

STAND. COM. REP. NO.

2338

Honolulu, Hawaii

FEB 18 2016

RE: S.B. No. 3104
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 Judiciary and Labor, to which was referred S.B. No. 3104 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC CHARTER SCHOOLS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Simplify the process for an entity to become an authorizer of charter schools;
- (2) Establish a shortened timeline for the release of charter school funds; and
- (3) Authorize charter schools to retain attorneys for certain proceedings relating to their charters.

Your Committees received testimony in support of this measure from Hakipu'u; Kanu O Ka Aina Learning Ohana New Century Public Charter School; Kualupu'u Public Conversion Charter School; Ho'omana Pono, LLC; Hawaii Academy of Arts and Science Public Charter School; Kua o ka La Public Charter School; and eight individuals. Your Committees received testimony in opposition to this measure from the Hawaii State Public Charter School Commission, National Association of Charter School Authorizers, and Center of Hawaiian Sovereignty Studies. Your Committees received comments on this measure from the Department of the Attorney General and Hawaii Public Charter Schools Network.



Your Committees find that the Charter School Governance, Accountability, and Authority Task Force established by Act 130, Session Laws of Hawaii 2011, made a recommendation that the State allow for multiple entities, known as "authorizers", to approve or deny organizations seeking to become a charter school and existing charter schools seeking to continue operating. Hawaii currently has only one authorizer. Simplification in the process of becoming an authorizer will lead to greater diversity in authorizers. However, your Committees also find that certain sections of the measure relating to charter schools hiring attorneys conflicts with the legal obligations of the Department of the Attorney General. Your Committees further find that this measure requires additional discussion and consideration.

Your Committees have amended this measure by:

- (1) Removing parts III and IV of the measure relating to distribution of funds and hiring of attorneys;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Education and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3104, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3104, 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
Judiciary and Labor,

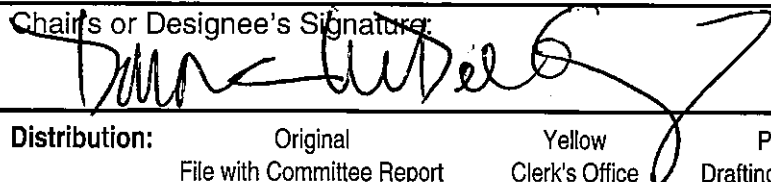

GILBERT S.C. KEITH-AGARAN, Chair


MICHELLE N. KIDANI, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

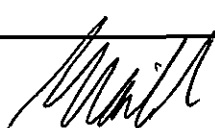
Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* SB3104	Committee Referral: EDU/JDL, 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	4			2
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 Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 3104	EDU/JDL, WAM	2/16/16		
<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
KEITH-AGARAN, Gilbert S.C. (C)	/			
SHIMABUKURO, Maile S.L. (VC)	/			
GABBARD, Mike	/			
[REDACTED]				
KIM, Donna Mercado	/			
THIELEN, Laura H.	/			
SLOM, Sam	/			
TOTAL	6			
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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