

STAND. COM. REP. NO.

200

Honolulu, Hawaii

FEB 12 2013

RE: S.B. No. 237
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Education, to which was referred S.B. No. 237 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL LANDS,"

begs leave to report as follows:

The purpose and intent of this measure is to establish a three-year pilot program within the Office of the Lieutenant Governor to allow for the limited lease of public school lands and facilities under the authority of the Department of Education in order to generate revenue from certain uses that are for public purposes, such as workforce housing, to build and retrofit twenty-first century schools and create more school-centered communities.

Your Committee received testimony in support of this measure from the Governor, Department of Education, Hawaii Association of Independent Schools, Hawaii Institute for Public Affairs, Building Industry Association of Hawaii, Hawai'i Educational Policy Center, The Chamber of Commerce of Hawaii, Hui for Excellence in Education, IMUAlliance, American Society of Civil Engineers Hawaii Section, Harold K.L. Castle Foundation, The Learning Coalition, and four individuals. Your Committee received testimony in opposition to this measure from Life of the Land, Puna Pono Alliance, and six individuals. Your Committee received comments on this measure from the League of Women Voters, Parents for Public Schools of Hawai'i, Sierra Club Hawai'i Chapter, and Windward Ahupua'a Alliance.



Your Committee finds that many school facilities are in dire need of repair, maintenance, and improvement of systems and infrastructure to meet twenty-first century challenges in technology and education. This measure proposes a pilot project as one option to capture revenues from currently unused or underutilized public school lands that may yield much-needed revenues for Hawaii's schools after redevelopment.

Your Committee further finds that a community-based policy and planning approach will be critical to the success of the pilot program. A three-year pilot project will serve as "proof in concept" to test and evaluate development, design, and financial models, while giving communities the opportunity to provide input and to better understand the concept of community-centered twenty-first century schools.

Your Committee notes that this measure does not exempt the pilot project from procurement requirements and specifically requires that requests for proposals and request for information guidelines be followed. This measure also allows for a leasehold premium based on a competitive bid process.

Lastly, your Committee echoes the testimony it received regarding the need for appropriate funding to be given to the Office of the Lieutenant Governor in order to carry out the public school lands pilot program.

Your Committee has amended this measure by:

- (1) Authorizing the Board of Education to identify and select the potential sites for participation in the pilot program;
- (2) Clarifying that the Board of Education shall be subject to chapter 92, Hawaii Revised Statutes, and shall foster school and community engagement during the identification and selection process;
- (3) Specifying the information that shall be required in the Lieutenant Governor's report to the Legislature, including a summary of the school and community engagement efforts undertaken or that will be undertaken by the Lieutenant Governor and Department of Education in carrying out the public school lands pilot program; and



- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 237, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 237, S.D. 1, and be referred to the Committee on Ways and Means.

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




JILL TOKUDA, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:*	Committee Referral:	Date:		
SB237	EDU, WAM	1-30-13		
<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)	✓			
KIDANI, Michelle N. (VC)	✓			
RUDERMAN, Russell E.	✓			with <i>mark</i>
SHIMABUKURO, Maile S.L.				✓
SLOM, Sam		✓		
TOTAL	3	1		1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes