

STAND. COM. REP. NO.

1149

Honolulu, Hawaii

MAR 22 2007

RE: H.B. No. 16  
H.D. 1  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committees on Education and Health, to which was referred H.B. No. 16, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

beg leave to report as follows:

The purpose of this measure is to repeal the transfer of School Health Aides from the Department of Health to the Department of Education.

This measure also repeals the School Health Services Program from chapter 321, Hawaii Revised Statutes, and establishes a new program under the Department of Education, chapter 302A, Hawaii Revised Statutes.

Testimony in support of this measure was submitted by the Department of Education, the Department of Health, and the Department of Human Resources Management.

Your Committees find that Act 51, Session Laws of Hawaii 2004, as amended, established the Department of Education as a separate jurisdiction of the State. This new status necessitated the transfer of various functions, duties, and personnel from other departments to the Department of Education. Included within these transfers are School Health Aides and the Public Health Nurses who supervise them, effective July 1, 2007. Your Committees understand that these transfers were intended to provide a coordinated school health services program within the

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Department of Education; however, concerns have arisen regarding the security of existing supervising Public Health Nurse and School Health Aide positions within the Department of Education.

Your Committee on Education previously heard a similar measure, Senate Bill No. 98, S.D. 1, which also repeals the transfer of School Health Aides. The provisions of that measure require the repeal of the transfer of supervising Public Health Nurses based on the execution of a Memorandum of Understanding between the Departments of Health and Education that allows supervising Public Health Nurses to remain within the Department of Health while providing clinical supervision to the Department of Education's School Health Aides. That measure also addressed job security concerns for School Health Aides under the transfer by requiring the Department of Education to provide career pathways and development for those individuals. Your Committees believe that Senate Bill No. 98, S.D. 1, provides a more appropriate manner for utilizing the State's personnel and resources.

Accordingly, your Committees have amended this measure by inserting the provisions of Senate Bill No. 98, S.D. 1, which includes the following changes:


- (1) Requiring the Department of Education to provide career pathways development and training opportunities for School Health Aides in the School Health Services field and other fields within the Department of Education to ensure the opportunity for continued employment with the Department of Education;
- (2) Changing its effective date to June 29, 2007; and
- (3) Making technical, nonsubstantive changes for purposes of clarity and to reflect preferred drafting style.

As affirmed by the records of votes of the members of your Committees on Education and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 16, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 16, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committees on Education and  
Health,


  
\_\_\_\_\_  
DAVID Y. IGE, Chair

  
\_\_\_\_\_  
NORMAN SAKAMOTO, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii


**Record of Votes**  
**Committee on Education**  
**EDU**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 16 HD1	EDU/HTH, WARR	19 03/16/07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAKAMOTO, Norman (C)	X			
TOKUDA, Jill N. (VC)	X			
CHUN OAKLAND, Suzanne	X			
HEE, Clayton				X
NISHIHARA, Clarence K.				X
TANIGUCHI, Brian T.				X
GABBARD, Mike	X			
<b>TOTAL</b>	4	0	0	3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink		
File with Committee Report	Clerk's Office	Drafting Agency		

\*Only one measure per Record of Votes

The Senate  
Twenty-Fourth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:*	Committee Referral:	Date:
HB 16 HD1	EDU/HTH, WAM	3/21/07
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
Nay	Excused	
IGE, David Y. (C)	✓	
FUKUNAGA, Carol (VC)	✓	
BAKER, Rosalyn H.	✓	
MENOR, Ron	✓	
WHALEN, Paul		✓
<b>TOTAL</b>	4	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
		
Distribution:		
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency

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