

THIRTY-SECOND DAY

Thursday, March 17, 2022

The Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2022, convened at 11:33 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-First Day.

At this time, Senator Fevella introduced members of his staff who were seated in the gallery: Nia Tatofi, Vika Tatofi, and Elizabeth Tavake. Senator Fevella then acknowledged his wife, Donnalee Fevella, a volunteer with the Senate Minority Research Office, who was also present in the gallery.

Senator Keith-Agaran recognized visitors from Maui, John Fitzpatrick and Melinda Martinez of Maui Waena Intermediate School, who were seated in the gallery.

HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 358) was read by the Clerk and was disposed of as follows:

Hse. Com. No. 358, transmitting H.B. No. 1600, H.D. 1, which passed Third Reading in the House of Representatives on March 16, 2022, was placed on file.

On motion by Senator DeCoite, seconded by Senator Fevella and carried, H.B. No. 1600, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed First Reading by title and was referred to the Committee on Ways and Means.

STANDING COMMITTEE REPORTS

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3224) recommending that H.B. No. 2248, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary and the Committee on Ways and Means.

On motion by Senator DeCoite, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2248, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Second Reading and was referred to the Committee on Judiciary and the Committee on Ways and Means.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3225) recommending that H.B. No. 2000, 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 DeCoite, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2000, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 3226) recommending that H.B. No. 2446, 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 DeCoite, seconded by Senator Fevella and carried, the report of the Committee was adopted and H.B. No. 2446, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3227) recommending that S.C.R. No. 15, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3227 and S.C.R. No. 15, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF HAWAIIAN HOME LANDS IMPLEMENT PROGRAMS TO SUPPORT VERY LOW INCOME NATIVE HAWAIIAN BENEFICIARIES," was deferred until Friday, March 18, 2022.

Senator Shimabukuro, for the Committee on Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 3228) recommending that S.R. No. 9, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 3228 and S.R. No. 9, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF HAWAIIAN HOME LANDS IMPLEMENT PROGRAMS TO SUPPORT VERY LOW INCOME NATIVE HAWAIIAN BENEFICIARIES," was deferred until Friday, March 18, 2022.

Senator Kidani, for the Committee on Education, presented a report (Stand. Com. Rep. No. 3229) recommending that the Senate advise and consent to the nominations to the Hawaii Teacher Standards Board of the following:

KRISTI MIYAMAE, in accordance with Gov. Msg. No. 568;

DAWN RAYMOND, in accordance with Gov. Msg. No. 569;

BRANDEN KAWAZOE, in accordance with Gov. Msg. No. 570;

KIM SANDERS, in accordance with Gov. Msg. No. 571; and

KATINA SOARES, in accordance with Gov. Msg. No. 573.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3229 and Gov. Msg. Nos. 568, 569, 570, 571, and 573 was deferred until Friday, March 18, 2022.

Senator Lee, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 3230) recommending that the Senate advise and consent to the nomination of CARROLL DIEBOLD to the Medical Advisory Board, in accordance with Gov. Msg. No. 587.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3230 and Gov. Msg. No. 587 was deferred until Friday, March 18, 2022.

Senator Lee, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 3231) recommending that the Senate advise and consent to the nomination of PATRICK MCCAIN to the Deputy Director of the Department of Transportation, in accordance with Gov. Msg. No. 597.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3231 and Gov. Msg. No. 597 was deferred until Friday, March 18, 2022.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 3232) recommending that S.C.R. No. 3, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator DeCoite, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.C.R. No. 3, S.D. 1, entitled: "SENATE CONCURRENT

RESOLUTION AUTHORIZING THE ADDITION OF A PORTION OF STATE SUBMERGED LANDS TO A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE RECLAIMED LANDS AT WAILUPE, HONOLULU, OAHU, FOR THE EXISTING SEAWALL, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON,” was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 3233) recommending that S.C.R. No. 4, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator DeCoite, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.C.R. No. 4, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAHALUU, KOOLAUPOKO, OAHU, FOR THE EXISTING SEAWALL, STEPS, AND FILLED LAND, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON,” was referred to the Committee on Ways and Means.

Senator Inouye, for the Committee on Water and Land, presented a report (Stand. Com. Rep. No. 3234) recommending that S.C.R. No. 5, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator DeCoite, seconded by Senator Fevella and carried, the report of the Committee was adopted and S.C.R. No. 5, S.D. 1, entitled: “SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE EXISTING PIER, HOUSE, ROCK WALL, AND LANDSCAPE AREA, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON,” was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

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

- H.B. No.: Re-referred to:
- H.B. No. 1586, Committee on Public Safety, Intergovernmental, and Military Affairs, then to the Committee on Ways and Means
H.D. 2
- H.B. No. 1785, Jointly to the Committee on Energy, Economic Development, and Tourism and the Committee on Government Operations, then jointly to the Committee on Labor, Culture and the Arts and the Committee on Ways and Means
H.D. 1
- H.B. No. 2084, Jointly to the Committee on Agriculture and Environment and the Committee on Water and Land, then jointly to the Committee on Judiciary and the Committee on Ways and Means
H.D. 3
- H.B. No. 2256, Committee on Agriculture and Environment, then to the Committee on Energy, Economic Development, and Tourism, then to the Committee on Ways and Means
H.D. 1

H.B. No. 2449, Committee on Labor, Culture and the Arts, H.D. 1 then to the Committee on Ways and Means

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

“Thank you, Mr. President, and mahalo for your commitment to this annual recognition of excellence in our schools. Today, we will tell you about some students who have distinguished themselves during the year. They are just a few of the several thousands of young people who each day go above and beyond during the year to accomplish remarkable things.

