

STAND. COM. REP. NO. 1120

Honolulu, Hawaii

MAR 25 2021

RE: H.B. No. 613
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 613, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Make an emergency appropriation for fiscal year 2020-2021 from elementary and secondary school emergency relief fund (ESSER funds) monies received by the State from the CARES Act and CRRS Appropriations Act to offset any budget reductions that are identified or proposed by the Department of Education and the Governor that would result in the reduction of personnel who are subject to a collective bargaining agreement pursuant to chapter 89, Hawaii Revised Statutes, and who are employed at the school level, including any budget reduction that results in a layoff, furlough, or pay reduction;
- (2) Require the Board of Education and Superintendent of Education to certify in writing that the Board of Education, Superintendent, and Department of Education agree to certain conditions, including that the funds appropriated shall be used only for salaries and wages of officers and employees who are subject to a



collective bargaining agreement and are employed at the school level; and

- (3) Make an appropriation for fiscal years 2021-2022 and 2022-2023 from the same source of funding and with the same conditions.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, HE'E Hui for Excellence in Education, Democratic Party of Hawai'i Education Caucus, and three individuals. Your Committee received comments on this measure from the Department of Education, Department of Budget and Finance, and Board of Education.

Your Committee finds that the states that received certain federal funds, including monies from the Elementary and Secondary School Emergency Relief Funds established by the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, 2020 (CARES Act), and the Coronavirus Response and Relief Supplemental Appropriations Act, 2021, Public Law 116-260 (CRRSAA), are required to assure that they will maintain support for education programs during fiscal years 2019-2020 and 2020-2021 by meeting certain benchmarks. The State, through the Department of Education, must comply with the provisions of the federal Education Stabilization Fund as set forth in section 18006 of the CARES Act to receive and expend CARES Act and CRRSAA monies, which, in part, requires the Department of Education to continue to pay its employees. This measure will appropriate certain federal monies received by the State to the Department of Education to offset any budget reductions that have been identified or proposed by the Department of Education and the Governor that would result in the reduction of personnel who are subject to a collective bargaining agreement and who are employed at the school level, including any budget reduction that results in a layoff, furlough, or pay reduction.

Your Committee has amended this measure by:

- (1) Specifying that funds appropriated be used for salaries and wages of Department of Education officers and employees who are subject to a collective bargaining agreement pursuant to chapter 89, Hawaii Revised



Statutes, and who are employed at the school level in the classroom; and

- (2) Inserting an effective date of July 1, 2051, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 613, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 613, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Education,



MICHELLE N. KIDANI, Chair



