

MAR 08 2019

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# SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A SCHOOL  
IMPACT FEE REVIEW TASK FORCE TO REVIEW THE SCHOOL IMPACT  
FEES LAW, INCLUDING ENFORCEMENT OF EXISTING LAW, AND MAKE  
ANY RECOMMENDATIONS TO ADDRESS CURRENT AND FUTURE NEEDS FOR  
THE DEVELOPMENT OF NEW SCHOOLS TO ACCOMMODATE PROJECTED  
POPULATION GROWTH.

1           WHEREAS, Act 245, Session Laws of Hawaii 2007, established  
2 the law regarding school impact fees, which ensure that schools  
3 are expanded or built to meet the community's needs; and  
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5           WHEREAS, Act 245, Session Laws of Hawaii 2007, implemented  
6 a new method for financing, in part, new or expanding existing  
7 Department of Education educational facilities in partnership  
8 with developers of new residential developments; and  
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10           WHEREAS, however, land use planning, development patterns,  
11 and preferences have changed since 2007; and  
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13           WHEREAS, Kaka'ako, for example, has many existing and  
14 proposed high-density residential projects that will require at  
15 least one new school in that area; and  
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17           WHEREAS, additionally, the rail transit system area may  
18 require consideration if resultant population shifts require  
19 schools to be located near rail stations; and  
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21           WHEREAS, while Act 188, Session Laws of Hawaii 2010, made  
22 helpful clarifying amendments to the school impact fees law,  
23 more substantive amendments to the law may be necessary; now,  
24 therefore,  
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26           BE IT RESOLVED by the Senate of the Thirtieth Legislature  
27 of the State of Hawaii, Regular Session of 2019, the House of  
28 Representatives concurring, that the Department of Education is  
29 requested to convene a school impact fee review task force to



1 review the school impact fees law, including enforcement of  
2 existing law, and make any recommendations to address current  
3 and future needs for the development of new schools to  
4 accommodate projected population growth; and  
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6 BE IT FURTHER RESOLVED that the school impact fee review  
7 task force include the following members:  
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- 9 (1) The Superintendent of Education, or the  
10 Superintendent's designee;  
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- 12 (2) The Comptroller, or the Comptroller's designee;  
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- 14 (3) The Chairperson of the Board of Land and Natural  
15 Resources, or the Chairperson's designee;  
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- 17 (4) The Director of the Office of Planning, or the  
18 Director's designee;  
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- 20 (5) The Executive Director of the Hawaii Community  
21 Development Authority, or the Executive Director's  
22 designee;  
23
- 24 (6) Two members appointed by the Board of Education who  
25 have experience in the development of real property  
26 for residential purposes; provided that the members  
27 neither be developers of real property located within  
28 the State, nor individuals with direct financial  
29 interests in developers of real property located  
30 within the State;  
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- 32 (7) The Mayor of the City and County of Honolulu, or the  
33 Mayor's designee; provided that the designee is an  
34 officer of the City and County of Honolulu;  
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- 36 (8) The Mayor of the County of Maui, or the Mayor's  
37 designee; provided that the designee is an officer of  
38 the County of Maui;  
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- 40 (9) The Mayor of the County of Hawaii, or the Mayor's  
41 designee; provided that the designee is an officer of  
42 the County of Hawaii; and



# S.C.R. NO. 56

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(10) The Mayor of the County of Kauai, or the Mayor's designee; provided that the designee is an officer of the County of Kauai; and

BE IT FURTHER RESOLVED that the school impact fee review task force is requested to consider the following issues as well as any other issues deemed necessary by the task force:

- (1) The adequacy of the existing school impact fees law to generate funding for schools in high-density urban areas and lower-density suburban areas;
- (2) The projected costs of developing new schools in areas of different permitted densities;
- (3) Appropriate impact fees for the development of vertical schools on smaller parcels of land in areas that permit high-density residential structures;
- (4) Standards for the minimum floor area for vertical schools;
- (5) The effects of county land use planning and zoning on development patterns and population shifts;
- (6) Strategies to develop more schools where they are needed as a result of projected development patterns and population shifts; and
- (7) The effect of any rail transit system on the projected need for schools near rail stations; and

BE IT FURTHER RESOLVED that the school impact fee review task force is requested to submit interim reports on its actions to the Legislature no later than twenty days prior to the convening of the Regular Sessions of 2020 and 2021; and

BE IT FURTHER RESOLVED that the school impact fee review task force is requested to submit a final report of its findings and recommendations, including any proposed legislation, to the



# S.C.R. NO. 56

1 Legislature and Governor no later than twenty days prior to the  
2 convening of the Regular Session of 2022; and

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4 BE IT FURTHER RESOLVED that the Department of Education is  
5 requested to provide administrative support to the school impact  
6 fee review task force and assist the task force in the  
7 preparation of the reports and any proposed legislation to the  
8 Legislature; and

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10 BE IT FURTHER RESOLVED that certified copies of this  
11 Concurrent Resolution be transmitted to the Chairperson of the  
12 Board of Education, Superintendent of Education, Comptroller,  
13 Chairperson of the Board of Land and Natural Resources, Director  
14 of the Office of Planning, Executive Director of the Hawaii  
15 Community Development Authority, Mayor of the City and County of  
16 Honolulu, Mayor of the County of Maui, Mayor of the County of  
17 Hawaii, and Mayor of the County of Kauai.

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19  
20 OFFERED BY: Bryenne Hunt

*[Handwritten signatures]*  
Bill Davies  
Clarence W. Washburn  
Terrence J. Brown  
DK  
Randy de Bel  
Mike Gabriel  
Yan... J.