceptional people we recognize this year and take to heart their focus and dedication. Today, we will pay tribute to teachers of excellence. Mahalo to my fellow senators for their participation in this week's program.

"Each year, the state Department of Education solicits nominations for classroom educators to be honored as Teachers of the Year. One teacher is selected by a committee from each of the state's school complex areas and one from public charter school campuses. Our teachers are—along with healthcare workers and first responders—true heroes in the way they have adapted to the new rules of behavior brought on by the pandemic. These are the 2022 Teachers of the Year from our neighbor islands. I call on Senator Acasio to begin our presentations."

Senator Acasio rose to present the following remarks:

"Mr. President, I am pleased to recognize Whitney Aragaki from Waiākea High School. Whitney is Teacher of the Year from the DOE's Hilo-Waiākea complex. She was also designated the Teacher of the Year for the State of Hawai'i for 2022 and is also a finalist for National Teacher of the Year honors.

"Whitney is a Waiākea alum who returned to her alma mater, where she is a tenth-grade biology and advanced placement environmental science teacher. Whitney was previously honored as a 2019 and 2021 state finalist for the Presidential Award for Excellence in Mathematics and Science Teaching. She serves as lead teacher for the Waiākea High Public Services Academy and in numerous other capacities on campus as an inspirational leader for her colleagues and her students.

"We congratulate Whitney Aragaki and wish her well as she competes for national honors. I call on Senator Kanuha to continue our program."

Senator Kanuha rose to present the following remarks:

"Mr. President, I am honored to acknowledge 'Aina Akamu, a resident of Senate District 3, as the Teacher of the Year from the Ka'ū-Kea'au-Pāhoa complex. 'Aina is a teacher at Ka'ū High School and Pāhala Elementary School, where he serves as

a career and technical education teacher and Early College coordinator.

“In his CTE role, he blends academic and technical skills with a focus on easing his students’ way into the labor market. His hands-on instruction guides students through a diverse range of studies, including engineering, construction, culinary arts, agriculture, and entrepreneurship.

“We are indebted to ‘Aina for his devotion to the diverse futures of his students, and congratulate him for having received this recognition. Senator Inouye has our next presentation.”

The Chair made the following comments:

“Before recognizing Senator Inouye, I just wanted to say: Senator Kana’u, I had the opportunity to hear ‘Aina present at a conference, and all of these accolades are well-deserved and he was outstanding. He received a standing ovation from the people in attendance.”

Senator Inouye rose to present the following remarks:

“Mr. President, John Capdepon is the 2022 Teacher of the Year for the Honoka’a–Kealakehe–Kohala–Konawaena complex. John is a teacher at Honoka’a Elementary who moved several years ago to Hawai’i island from Japan, where he taught English.

“Over the past six years, he has been a dedicated advocate for the Honoka’a community and, among other things, assisted the school in applying for and receiving several grants to create an on-campus garden and a burgeoning garden program at the school. John has taken to heart the concept that schools form a vital bond among students, teachers, their families, and their communities—and everyone benefits from this mutually supportive dynamic.

“Congratulations, John Capdepon. Mahalo for your service and your invaluable contributions to the Honoka’a ‘ohana. Now I call on Senator Kidani.”

On behalf of Senator Keith-Agaran, Senator Kidani rose to present the following remarks:

“Mr. President, on behalf of Senator Keith-Agaran, who is unable to join us today, I have the honor to introduce to you the Maui District Teacher of the Year. As Senator Keith-Agaran would say: *Maui nō ka ‘oi!* It is my privilege to recognize Lisa Yamada, selected by her peers as 2022 Teacher of the Year from the Baldwin–Maui–Kekaulike complex.

“Lisa has been teaching third grade at Wailuku Elementary since 2010. After graduating from the UH Maui College of Education, she began teaching after overcoming tremendous challenges as a single mother of three young daughters. Lisa is open about being a survivor of domestic violence and assault, and she believes her experiences have helped her to become not only a stronger person but a better teacher as well. Over the years, Lisa has held leadership positions with HSTA. She wants to share this recognition with those who have supported her along her journey, acknowledging the award—in her words—as a ‘well-woven quilt of love and determination.’

“Lisa has been a tremendous asset to Wailuku Elementary, and we are grateful for her dedication to the teaching profession. Let me now turn over the floor to Senator Baker.”

Senator Baker rose to present the following remarks:

“President and colleagues, the Teacher of the Year from the Hāna–Lāhaināluna–Lāna‘i–Moloka‘i complex area is from Lāhaināluna High School: William Tatro. William left a career on Wall Street to become an educator. He currently serves as an on-campus scholars teacher and junior class advisor. As an educator, he has felt a deep sense of pride in observing students

as they explore their creativity and discover those ‘aha!’ moments through their educational journey. Lāhaināluna, which is proudly in my Senate district, currently boasts a hundred percent graduation rate, which is a point of pride near and dear to his heart and to all of us.

“Mahalo, William, for the perspective you bring to the Lāhaināluna campus, the oldest school west of the Rockies, and for your love of teaching. And now I would like to call on Senator Kidani to continue our presentations.”

On behalf of Senate President Kouchi, Senator Kidani rose to present the following remarks:

“Mr. President, with your consent and on your behalf, I would like to acknowledge the Teacher of the Year from among your Garden Island teacher corps. She is Theresa Malone of Kalaheo Elementary School in the Kapa‘a–Kaua‘i–Waimea complex. Theresa teaches fifth-grade students, focused on finding innovative ways to infuse critical thinking and inquiry through blended learning. In an effort to connect with her class, she has integrated daily morning meetings with students to empower their voices and lead conversations on their own interests and studies. Theresa discovered a variety of ways in which students were eager to learn, including media in the way of art, film, technology, and small group work. We are so proud to have her talents and passion as a part of the teacher corps on Kaua‘i, and I look forward to what she has on her agenda next.”

Senator Kidani continued:

“Mr. President, these are our neighbor island Teachers of the Year. I know my fellow senators from O‘ahu are eager to have their chance to brag about their honorees. And can we all give our Teachers of the Year applause? And, other senators, we will get to the Teachers of the Year—your honorees—tomorrow as our 2022 Education Week citations continue. Mahalo, colleagues for your participation. Aloha.”

#### ADJOURNMENT

At 11:52 a.m., on motion by Senator DeCoite, seconded by Senator Keohokalole and carried, the Senate adjourned until 11:30 a.m., Tuesday, March 15, 2022.