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# A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF EDUCATION.

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

1           SECTION 1. The legislature finds that hotter temperatures  
2 induced by climate change affect a student's ability to play,  
3 gather, and learn outside while attending school. To reduce the  
4 effect of hotter temperatures on students at department of  
5 education schools, the department can take a more proactive  
6 approach to increase the tree canopy on school campuses. In  
7 addition to lowering the temperature on campuses through shade,  
8 transpiration, and reduction of the heat island effect, trees  
9 will also absorb storm water, clean the air, beautify campuses,  
10 and help reach county and state environmental goals.

11 Furthermore, planting and caring for trees on campuses provide a  
12 multitude of learning opportunities, including learning the role  
13 trees play in the overall health of the ecosystem, cultural uses  
14 of indigenous trees, tree propagation and care, and commercial  
15 uses of trees.

16           The legislature further finds that, during the regular  
17 session of 2021, the legislature adopted House Concurrent



1 Resolution No. 68, which requested that the department of  
2 education create a landscape management plan with goals to  
3 increase tree canopies on public school grounds, document  
4 existing inventory and talent, and identify additional resources  
5 required to implement and sustain the plan.

6 In addition, the department of education facilities  
7 development branch has subcontracted a thorough professional  
8 inventory of campus trees. The inventory includes digital maps  
9 and information on each tree, including a risk assessment, note  
10 of structural defects, entity assigned responsibility for  
11 maintenance, pruning contracts, and contact for emergency help.  
12 At the end of 2021, seventeen school inventories were completed  
13 and an additional two or three were to be added each month going  
14 forward. The inventory will be used to identify schools with  
15 few trees and allow landscape architects to identify good spots  
16 for new trees.

17 The legislature additionally finds that the department of  
18 education can seize the task of managing the tree inventory as  
19 an educational opportunity for students. There are  
20 approximately thirty-four existing agriculture and natural  
21 resource programs in schools statewide that are of different



1 sizes and educate different grades. These agriculture and  
2 natural resource programs can support educational activities and  
3 encourage propagation of native trees that can be planted and  
4 shared with department of education schools and communities.

5 The legislature also finds that the department of education  
6 needs additional personnel to manage the tree inventory. The  
7 department of education has one full-time arborist who is  
8 responsible for overseeing all trees on all campuses statewide.  
9 An additional full-time arborist will increase the ability of  
10 the department of education to manage the existing tree  
11 inventory and add the right trees in the right places so that  
12 the tree canopy will be expanded in a manner that is safe,  
13 prevents damage to infrastructure, prevents liability for the  
14 school and department of education, and maintains open outdoor  
15 space for school use.

16 The purpose of this Act is to:

- 17 (1) Establish the shade tree program in the department of  
18 education; and  
19 (2) Appropriate funds for the shade tree program and for  
20 arborist positions to support the program.



1 SECTION 2. There is established in the department of  
2 education a shade tree program that may:

- 3 (1) Use existing agriculture and natural resource programs  
4 in schools and establish additional agriculture and  
5 natural resource programs in other schools to educate  
6 students and propagate native shade trees, which may  
7 be planted or shared amongst all department schools;
- 8 (2) Support schools with infrastructure and supplies to  
9 establish nurseries for native shade tree seedlings;
- 10 (3) Encourage the propagation of native shade trees  
11 appropriate to each school's climate;
- 12 (4) Oversee the variety of native shade trees for school  
13 planting and ensure their supply; and
- 14 (5) Encourage the participation of students of all grades  
15 and ages in the care of native shade trees.

16 SECTION 3. There is appropriated out of the general  
17 revenues of the State of Hawaii the sum of \$                    or so  
18 much thereof as may be necessary for fiscal year 2024-2025 for  
19 the administration of the shade tree program established  
20 pursuant to section 2 of this Act.



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

3           SECTION 4. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$                    or so  
5 much thereof as may be necessary for fiscal year 2024-2025 for  
6 the department of education to establish and hire           full-time  
7 equivalent (           FTE) permanent arborist positions.

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

10          SECTION 5. In accordance with section 9 of article VII of  
11 the Hawaii State Constitution and sections 37-91 and 37-93,  
12 Hawaii Revised Statutes, the legislature has determined that the  
13 appropriations contained in H.B. No.           , will cause the state  
14 general fund expenditure ceiling for fiscal year 2024-2025 to be  
15 exceeded by \$                    or           per cent. In addition, the  
16 appropriations contained in this Act will cause the general fund  
17 expenditure ceiling for fiscal year 2024-2025 to be further  
18 exceeded by \$                    or           per cent. The combined total  
19 amount of general fund appropriations contained in only these  
20 two Acts will cause the state general fund expenditure ceiling  
21 for fiscal year 2024-2025 to be exceeded by



1 \$ or per cent. The reasons for exceeding the  
2 general fund expenditure ceiling are that:

3 (1) The appropriations made in this Act are necessary to  
4 serve the public interest; and

5 (2) The appropriations made in this Act meet the needs  
6 addressed by this Act.

7 SECTION 6. This Act shall take effect on July 1, 3000.



**Report Title:**

DOE; Shade Tree Program; Arborist; Appropriation; Expenditure Ceiling

**Description:**

Establishes the shade tree program in the Department of Education to support educational activities and encourage propagation of native shade trees for planting in department schools. Appropriates funds for the program and to establish arborist positions. Effective 7/1/3000. (HD2)

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