

STAND. COM. REP. NO. 370

Honolulu, Hawaii

FEB 18 2021

RE: S.B. No. 466
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Education and Government Operations, to which was referred S.B. No. 466 entitled:

"A BILL FOR AN ACT RELATING TO A SCHOOL FACILITIES AGENCY,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require that the School Facilities Agency complies with the Hawaii Public Procurement Code;
- (2) Authorize the School Facilities Agency to have additional powers and duties;
- (3) Specify additional uses for the school facilities special fund; and
- (4) Provide the Executive Director of the School Facilities Agency with authority relating to capital improvement projects for the School Facilities Agency.

Your Committees received testimony in support of this measure from the State Procurement Office and Department of Transportation. Your Committees received testimony in opposition to this measure from the Department of the Attorney General and one individual. Your Committees received comments on this measure from the Department of Education.



Your Committees find that currently, Act 72, Session Laws of Hawaii 2020 (Act 72), does not clearly describe the powers and responsibilities of the School Facilities Agency and its Executive Director, School Facilities Board, and administrative staff. This measure will amend some of the provisions of Act 72, which will help provide guidance and improve the efficient operation of the School Facilities Agency.

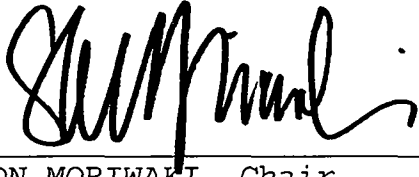
Your Committees have amended this measure by:

- (1) Removing language that allows the School Facilities Agency to appoint or retain, by contract, one or more attorneys independent of the Attorney General to provide legal services solely in cases of negotiations in which the Attorney General lacks expertise;
- (2) Clarifying that the School Facilities Agency shall collaborate with the Department of Education and submit a report to the Legislature, no later than twenty days prior to the convening of the regular session of 2022, identifying positions of the Department of Education that should be transferred to the School Facilities Agency, including positions responsible for public school development, planning, and construction related to capital improvement projects, along with proposed legislation to further implement the transfer of positions, offices spaces, and related records and equipment; 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 Government Operations that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 466, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 466, 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
Government Operations,



SHARON MORIWAKI, Chair

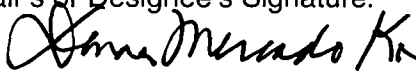


MICHELLE N. KIDANI, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* SB466	Committee Referral: EDU/GVO, WAM	Date: 02/12/2021		
<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)	/			
KIM, Donna Mercado (VC)	/			
DELA CRUZ, Donovan M.	/			
KANUHA, Dru Mamo	/			
FEVELLA, Kurt	/			
TOTAL	5			
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

