

COUNCIL OF THE COUNTY OF MAUI

GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE

September 6, 2019

**Committee
Report No. _____**

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Governance, Ethics, and Transparency Committee, having met on August 20, 2019, makes reference to County Communication 19-25, from Council Chair Kelly T. King, relating to matters pertaining to Hawaii State Association of Counties ("HSAC").

Your Committee notes each year HSAC may compile a package of proposals and priorities to be presented to the State Legislature, pursuant to Section 13C of the HSAC Bylaws. Only those proposals and priorities approved by all four councils are included in the annual HSAC Legislative Package.

Your Committee received three proposals for inclusion in the 2020 HSAC Legislative Package, including State bills to: 1) increase State funding to support agriculture to promote economic development, food security, environmental protection, and quality of life; 2) authorize remote schools to receive supplemental categorical funding, in addition to the allocation determined under the weighted student formula, based on their remote status, and to appropriate funds; and 3) require the driver of the lead vehicle, on two-lane roadways where passing is unsafe and five or more vehicles are backed up behind the lead vehicle, to use turnouts and permit vehicles following the lead vehicle, to pass safely.

Increased Funding for Agriculture

By correspondence dated August 5, 2019, Councilmember Shane Sinenci transmitted a proposed resolution entitled "APPROVING FOR INCLUSION IN THE 2020 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A STATE BILL TO INCREASE

COUNCIL OF THE COUNTY OF MAUI
GOVERNANCE, ETHICS, AND
TRANSPARENCY COMMITTEE

Page 2

Committee
Report No. _____

FUNDING FOR AGRICULTURE.” The purpose of the proposed resolution is to approve for inclusion in the 2020 HSAC Legislative Package a proposed State bill, attached to the proposed resolution as Exhibit “A,” entitled “A BILL FOR AN ACT RELATING TO AGRICULTURE.” The purpose of the proposed State bill is to increase State funding to support agriculture to promote economic development, food security, environmental protection, and quality of life.

Your Committee discussed the need to allocate increased funding to support the agriculture industry. Additional funding could be used to promote small-scale family farming, establish additional important agriculture lands, update the State’s agricultural database, and increase key inspector positions at State airports to identify invasive species.

Your Committee further discussed the need to diversify the State’s economy beyond the tourism industry.

Your Committee noted 90 percent of the State’s food sources are imported into Hawaii, but only 4 percent of the State’s budget is allocated towards agriculture.

Your Committee amended the proposed State bill to incorporate revisions to the bill’s title and purpose.

Your Committee voted 9-0 to recommend adoption of the revised proposed resolution. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Hokama, Kama, King, Lee, Paltin, Sinenci, and Sugimura voted “aye.”

Your Committee is in receipt of a revised proposed resolution, and attached Exhibit “A,” incorporating your Committee’s recommended revisions.

COUNCIL OF THE COUNTY OF MAUI
GOVERNANCE, ETHICS, AND
TRANSPARENCY COMMITTEE

Page 3

Committee
Report No. _____

Authorization for Supplemental Categorical Funding for Remote Schools

By correspondence dated August 5, 2019, Councilmember Shane Sinenci transmitted a proposed resolution entitled "APPROVING FOR INCLUSION IN THE 2020 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A STATE BILL TO AUTHORIZE SUPPLEMENTAL CATEGORICAL FUNDING FOR REMOTE SCHOOLS AND APPROPRIATE FUNDS." The purpose of the proposed resolution is to approve for inclusion in the 2020 HSAC Legislative Package a proposed State bill, attached to the proposed resolution as Exhibit "A," entitled "A BILL FOR AN ACT RELATING TO EDUCATION." The purpose of the proposed State bill is to authorize remote schools to receive supplemental categorical funding, in addition to the allocation determined under the weighted student formula, based on their remote status, and to appropriate funds for this purpose.

Your Committee discussed the weighted student formula for determining school funding has placed small, remote schools at a disadvantage. This has resulted in the loss of qualified instructors and the offering of minimum course requirements necessary for graduation.

Your Committee amended the proposed State bill to incorporate revisions to the bill's title and to clarify that the bill was for schools comprising grades kindergarten to 12.

Your Committee voted 9-0 to recommend adoption of the revised proposed resolution. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Hokama, Kama, King, Lee, Paltin, Sinenci, and Sugimura voted "aye."

