

TWENTY-NINTH DAY

Monday, March 13, 2023

The Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023, convened at 11:36 a.m. with the President in the Chair.

The Roll was called showing all Senators present, with the exception of Senators Fevella, Fukunaga, Ihara, and Kanuha who were excused.

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

At this time, Senator Shimabukuro noted that members of the Wai'anae Moku Kupuna Council possess historical and cultural knowledge about the Wai'anae Moku, otherwise known as the Wai'anae Coast. Senator Shimabukuro added that the 2022 Legislature, through a concurrent resolution, had designated the Wai'anae Moku Kupuna Council an advisory resource to the members of the Legislature. Senator Shimabukuro then introduced members of the Wai'anae Moku Kupuna Council who were seated in the gallery: Aunty Georgie Navarro, Uncle Ed Werner, Lena Suzuki, Heather Greaber, Aunty Kapua Medeiros, Aunty Pam Aio, Aunty Zee Nahooikaikaholoholokulani, Aunty Juanita Brown-Kawamoto, Aunty Kaiulani Apostadiro, Uncle Mel Kahele, Uncle George Paris, Patrice Tanna, Uncle Paul Aio, Aunty Lovely Aona, Greg Tapaonan, Uncle Kaili Keliikoa-Kamai, and Kapua Keliikoa-Kamai.

Senator Shimabukuro then welcomed guests from Kamaile Academy, a public charter school on the Wai'anae Coast established in 2008. Senator Shimabukuro noted that the school's pre-K program, begun in 2016, had swelled its population to over 1,000 students. Present in the gallery were principal Paul Kepka; teachers Diane Arakaki, Kari Arakaki, Darlene Kay, and Chikyra Crabbe; and pre-K students and parents.

Senator Shimabukuro then introduced members of her staff who were seated in the gallery: Keahi Renaud, Patrice Tanna, Louis Galdeira, and Clare-Ann Ronquillo.

Senator Inouye, on behalf the Hawai'i island delegation, acknowledged members of the Hawaii Cattlemen's Council from the Big Island who were visiting to share their vision for a Hawai'i that values agriculture and those who produce food while taking care of the land. Senator Inouye observed that looking into the history of the paniolo's contributions to keeping cultural values and work ethics was also important. Present in the gallery were Paniolo Hall of Fame inductee Jimmy Greenwell, whose birthday was that day; Jeri Moniz; Jason Moniz; Jacob Tavares; Whitney Boteilho; Deedee Bertelmann; Keith Unger; Nicole Galase; Randy Cabral; and Doug Beaton.

Senator DeCoite, on behalf of the Maui and O'ahu delegations, introduced cattlemen from Maui and O'ahu. Seated in the gallery, from Maui, were 2019 Paniolo Hall of Fame inductee Jimmy Gomes, Janet Ashman, Alex Redeker, and Christy Gusman. Also present in the gallery, from O'ahu, were Alan Gottlieb, George Pritchard, and Brian Miyamoto.

Senator Kidani thanked Deborah Zysman, Ke'ōpū Reelitz, and the Hawai'i Children's Action Network Speaks! for organizing the Early Childhood Care & Education Day festivities of that morning, as well as the Hawai'i Early Childhood Advocacy Alliance, Hawai'i Association for the Education of Young Children, and Holomua Collaborative for supporting the event. Senator Kidani also thanked the

organizers, schools, students, and families who participated in the celebration.

Senator Kidani then congratulated the 2023 State Teacher of the Year and District Teachers of the Year, and presented the following remarks:

"Colleagues, each spring, 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 through floor presentations and education-related events. Our annual Education Week celebration is an event that I look forward to each year.

"This year, we are particularly excited as it is the first time in three years that we are inviting honorees back to the Capitol to receive their congratulatory Senate certificates which detail their extraordinary accomplishments. Awardees will also receive a program booklet and a Senate pin to further express our recognition and admiration for their achievements as well as their contributions to educational excellence in our schools.

"Today, we recognize individuals who have demonstrated teaching excellence, student achievement, and campus leadership. Those whose names are entered into the official record in each of these categories are just a few of the thousands whose contributions comprise the collective educational efforts in our state. As Board of Education Chair Bruce Voss reminded us in his moving moment of contemplation speech, education is a tremendous responsibility and requires the support of the community to foster student success. As chair of your Committee on Education, I am deeply moved and inspired by the hard work of each of these awardees, and the determination and resilience of our education system.

"Mr. President and colleagues, you have each received a program booklet for this year's Education Week. I urge you to read about the remarkable individuals we are recognizing this year. These deserving students, teachers, and campus leaders represent the broad spectrum of excellence in our education system.

