

STAND. COM. REP. NO.

1088

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 945
H.D. 2
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 945, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to find feasible methods of implementing the minimum student instructional days and hours requirements established under Act 167, Session Laws of Hawaii 2010 (Act 167).

Specifically, the measure accomplishes this purpose by:

- (1) Exempting multi-track schools from the requirements of Act 167;
- (2) Delaying the implementation of Act 167 by three years, with 2014 as the first year of implementation;
- (3) Requiring the Department of Education to assess the ability of all public schools to comply with the requirements of Act 167 and to report its findings to the Legislature prior to the 2012 Regular Session; and
- (4) Requiring the Department of Education, with the Board of Education and the Governor, to consult with representatives of affected public worker collective bargaining units and submit to the Legislature a report



on its progress in meeting the requirements of Act 167 prior to the 2013 to 2018 Regular Sessions.

Your Committee received comments in support of this measure from Kalbert K. Young, Director, Department of Budget and Finance; Neal Takamori, President, Athletic Directors and Coaches Association of Hawaii; and Meredith Maeda, Principal, James B. Castle High School.

Your Committee received comments in opposition to this measure from Melanie Bailey and Kathy Bryant.

Your Committee finds that the additional work time required of school staff under Act 167 necessitates more funding to cover the lengthened school day and year once these requirements are implemented. The Department of Education estimates that implementing Act 167 within the next biennium will add \$55,000,000 in operating costs - mostly in labor. The Department of Budget and Finance projects that these increased costs will occur at a point when the fiscal condition of the State will not have sufficiently improved to afford these costs. An essential component of the State's overall plan to balance its budget is the achievement of labor savings. Although the requirements of Act 167 are intended to ensure a minimum amount of educational classroom instruction for Hawaii's students, it is unrealistic to expect that labor savings can be negotiated with Department of Education employees while simultaneously increasing their work requirements. Hence, the State's current fiscal challenges make it extremely difficult to implement Act 167 at the present time.

Your Committee further finds that multi-track public schools have unique schedules to address overcrowding and will find it particularly difficult to meet the requirements of Act 167. This measure will provide the Department of Education additional time to address both the logistical and financial considerations of implementing Act 167, while requiring the department to report to the Legislature on its progress in meeting these standards.

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 H.B. No. 945, H.D. 2, S.D. 1, and recommends that it pass Third Reading.



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

David Y. Ige

DAVID Y. IGE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 945, HD2, SD1	EDU, WAM	3-30-11		
<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 checked="" type="checkbox"/> Pass, unamended 2312	<input 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)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne		/		
DELA CRUZ, Donovan M.	/			/
ENGLISH, J. Kalani	/			
ESPERO, Will		/		
FUKUNAGA, Carol	/			
KIM, Donna Mercado	/			
KAHELE, Gilbert	/			
KOUCHI, Ronald D.	/			
RYAN, Pohai	/			
TOKUDA, Jill N.	/			
WAKAI, Glenn	/			
SLOM, Sam			/	
TOTAL	10	2	1	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
<i>Michelle N. Kidani</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes