

EXECUTIVE CHAMBERS

HONOLULU

June 20, 2003

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 289

Honorable Members  
Twenty-Second Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 289, entitled "A Bill for an Act Relating to Education."

The stated purpose of this bill is to establish fifteen complex areas comprised of multiple school complexes as determined by the Superintendent of Education (Superintendent) in consultation with the Board of Education (BOE).

In truth, this bill would simply codify an internal reorganization that was proposed by the Superintendent in December of 2001 and approved by the BOE on January 10, 2002, and already has been implemented by the Department of Education (DOE).

This bill is objectionable because it pretends to be education reform when in reality it is the opposite. It would "etch into stone" the latest of the DOE's many reorganizations, and make it that much more difficult not just to achieve real reform, but also to manage the system. For example, if the Superintendent were to determine at some future point in time that it made more sense to have 16 complex areas, or 14, such a change would require another act of the Legislature. That would be an intolerable situation.

The Superintendent should have a reasonable degree of managerial freedom to do her job, and should not be required to get bills passed in the legislature any and every time she wants to exercise her managerial prerogative. The BOE has the authority and responsibility to provide oversight and to hold the Superintendent accountable.

The Legislature's penchant to micromanage has not led to better schools in the past, nor will it in the future. This bill is yet another example of such micromanagement.

The time has come for the Legislature to release its stranglehold on public education. It should let the people decide the issue of local school boards, and stop offering do-nothing bills in the guise of education reform.

For the foregoing reasons, I am returning House Bill No. 289 without my approval.

Respectfully,

LINDA LINGLE  
Governor of Hawaii

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 289, entitled "A Bill for an Act Relating to Education," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 289 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, LINDA LINGLE, Governor of the State of Hawaii, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 289 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,  
State of Hawaii, this 20th day  
of June, 2003.



---

LINDA LINGLE  
Governor of Hawaii