“You may recall that Prudential Financial has been a regular supporter of young people who create and carry out meaningful community service projects that really do help others. Here is Senator Moriwaki to highlight one young woman.”

Senator Moriwaki rose to present the following remarks:

“As Senator Kidani mentioned, Prudential Financial has in the past presented the Spirit of Community Awards. This year, they partnered with Ashoka, a leading social impact organization, to establish the inaugural class of Emerging Visionaries. The newly established award recognized just 25 extraordinary young people from across the United States who are dedicated to improving the lives of others and dealing with challenges in their communities.

“Esther Chan, a student at Punahou School, is one of the 25. Esther is deeply committed to philanthropy and community. Her focus area tackled the topic of Societal Solutions for a Changing World, resulting in the creation of the Cyber Safe Seniors initiative she designed to help kūpuna protect themselves from cybercrime. She established a nine-episode cybersecurity course, CyberSafety 101, and made it available on her website and YouTube. She also partnered with local nonprofits AARP Hawaii, the Lanakila Senior Center, and local senior care homes throughout the state to offer the course as well as more than 40 other digital resources in the community. Through her initiative, Esther aimed to educate older adults about cybersecurity threats such as phishing, malware, and viruses in an effort to fight cybercrime, and encourage seniors to live a healthy digital lifestyle. She has continued exploring digital solutions by co-founding a coding club at Punahou, where members can help her with projects such as Cyber Safe Seniors.

“We applaud Esther’s initiatives and wish her well as she pursues her education goals. Our next presenter is Senator Nishihara.”

Senator Nishihara rose to present the following remarks:

“Hawai’i’s LifeSmarts program gives students a real-life experience in personal finance, health and safety, the environment, and technology, along with consumer rights and responsibilities. The LifeSmarts program was created by the National Consumers League and is sponsored in Hawai’i by the state Department of Commerce and Consumer Affairs in partnership with the Hawaii Credit Union League. LifeSmarts is a free educational program that prepares students to enter the real world as smart consumers by teaching them the skills they need to succeed in a modern global marketplace.

“Three teams from two O’ahu schools emerged as winners in this year’s 18th annual statewide competition. I am so pleased to note that first- and second-place honors went to teams from Waipahu High School.

“The first-place finishers in Waipahu Team #3 were Ross Cadelina, Estefany Bayudan, Isabella Delos Santos, and Keziah Ancheta. The team will represent Hawai’i at the National LifeSmarts competition in Washington, D.C.

"In second place, Waipahu Team #1 included Vianne Jazmine Acdal, Serenity Kalai, Colby Macapagal, and Hunter Von Tungeln.

"Both of these outstanding teams are coached by Cindy Takara, who has done a remarkable job in a variety of student activities for many years at Waipahu High School. Most of the competitors are pictured in the Education Week program booklet. We offer our congratulations to everyone who contributed to the success these young people have enjoyed. Senator Chang has more about LifeSmarts. Thank you."

Senator Chang rose to present the following remarks:

"I join Senator Nishihara in congratulating the top teams in the LifeSmarts program, and I am so pleased to note that third place went to a team from Kalani High School. Team members include Caity Achay, Elena Terebenkov, Allison Vuong, Brandon Tran, and Phuong Huynh. To them and their coach Mike Zane, our best wishes and congratulations. We are also grateful to DCCA and the Credit Union League for all of the hard work that goes into organizing and staging this kind of competitive program. I turn now to Senator Fevella."

Senator Fevella rose to present the following remarks:

"The American School Counselor Association recognizes counseling professionals in elementary, middle, and high schools throughout the United States for their devotion to the academic and career success of their students as well as their social and emotional wellbeing. Honorees are selected on the basis of extensive criteria including the development of creative counseling innovations, leadership skills, and contributions to academic improvement. Two Hawai'i school counselors are award winners this year.

"Nicole Blomberg is a counselor at Pohakea Elementary School (of course, that's in my district—congratulations). She was nominated for the prestigious ASCA award for her outstanding ability to connect with her students and families as well as the impact her innovative ideas have had on the school community. One of Nicole's proudest campus contributions is the development of the Check and Connect program, an intervention discipline that assigns students to a trusted on-campus adult mentor. The connection between mentors and students has helped not only improve school attendance but also to help students feel safe and meet reachable, monthly goals.

"Last month, Nicole attended the 2022 School Counselor of the Year ceremony in Washington, D.C., where she and other committed school counselors were celebrated. Congratulations, Nicole Blomberg, for this well-deserved honor. I yield the floor to Senator Dela Cruz."

Senator Dela Cruz rose to present the following remarks:

"Brittnie Caraulia from Helemano Elementary School is the Association's Hawai'i chapter Counselor of the Year. Brittnie considers the greatest reward of her work to be making a positive impact on the lives of her students while working alongside the amazing team of educators at Helemano, who are equally driven to help their students succeed. Brittnie created a school counseling handbook to provide helpful resources to guide students through a multi-tiered system of support. Her total-school community approach to student wellbeing has earned high praise and commitments of support from her colleagues at Helemano. Our congratulations to Brittnie Caraulia along with a sincere mahalo for all that you do. I now yield the floor to Senator Kidani."

Senator Kidani rose and stated:

"Thank you, Mr. President. Thank you, colleagues. As the saying goes, 'it takes a village' to grow Hawai'i's future. We have been introduced to many 'villagers' this week, including

our visitors who were here earlier: our teachers from Maui. We will have more tomorrow as our Education Week program concludes. Mahalo to all our awardees from today. Congratulations."

ADJOURNMENT

At 11:46 a.m., on motion by Senator DeCoite, seconded by Senator Fevella and carried, the Senate adjourned until 11:30 a.m., Friday, March 18, 2022.