

Honolulu, Hawaii

FEB 15 2022

RE: S.B. No. 3292  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Education, to which was referred S.B. No. 3292 entitled:

"A BILL FOR AN ACT RELATING TO THE SCHOOL FACILITIES AUTHORITY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize, under certain circumstances, the School Facilities Authority Board to provide to the Governor a list of up to three candidates for the position of Executive Director of the School Facilities Authority; and
- (2) Require the Governor to select a nominee for Senate approval within sixty days of receiving the list of candidates from the School Facilities Board.

Your Committee received testimony in support of this measure from the School Facilities Authority.

Your Committee finds that the sound operation of the School Facilities Authority requires the timely appointment of its Executive Director. Your Committee further finds that the School Facilities Authority Board is, under certain circumstances, in the



best position to screen and nominate candidates for the position of Executive Director of the School Facilities Authority.

Your Committee therefore finds that this measure promotes the sound operation of the School Facilities Authority by imposing a reasonable timeframe for the Governor to appoint the Executive Director of the School Facilities Board. This measure also facilitates the nomination process by authorizing the School Facilities Authority Board to provide to the Governor a list of up to three candidates for the position if a vacancy remains for more than ninety days.

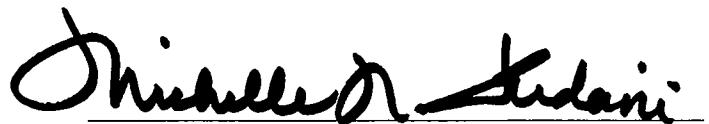
Your Committee notes, however, concerns regarding the ways in which references to the Governor's interim appointment power has been interpreted in the past and extended vacancies with respect to the position of Executive Director of the School Facilities Authority.

Accordingly, your Committee has amended this measure by:

- (1) Removing the reference to the Governor's interim appointment power; and
- (2) Providing that the Assistant Superintendent for the Office of Facilities and Operations shall serve as the Interim Executive Director until such time as the vacancy is filled.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3292, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3292, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Education,



MICHELLE N. KIDANI, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes  
Committee on Education  
EDU**

Bill / Resolution No.:* <b>SB 3292</b>	Committee Referral: <b>EDU, JDC / WAM</b>	Date: <b>02/07/22</b>
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The Committee is reconsidering its previous decision on this measure.  
If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

<input checked="checked" type="checkbox"/> <b>Pass, unamended</b> <small>2312</small> <i>dk</i>	<input checked="checked" type="checkbox"/> <b>Pass, with amendments</b> <small>2311</small>	<input type="checkbox"/> <b>Hold</b> <small>2310</small>	<input type="checkbox"/> <b>Recommit</b> <small>2313</small>
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Members	Aye	Aye (WR)	Nay	Excused
KIDANI, Michelle N. (C)	/			
KIM, Donna Mercado (VC)	/			
DELA CRUZ, Donovan M.	/			
KANUHA, Dru Mamo	/			
FEVELLA, Kurt	/			
<b>TOTAL</b>	<b>5</b>			

Recommendation:  **Adopted**           **Not Adopted**

Chair's or Designee's Signature:  
*Donna Mercado*

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\*Only one measure per Record of Votes