

Honolulu, Hawaii

February 1, 2019

RE: H.B. No. 506

H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Lower & Higher Education, to which was referred H.B. No. 506 entitled:

"A BILL FOR AN ACT RELATING TO ALTERNATIVE SCHOOLS FOR JUVENILES,"

begs leave to report as follows:

The purpose of this measure is to provide ongoing education to Honolulu school district students who are involved, or are at high-risk of involvement, in the justice system by:

- (1) Establishing an off-campus alternative school to meet the educational needs of certain students who have exhausted all school-level resources; and
- (2) Appropriating an unspecified amount for the establishment and operation of the alternative school in the Honolulu school district of Oahu.

The Judiciary, Department of the Prosecuting Attorney of the City and County of Honolulu, and Hawai'i Lodging & Tourism Association provided testimony in support of this measure. The Community Alliance on Prisons and Hawaii Youth Services Network provided testimony in opposition to this measure. The Department of the Attorney General and Department of Education provided comments on this measure.



Your Committee notes the concern raised by the Department of the Attorney General that this measure may face a constitutional challenge because the bill's title refers to alternative schools for juvenile students only. Since Hawaii law allows individuals over the age of eighteen years to attend public schools, the bill's content proposes to establish alternative schools that will also be available to adults. Your Committee requests that the Committee on Judiciary consider this concern if this measure is granted a hearing.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to facilitate further discussion on this measure.

As affirmed by the record of votes of the members of your Committee on Lower & Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 506, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 506, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Lower & Higher  
Education,

  
JUSTIN H. WOODSON, Chair



Record of Votes of the Committee on Lower & Higher Education

Bill/Resolution No.: <b>HB 506</b>	Committee Referral: <b>LHE, JUD, FIN</b>	Date: <b>1/29/19</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LHE Members	Ayes	Ayes (WR)	Nays	Excused
1. WOODSON, Justin H. (C)	✓			
2. HASHEM, Mark J. (VC)	✓			
3. PERRUSO, Amy A. (VC)	✓			
4. DeCOITE, Lynn	✓			
5. JOHANSON, Aaron Ling	✓			
6. KOBAYASHI, Dale T.	✓			
7. OHNO, Takashi	✓			
8. QUINLAN, Sean	✓			
9. TARNAS, David A.	✓			
10. TOKIOKA, James Kunane	✓			
11. OKIMOTO, Val	✓			
<b>TOTAL (11)</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
Vice Chair's or designee's signature: <u>Mark J. Hashem</u>				
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