

STAND. COM. REP. NO.

2804

Honolulu, Hawaii

MAR 19 2010

RE: H.B. No. 2376
H.D. 3
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Education and Housing, to which was referred H.B. No. 2376, H.D. 3, entitled:

"A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to propose an amendment to the Hawaii State Constitution to provide for a Board of Education whose members are appointed by the Governor with the advice and consent of the Senate.

Testimony in support of this measure was submitted by one private organization and two individuals, and testimony in support of the intent of this measure was submitted by one private organization. Testimony in opposition to this measure was submitted by one state agency, one private organization, and one individual. The Governor's office expressed concerns with this measure. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that requiring members of the Board of Education to be appointed by the Governor, rather than elected, would increase the accountability of the Board. Your Committee also finds that the Regents Candidate Advisory Council's process of nominating members for the Board of Regents of the University of Hawaii provides the Governor with a selection of qualified candidates from which to appoint Board of Regents members.



Implementing a similar nomination process for the Board of Education would similarly allow representatives from state government and education-related organizations to nominate qualified candidates for membership on the Board of Education.

Accordingly, your Committee has amended this measure by adding language to the constitutional amendment in section 1 of this measure and the ballot question in section 2 of this measure to require the Governor to appoint the voting members of the Board of Education from pools of qualified candidates presented by the Board of Education Candidate Nomination Commission.

As affirmed by the record of votes of the members of your Committee on Education and Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2376, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2376, H.D. 3, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Education and
Housing,

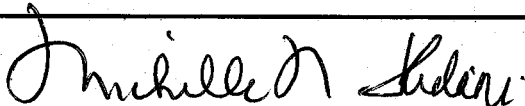


NORMAN SAKAMOTO, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Education and Housing
EDH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2376 HD3	EDH, JGD	3-15-10		
<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)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne				✓
GALUTERIA, Brickwood	✓			
TSUTSUI, Shan S.	✓			
HEMMINGS, Fred				✓
TOTAL	4			2
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