

Ballot will ask voters to let state fund private preschool

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Lawmakers approve a proposal for a state constitutional change that isle constituents will take up next year

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Voters will decide in November 2014 whether public money should be used for private preschool, the linchpin of Gov. Neil Abercrombie's early education initiative.

The state House and Senate on Tuesday approved a bill calling for a constitutional amendment with two-thirds' votes, the threshold necessary to qualify the question for the ballot.

Voters will be asked whether public money should be used for private early-education programs that shall not discriminate on the basis of race, religion, sex or ancestry. Article X, Section 1, of the Hawaii Constitution prohibits public money from going to private schools.

The constitutional amendment was the last surviving thread of Abercrombie's early-education initiative. Lawmakers had deferred a bill that would have created a high-quality state-funded preschool program that would have been launched if the amendment were approved by voters, considering it premature. Lawmakers also converted the governor's \$25 million school readiness proposal, which was supposed to be the first step of his early-learning initiative, into a \$6 million expansion of Preschool Open Doors, an existing child care program.

The Hawaii State Teachers Association warned that the constitutional amendment could lead to school vouchers and divert state resources away from public schools. While many lawmakers were torn, wary about crossing the teachers union, the votes broke Abercrombie's way. The governor watched from the gallery with his staff as the debates unfolded in both chambers.

"In finally seeking to step up and create a publicly funded early-learning system, we are the witnesses to a beginning," Sen. Jill Tokuda (D, Kailua-Kaneohe) told senators, who approved the bill in a 21-4 vote.

Rep. Roy Takumi (D, Pearl City-Wai-pio-Pearl Harbor) told lawmakers that it was "a straw man argument" that early learning would take money from public schools, because the same argument could be made for any spending in the state budget unrelated to public schools.

"This is an investment. It's not an expenditure. By all measurements, whether you look at it from an economic, financial, social or political point of view," he said, "this is an investment in our future."

But several lawmakers said they wanted more time to discuss early education with their constituents before committing to a ballot question. "At this time I don't feel that I should be putting this question to them without all of

the information that they would probably need to make an educated decision," said Rep. Richard Oni-shi (D, South Hilo-Keaau-Honu-apo).

The House passed the bill 37-14, a few votes clear of the two-thirds' threshold.

House and Senate lawmakers cast final votes Tuesday on dozens of bills, moving closer to finishing their work and adjourning the 60-day session Thursday.

The Senate approved a bill, previously passed by the House, that would allow the state to conduct phased reviews of the impact of state construction projects on historic sites. The bill was introduced in response to a state Supreme Court ruling in August that temporarily halted the \$5.26 billion Hono-lulu rail project.

Dozens of Native Hawaiians filled the Senate gallery, hoping senators would reject the bill as a potential to threat to human remains, or iwi.

"Opponents would like you to believe that this bill would give the state a license to bulldoze important historical and cultural sites. But, really, nothing could be further from the truth," said Sen. Glenn Wakai (D, Kalihi-Salt Lake-Alia-manu), adding that the legislation is a response to the court ruling that would allow state highway and other construction projects to go forward.

But Sen. Clayton Hee (D, Heeia-Laie-Waia-lua) said the bill was unnecessary because the state could update administrative rules to accommodate phased reviews. He said the bill was too broad and vague. "This is not about highways. This is about everything," he said. "That broad. That big. And so poho (unnecessary)."

The House killed a bill that would have imposed new reporting requirements on super PACs. In reaction, Hee and the Senate reconsidered a similar bill that would have required super PACs to disclose top donors in political advertisements — a bill the Senate had just unanimously approved — and killed the legislation.

"I just thought that the communication today was not where it should be," Hee said afterward, adding that both bills could have gone to the governor.

House Majority Leader Scott Saiki (D, Downtown-Kakaako-McCully) said the House's goal is to communicate such actions in advance with the Senate. "In this situation there were some last-minute decisions that had to be made. And the communication may not have been the best — it wasn't in person, but there was email communication," he said.

The House and Senate also took different tracks on a news media shield law bill that will end up killing the law. The House amended the bill on the floor to extend the existing shield law for two years, while the Senate did not take up a similar amendment and instead approved a weakened shield law opposed by many in the media. The result is that the shield law will expire as scheduled this summer.

The House and Senate gave final approval to a two-year state budget — \$11.8 billion in fiscal year 2014, \$11.9 billion in fiscal year 2015 — and also placed \$50 million in the hurricane relief fund and \$50 million in the rainy day fund to replenish the state's cash reserves. The budget sets aside money over the next two years to address the unfunded liability in the public-worker health care fund, while a separate bill would put the state and counties on an annual payment schedule for the future.

Lawmakers also voted to make permanent a temporary increase in the hotel room tax, which state budget analysts had requested to stabilize the state's six-year financial plan.

"I think this is a good step in ensuring not just that the budget is solid, not just that we're going to take care of the needs, but really have pieces in there that are going to strengthen the economy for the future," said Rep. Sylvia Luke (D, Punchbowl-Pauoa-Nuuanu), lead House budget negotiator.

Lawmakers also approved bills that would sweeten a film production tax credit, restore a tax credit for high-technology research and development, and provide \$6 million to encourage entrepreneurs through the Hawaii Growth Initiative.

The House and Senate both hailed a bill that would establish a bond-backed loan program that could help low- and middle-income consumers finance solar equipment through their electrical bills as a potential breakthrough for alternative energy.

Lawmakers also passed a stripped-down version of Abercrombie's schools initiative. The bill would authorize redevelopment projects on up to three public school properties over five years. The sites would be selected by the state Department of Education. Money generated from the redevelopment projects would be used to upgrade aging public schools.

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