

STAND. COM. REP. NO.

2458

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2828
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 2828, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to clarify the calculation and determination of school impact fees for financing new construction or expanding existing Department of Education schools or facilities.

Specifically, this measure:

- (1) Requires the Department of Education to update and use current data to calculate impact fees;
- (2) Requires the amount of land component impact fees to be based upon each new residential development's proportionate share of the need to provide new public school sites and to avoid inconsistent fees among other developments;
- (3) Clarifies the definition of impact fees and other related terms;
- (4) Clarifies the analysis required to set and maintain adequate school impact fees;



- (5) Provides a formula to calculate the land component and construction cost impact fee; and
- (6) Clarifies the use of credits for excess contributions of impact fees.

Your Committee finds that school impact fees are necessary if developers are to contribute to the need for adequate public schools and facilities needed by people residing in homes and communities built by the developer. Your Committee also finds that interested stakeholders have been working diligently to resolve school impact fee issues. Your Committee believes that clarifying and strengthening the current school impact fee laws will result in the equitable imposition of school impact fees and benefit all of the interested parties.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2828, S.D. 1, and recommends that it pass Third Reading.


Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2828, SD1	EDH, WAM	2.24.10		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
GALUTERIA, Brickwood	/			
HEE, Clayton	/			
HOOSER, Gary L.	/			
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred				/
TOTAL	11	0	0	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