
A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 SECTION 1. The legislature finds that certain public
3 schools have geographical features, such as streams or rough
4 terrain, on or adjacent to their property and have been required
5 to expend their own school funds to maintain these features.
6 There are currently twenty-four public schools with streams and
7 one hundred thirteen schools with other types of terrain, which
8 these schools need to pay to maintain. The legislature further
9 finds that these schools' financial resources could and should
10 be better spent on actual education-related needs. In addition,
11 because not all public schools have streams or rough terrain on
12 or adjacent to their property, schools that do should not be
13 unfairly disadvantaged.

14 The purpose of this part is to prohibit public schools from
15 being required by the department of education to expend any
16 school funds to maintain any geographically disadvantageous
17 land, including streams and rough terrain.



1 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§302A- Maintenance of geographically disadvantageous
5 land; expenditure of school funds; prohibited. (a)
6 Notwithstanding any law to the contrary, a public school shall
7 not be required by the department of education to expend any
8 school funds to maintain any geographically disadvantageous land
9 on or adjacent to its property.

10 (b) As used in this section:

11 "Geographically disadvantageous land" includes rough
12 terrain and streams.

13 "Rough terrain" means land that is uncultivated,
14 undeveloped, and unsuitable for educational purposes and that
15 may be covered by scrub or boulders.

16 "Stream" means natural, altered, or improved channels that
17 have seasonal or continuous water flows as a result of either
18 surface stormwater runoff or groundwater influx, or both.

19 Streams include channels, streambeds, stream banks, drainage
20 ways, and stream mouths."



1 PART II

2 SECTION 3. There is appropriated out of the general
3 revenues of the State of Hawaii the sum of \$1,268,154 or so much
4 thereof as may be necessary for fiscal year 2019-2020 and the
5 same sum or so much thereof as may be necessary for fiscal year
6 2020-2021 for six permanent full-time equivalent (6.0 FTE)
7 positions and funding for the Hawaii teacher standards board as
8 follows:

- 9 (1) \$50,304 for one permanent full-time equivalent
10 (1.0 FTE) secretary IV position;
- 11 (2) \$60,480 for two permanent full-time equivalent
12 (2.0 FTE) office assistant III positions;
- 13 (3) \$183,818 for two permanent full-time equivalent
14 (2.0 FTE) teacher licensing specialist II positions;
- 15 (4) \$129,252 for one permanent full-time equivalent
16 (1.0 FTE) Hawaii teacher standards board executive
17 officer position;
- 18 (5) \$5,200 for substitute teachers; and
- 19 (6) \$839,100 for other operation costs.

20 The sums appropriated shall be expended by the department
21 of education for the purposes of this part.



1 PART III

2 SECTION 4. There is appropriated out of the general
3 revenues of the State of Hawaii the sum of \$600,000 or so much
4 thereof as may be necessary for fiscal year 2019-2020 and the
5 same sum or so much thereof as may be necessary for fiscal year
6 2020-2021 for teacher stipends for the grow our own teachers
7 initiative.

8 The sums appropriated shall be expended by the department
9 of education for the purposes of this Act.

10 PART IV

11 SECTION 5. Provided that, notwithstanding any provision
12 contained in the General Appropriations Act of 2019 that
13 appropriates funds and establishes position ceilings, the
14 positions authorized in section 3 shall be in addition to the
15 positions authorized for that program under the General
16 Appropriations Act of 2019; provided further that any incumbent
17 employee shall retain the employee's:

18 (1) Civil service status, whether permanent or temporary;
19 and

20 (2) Salary, seniority (except as may be prescribed by
21 applicable collective bargaining agreement), retention



1 points, prior service credit, any vacation and sick
2 leave credits previously earned, and other rights,
3 benefits, and privileges, in accordance with state
4 personnel laws.

5 SECTION 6. Notwithstanding any law to the contrary,
6 provided that the funds appropriated in this Act may be
7 transferred with the approval of the governor to the General
8 Appropriations Act of 2019 (House Bill No. 2, H.D. 1, S.D. 1,
9 C.D. 1), for program execution and expenditure.

10 SECTION 7. If any portion of this Act or its application
11 to any person, entity, or circumstance, is held to be invalid
12 for any reason, then the legislature declares that the remainder
13 of the Act and each and every other provision thereof shall not
14 be affected thereby. If any portion of a specific appropriation
15 is held to be invalid for any reason, the remaining portion
16 shall be expended to fulfill the objective of such appropriation
17 to the extent possible.

18 SECTION 8. If manifest clerical, typographical, or other
19 mechanical errors are found in this Act, the governor may
20 correct the errors.



1 SECTION 9. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 10. New statutory material is underscored.

5 SECTION 11. This Act shall take effect on June 28, 2019.



Report Title:

Public Schools; Geographically Disadvantageous Land; Hawaii
Teacher Standards Board; Grow Our Own Teachers Initiative;
Appropriation

Description:

Provides that a public school shall not be required by the
Department of Education to expend its own school funds to
maintain any geographically disadvantageous land on or adjacent
to its property. Appropriates funds for teacher stipends for
the Grow Our Own Teachers Initiative. Appropriates funds for
the Hawaii Teacher Standards Board. (HB1070 CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is
not legislation or evidence of legislative intent.*

