

STAND. COM. REP. NO. **3069**

Honolulu, Hawaii

**FEB 28 2020**

RE: S.B. No. 3103  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 3103, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO A SCHOOL FACILITIES AGENCY,"

begs leave to report as follows:

The purpose and intent of this measure is to improve the development, planning, and construction of public schools.

Specifically, this measure:

- (1) Establishes the School Facilities Agency to be responsible for public school capital improvement projects;
- (2) Establishes the School Facilities Board to oversee the agency; and
- (3) Transfers to the agency certain Department of Education functions related to construction.

Your Committee received written comments in support of this measure from the Office of the Governor; Hawaii Community Foundation; Chamber of Commerce Hawaii; Aloha United Way; Hawaiian Electric Company, Inc; Hawaii Institute for Public Affairs; Bank of Hawaii; Hui for Excellence in Education Coalition; Pacific



Resource Partnership; and American Council of Engineering Companies of Hawaii.

Your Committee received written comments in opposition to this measure from the State Procurement Office, United Public Workers, Minatoishi Architects, Hawaii's Thousand Friends, Hawaii Government Employees Association, and two individuals.

Your Committee received written comments on this measure from the Department of Land and Natural Resources, Department of Education, Department of Budget and Finance, Hawaii State Public Library System, Office of Information Practices, Civil Beat Law Center for the Public Interest, Hawaii State Teachers Association, and Maui Chamber of Commerce.

Your Committee finds that establishing an independent agency responsible for the development, planning, and construction of public school capital improvement projects will help to improve the efficiency of school construction while more directly addressing the educational needs of students.

Your Committee has amended this measure by:

- (1) Moving the requirement for certain members of the School Facilities Board to file confidential financial disclosures from the new part in chapter 302A, Hawaii Revised Statutes, to the financial disclosures statute, section 84-17, Hawaii Revised Statutes;
- (2) Clarifying that the school facilities special fund may accept the grants and donations transferred to it by the School Facilities Agency;
- (3) Clarifying that any person who submits a bid on a School Facilities Agency project shall not be appointed as a member of the School Facilities Board within one year of that bid;
- (4) Deleting the exemption to the repealed Public Employees Health Fund;
- (5) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and



- (6) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

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. 3103, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3103, S.D. 2.

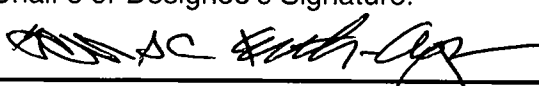
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

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

Bill / Resolution No.:* <b>SB 3103, SD1</b>	Committee Referral: <b>EDU, WAM</b>	Date: <b>2/19/20</b>		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
HARIMOTO, Breene		X		
INOUYE, Lorraine R.				X
KAHELE, Kaiali'i				X
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.		X		
FEVELLA, Kurt	X			
<b>TOTAL</b>	<b>9</b>	<b>2</b>		<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:            Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes