

STAND. COM. REP. NO.

1871

Honolulu, Hawaii

APR 04 2019

RE: H.B. No. 615
H.D. 3
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 615, H.D. 3, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to add a representative to the Board of Education by inviting the exclusive representative for Bargaining Unit (5) to appoint a nonvoting public school teacher representative to the Board.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Education Caucus of the Democratic Party of Hawaii, O'ahu County Democrats Legislative Priorities Committee, and four individuals. Your Committee received comments on this measure from the Hawai'i State Ethics Commission.

Your Committee finds that the Board of Education, consisting of nine members pursuant to the Hawaii State Constitution, is given the power to formulate statewide educational policy. Your Committee further finds that no member of the Board of Education is required to be a public school teacher. Your Committee additionally finds that having a current public school teacher serve as a nonvoting representative will provide valuable first-hand experience to the Board.



Your Committee notes that conflict of interest provisions apply to all state employees, including board and commission members, and that as such, language in this measure specifying that conflict of interest provisions apply to the public school teacher representative appointed to the Board of Education is redundant and unnecessary.

Your Committee has amended this measure by:

- (1) Removing language specifying that conflict of interest provisions apply to the public school teacher representative appointed to the Board of Education; and
- (2) Amending the purpose section to clarify that it does not affect the membership of the Board of Education.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 615, H.D. 3, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 615, H.D. 3, S.D. 2.

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



KARL RHOADS, Chair



