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# HOUSE CONCURRENT RESOLUTION

REQUESTING AN INVESTIGATION OF THE DEPARTMENT OF EDUCATION  
BUDGETING PROCESS.

1           WHEREAS, moneys appropriated to the Department of Education  
2 may be allocated to the public schools through the use of a  
3 weighted student formula that takes into account the educational  
4 needs of each student; and

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6           WHEREAS, the weighted student formula is developed by the  
7 committee on weights, which is tasked with creating a system of  
8 weights based upon student characteristics that may be applied  
9 to determine the relative cost of educating any student; and

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11           WHEREAS, the committee on weights also determines which  
12 moneys shall be included in the amount of funds to be allocated  
13 through the weighted student formula; and

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15           WHEREAS, public school principals are required to expend  
16 not less than seventy per cent of the total funds appropriated  
17 to the department; now, therefore,

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19           BE IT RESOLVED by the House of Representatives of the  
20 Twenty-seventh Legislature of the State of Hawaii, Regular  
21 Session of 2013, the Senate concurring, that:

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23           (1) The Legislature hereby establishes a Joint House-  
24 Senate investigating committee pursuant to chapter 21,  
25 Hawaii Revised Statutes, to investigate the budgeting  
26 process of the Department of Education, including the  
27 impacts of the weighted student formula and of small  
28 schools in the public school system on the budgeting  
29 process;

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31           (2) The Joint House-Senate investigating committee shall  
32 have every power and function allowed to an



1 investigating committee by law, including without  
2 limitation the power to:

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4 (A) Adopt rules for the conduct of its proceedings;  
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6 (B) Issue subpoenas requiring the attendance and  
7 testimony of witnesses and subpoenas duces tecum  
8 requiring the production of books, documents,  
9 records, papers, or other evidence in any matter  
10 pending before the investigating committee;  
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12 (C) Hold hearings appropriate for the performance of  
13 its duties, at such times and places as the  
14 investigating committee determines;  
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16 (D) Administer oaths and affirmations to witnesses at  
17 hearings of the investigating committee;  
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19 (E) Report or certify instances of contempt as  
20 provided in section 21-14, Hawaii Revised  
21 Statutes;  
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23 (F) Determine the means by which a record shall be  
24 made of its proceedings in which testimony or  
25 other evidence is demanded or adduced;  
26  
27 (G) Employ professional, technical, clerical, or  
28 other staff and expend such funds appropriated  
29 for House and Senate operating expenses for 2013  
30 as necessary for the proper performance of its  
31 duties; and  
32  
33 (H) Exercise all other powers specified under chapter  
34 21, Hawaii Revised Statutes, with respect to  
35 investigating committees;

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37 (3) The Joint House-Senate investigating committee shall  
38 be appointed by the Speaker of the House of  
39 Representatives and the Senate President exclusively  
40 from the membership of the House of Representatives  
41 and the Senate, respectively; provided that the  
42 investigating committee membership shall consist of  
43 not less than six members with an equal number of  
44 members from the House of Representatives and Senate;



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(4) The Joint House-Senate investigating committee shall provide by rule for the submission of proposed questions at a hearing in accordance with section 21-11(b), Hawaii Revised Statutes;

(5) The Joint House-Senate investigating committee shall provide by rule that each witness intended to be called be given ten days notice of:

(A) The date and time of the witness's appearance;

(B) A short plain statement of the areas to be inquired into with respect to that witness's anticipated testimony; and

(C) A list of or copies of the principal documents about which that witness may be questioned;

provided that these requirements shall not limit the Joint House-Senate investigating committee's discretion to inquire into related matters; provided further that the rules may provide that the Co-Chairs may waive the ten days notice if the witness so agrees;

(6) The Joint House-Senate investigating committee shall provide by rules that a draft report of the investigating committee's findings and conclusions concerning any matter that is the subject of its hearings shall be made available to all those entities or persons who were the subject of or who were witnesses who testified at any hearing; provided that:

(A) Any person or entity to whom a draft report is made available shall be given a period of no less than fourteen days within which to make written responses to the draft findings or conclusions; and

(B) The written responses, if any, shall be included as an appendix to the final report of the Joint House-Senate investigating committee; and



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1           (7) The Joint House-Senate investigating committee is  
2           authorized to exercise its powers continuously  
3           throughout the interim between the 2013 and 2014  
4           Regular Sessions, and shall thereafter be dissolved  
5           unless further extended by the House of  
6           Representatives and Senate; and  
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8           BE IT FURTHER RESOLVED that the Speaker of the House of  
9           Representatives and Senate President, from time to time, may  
10          refer to the Joint House-Senate investigating committee specific  
11          matters that are within the scope of the investigating  
12          committee's jurisdiction, and that the investigating committee  
13          shall work in cooperation with the Speaker of the House of  
14          Representatives and Senate President for the purposes stated in  
15          this Concurrent Resolution; and  
16

17          BE IT FURTHER RESOLVED that certified copies of this  
18          Concurrent Resolution be transmitted to the President of the  
19          Senate, the Speaker of the House of Representatives, the  
20          Chairperson of the Board of Education, and the Superintendent of  
21          Education.  
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OFFERED BY: Mel Carroll  
[Signature]

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