

STAND. COM. REP. NO. 1033

Honolulu, Hawaii

March 20, 2009

RE: S.B. No. 733
S.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Education, to which was referred S.B. No. 733, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this bill is to ensure the equitable administration of school impact fees for financing new or expanding existing Department of Education (DOE) schools or facilities.

Specifically, this measure:

- (1) Requires DOE to update certain figures it uses to calculate impact fees, including:
 - (A) School site area averages;
 - (B) Facility construction costs per student in elementary, middle, and high schools; and
 - (C) The revenue credit for each residential unit developed;
- (2) Ensures that new residential developments are charged for a level of service (permanent versus portable facilities) that is equal to and not higher than the



current standards of the district in which the development is situated;

- (3) Clearly sets forth the distinction between a land component impact fee and a construction cost component impact fee;
- (4) Requires DOE to engage in an analysis on a district basis that includes the student generation rates for single-family and multi-family developments, considering the potential for making more efficient use of existing and underutilized assets in a school district, and potential changes to statewide school site areas and design enrollment standards;
- (5) Establishes school land area averages per student for elementary, middle, and high schools;
- (6) Clarifies the formula for calculating the school construction cost per unit for single-family and multi-family developments;
- (7) Requires that the impact fees collected within a school district be used only on schools serving the same school district; and
- (8) Requires DOE to return lands dedicated for school facilities or construction cost component impact fees that are not used for school facilities within 20 years of the land dedication or fee payment.

DOE supported this bill. The Land Use Research Foundation of Hawaii opposed this measure.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 733, S.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.



Respectfully submitted on
behalf of the members of the
Committee on Education,



ROY TAKUMI, Chair



