

Honolulu, Hawaii
FEB 04, 2022

RE: H.B. No. 1834
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Pandemic & Disaster Preparedness, to which was referred H.B. No. 1834 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Department of Education to establish and administer the strong students grant pilot program to provide grants for eligible education expenses to eligible students;
- (2) Require the Department of Education to submit progress reports on the pilot program to the Legislature; and
- (3) Appropriate funds received from the Elementary and Secondary School Emergency Relief Fund, as established by the Coronavirus Aid, Relief, and Economic Security Act and Coronavirus Response and Relief Supplemental Appropriations Act for the pilot program.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, HawaiiKidsCAN, and three individuals. Your Committee received comments on this measure



from the Department of the Attorney General and Department of Education.

Your Committee finds that the coronavirus disease 2019 pandemic has been disruptive to student learning. To assist in mitigating the disruptiveness the pandemic caused, the State received federal funding to help families in Hawaii through the Elementary and Secondary School Emergency Relief Fund established by the Coronavirus Aid, Relief, and Economic Security Act and Coronavirus Response and Relief Supplemental Appropriations Act. These monies are necessary to ensure students are able to effectively continue learning.

However, your Committee notes that the testimonies from the Department of the Attorney General and Department of Education point out a potential violation of federal guidance for spending Elementary and Secondary School Emergency Relief funds, which authorizes the Department of Education to use the funds for a broad range of activities, but does not allow the Legislature to limit the Department's use of these funds. This measure's directive to use these funds for the pilot program may be deemed as limiting the Department's ability to allocate these funds. As such, your Committee believes that the funding source for this important pilot program should be changed to the general fund, as to not jeopardize the Department of Education's federal funding. However, your Committee respectfully requests that should your Committee on Education hear this measure, it consider whether the general fund is an appropriate funding source.

Accordingly, your Committee has amended this measure by:

- (1) Changing the source of funding for the appropriation from the Elementary and Secondary School Emergency Relief Fund to the general fund;
- (2) Amending the purpose section in accordance with its amended purpose;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



Your Committee notes that although the appropriation amount is currently blank in this measure, the requested amount is \$5,000,000 for the pilot program.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1834, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1834, H.D. 1, and be referred to your Committee on Education.

Respectfully submitted on
behalf of the members of the
Committee on Pandemic &
Disaster Preparedness,


LINDA ICHIYAMA, Chair



