



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-SECOND LEGISLATURE, 2023**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 531, S.D. 2, H.D. 1, RELATING TO EDUCATION.

**BEFORE THE:**

HOUSE COMMITTEE ON FINANCE

**DATE:** Thursday, March 30, 2023                      **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 308

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or  
Anne T. Horiuchi, Deputy Attorney General

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Chair Yamashita and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments.

The bill authorizes the School Facilities Authority Board, instead of the Governor, to appoint an Executive Director of the School Facilities Authority, and would amend section 302A-1702, Hawaii Revised Statutes (HRS), to do so. However, it is section 302A-1704, HRS, that establishes the School Facilities Authority Board and sets forth its responsibilities. Because the purpose of this bill is to authorize the School Facilities Authority Board to appoint the Executive Director of the School Facilities Authority, the amendments in this bill would be more properly placed in the statute that describes the responsibilities of the School Facilities Authority Board.

The Department recommends that, instead of amending section 302A-1702(b), HRS, as described in the bill, repeal that subsection and amend section 302A-1704, HRS, to add a new subsection to read as follows:

"The board shall appoint an executive director of the school facilities authority exempt from chapters 76 and 89. The salary of the executive director shall be set by the board and the executive director shall be included in any benefit program generally applicable to the officers and employees of the State."

Thank you for the opportunity to provide comments on this measure.

**SB-531-HD-1**

Submitted on: 3/28/2023 3:53:11 PM

Testimony for FIN on 3/30/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
alan oshima	Individual	Support	Written Testimony Only

Comments:

My name is Alan Oshima. I am testifying as an individual in support of SB531SD2HD1. I serve as a volunteer member of the School Facilities Authority board. This bill will give the board powers that are similar to those given to other agencies. It will facilitate organizational alignment among executive staff and the board. Thank you.