

Honolulu, Hawaii

APR 23 , 2021

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

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

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

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 613, H.D. 2, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose 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 Coronavirus Aid, Relief, and Economic Security Act and the Coronavirus Response and Relief Supplemental 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 would result 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 in the classroom; 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 on Conference finds that 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, which 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 on Conference has amended this measure by:

- (1) Removing language that appropriates CARES Act and CRRSAA monies to the Department of Education to offset certain education-related budget reductions;



- (2) Inserting language that appropriates out of the Coronavirus Response and Relief Supplemental Appropriations Elementary and Secondary School Emergency Relief Fund (ESSER2) appropriation amount of \$144,656,637 for the Department of Education to expend on certain education-related items;
- (3) Inserting language that appropriates out of the American Rescue Plan Elementary and Secondary Emergency Relief Fund (ESSER3) appropriation amount of \$412,328,764 for the Department of Education to expend on certain education-related items;
- (4) Inserting language that establishes conditions under which superintendents may receive pay raises; and
- (5) Changing the effective date to upon its approval; provided that certain appropriation amounts made in section 2, paragraphs (12) through (14) and section 3 shall take effect on July 1, 2021.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 613, H.D. 2, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 613, H.D. 2, S.D. 2, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

Michelle N. Kidani

MICHELLE N. KIDANI
Chair

Donovan M. DeLa Cruz

DONOVAN M. DELA CRUZ
Co-Chair

Justin H. Woodson

JUSTIN H. WOODSON
Co-Chair

Linda Ichiyama

LINDA ICHIYAMA
Co-Chair

Sylvia Duke

SYLVIA DUKE
Co-Chair



Hawaii State Legislature
**Record of Votes of a
 Conference Committee**

CCR 160

Bill / Concurrent Resolution No.: HB 613, HD 2, SD 2	Date/Time: 4/20/21 4:05pm
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The recommendation of the House and Senate managers is to pass with amendments (CD).


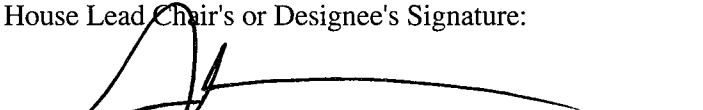
The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KIDANI, Michelle N., Chr.	/				WOODSON, Justin H., Co-Chr.	/			
DELA CRUZ, Donovan M., Co-Chr.	/				ICHIYAMA, Linda, Co-Chr.	/			/
FEVELLA, Kurt	/				LUKE, Sylvia, Co-Chr.	/			
					ELI, Stacelynn K.M.	/			
					KAPELA, Jeanne	/			
					OKIMOTO, Val	/			
TOTAL	3				TOTAL	5			1

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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