"Mr. President, I also request that names and accomplishments on all of our honorees be entered into the Senate Journal each day to ensure that the 2023 Education Week recipients are rightfully recognized. (The Chair so ordered.) Thank you.

"To start with, our state Department of Education each year solicits nominations for classroom educators to be honored as Teachers of the Year. One teacher is selected by a committee from each of our DOE school complex areas and one from public charter school campuses. Our guests this morning include several of our deserving district Teachers of the Year.

"I am proud and honored to open Education Week 2023 by recognizing our 2023 State Teacher of the Year honoree, Michael Ida. Michael is a National Board Certified teacher and the O'ahu District's Farrington-Kaiser-Kalani Complex Teacher of the Year (go, Govs). Mr. Ida has been a lifelong learner and veteran teacher at Kalani High School for nearly three decades. Currently a math and computer science teacher, he serves as the mathematics department chairperson, Academic Review team member, computer science club advisor, and coach for student math competitions. Mr. Ida also helped launch the computer science program at Kalani, which included project-based learning with real-world applications for students.

"He is on the leadership teams of the Hawaii Council of Teachers of Mathematics, the Hawai'i chapter of the Computer Science Teachers Association, and the Hawai'i National Board

Certified Teachers Collective. In addition to his work with students, Mr. Ida also provides innovative tech-related professional development sessions for Kalani faculty. The impact of his efforts is a testament to his passion for teaching, the enthusiasm he shares with his students, and his tremendous subject-matter expertise.

“Please join me in congratulating the O’ahu District’s Farrington–Kaiser–Kalani Complex Area awardee and our State Teacher of the Year, Michael Ida. Thank you, and I now yield the floor to Senator Shimabukuro.”

The Chair having so ordered, the names and accomplishments on the honorees read as follows:

“Awardees on the Floor: Michael Ida (2023 State Teacher of the Year), Nuikalā Koerte (2023 Nānākuli–Wai’anae Complex Teacher of the Year), Leeann Manuel (2023 Campbell–Kapolei Complex Teacher of the Year), Keevan Matsumoto (2023 Kaimukī–McKinley–Roosevelt Complex Teacher of the Year), and Daphne Okunaga (2023 Pearl City–Waipahu Complex Teacher of the Year).

“Guests in the Gallery: Aven Okunaga, Darin Okunaga, Grant Okunaga, Leolani Leao, Pitone Leao, Uahiapele Koerte, Kuulei Lum, Iwalani Lum, Jersey Standing-Soares, Lisa De Ponte, Iris Kajikawa, Dennis Kajikawa, Kim Sanders, and Dennis Lum.”

Senator Shimabukuro rose to present the following remarks:

“In addition to Mr. Ida, the Senate would like to recognize all the inspiring teachers leading their districts and the education industry. The following recipients are all deserving of thanks and praise for the extraordinary work they do. As the residential district senator for this inspiring honoree, I am proud to acknowledge Nuikalā Koerte as the Leeward District’s Nānākuli–Wai’anae Complex Teacher of the Year.

“Ms. Koerte has been an early educator for over 20 years, 8 of which she’s served as a kindergarten and first-grade teacher at my alma mater, Wai’anae Elementary. A proud Native Hawaiian educator, Ms. Koerte approaches education with a child-first focus, looking to indigenous knowledge to guide her teachings. While she has achieved many professional goals throughout her career, Ms. Koerte is most proud of the hands-on learning experiences she established with community partners Papahana Kuaola and Mālama Loko Ea. Their support allowed her students the immersive experiences of āina-based learning, working firsthand in lo’i kalo and loko i’a. She cites the ‘ōlelo no‘eau “‘A’ohe pau ka ‘ike i ka hālua ho‘okahi’ as an invaluable cultural principle which acknowledges that one can learn from many sources. As such, her methods are steeped in cultural traditions and methods that turn to nature and community as resources from which both she and her students can yield valuable lessons.

“Colleagues, please join me in congratulating the Leeward District’s Nānākuli–Wai’anae Complex Teacher of the Year, Nuikalā Koerte. I now yield the floor to Senator Gabbard.”

Senator Gabbard rose to present the following remarks:

“As the senator for District 21, I’m honored to recognize Leeann Manuel as the Leeward District’s 2023 Campbell–Kapolei Complex Teacher of the Year.

“Licensed as a math and TESOL instructor (that’s ‘teaching English to speakers of other languages’), Leeann transitioned to ‘Ewa Makai Middle School in 2016, where she’s been for the past seven years. She has been the induction and mentoring lead for the past six years and currently serves as the school’s curriculum coach for math, English language arts, and social studies. Beyond the classroom, Leeann’s commitment to education extends to her colleagues and the work she’s done to

further educational resources within ‘Ewa Makai. She has been the AVID program staff developer—that’s Advancement Via Individual Determination. Leeann is highly active with the Smarter Balanced Assessments (SBA) math, and creates lessons and activities for Tools for Teachers as a special needs education Smarter Balanced teacher.

