

STAND. COM. REP. NO. 781

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 854
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 854, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL LANDS,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the Department of Education's pilot program for the lease of public school lands to require lessees of public school land and facilities to modify, construct, or utilize the facilities to benefit public educational purposes, rather than a broader requirement to meet public purposes.

The measure also:

- (1) Authorizes the Department of Education to enter into leaseback agreements; and
- (2) Requires the Department of Accounting and General Services to negotiate and process all leases entered into under the pilot program for the lease of public school land.

Your Committee received written comments in support of this measure from the Building Industry Association and the Chamber of Commerce Hawaii. The Department of Accounting and General Services and the Land Use Foundation of Hawaii submitted written comments on the measure.



Your Committee finds that this measure will facilitate the use of excess and underutilized public school lands to benefit Hawaii's public education system. Your Committee further finds that the measure's leaseback provision will allow the Department of Education to engage in public-private partnerships to achieve that purpose.

Your Committee has amended this measure by:

- (1) Deleting the requirement that the Department of Accounting and General Services negotiate and process all leases entered into under the pilot program; and
- (2) Defining the term "public educational purposes," rather than the term "public educational benefits," to more accurately reflect relevant language in the measure.

Your Committee notes that, although the measure has been amended to no longer require the Department of Accounting and General Services to negotiate and process leases of public school land, it may be prudent for the Department of Education to consult with the Department of Accounting and General Services in developing procedures to negotiate public-private partnership agreements relating to the lease of public school land.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 854, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 854, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

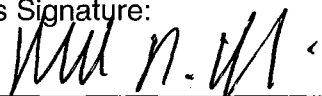


JILL N. TOKUDA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB854 SD1	Committee Referral: EDU/GVO, WAM	Date: 2/25/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood				✓
HARIMOTO, Breene	✓			
INOUYE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam		✓		
TOTAL	9	1	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes