
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. The legislature finds that certain public
2 schools have geographical features, such as streams or rough
3 terrain, on or adjacent to their property and have been required
4 to expend their own school funds to maintain these features.
5 There are currently twenty-four public schools with streams and
6 one hundred thirteen schools with other types of terrain, which
7 these schools need to pay to maintain. The legislature further
8 finds that these schools' financial resources could and should
9 be better spent on actual education-related needs. In addition,
10 because not all public schools have streams or rough terrain on
11 or adjacent to their property, schools that do should not be
12 unfairly disadvantaged.

13 The purpose of this Act is to prohibit public schools from
14 being required by the department of education to expend any
15 school funds to maintain any geographically disadvantageous
16 land, including streams and rough terrain.



1 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§302A- Maintenance of geographically disadvantageous
5 land; expenditure of school funds; prohibited. (a)

6 Notwithstanding any law to the contrary, a public school shall
7 not be required by the department of education to expend any
8 school funds to maintain any geographically disadvantageous land
9 on or adjacent to its property.

10 (b) As used in this section:

11 "Geographically disadvantageous land" includes rough
12 terrain and streams.

13 "Rough terrain" means land that is uncultivated,
14 undeveloped, and unsuitable for educational purposes and that
15 may be covered by scrub or boulders.

16 "Stream" means natural, altered, or improved channels that
17 have seasonal or continuous water flows as a result of either
18 surface stormwater runoff or groundwater influx, or both.

19 Streams include channels, streambeds, stream banks, drainage
20 ways, and stream mouths."



1 SECTION 3. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 4. New statutory material is underscored.

5 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Public Schools; Geographically Disadvantageous Land

Description:

Provides that a public school shall not be required by the Department of Education to expend its own school funds to maintain any geographically disadvantageous land on or adjacent to its property. (HB1070 HD1)

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