“It is my pleasure and distinct honor to recognize Leeann Manuel and offer aloha congratulations to Leeann as the Leeward District’s 2023 Campbell–Kapolei Complex Teacher of the Year. Colleagues, please join me in honoring her. And now, I turn the floor over to Senator Chang.”

Senator Chang rose to present the following remarks:

“It is my privilege as the residential district senator for this outstanding awardee to recognize Keevan Matsumoto as the Honolulu District’s 2023 Kaimukī–McKinley–Roosevelt Complex Teacher of the Year.

“A second-generation special education (SPED) teacher following in the footsteps of his mother, Mr. Matsumoto currently serves as the student services coordinator (SSC) at Kaimukī High School. Prior to this appointment, he was a SPED teacher at Kaimukī who specialized in students with moderate to profound learning disabilities as well as the SPED department head. Dedicated to supporting students beyond the classroom, he is also the school’s head of delegation and the head coach for the Special Olympics team, where he was awarded the Outstanding School Delegation award by Special Olympics Hawai’i. In addition to these remarkable efforts, Mr. Matsumoto is also the founder and president of the nonprofit Kaimuki Youth Development Organization, which is dedicated to providing prevocational, vocational, and community engagement opportunities for children with disabilities.

“Colleagues, please join me in congratulating the Honolulu District’s 2023 Kaimukī–McKinley–Roosevelt Complex Teacher of the Year, Keevan Matsumoto. I now yield the floor to Senator Dela Cruz.”

Senator Dela Cruz rose to present the following remarks:

“I’m honored to recognize Daphne Okunaga as the Leeward District’s Pearl City–Waipahu Complex Teacher of the Year.

“Ms. Okunaga is a Pearl City High alumna, where she has been a dedicated educator for 18 years. Throughout her tenure, she has served as a math and business teacher, math department chairperson, International Business and Design Academy lead, introduction to college mathematics state trainer, and more. A former Hawai’i State Teacher Fellow, she is a Smarter Balanced Performance and Practice Committee rep and a member of the Patsy T. Mink Leadership Alliance. Ms. Okunaga received the 2017 Presidential Award for Excellence in Mathematics and Science Teaching, and in 2022, she was awarded the Hawaii Education Association’s Centennial Award as well as the National Career Academy Coalition’s 2022 Career Academy Teacher of the Year award. She is truly an exceptional educator who is deserving of this recognition.

“Please join me in recognizing our final honoree today, the Leeward District’s Pearl City–Waipahu Complex Teacher of the Year, Daphne Okunaga. I now yield the floor to Senator Kidani.”

Senator Kidani rose and stated:

“Colleagues, as you can see, we have a wealth of educational excellence in our midst that I am thrilled to celebrate. These outstanding teachers represent the tremendous talent, dedication, and accomplishments of our educators here in Hawai’i, and I am grateful to have this opportunity to honor them. Senate President, I now yield the floor back to you.”

The Chair remarked that, rather than recessing to greet the honored guests, he believed the Senate would be adjourning in several minutes, after which the members would be looking forward to congratulating the guests and taking pictures.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 2 and 578 to 582) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 2, letter dated March 10, 2023, transmitting proposed changes to the FB 2023-25 Executive Budget Request, was placed on file.

Gov. Msg. No. 578, submitting for consideration and confirmation to the Enhanced 911 Board, the nomination of REED MAHUNA, term to expire June 30, 2024, was referred to the Committee on Labor and Technology.

Gov. Msg. No. 579, submitting for consideration and confirmation to the Hawai'i Community Development Authority (Heeia District), the nomination of JO-ANN LEONG, term to expire June 30, 2026, was referred to the Committee on Energy, Economic Development, and Tourism.

Gov. Msg. No. 580, submitting for consideration and confirmation to the Kane'ohe Bay Regional Council, the nomination of SYLVIA HUSSEY, term to expire June 30, 2023, was referred to the Committee on Water and Land.

Gov. Msg. No. 581, submitting for consideration and confirmation to the Kane'ohe Bay Regional Council, the nomination of SYLVIA HUSSEY, term to expire June 30, 2027, was referred to the Committee on Water and Land.

Gov. Msg. No. 582, submitting for consideration and confirmation to the Kane'ohe Bay Regional Council, the nomination of JOSEPH PICKARD, term to expire June 30, 2025, was referred to the Committee on Water and Land.

HOUSE COMMUNICATION

The following communication from the House (Hse. Com. No. 457) was read by the Clerk and was placed on file:

Hse. Com. No. 457, informing the Senate that on March 10, 2023, the House agreed to the amendments proposed by the Senate to H.B. No. 1514, H.D. 1.

SENATE COMMUNICATION

The following communication (Sen. Com. No. 1) was read by the Clerk and was placed on file:

Sen. Com. No. 1, notice to Governor dated March 10, 2023, transmitting S.B. No. 467, S.D. 1; S.B. No. 917, S.D. 3; S.B. No. 927, S.D. 2; S.B. No. 992, S.D. 1; S.B. No. 1074, S.D. 2; S.B. No. 1167, S.D. 1; and S.B. No. 1295, S.D. 2, which propose amendments to the Hawai'i State Constitution and reads as follows:

"March 10, 2023

The Honorable Josh Green
Governor of the State of Hawai'i
State Capitol
Honolulu, Hawai'i 96813

Dear Governor Green:

In accordance with the provisions of Article XVII, Section 3 of the Hawai'i State Constitution, written notice is hereby given of the final form of the following bills, copies of which are attached hereto:

S.B. No. 467, S.D. 1
"PROPOSING AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF THE STATE OF HAWAII."

S.B. No. 917, S.D. 3
"PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION REGARDING THE FREEDOM OF SPEECH."

S.B. No. 927, S.D. 2
"PROPOSING AMENDMENTS TO ARTICLE IV, SECTIONS 4 AND 6, OF THE HAWAII STATE CONSTITUTION REGARDING REAPPORTIONMENT."

S.B. No. 992, S.D. 1
"PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO INCREASE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES."

S.B. No. 1074, S.D. 2
"PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII TO AMEND THE MANNER IN WHICH JUSTICES AND JUDGES ARE APPOINTED, CONSENTED TO, AND RETAINED."

S.B. No. 1167, S.D. 1
"PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO PROTECT INDIVIDUAL REPRODUCTIVE RIGHTS."

S.B. No. 1295, S.D. 2
"PROPOSING AMENDMENTS TO ARTICLE VII, SECTIONS 12 AND 13, OF THE HAWAII CONSTITUTION TO EXPRESSLY PROVIDE THAT THE LEGISLATURE MAY AUTHORIZE THE COUNTIES TO ISSUE TAX INCREMENT BONDS AND TO EXCLUDE TAX INCREMENT BONDS FROM DETERMINATIONS OF THE FUNDED DEBT OF THE COUNTIES."

Respectfully,
/s/ Carol Taniguchi
CAROL TANIGUCHI
Clerk of the Senate"

ORDER OF THE DAY

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. 95,
H.D. 2 | Jointly to the Committee on Judiciary and the Committee on Hawaiian Affairs, then to the Committee on Ways and Means |
| H.B. No. 197,
H.D. 1 | Committee on Agriculture and Environment, then to the Committee on Ways and Means |
| H.B. No. 419,
H.D. 1 | Jointly to the Committee on Energy, Economic Development, and Tourism and the Committee on Public Safety and Intergovernmental and Military Affairs, then jointly to the Committee on Commerce and Consumer Protection and the Committee on Ways and Means |
| H.B. No. 562,
H.D. 1 | Jointly to the Committee on Public Safety and Intergovernmental and Military Affairs and the Committee on Education and the Committee on Higher Education, then to the Committee on Ways and Means |
| H.B. No. 567,
H.D. 2 | Jointly to the Committee on Hawaiian Affairs and the Committee on Housing, then to the |

Committee on Ways and Means

H.B. No. 622, Committee on Health and Human Services,
H.D. 2 then jointly to the Committee on Judiciary
and the Committee on Ways and Means

H.B. No. 678, Committee on Housing, then to the
H.D. 1 Committee on Ways and Means

H.B. No. 884, Committee on Commerce and Consumer
H.D. 1 Protection, then to the Committee on
Judiciary

H.B. No. 923, Committee on Housing, then to the
H.D. 1 Committee on Ways and Means

H.B. No. 1108, Committee on Transportation and Culture and
H.D. 1 the Arts, then jointly to the Committee on
Judiciary and the Committee on Ways and
Means

H.B. No. 1329, Committee on Education, then to the
H.D. 1 Committee on Ways and Means

Senator Shimabukuro invited her colleagues to lunch with
the Wai'anae Moku Kupuna Council around 12:15 p.m. in
Conference Room 016.

ADJOURNMENT

At 11:58 a.m., on motion by Senator Wakai, seconded by
Senator DeCoite and carried, the Senate adjourned until
11:30 a.m., Tuesday, March 14, 2023.