

EXECUTIVE CHAMBERS

HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1237

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1237, entitled "A Bill for an Act Relating to Education."

The purposes of this bill are to define "out of field teacher" to mean an individual who is teaching outside the teacher's authorized licensing field as indicated on the individual's license issued by the Hawaii Teacher Standards Board; define "teaching out of field" and "out of field teaching" to mean teaching outside the teacher's authorized licensing field as indicated on a teacher's license issued by the Board; require that the Department of Education's report on teachers and emergency hires to the Board be posted on the Department's Internet website; establish provisions relating to reporting violations of teacher licensing or credentialing; require any licensed teacher, employees, or officers of the Department of Education, and employees or officers of any teacher preparation institution to report violations to the Hawaii Teacher Standards Board; establish petty misdemeanor non-reporting penalties, provisions for reports by other people, confidentiality, and action on reporting; authorize the Board to fund its currently established positions without having to reestablish them and authorize the positions to be made permanent.

This bill is objectionable because it makes it a petty misdemeanor crime for any licensed teacher, employee, or officer of the Department of Education, or employee or officer of any teacher preparation institution, to fail to report to the Board of Education the identity of any person who they have reason to

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believe is teaching outside of that person's area of certification. This imposes the burden of monitoring proper licensing of teachers on an overly broad group.

For the foregoing reasons, I am returning Senate Bill No. 1237 without my approval.

Respectfully,

LINDA LINGLE
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1237, entitled "A Bill for an Act Relating to Education," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1237 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1237 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 20th day
of June, 2003.



LINDA LINGLE
Governor of Hawaii