Your Committee is in receipt of a revised proposed resolution, and attached Exhibit "A," incorporating your Committee's recommended revisions.

COUNCIL OF THE COUNTY OF MAUI
GOVERNANCE, ETHICS, AND
TRANSPARENCY COMMITTEE

Page 4

Committee
Report No. _____

Promotion of Traffic Safety on Two-lane Roadways

By correspondence dated August 5, 2019, Councilmember Shane Sinenci transmitted a proposed resolution entitled "APPROVING FOR INCLUSION IN THE 2020 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A STATE BILL TO PROMOTE TRAFFIC SAFETY ON TWO-LANE ROADWAYS." The purpose of the proposed resolution is to approve for inclusion in the 2020 HSAC Legislative Package a proposed State bill, attached to the proposed resolution as Exhibit "A," entitled "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY." The purpose of the proposed State bill is to require the driver of the lead vehicle, on two-lane roadways where passing is unsafe and five or more vehicles are backed up behind the lead vehicle, to use turnouts and permit vehicles following the lead vehicle, to pass safely.

Your Committee briefly discussed the matter, but agreed further discussion was necessary.

Your Committee voted 9-0 to recommend referral of the matter relating to the promotion of traffic safety on two-lane roadways to your Multimodal Transportation Committee. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Hokama, Kama, King, Lee, Paltin, Sinenci, and Sugimura voted "aye."

Your Governance, Ethics, and Transparency Committee RECOMMENDS the following:

1. That Resolution _____, attached hereto, entitled "APPROVING FOR INCLUSION IN THE 2020 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A STATE BILL TO INCREASE FUNDING FOR AGRICULTURE," be ADOPTED;

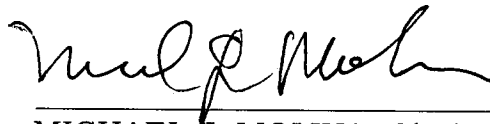
COUNCIL OF THE COUNTY OF MAUI
**GOVERNANCE, ETHICS, AND
TRANSPARENCY COMMITTEE**

Page 5

**Committee
Report No. _____**

2. That Resolution _____, attached hereto, entitled "APPROVING FOR INCLUSION IN THE 2020 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A STATE BILL TO AUTHORIZE SUPPLEMENTAL CATEGORICAL FUNDING FOR REMOTE SCHOOLS AND APPROPRIATE FUNDS," be ADOPTED; and
3. That the matter relating to the promotion of traffic safety on two-lane roadways be REFERRED to your Multimodal Transportation Committee.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



MICHAEL J. MOLINA, Chair

get:cr:19003(1)aa:ske

Resolution

No. _____

APPROVING FOR INCLUSION IN THE 2020
HAWAII STATE ASSOCIATION OF COUNTIES
LEGISLATIVE PACKAGE A STATE BILL TO
INCREASE FUNDING FOR AGRICULTURE


WHEREAS, there is a need to support agriculture for reasons of economic development, food security, environmental protection, and quality of life; and

WHEREAS, increased State funding for agriculture would benefit all residents of Hawaii; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That the proposed State bill, attached as Exhibit "A," to increase funding for agriculture, is approved for inclusion in the 2020 Hawaii State Association of Counties Legislative Package; and
2. That certified copies of this resolution be transmitted to the Hawaii State Association of Counties Executive Committee.

APPROVED AS TO FORM AND LEGALITY


EDWARD S. KUSHI, JR.
First Deputy Corporation Counsel
County of Maui

get:misc:003(1)areso01

____.B. NO.____

A BILL FOR AN ACT

RELATING TO FUNDING FOR AGRICULTURE.

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

1 SECTION 1. RELATING TO FUNDING FOR AGRICULTURE.
2
3

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**
5

6 SECTION 1. The legislature finds that increased funding is
7 needed to support agriculture. Nearly ninety percent of food is
8 imported into the State, but only four percent of the State's
9 budget is allocated for agriculture. With the closure of pineapple
10 and sugar industries statewide, there is a dire need to utilize
11 fallow lands and diversify the State's economy beyond tourism.
12 Increased funding for agriculture can promote more small-scale
13 family farming, identify additional important agricultural lands,
14 update the State's agricultural database, and increase key
15 inspector positions at airports to prevent and identify invasive
16 species that affect agricultural crops.

