

Honolulu, Hawaii

March 3, 2006

RE: H.B. No. 3098
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 3098, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS,"

begs leave to report as follows:

The purpose of this bill is to clarify the rights of certain charter school employees by establishing that:

- (1) A qualifying teacher from a new century charter school who transfers to a public school shall not be considered a new teacher of the Department of Education (DOE) subject to DOE's probationary requirements;
- (2) A civil service employee at a new century conversion charter school who is promoted or takes a voluntary demotion to another civil service position shall be entitled to all of the rights, privileges, and benefits of continuous, uninterrupted civil service; and
- (3) Civil service employees of a new century conversion charter school shall retain their civil service status in the DOE's civil service system and shall be entitled to all rights and benefits as other civil service employees employed by DOE.



The Department of Human Resources Development supported this bill. The Hawaii Government Employees Association and the Charter School Administrative Office supported the intent of this bill. The Board of Education (BOE) submitted comments.

Your Committee notes the concerns raised in the BOE testimony. BOE indicated that recognizing the tenure of new century charter school teachers who transfer to traditional public schools may be problematic, as charter schools and DOE have different collective bargaining agreements and tenure systems.

Your Committee has amended this bill by:

- (1) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3098, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 3098, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Finance,



DWIGHT TAKAMINE, Chair



State of Hawaii
House of Representatives
The Twenty-third Legislature

HSCR 868

Record of Votes of the Committee on Finance

Bill/Resolution No.: <p style="text-align: center;">HB 3098 HD1</p>	Date: <p style="text-align: center; font-size: 24pt;">2-27-06</p>			
Committee Referral: <p style="text-align: center;">EDN/LAB, FIN</p>	<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.			
The recommendation is to: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended <input type="checkbox"/> Hold </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Recommit </div> </div>				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAMINE, Dwight Y. (C)	✓			
2. KAWAKAMI, Bertha C. (VC)	✓			
3. CARROLL, Mele				✓
4. CHONG, Pono	✓			
5. EVANS, Cindy	✓			
6. LEE, Marilyn B.	✓			
7. MAGAOAY, Michael Y.	✓			
8. NAKASONE, Bob	✓			
9. NISHIMOTO, Scott Y.	✓			
10. TANAKA, Kameo	✓			
11. TSUJI, Clift	✓			
12. WAKAI, Glenn	✓			
13. YAMANE, Ryan I.	✓			
14. YAMASHITA, Kyle T.	✓			
15. MEYER, Colleen Rose				✓
16. MOSES, Mark S.		✓		
17. PINE, Kymberly				✓
18. STEVENS, Anne V.				✓
	-	-	-	-
TOTAL	13	1		4
The recommendation is: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div> </div> <p style="margin-top: 10px;">If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small></p>				
Vice Chair's or designee's signature: <div style="text-align: center; margin-top: 10px;"> </div>				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				