

Honolulu, Hawaii

April 25, 2008

RE: S.B. No. 2652
S.D. 2
H.D. 2
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2652, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to provide for periodic wage adjustments for substitute teachers of the Department of Education that are comparable to the wage adjustments negotiated for teachers in bargaining unit 5.

Your Committee on Conference finds that substitute teachers play an important role in supplementing our teacher workforce in the public school system. However, public school substitute teachers have been at odds with the Department of Education with continued litigation pending in the appellate court. In an attempt to address the pending litigation and related issues, the Legislature passed Act 70, Session Laws of Hawaii 2005, which provided an interim pay



rate of no less than \$119.80 per day pending resolution of the litigation. Additionally, the Legislature increased the interim pay rate to no less than \$125 per day, pursuant to Act 263, Session Laws of Hawaii 2006. In 2007, teachers who are part of bargaining unit 5 received a pay increase; however, no corresponding increase was afforded to substitute teachers. This bill reflects the Legislature's intent that substitute teachers receive wage adjustments that are comparable across the board with wage adjustments negotiated for bargaining unit 5 teachers without the need to return to the Legislature for relief each session.

Upon further review, your Committee on Conference has amended this bill by specifying that the wage adjustments, which shall be comparable to the across-the-board wage adjustments for teachers that are negotiated for bargaining unit 5, rather than the adjustment of hours, benefits, and other terms and conditions of employment for substitute teachers, shall be subject to legislative approval, pursuant to section 89C-5, Hawaii Revised Statutes.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2652, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2652, S.D. 2, H.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE




ROY TAKUMI, Co-Chair



ALEX M. SONSON, Co-Chair



MARCUS R. OSHIRO, Co-Chair



NORMAN SAKAMOTO, Chair



MIKE GABBARD, Co-Chair



ROSALYN H. BAKER, Co-Chair



Record of Votes of a Conference Committee

| | |
|---|--------------------------------|
| Bill / Concurrent Resolution No.: SB 2652, SD 2, HD 2 | Date/Time: 4/29/09 4:43 |
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The recommendation of the House and Senate managers is to pass with amendments (CD).


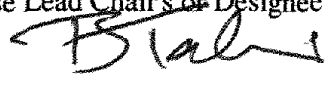
The Committee is reconsidering its previous decision.

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| <input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure | <input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure. |
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| Senate Managers | A | WR | N | E | House Managers | A | WR | N | E |
|----------------------------|----------|----------|----------|----------|----------------------------|----------|----------|----------|----------|
| SAKAMOTO, Norman, Chr. | ✓ | | | | TAKUMI, Roy M., Co-Chr. | ✓ | | | |
| GABBARD, Mike, Co-Chr. | ✓ | | | | SONSON, Alex M., Co-Chr. | ✓ | | | |
| BAKER, Rosalyn H., Co-Chr. | | | | ✓ | OSHIRO, Marcus R., Co-Chr. | ✓ | | | |
| NISHIHARA, Clarence K. | ✓ | | | ✓ | FINNEGAN, Lynn | ✓ | | | |
| TANIGUCHI, Brian T. | | | | ✓ | | | | | |
| SLOM, Sam | ✓ | | | | | | | | |
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| TOTAL | 4 | - | - | 2 | TOTAL | 4 | - | - | - |

A = Aye WR = Aye with Reservations N = Nay E = Excused

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| Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted |
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| Senate Lead Chair's or Designee's Signature:  | House Lead Chair's or Designee's Signature:  |
|---|---|

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