

STAND. COM. REP. NO.

811

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 145
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 145, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to clarify the transfer of responsibility for the repair and maintenance of equipment and fixtures in school facilities from the Department of Accounting and General Services to the Department of Education.

Your Committee received one written comment on this measure. The written comment may be reviewed on the Legislature's website.

Your Committee finds that this measure clarifies the intended responsibility of the Department of Education to maintain its own facilities, pursuant to Act 51, Session Laws of Hawaii 2004. Your Committee believes that this housekeeping measure will remove legal ambiguities with respect to the repair and maintenance of school facilities.

Your Committee believes, however, that providing an exemption to the Department of Education from the procurement code increases the likelihood of both fraud and waste.

Accordingly, your Committee has amended the measure by:



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- (1) Deleting the exemption for the Department of Education from the procurement code requirements in chapters 103 and 103D, Hawaii Revised Statutes;
- (2) Changing the effective date of the measure to January 1, 2045, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments 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. 145, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 145, S.D. 2.

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

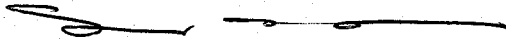


DONNA MERCADO KIM, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 145, SD1	Committee Referral: EPH, WAM	Date: MAR 2, 2009		
<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
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
GALUTERIA, Brickwood	/			
HEE, Clayton	/			
HOOSER, Gary L.	/			
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.				/
TOKUDA, Jill N.	/			
HEMMINGS, Fred	/			
TOTAL	11	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes