

STAND. COM. REP. NO.

882

Honolulu, Hawaii

MAR 03 2017

RE: S.B. No. 683
S.D. 2

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

Sir:

Your Committees on Ways and Means and Judiciary and Labor, to which was referred S.B. No. 683, S.D. 1, entitled:

"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,"

beg leave to report as follows:

The purpose and intent of this measure is to propose amendments to the Hawaii State Constitution that would allow the Legislature to establish a surcharge on residential investment property and visitor accommodations to fund a quality public education for the children of Hawaii.

Your Committees received written comments in support of this measure from the Hawaii State Teachers Association, He'e Coalition, IMUAlliance, Americans for Democratic Action Hawaii, Parents for Public Schools of Hawaii, Hawaii Public Charter Schools Network, Hawaii Children's Action Network, and 3,892 individuals.

Written comments in opposition were received from the Office of the Mayor of Hawaii County, Real Property Assessment Division of the Department of Finance of Kauai County, Chamber of Commerce Hawaii, Kohala Coast Resort Association, Rental By Owner Awareness



Association, Hawaii Association of Realtors, Coalition for Equal Taxation, Condominium Rentals Hawaii, American Resort Development Association Hawaii, Maui Hotel and Lodging Association, Building Industry Association of Hawaii, Hawaii Lodging and Tourism Association, Maui Chamber of Commerce, and thirteen individuals.

The Department of Budget and Finance, Department of Education, Office of the Mayor of the City and County of Honolulu, Tax Foundation of Hawaii, and Special Education Advisory Council submitted written comments on the measure.

This measure, if passed by the Legislature, will place a question on the ballot for the next general or special election, as required by the Hawaii State Constitution for constitutional amendments, asking voters whether or not the Legislature may establish a surcharge on residential investment property and visitor accommodations to fund public education.

Your Committees have amended this measure by:

- (1) Deleting all references to the particular kind of education that the State provides to the children of Hawaii;
- (2) Deleting the proposed requirement in section 3 that the State must make sufficient sums available for public education; and
- (3) Amending the question to be printed on the ballot in section 4 to read: "Shall the legislature be authorized to establish, as provided by law, a surcharge on residential investment property and visitor accommodations to fund a public education for all of Hawaii's children?"


As affirmed by the records of votes of the members of your Committees on Ways and Means and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 683, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 683, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committees on Ways and Means
and Judiciary and Labor,



GILBERT S.C. KEITH-AGARAN, Chair

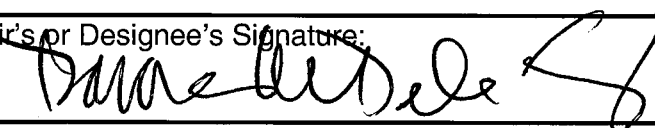


JILL N. TOKUDA, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

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|--|---------------------|----------|-----|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| SB 683, SD1 | EDU, WAM/SDL | 8/28/17 | | |
| <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) | / | | | |
| DELA CRUZ, Donovan M. (VC) | / | | | |
| ENGLISH, J. Kalani | / | | | |
| GALUTERIA, Brickwood | / | | | |
| HARIMOTO, Breene | / | / | | |
| INOUYE, Lorraine R. | | | | / |
| KAHELE, Kaiali'i | / | | | |
| RIVIERE, Gil | | / | | |
| SHIMABUKURO, Maile S.L. | / | / | | |
| TANIGUCHI, Brian T. | | / | | |
| WAKAI, Glenn | | | | / |
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| TOTAL | 6 | 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

The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

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|--|--|-------------------------|----------|----------|
| Bill / Resolution No.:* <i>SB683, SD1</i> | Committee Referral: <i>EDU, WAM/JDL</i> | Date: <i>2/28/17</i> | | |
| <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 |
| KEITH-AGARAN, Gilbert S.C. (C) | ✓ | | | |
| RHOADS, Karl (VC) | ✓ | | | |
| GABBARD, Mike | | | | ✓ |
| KIM, Donna Mercado | | | | ✓ |
| THIELEN, Laura H. | | ✓ | | |
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| TOTAL | <i>2</i> | <i>1</i> | <i>0</i> | <i>2</i> |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: <i>Karl Rhoads</i> | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes