Honolulu, Hawaii

APR 0 4 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

## The Senate Thirtieth Legislature State of Hawai'i

## Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:		l l	Date:	
HB615,HD3,5D1	EDU JOC 3/28/19			\	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		<b>V</b>			
WAKAI, Glenn (VC)					
GABBARD, Mike					
KIM, Donna Mercado					
FEVELLA, Kurt					
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TOTAL		3			2
Recommendation:  Adopted  Not Adopted					
Chairles Detries of this material					
Chair's or Designee's Signature:  What Harry Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

<sup>\*</sup>Only one measure per Record of Votes