

JAN 22 2010

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. This Act is recommended by the governor for
2 immediate passage in accordance with section 9 of article VII of
3 the Constitution of the State of Hawaii.

4 SECTION 2. The legislature finds that reductions and
5 restrictions to the department of education's operating budget
6 of over \$49 million for the 2009-2010 fiscal year and over \$226
7 million for the 2010-2011 fiscal year have resulted in the loss
8 of seventeen instructional days for ten-month non-charter public
9 school students and twenty-one instructional days for twelve-
10 month non-charter public school students during the 2009-2010
11 school year and the same number of lost instructional days
12 during the 2010-2011 school year. The legislature further finds
13 that if nothing is done to prevent the loss of these
14 instructional days, Hawaii will become the state with the fewest
15 number of instructional days in a school year. The State has
16 received much criticism for responding to budget shortfalls in a
17 manner that decreases learning opportunities and quality



1 instructional time for students. On a national level, the
2 United States Secretary of Education has strongly criticized the
3 decision to decrease instructional days, especially since Hawaii
4 is scheduled to receive approximately \$500,000,000 from the
5 federal American Recovery and Reinvestment Act, part of which is
6 intended to avoid significant cuts to education and advance
7 school reform. The Secretary has also indicated that the loss
8 of instructional days has weakened the State's competitiveness
9 for additional federal education grants. For these reasons, the
10 legislature finds that the loss of instructional days for
11 Hawaii's students is a short-sighted solution that will have
12 detrimental long-term effects on Hawaii's students, reputation,
13 and future.

14 Despite the great need for additional resources in many
15 areas that would benefit the public, the legislature finds that
16 providing a quality education for Hawaii's students is an
17 overriding state priority with far-reaching effects on the
18 prosperity, health, and growth of local communities and that
19 ensuring adequate resources for education reflects a commitment
20 and investment toward that priority. According to the
21 department of education, it costs approximately \$6,600,000 per
22 day to run Hawaii's public schools. To meet this fiscal need,



1 the legislature finds that an appropriation of Hawaii hurricane
2 relief and emergency and budget reserve funds is necessary to
3 maintain an essential level of programs and resources to provide
4 Hawaii's students with a quality education.

5 The legislature declares that the appropriation made under
6 this Act shall not be construed to mean that the legislature, in
7 any way, intends to interfere with the processes of public
8 sector collective bargaining as authorized under the state
9 constitution and chapter 89, Hawaii Revised Statutes.

10 The purpose of this Act is to appropriate \$ in
11 Hawaii hurricane relief funds and emergency and budget reserve
12 funds to restore as many instructional days during the 2009-2010
13 school year as possible.

14 SECTION 3. Notwithstanding provisions of chapter 431P,
15 Hawaii Revised Statutes, to the contrary, there is appropriated
16 out of the Hawaii hurricane relief fund the sum of \$
17 or so much thereof as may be necessary for fiscal year 2009-2010
18 to restore as many instructional days during the 2009-2010
19 school year as possible.

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



1 SECTION 4. Any unexpended or unencumbered balance of the
2 appropriation made by section 3 of this Act as of the close of
3 business on June 30, 2011, shall lapse to the credit of the
4 Hawaii hurricane relief fund.

5 SECTION 5. For purposes of this Act, section 328L-3(e)(3),
6 Hawaii Revised Statutes, shall be suspended beginning on the
7 effective date of this Act and ending at the close of business
8 on June 30, 2011.

9 SECTION 6. Notwithstanding section 328L-3(e)(3), Hawaii
10 Revised Statutes, there is appropriated out of the emergency and
11 budget reserve fund of the State of Hawaii the sum of
12 \$ or so much thereof as may be necessary for fiscal
13 year 2009-2010 to restore as many instructional days during the
14 2009-2010 school year as possible.

15 The sum appropriated shall be expended by the department of
16 education for the purposes of this Act.

17 SECTION 7. Any unexpended or unencumbered balance of the
18 appropriation made by section 6 of this Act as of the close of
19 business on June 30, 2011, shall lapse to the credit of the
20 emergency and budget reserve fund.



1 SECTION 8. The sums appropriated under sections 3 and 6 of
2 this Act shall not be used to supplant funding authorized prior
3 to July 1, 2008.

4 SECTION 9. This Act shall take effect upon its approval.
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INTRODUCED BY:

Norman Sakuma

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Report Title:

Restoration of Instructional Days; Hawaii Hurricane Relief Fund; Emergency and Budget Reserve Fund; Appropriation

Description:

Makes an emergency appropriation from the Hawaii hurricane relief fund and the emergency and budget reserve fund to restore as many instructional days during the 2009-2010 school year as possible.

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

