

STAND. COM. REP. NO. 269

Honolulu, Hawaii
February 18, 2015

RE: H.B. No. 12
H.D. 1,

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 12 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION,"
begs leave to report as follows:

The purpose of this measure is to allow student or class participation in a charitable fundraiser or activity that is exempt from federal taxes under section 501(c)(3) of the Internal Revenue Code of 1988, as amended, if the activity is a part of a school project that benefits student learning.

The Department of Education and IMUAlliance testified in support of this measure. Common Cause Hawaii testified in opposition to this measure. The Hawaii State Ethics Commission provided comments.

Your Committee has amended this measure by:

- (1) Specifying that, in allowing class and school participation in charitable activities, the Department of Education shall take steps to prevent:
 - (A) The preferential treatment or selection of specific charities; and
 - (B) Coercive or undue influence by Department of Education personnel aimed at spurring student or



family participation in school or class-based charitable activities against their will; and

- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 12, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 12, H.D. 1, and be referred to the Committee on Judiciary.

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



ROY M. TAKUMI, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

HSCR 269

Record of Votes of the Committee on Education

Bill/Resolution No.: <div style="font-size: 1.5em; font-family: cursive;">HB 12</div>	Committee Referral: <div style="font-size: 1.5em; font-family: cursive;">EDN, JUD</div>	Date: <div style="font-size: 1.5em; font-family: cursive;">2/2/15</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EDN Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)	✓			
2. OHNO, Takashi (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. CHOY, Isaac W.	✓			
5. ICHIYAMA, Linda	✓			
6. ING, Kaniela	✓			
7. ITO, Ken				✓
8. KONG, Sam Satoru	✓			
9. LOPRESTI, Matthew S.	* To	✓		
10. SAY, Calvin K.Y.	✓			
11. TSUJI, Clift	✓			
12. MATSUMOTO, Lauren Kealohilani	✓			
13. TUPOLA, Andria P.L.	✓			
TOTAL (13)	11	1	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ <div style="font-size: 1.5em; font-family: cursive; text-align: center;">[Signature]</div>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				