

Honolulu, Hawaii

MAR 24 2017

RE: H.B. No. 116
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committees on Education and Water and Land, to which was referred H.B. No. 116, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS,"

beg leave to report as follows:

The purpose and intent of this measure is to require the City and County of Honolulu to transfer to the Department of Land and Natural Resources all property upon which a public school is situated.

Your Committees received testimony in support of this measure from the Department of Education, Building Industry Association of Hawaii, and Chamber of Commerce Hawaii. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources, Office of the Mayor of the City and County of Honolulu, and Department of Parks and Recreation of the City and County of Honolulu. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that the Department of Education has managed county school lands throughout the State since 1965. Your Committees further find that many public schools in Hawaii require extensive renovation or rebuilding, and that this process is unnecessarily complicated by having state schools on county land, or situated on both county and state land. Your Committees



additionally find that transferring a fee simple interest for county school lands to the State will greatly simplify the process of undertaking much needed repairs and renovations. Your Committees also find that an extension of the pilot program for the lease of public school land established by Act 155, Session Laws of Hawaii 2013, would further facilitate the updating of Hawaii's public schools.

Your Committees have amended this measure by:

- (1) Inserting a purpose section to provide historical context;
- (2) Removing language relating to the method of conveyance of the properties and instead requiring the City and County of Honolulu to prepare, execute, and record a quitclaim deed for each parcel of property to be transferred;
- (3) Appropriating monies in a blank amount as a grant-in-aid to the City and County of Honolulu for costs associated with preparing, executing, and recording the quitclaim deeds;
- (4) Requiring the Department of Land and Natural Resources to divide any parcels of property that contain parks as part of the parcel to separate the parks from the property transferred;
- (5) Requiring the City and County of Honolulu to transfer properties containing high schools and intermediate schools on December 31, 2018, and properties containing elementary schools on December 31, 2019;
- (6) Extending the twenty-first century schools pilot project by an additional five years; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Education and Water and Land that are attached to this report, your Committees are in accord with the intent and



purpose of H.B. No. 116, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 116, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Education and
Water and Land,



KARL RHOADS, Chair

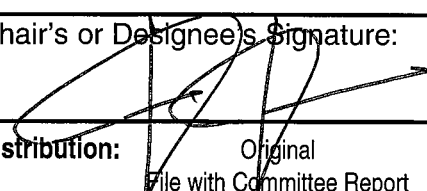


MICHELLE N. KIDANI, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

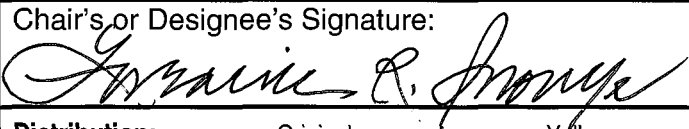
Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* HB116 HD1	Committee Referral: EDU/WTL, WAM	Date: 3-22-2017		
<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
KIDANI, Michelle N. (C)	/			
KAHELE, Kaiali'i (VC)	/			
DELA CRUZ, Donovan M.	/			
ESPERO, Will	/			
RIVIERE, Gil	/			
TOTAL	5			0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy

*Only one measure per Record of Votes

The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* HB 116, HD1	Committee Referral: EDU/WTL, WAM	Date: 03-22-2017		
<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
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)				✓
INOUE, Lorraine R.	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.				✓
TOTAL	3	-	-	2
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