



**STATE OF HAWAII**  
HAWAII TEACHER STANDARDS BOARD  
650 Iwilei Road, Suite 201  
Honolulu, Hawaii 96817

**TESTIMONY BEFORE THE HOUSE COMMITTEE ON FINANCE**

**RE: HB 183 Relating to Education**

**Monday, March 2, 2009**

**DR. JONATHAN GILLENLINE, CHAIRPERSON**  
**Hawaii Teacher Standards Board**

Chairman Oshiro and Members of the Committee:

The Members of the Hawaii Teacher Standards Board strongly support HB 183 Relating to Education, Section 2, Item (6), lines 9 through 11, which would authorize the Board to determine the manner by which license fees are collected.

One of the 4 requirements for a Hawaii teaching license is payment of license fees. Current statute requires the payment of fees through payroll deduction. Hawaii is the only state in the country that has such a requirement. In all other states, license fees are paid for the validity period of the license prior to receipt of the license. All other professions and occupations in Hawaii make payments in this fashion, too.

The payroll deduction process does not allow the Board to know when employment changes result in non-payment of license fees. Currently, we receive hard copies of the Payroll Assignment Register and it is impossible to track payment of fees per licensee in a timely fashion. To resolve this problem, the Board volunteered to become part of the Dept. of Accounting and General Services' (DAGS) pilot project to enable electronic transmittal of payroll deduction transactions information to us. This would have helped us to connect the transactions to teacher licensees to determine currency of their license fee payment. Unfortunately, DAGS' pilot project was stalled several years ago due to lack of funding and it has yet to move forward.

Consequently, our staff spends inordinate amounts of time researching whether a licensee's fee payments are current—time that we would prefer to spend on the evaluation of license applications. The proposed amendment in Section 2 of HB 183 would enable the Board to determine the method of collecting fees. This may include credit card or electronic check payments. Section 2 would enable the Board to have a more accurate way of collecting and monitoring license fee payments.

The proposed change in Section 2, Item (17) relates to the Board's authority to adopt, amend, repeal or suspend its rules and policies. However, we respectfully point out that HB 183 does not accurately reflect current law. Item (16), according to current law, reads as follows:

“(16) Adopting applicable rules and procedures.

(b) If, in accordance with chapter 92, the board determines, on a case-by-case basis, that extenuating circumstances exist to justify the suspension, the board may temporarily suspend its rules, or any portion thereof. The board shall establish, in accordance with chapter 91, procedures for the suspension of its rules. When determining whether to suspend its rules, the board shall also establish the length of time for which the suspension shall be in effect.

(c) The board, in accordance with chapter 92, may also amend licensing-related fees and set or amend other charges related to the performance of its duties. [L 1996, c 89, pt of §2; am L 1997, c 195, §2; am L 2000, c 106, §§1, 4; am L 2001, c 312, pt of §10 and §§12, 13 and c 314, §3; am L 2002, c 16, §19 and c 193, §4; am L 2003, c 3, §11; am L 2007, c 263, §2]”

In view of the above, the Board supports keeping the current statutory language and removing any sunset provision existing in current law. The Board opposes the substitution of current law with Item (17) in HB 183. We believe Item (2) in current law already addresses what is contained in proposed Item (17).

Since passage of the §302A803 (b) and (c), the Board drafted rules for implementing it and we are awaiting approval of the rules from the Attorney General so we can take them to public hearing.

Thank you for this opportunity to testify.