

STAND. COM. REP. NO. 896

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 96
S.D. 2

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

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 96, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to protect our children in public schools by expanding the category of individuals subject to a criminal history record check by the Department of Education as a condition of employment.

Specifically, this measure requires the Department of Education to conduct criminal history records checks on individuals who are seeking to serve as providers, subcontractors, or trainees from an institution of higher education in positions that places those individuals in close proximity to children. In addition, the bill authorizes the Department of Education to pass on the cost of a criminal history record check to those individuals who are subject to such checks as a condition of employment. Finally, the measure appropriates funds to the Department of Education for costs incurred in conducting criminal history record checks.

The Department of Education and the University of Hawaii College of Education submitted comments on the measure.

Your Committee finds that our children need to be provided with a safe and secure environment when they are at school for optimum learning conditions. While current law already requires

SB96 SD2 SSCR LRB 07-3096-1.doc



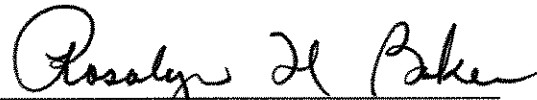
that a number of Department of Education employees are subject to a criminal history record check as a condition of employment, this measure addresses additional categories of individuals who are seeking positions that place them in close proximity to students to add a new level of safety and security to our children's learning environment.

Upon further consideration, your Committee has amended this measure by:

- (1) Amending the definitions of "provider," "subcontractor," and "trainee from an institution of higher education" to clarify who is intended to be subject to a criminal history record check as a condition of employment;
- (2) Changing the sum appropriated to an unspecified amount to facilitate further discussion on the issue; and
- (3) Making technical nonsubstantive changes for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 96, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 96, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



ROSALYN H. BAKER, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 96 SD1	Committee Referral: EDUC/DL, WAM	Date: 2-22-07		
<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
BAKER, Rosalyn H. (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
KIM, Donna Mercado	/			
MENOR, Ron	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred				/
WHALEN, Paul	/			
TOTAL	10	0	0	1
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