



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/14/2013

Committee: House Human Services

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 1306 RELATING TO HUMAN TRAFFICKING.

Purpose of Bill: Requires the completion of two hours of training on human trafficking in order to obtain or renew a teaching license. Requires the Department of Education to provide training on human trafficking for employees. Requires human trafficking to be included in the Department of Education's health curriculum.

Department's Position:

The Department of Education (Department) does not support HB 1306. Although the Department recognizes the need for training and raising consciousness in Hawaii public schools to combat human trafficking, additional instruction in human trafficking should not be a requirement to obtain or renew a teacher's license. Teacher licensing should continue to reflect areas of professional learning which improve pedagogy and instructional practice.

The Department will continue to partner with the Department of Human Services to explore training opportunities and materials for distribution, particularly information and resources that may be included in the health curriculum.

Thank you for the opportunity to provide testimony on this important area of concern.

Testimony

HB1306, Relating to Human Trafficking

Committee on Human Services

Thursday, February 14, 2013

9:30 am, State capitol Conference Room 329

LYNN HAMMONDS Executive Director, Hawaii Teacher Standards Board

Chair Carroll, Vice Chair Kobayashi and Members of the Committee:

HB 1306, Relating to Human Trafficking, requires the completion of two hours of training on human trafficking to obtain or renew a teaching license. I support the intent of this measure, but offer the following recommendation for comment only.

Training in human trafficking could be considered for inclusion in the Hawaii Teacher Standards Board's Hawaii Administrative Rules for licensing standards, license renewal and teacher preparation and in their State Approved Teacher (SATE) Education Program Manual to direct preparation programs on this requirement. Utilizing the Administrative Rules and SATE Manual to require this training would allow for adaptation quickly should the requirement need to be amended after evaluation of the effectiveness of such training.

Thank you for the opportunity to testify.

kobayashi1-Joni

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 13, 2013 10:19 AM
To: HUS testimony
Cc: tabalos-arceneaux@hsta.org
Subject: Submitted testimony for HB1306 on Feb 14, 2013 09:30AM

HB1306

Submitted on: 2/13/2013

Testimony for HUS on Feb 14, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Tanya Abalos-Arceneaux	HSTA	Comments Only	No

Comments: The Hawaii State Teachers Association recognizes the intent of H.B. 1306 and is offering the following comments relating to human trafficking. The HSTA is the exclusive representative of more than 13,500 public and charter school teachers statewide. As the state affiliate of the 2.2 million member National Education Association (NEA), HSTA believes in promoting and protecting human and civil rights. Based on the 2012 NEA handbook, item I-15 states that the NEA is committed to the abolishment of all forms of human trafficking and that human trafficking is the acquisition of people by improper means such as force, fraud, or deception, with the aim of exploiting them as defined by the United Nations convention of Human Trafficking and Migrant Smuggling. However, the HSTA asserts that the licensure should signify that an individual is competent to teach to rigorous quality teaching standards such as those found in the Hawaii Teachers Standards Board (HTSB) teacher performance standards. These standards represent a model of standards for teacher assessment and development. As such, the HSTA would defer to the HTSB for more guidance on this issue; in addition, more information will be needed in order to clearly identify the intent of this bill and the outcomes connected to the teacher license. Thank you for the opportunity to testify.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**TESTIMONY FOR HOUSE BILL 1306, RELATING TO HUMAN
TRAFFICKING**

**House Committee on Human Services
Hon. Mele Carroll, Chair
Hon. Bertrand Kobayashi, Vice Chair**

**Thursday, February 14, 2013, 9:30 AM
State Capitol, Conference Room 329**

Honorable Chair Carroll and committee members:

I am Kris Coffield, representing the IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 150 local members. On behalf of our members, we offer this testimony in support of, with proposed amendments for HB 1306, relating to human trafficking.

In 2011, lawmakers passed HB 141 and HB 240, the former of which outlawed labor trafficking in the islands and the latter of which strengthened existing anti-prostitution laws by expanding witness protection for victims and targeting repeat offenders, particularly pimps and johns. Both bills were important steps in rectifying Hawaii's poor image and record with regard to anti-trafficking statutes. Importantly, these new laws focus on demand for labor and sex trafficking, signaling our state's move toward combating those most responsible for trafficking violations—pimps, johns, owners and managers of prostitution houses, and traffickers themselves—while protecting those who are most vulnerable. In 2012, policymakers passed a “vacating convictions” bill, for the first time allowing persons who have been wrongfully convicted of prostitution-related offenses and can demonstrate that their offenses were coerced to petition to have these convictions vacated from their record, so that they can matriculate into healthy, sustainable, fruitful lifestyles.

The IMUAlliance lauds the State Legislature's efforts during the last two sessions. At the same time, we call upon lawmakers to continue the fight against human trafficking by hearing and advancing bills that increase services afforded to

victims. To that end, IMUAlliance urges you to replace the current contents of HB 1306—which are procedurally problematic, since the bill is triple referred—with language to create an independent source of funding for victims of human trafficking, namely a “Human Trafficking Special Fund,” to be subsidized through an income tax check-off (after which the House Education Committee can request removal of its committee referral). The proposed special fund gives preference to underage victims, ensuring that the language fits the bill's title, “relating to minors.” Proposed amendments: **§346- Human trafficking special fund.** (a) There is established within the state treasury a special fund to be known as the human trafficking special fund to be administered and expended by the department of human services.

