

Honolulu, Hawaii

JAN 2-8 2011

RE: S.B. No. 8  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 8, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to establish statutory provisions that implement the constitutional amendments to article X, section 2, of the Hawaii state constitution that were adopted by the Legislature and ratified by the electorate in the 2010 general election.

Specifically, this measure:

- (1) Statutorily requires the members of the Board of Education to be appointed by the Governor with the advice and consent of the Senate;
- (2) Establishes factors for the Senate to consider in deciding whether to confirm nominees;
- (3) Directs the Governor to appoint all members of the Board of Education by an unspecified date in 2011; and
- (3) Makes conforming amendments to the Hawaii Revised Statutes to implement the new statutory provisions regarding the appointment of Board of Education members.



Your Committee received written comments on this measure. The written comments may be reviewed on the Legislature's website.

Your Committee finds that Hawaii's voters recently approved an amendment to the state constitution to require the Board of Education to be appointed by the Governor and no longer elected by the public. This measure establishes:

- (1) The process for appointment by the Governor and confirmation by the Senate; and
- (2) Membership requirements for the Board of Education, including providing for a student member.

Your Committee further finds that, in the coming year, the Board of Education will need to apply new statewide education initiatives and possibly reform existing educational processes to meet qualifications to receive federal Race to the Top funds. Therefore, it is imperative to establish and implement the process for selecting the leaders of Hawaii's public education system who will meet these challenges. Your Committee finds that this measure is intended to expedite the implementation of the amendments to the state constitution and respond to the voter mandate to establish an appointed Board of Education in a timely manner.

Your Committee supports the recommendations of the Committee on Education and urges the Governor to consider its suggestions relating to representation on the Board of Education. Further, your Committee encourages the timely appointment of members so that the Senate may undertake the confirmation process during the current legislative session.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 8, S.D. 1, and recommends that it pass Third Reading.



Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

*David Y. Ige*

DAVID Y. IGE, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 8 SD 1	EDU, WAM	1/28/11		
<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 checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310	<input type="checkbox"/> Recommit 2313	
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.				✓
ENGLISH, J. Kalani				✓
ESPERO, Will	✓			
FUKUNAGA, Carol				✓
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
RYAN, Pohai	✓			
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
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\*Only one measure per Record of Votes