

SB 1382

SD 1

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LEGISLATIVE REFERENCE BUREAU
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Written Comments

SB1382, SD1 RELATING TO EDUCATION

Comments by the Legislative Reference Bureau
Charlotte A. Carter-Yamauchi, Acting Director

Presented to the Senate Committee on Ways and Means

Tuesday, March 1, 2011, 9:20 a.m.
Conference Room 211

Chair Ige and Members of the Committee:

I am Charlotte Carter-Yamauchi, Acting Director of the Legislative Reference Bureau. The Bureau appreciates this opportunity to submit the following written comments on Senate Bill No. 1382, S.D.1:

Senate Bill No. 1382, S.D. 1, among other things:

- (1) Creates a federal higher education compliance and educational personnel licensure and certification task force, which is required to make recommendations in a number of areas and report to the Legislature;
- (2) Makes a representative of the Bureau an ex officio member of the task force; and
- (3) Directs the Legislative Reference Bureau to assist the task force by:
 - (A) Doing research on a variety of topics; and
 - (B) Providing administrative support to the task force, including drafting its recommendations and proposed legislation for submission to the Legislature.

The Bureau takes no position on the merits of the measure, but expresses the following comments and concerns:

- (1) As a research agency of the Legislature, placing a representative of the Legislative Reference Bureau on the task force would put the Bureau in an awkward position as being part of a policy making entity, a responsibility customarily reserved for elected officials and executive departmental staff;
- (2) Other than the appointment of task force members by the Hawaii P-20 council under section (2)(b), the measure is silent on where the task force is to be housed, whether members will be reimbursed for expenses, such as travel expenses, or even the number of members;
- (3) We are concerned that this silence may result in the resolution of the foregoing issues defaulting to the Bureau; and
- (4) The Bureau is equipped to support the Legislature, its committees, and its members. It is *not* particularly well-equipped to support task forces and working groups, particularly ones composed of non-legislators.
 - (A) We do not have the office space, much less a conference room, for meetings;
 - (B) We do not have the funds to reimburse members for expenses -- particularly the travel expenses that would be involved if neighbor island members are appointed; nor does the Bureau have the administrative support personnel to execute the ministerial duties of a task force.

For the foregoing reasons, we respectfully request that the measure be amended as follows:

- (1) Clarify whether task force members are to be reimbursed for expenses incurred in the performance of their duties;
- (2) Establish the task force within an executive branch agency that may be better equipped to provide administrative support to the task force.

The Bureau would continue to be responsible for the research and drafting functions, both of which appear to be manageable; provided that clear instructions are provided by the task force in a timely manner.

Thank you again for allowing us to comment on this measure.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony presented before the
Senate Committee on Ways and Means
March 1, 2011 at 9:20 a.m.

By Linda K. Johnsrud
Executive Vice President for Academic Affairs and Provost, University of Hawaii

SB 1382 SD1: RELATING TO EDUCATION

Chair Ige, Vice Chair Kidani and members of the Senate Committee on Ways and Means:

Thank you very much for this opportunity to comment on Senate Bill 1382 Senate Draft 1 that creates a federal higher education compliance and educational personnel licensure and certification task force to examine the state's federal compliance, to make recommendations on licensure, and report to the legislature.

The University of Hawaii supports SB 1382 SD1 and the establishment of a task force to examine Hawaii's compliance with the Higher Education Act of 1965 as amended, and to re-examine teacher and administrator licensure functions, location of responsibility, and requirements in view of current conditions and state needs.

Thank you for the opportunity to provide testimony.