(b) The moneys in the special fund shall be reserved for use by the department of human services for programs and grants or purchases of service consistent with chapter 42D that support or provide services to victims of labor trafficking under 707-780 and promoting prostitution in the first degree under 712-1202 as authorized by law. Moneys in the special fund shall be used for new or existing programs and shall not supplant any other moneys previously allocated to these programs.

(c) Income tax remittances allocated under section 235-102.5, interest and investment earnings attributable to the moneys in the special fund, and grants, donations, and contributions from private or public sources for the purposes of the fund, shall be deposited into the special fund.

(d) The department of human services shall submit an annual report to the legislature no later than twenty days prior to the convening of each regular session providing the following:

(1) An accounting of the receipts of, and expenditures from, the special fund; and

(2) Recommendations on how to improve services for victims of labor trafficking and promoting prostitution in the first degree.

Income tax check-off for human trafficking special fund

§235-102.5 Income check-off authorized. (a) Any individual whose state income tax liability for any taxable year is \$3 or more may designate \$3 of the liability to be paid over to the Hawaii election campaign fund, any other law to the contrary notwithstanding, when submitting a state income tax return to the department. In

the case of a joint return of a husband and wife having a state income tax liability of \$6 or more, each spouse may designate that \$3 be paid to the fund. The director of taxation shall revise the individual state income tax form to allow the designation of contributions to the fund on the face of the tax return and immediately above the signature lines. An explanation shall be included which clearly states that the check-off does not constitute an additional tax liability. If no designation was made on the original tax return when filed, a designation may be made by the individual on an amended return filed within twenty months and ten days after the due date for the original return for such taxable year. A designation once made whether by an original or amended return may not be revoked.

(b) Notwithstanding any law to the contrary, any individual whose state income tax refund for any taxable year is \$2 or more may designate \$2 of the refund to be deposited into the school-level minor repairs and maintenance special fund established by section 302A-1504.5, when submitting a state income tax return to the department. In the case of a joint return of a husband and wife having a state income tax refund of \$4 or more, each spouse may designate that \$2 be deposited into the special fund. The director of taxation shall revise the individual state income tax return form to allow the designation of contributions to the special fund on the face of the tax return and immediately above the signature lines. If no designation was made on the original tax return when filed, a designation may be made by the individual on an amended return filed within twenty months and ten days after the due date for the original return for such taxable year. A designation once made, whether by an original or amended return, may not be revoked.

(c) Notwithstanding any law to the contrary, any individual whose state income tax refund for any taxable year is \$2 or more may designate \$2 of the refund to be paid over to the libraries special fund established by section 312-3.6, when submitting a state income tax return to the department. In the case of a joint return of a husband and wife having a state income tax refund of \$4 or more, each spouse may designate that \$2 be deposited into the special fund. The director of taxation shall revise the individual state income tax form to allow the designation of contributions to the fund on the face of the tax return and immediately above the signature lines. If no designation was made on the original tax return when filed, a designation may be made by the individual on an amended return filed within twenty months and ten days after the due date for the original return for such taxable year. A designation once made, whether by an original or amended return, may not be revoked.

(d) Notwithstanding any law to the contrary, any individual whose state income tax refund for any taxable year is \$5 or more may designate \$5 of the refund to be paid over as follows:

(1) One-third to the Hawaii children's trust fund under section 350B-2; and

(2) Two-thirds to be divided equally among:

(A) The domestic violence and sexual assault special fund under the department of health in section 321-1.3;

(B) The spouse and child abuse special account under the department of human services in section 346-7.5; and

(C) The spouse and child abuse special account under the judiciary in section 601 3.6.

When designated by a taxpayer submitting a state income tax return to the department, the department of budget and finance shall allocate the moneys among the several funds as provided in this subsection. In the case of a joint return of a husband and wife having a state income tax refund of \$10 or more, each spouse may designate that \$5 be paid over as provided in this subsection. The director of taxation shall revise the individual state income tax form to allow the designation of contributions pursuant to this subsection on the face of the tax return and immediately above the signature lines. If no designation was made on the original tax return when filed, a designation may be made by the individual on an amended return filed within twenty months and ten days after the due date for the original return for such taxable year. A designation once made, whether by an original or amended return, may not be revoked.

(e) Notwithstanding any law to the contrary, any individual whose state income tax refund for any taxable year is \$2 or more may designate \$2 of the refund to be deposited into the human trafficking special fund established under section 346- when submitting a state income tax return to the department. In the case of a joint return of spouses having a state income tax refund of \$4 or more, each spouse may designate that \$2 be deposited into the human trafficking special fund. The director of taxation shall revise the individual state income tax return form to allow the designation of contributions to the human trafficking special fund on the face of the tax return and immediately above the signature lines. An explanation shall be included that clearly states that the designation does not constitute an additional

tax refund. If no designation was made on the original tax return when filed, a designation may be made by the individual on an amended return filed within twenty months and ten days after the due date for the original return for such taxable year. A designation once made, whether by an original or amended return, shall not be revoked."

Again, the IMUAlliance thanks you for your hard work to stem human trafficking on our shores. Room for improvement remains, however, and we feel that the measure in question, with proposed amendments, will consecrate last biennium's momentum into a concerted movement. Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Legislative Director
IMUAlliance

I Arnold D. Tellez, support this bill. Human trafficking is increasing throughout our islands. It is important that educators are aware of the warning signs and dangers of trafficking. Continued education for teachers is a way to help students become aware of this danger.