
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. There are approximately thirty-four
20 existing agriculture and natural resource programs in schools
21 statewide that are of different sizes and educate different



1 grades. These agriculture and natural resource programs can
2 support educational activities and encourage propagation of
3 native or fruit trees that can be planted and shared with
4 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 and fruit tree program in the
18 department of education; and
19 (2) Appropriate funds for the shade and fruit tree program
20 and for an arborist position to support the program.



1 SECTION 2. There is established in the department of
2 education a shade and fruit 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 or fruit
7 trees, which shall be planted or shared amongst all
8 department schools;

9 (2) Support schools with infrastructure and supplies to
10 establish nurseries for native shade tree or fruit
11 tree seedlings;

12 (3) Encourage the propagation of native shade trees or
13 fruit trees appropriate to each school's climate;

14 (4) Oversee the variety of native shade trees or fruit
15 trees for school planting and ensure their supply; and

16 (5) Encourage the participation of students of all grades
17 and ages in the care of native shade trees or fruit
18 trees.

19 SECTION 3. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2024-2025 for



1 the administration of the shade and fruit tree program
2 established pursuant to section 2 of this Act.

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

5 SECTION 4. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2024-2025 for
8 the department of education to establish and hire one full-time
9 equivalent (1.00 FTE) permanent arborist position.

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

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



H.B. NO. 1969

1 two Acts will cause the state general fund expenditure ceiling
2 for fiscal year 2024-2025 to be exceeded by
3 \$ or per cent. The reasons for exceeding the
4 general fund expenditure ceiling are that:

- 5 (1) The appropriations made in this Act are necessary to
6 serve the public interest; and
7 (2) The appropriations made in this Act meet the needs
8 addressed by this Act.

9 SECTION 6. This Act shall take effect on July 1, 2024.

10

INTRODUCED BY: *Kevin Martin*
JAN 19 2024



H.B. NO. 1969

Report Title:

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

Description:

Establishes the shade and fruit tree program in the department of education to support educational activities and encourage propagation of native shade trees or fruit trees for planting in department schools. Appropriates funds for the program and to establish an arborist position.

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