17 SECTION 2. There is appropriated out of the general revenues
18 of the State of Hawaii the sum of _____ or so much thereof as
19 may be necessary for fiscal year 2019-2020 and the same sum or so

EXHIBIT "A"

____.B. NO. _____

1 much thereof as may be necessary for fiscal year 2020-2021 to
2 provide funding to support agriculture.

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

5 SECTION 3. Notwithstanding any law to the contrary, the funds
6 appropriated by this Act may be transferred, with the approval of
7 the governor, to the General Appropriations Act of 2019, for
8 program execution and expenditure.

9 SECTION 4. This Act shall take effect on July 1, 2020.

10

11

INTRODUCED BY: _____

12

Resolution

No. _____

APPROVING FOR INCLUSION IN THE 2020
HAWAII STATE ASSOCIATION OF COUNTIES
LEGISLATIVE PACKAGE A STATE BILL TO
AUTHORIZE SUPPLEMENTAL CATEGORICAL
FUNDING FOR REMOTE SCHOOLS AND
APPROPRIATE FUNDS

WHEREAS, the weighted student formula established to allocate moneys to schools under the Reinventing Education Act of 2004 has placed small, remote schools at a disadvantage; and

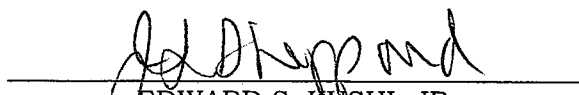
WHEREAS, remote schools should be funded to retain the minimal personnel and resources necessary to graduate students; and

WHEREAS, authorizing supplemental funding for remote schools, as defined in the attached bill, and appropriating funds for this purpose would help to address the inequity; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That the proposed State bill, attached as Exhibit "A," to authorize supplemental categorical funding for remote schools and appropriate funds, is approved for inclusion in the 2020 Hawaii State Association of Counties Legislative Package; and
2. That certified copies of this Resolution be transmitted to the Hawaii State Association of Counties Executive Committee.

APPROVED AS TO FORM AND LEGALITY


EDWARD S. KUSHI, JR.
First Deputy Corporation Counsel
County of Maui

____.B. NO.____

A BILL FOR AN ACT

RELATING TO EDUCATION IN REMOTE SCHOOLS.

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

1 SECTION 1. The legislature finds that the Reinventing
2 Education Act of 2004 (Act 51, Session Laws of Hawaii 2004)
3 established a weighted student formula to allocate moneys to
4 schools according to the different costs of educating students
5 with different needs. Despite the intended equitable
6 distribution of funds, the legislature finds that the weighted
7 student formula has placed small, remote schools at a
8 disadvantage. In the case of Hana high and elementary school,
9 the budgetary shortfall has resulted in the loss of several
10 well-qualified teachers and has threatened the school's ability
11 to offer minimum course requirements for students to earn high
12 school diplomas. If Hana high school is unable to offer its
13 students the requisite courses for graduation, those students
14 will have to endure a nearly forty-mile, two-hour drive away, to
15 the next closest public high school, King Kekaulike high school.

16 The legislature finds that despite the current economic
17 situation, remote schools should be funded to retain the minimal

EXHIBIT "A"

____.B. NO. _____

1 personnel and resources necessary to graduate students. One way
2 to address this is to allow these schools to receive
3 supplemental funding based on their remote status.

4 The purpose of this Act is to authorize supplemental
5 categorical funding for remote schools.

6 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
7 amended by adding a new section be appropriately designated and
8 to read as follows:

9 **"§302A- Remote schools categorical funding. (a) For**
10 the purpose of this section, "remote school" mean any public
11 school, as defined in section 302A-101, except charter schools
12 governed by chapter 302D, that is a kindergarten through grade
13 12 school:

14 (1) Located at least a one-hour drive away from the next
15 nearest public high school; or

16 (2) Located on the island of Lanai, Molokai, or Niihau;
17 provided that if a high school is combined with an elementary,
18 middle, intermediate, or other lower level of schooling, that
19 entire school shall be deemed a high school for the purpose of
20 this section.

4 (c) Any supplemental categorical funding provided to a
5 remote school pursuant to this section shall be in addition to
6 the allocation determined under the weighted student formula
7 that is made to the remote school."

14 The sums appropriated shall be expended by the department
15 of education for the purpose of this Act.

17 SECTION 5. This Act shall take effect on July 1, 2020.

19 INTRODUCED BY:

20