

STAND. COM. REP. NO.

3285

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 591
S.D. 1

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

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 591 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS,"

beg leave to report as follows:

The purpose and intent of this measure is to increase the amount of damages allowed for public school restitution agreements from \$3,500 to \$10,000.

Your Committees received testimony in support of this measure from the Department of Education.

Your Committees find that existing law allows for restitution agreements regarding student caused vandalism when the student and parents agree with the findings of the principle's investigation and the manner in which restitution is to be made. Restitution agreements must be in writing and only for damages that do not exceed the statutory cap, which this measure will increase from \$3,500 to \$10,000. Once the restitution agreement is made, then no information about the investigation, conference, and the actions taken shall be communicated to any person not directly involved in the proceedings.

Your Committees raise concerns that restricting any communication of information regarding instances of vandalism that result in substantial damages may be problematic and, therefore,



encourages discussion as to whether the Board of Education or Attorney General should receive information in appropriate cases, as this measure proceeds.

Your Committees have amended this measure by inserting an effective date of June 18, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 591, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 591, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,

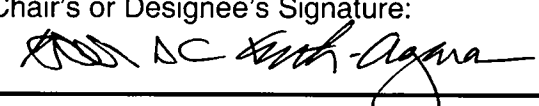

DONOVAN M. DELA CRUZ, Chair


KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* <i>SB 591</i>	Committee Referral: <i>EDU, JDC/WAM</i>	Date: <i>2/26/20</i>		
<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
INOUE, 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			
TOTAL	<i>10</i>			<i>3</i>
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