



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. 794

July 3, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on July 3, 2006, the following bill was signed into law:

SB3197 SD2 HD1 CD1

A BILL FOR AN ACT RELATING TO SUBSTITUTE
TEACHERS.
(ACT 263)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

THE SENATE
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

S.B. NO. 3197
S.D. 2
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO SUBSTITUTE TEACHERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. In 2005, the legislature enacted Act 70,
2 Session Laws of Hawaii 2005 (Act 70), which required the
3 department of education to develop a recommendation for a
4 classification and compensation schedule for public school
5 substitute teachers, to be reported to the 2006 legislature.
6 Pursuant to Act 70, the department of education created a
7 substitute teacher task force (task force), which included
8 representatives from the Hawaii State Teachers Association,
9 Hawaii Government Employees Association, the department of
10 education's office of human resources, substitute teachers, and
11 parents. The task force recognized the important role that
12 substitute teachers play in providing quality education to
13 students when regular classroom teachers are absent or unable to
14 perform their duties.

15 On any given day, about one thousand substitute teachers
16 are employed by the department of education to carry out the
17 duties of Hawaii's ten thousand regular, full-time teachers. In
18 the task force's final report entitled "A Report to the



1 Legislature on the Department of Education's Response to Act
2 70," it was noted that there were approximately 4,568 substitute
3 teachers employed by the department of education during school
4 year 2004-2005. The significant role of public school
5 substitute teachers cannot be underestimated.

6 In its report, the department of education recommended that
7 salary increases for substitute teachers should be
8 across-the-board, regardless of class, and reflect current
9 negotiated rates by various bargaining units. To be consistent
10 with the 1996 law, which established the salary schedules for
11 regular, full-time teachers, the legislature finds that rate
12 increases for substitute teachers should be based on rate
13 increases for licensed class II teachers as determined through
14 collective bargaining.

15 The legislature further finds that an increase in
16 substitute teacher pay will contribute to the provision of the
17 highest quality teaching and work environment for Hawaii's
18 substitute teachers and students. The per diem rate of class I,
19 II, and III teachers are to be adjusted upward to match the
20 salary or wage increases that are provided to licensed class II
21 teachers in bargaining unit 5 in the collective bargaining



1 agreement between the Hawaii State Teachers Association and the
2 department of education.

3 The purpose of this Act is to set and provide moneys for
4 classification and compensation rates for substitute teachers
5 that are consistent with the compensation rates determined by
6 the legislature in 1996.

7 SECTION 2. Section 302A-624, Hawaii Revised Statutes, is
8 amended by amending subsection (e) to read as follows:

9 "(e) Effective July 1, [~~2005~~,] 2006, the minimum hourly or
10 minimum per diem rate for substitute teachers shall be
11 determined by the legislature [~~;~~ ~~provided that the department~~
12 ~~shall develop a classification and compensation schedule that is~~
13 ~~not restricted to the minimum compensation rates but may exceed~~
14 ~~them;~~] as follows; provided [~~further~~] that any individual in
15 class I, II, or III who works less than a full seven-hour work
16 day shall be compensated on a pro-rated, hourly basis [~~as~~
17 ~~follows~~]:

- 18 (1) Class I: other individuals who do not possess a
19 bachelor's degree shall be compensated at a rate of
20 not less than [~~\$119.80~~] \$125 for a full work day;

1 (2) Class II: individuals with a bachelor's degree shall
2 be compensated at a rate of not less than [~~\$130~~] \$136
3 for a full work day; and

4 (3) Class III: department of education teachers, or
5 licensed or highly qualified teachers, shall be
6 compensated at a rate of not less than [~~\$140~~] \$147 for
7 a full work day."

8 SECTION 3. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$800,000, or so much
10 thereof as may be necessary for fiscal year 2006-2007, to carry
11 out the purpose of this Act.

12 SECTION 4. The sum appropriated shall be expended by the
13 department of education for the purposes of this Act.

14 SECTION 5. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 6. This Act shall take effect on July 1, 2006.



GOVERNOR OF THE STATE OF HAWAII

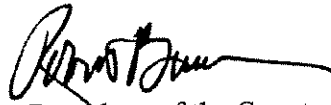
Approved this day: JUL - 3 2006



THE SENATE OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.



President of the Senate

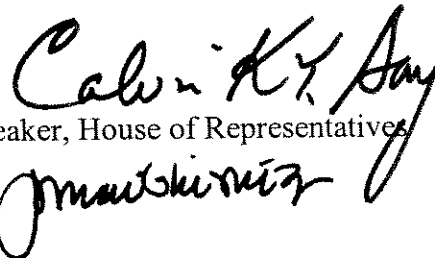


Clerk of the Senate


**THE HOUSE OF REPRESENTATIVES
OF THE STATE OF HAWAII**

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the House of Representatives of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.



Speaker, House of Representatives



Clerk, House of Representatives