A BILL FOR AN ACT

PROPOSING AMENDMENTS TO ARTICLES VII AND X OF THE CONSTITUTION OF THE STATE OF HAWAII TO AUTHORIZE THE LEGISLATURE TO ESTABLISH A SURCHARGE ON RESIDENTIAL INVESTMENT PROPERTY AND VISITOR ACCOMMODATIONS TO INCREASE FUNDING FOR PUBLIC EDUCATION.

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

SECTION 1. The legislature finds that Hawaii's public schools are underfunded. Compared to school districts of similar size in other states, Hawaii ranks two hundred twenty-seventh in per-pupil funding before adjusting for cost of living. At $11,823 per student, Hawaii education spending trails major private schools, which average $15,173 in per-pupil spending. Hawaii also ranks last nationally in capital improvement expenditures for public schools, appropriating about $300 per pupil, compared to averages in other states of $1,200 to $1,500.

The legislature further finds that chronic underfunding of public schools undermines the State's goal of providing a quality education to all of Hawaii's children. Specifically, insufficient education funding results in delayed repairs to school facilities; overheated classrooms; higher class sizes; a
lack of adequate classroom supplies; elimination of arts, career, and technical education courses; budget cuts for special education and English language learner programs; and an increasing number of vacant teacher positions throughout the State.

The purpose of this Act is to propose amendments to the Constitution of the State of Hawaii to advance the State's goal of providing a quality education for the children of Hawaii by authorizing the legislature to establish a surcharge on residential investment property and visitor accommodations.

SECTION 2. Article VII, section 3, of the Constitution of the State of Hawaii is amended to read as follows:

"TAXATION AND FINANCE

Section 3. The taxing power shall be reserved to the State, except so much thereof as may be delegated by the legislature to the political subdivisions, and except that all functions, powers and duties relating to the taxation of real property shall be exercised exclusively by the counties, with the exception of the county of Kalawao[ ]; provided that the legislature shall not be prohibited from establishing a surcharge on residential investment property pursuant to
Article X, Section 1. The legislature shall have the power to apportion state revenues among the several political subdivisions."

SECTION 3. Article X, section 1, of the Constitution of the State of Hawaii is amended to read as follows:

"PUBLIC EDUCATION

Section 1. The State shall make sufficient sums available for the establishment, support and control of a statewide system of quality public schools free from sectarian control, a state university, public libraries and such other educational institutions as may be deemed desirable, including physical facilities therefor. There shall be no discrimination in public educational institutions because of race, religion, sex or ancestry; nor shall public funds be appropriated for the support or benefit of any sectarian or nonsectarian private educational institution, except that proceeds of special purpose revenue bonds authorized or issued under section 12 of Article VII may be appropriated to finance or assist:

1. Not-for-profit corporations that provide early childhood education and care facilities serving the general public; and
2. Not-for-profit private nonsectarian and sectarian elementary schools, secondary schools, colleges and universities. The legislature may establish, as provided by law, a surcharge on residential investment property and visitor accommodations to fund a quality public education for all of Hawaii's children."

SECTION 4. The question to be printed on the ballot shall be as follows:

"Shall the legislature be authorized to establish, as provided by law, a surcharge on residential investment property and visitor accommodations to fund a quality public education for all of Hawaii's children?"

SECTION 5. Constitutional material to be repealed is bracketed and stricken. New constitutional material is underscored.

SECTION 6. This amendment shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii.
S.B. NO. 483

[Signature]

[Name]
Report Title:
Public Education; Residential Investment Property Surcharge; Visitor Accommodation Surcharge; Constitutional Amendment

Description:
Proposes amendments to the Constitution of the State of Hawaii to advance the State's goal of providing a quality education for the children of Hawaii by authorizing the legislature to establish, as provided by law, a surcharge on residential investment property and visitor accommodations.

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