

STAND. COM. REP. NO.

3156

Honolulu, Hawaii

MAR 23 2018

RE: H.B. No. 2679
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Education and Water and Land, to which was referred H.B. No. 2679, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING THE TRANSFER OF LANDS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Department of Education to acquire any real, personal, or mixed property or any interest therein for public educational purposes, under certain conditions;
- (2) Specify that lands to which the Department of Education holds title shall not be considered public lands; and
- (3) Transfer fee interest in certain public school lands from the City and County of Honolulu and Department of Land and Natural Resources to the Department of Education.

Your Committees received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, Building Industry Association of Hawaii, and one individual. Your Committees received testimony in opposition to this measure from the Office of Hawaiian Affairs, Department of



Parks and Recreation for the City and County of Honolulu, 'Āina Haina Community Association, and one individual. Your Committees received comments on this measure from the Department of the Attorney General and Department of Land and Natural Resources.

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 have amended this measure by deleting its contents and inserting the contents of S.B. No. 2237, S.D. 2, (Regular Session of 2018) which:

- (1) Requires the City and County of Honolulu to transfer to the Department of Education all property upon which a public elementary or intermediate school is situated;
- (2) Gives the Department of Education the power to acquire and hold title to real, personal, or mixed property for use for public educational purposes;
- (3) Removes lands to which the Department of Education holds title from the definition of "public lands";
- (4) Requires legislative approval prior to the sale or gift of lands to which the Department of Education holds title; and
- (5) Appropriates an unspecified amount of funds as a grant-in-aid to the City and County of Honolulu to prepare, execute, and record the quitclaim deeds required by this measure.

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. 2679, H.D. 1, as amended herein, and recommend



that it pass Second Reading in the form attached hereto as H.B. No. 2679, 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

KARL RHOADS, Chair

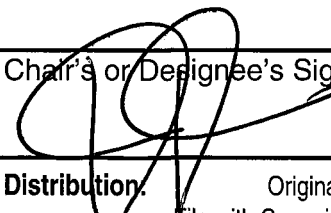
Michelle N. Kidani

MICHELLE N. KIDANI, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2679, HD1	EDU/WTL, WAM	3/22/2018		
<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	✓			
KIM, Donna Mercado	✓			
TOTAL	4			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

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2679, HD1	EDU/WTL, WAM	3-21-2018		
<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)	✓			
INOUYE, Lorraine R.				✓
RIVIERE, Gil	✓			
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				

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