

STAND. COM. REP. NO.

2444

Honolulu, Hawaii

FEB 19 2016

RE: S.B. No. 2976
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committees on Education and Commerce, Consumer Protection, and Health, to which was referred S.B. No. 2976 entitled:

"A BILL FOR AN ACT RELATING TO LICENSING OF PRIVATE TRADE, VOCATIONAL, AND TECHNICAL SCHOOL,"

beg leave to report as follows:

The purpose and intent of this measure is to transfer the licensing and regulation program for private trade, vocational, and technical schools from the Department of Education to the Department of Commerce and Consumer Affairs.

Your Committees received testimony in support of this measure from the Department of Education and Office of the Auditor. Your Committees received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs, Travel Institute of the Pacific, Hawaii Institute of Hair Design, Pacific Center for Awareness and Bodywork, and twelve individuals.

Your Committees find that the Department of Education currently has the responsibility to license and regulate trade, vocational, and technical schools. Section 302A-425, Hawaii Revised Statutes (HRS), prohibits any such school from operating prior to being licensed by the Department of Education. Act 57, Session Laws of Hawaii 1998, amended section 302A-425, HRS, to change its purpose from ensuring educational and instruction quality to also include consumer protection. Protecting the public from such harmful practices is often in the purview of the

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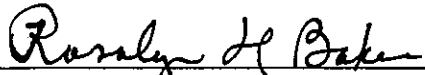
Department of Commerce and Consumer Affairs. For that reason, licensure and regulation of trade, vocational, and technical schools should be transferred to the Department of Commerce and Consumer Affairs. However, your Committees note that significant work remains to be done before the Department of Commerce and Consumer Affairs is ready to assume the responsibility of licensing and regulating these types of schools. Your Committees expect that the Department of Education and Department of Commerce and Consumer Affairs will cooperate to ensure that when the transfer occurs in 2018, it will proceed smoothly and without disruption to the public.

Your Committees have amended this measure by:

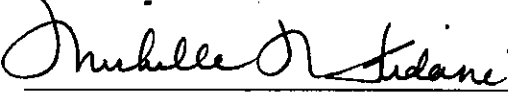
- (1) Making the transfer effective as of July 1, 2018; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Education and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2976, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2976, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Education and
Commerce, Consumer Protection,
and Health,



ROSALYN H. BAKER, Chair

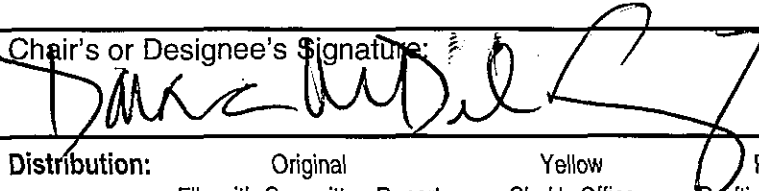


MICHELLE N. KIDANI, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* SB2976	Committee Referral: EDU/CPH, WAM	Date: 2/12/16		
<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
KIDANI, Michelle N. (C)	/			
HARIMOTO, Breene (VC)				/
CHUN OAKLAND, Suzanne	/			
DELA CRUZ, Donovan M.	/			
RIVIERE, Gil	/			
SLOM, Sam	/			
TOTAL	5			1
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

The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2976	EDW/CPH, WAM	2/12/16		
<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
BAKER, Rosalyn H. (C)	/			
KIDANI, Michelle N. (VC)	/			
ESPERO, Will	/			
IHARA, Jr., Les	/			
NISHIHARA, Clarence K.				/
RUDERMAN, Russell E.				/
SLOM, Sam	/			
TOTAL	5			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Will Espero</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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