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# A BILL FOR AN ACT

RELATING TO PUBLIC SCHOOLS.

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

**PART I**

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2 SECTION 1. The legislature finds that Act 97, Session Laws  
3 of Hawaii 1965, transferred the responsibility for functions  
4 that were deemed to be of statewide concern from the counties to  
5 the State. Among these functions were the planning,  
6 construction, improvement, and maintenance of public school  
7 facilities and grounds. Since public school facilities and  
8 grounds are the responsibility of the State, it is reasonable to  
9 continue transferring remaining county lands to the State;  
10 provided that the transfer of those lands does not include any  
11 property designated as a public park.

12 The purpose of this Act is to:

13 (1) Transfer parcels of property containing schools  
14 operated by the department of education that are  
15 currently owned by the city and county of Honolulu to  
16 the State; and



1 (2) Extend the twenty-first century schools pilot program  
2 established by Act 155, Session Laws of Hawaii 2013,  
3 for an additional five years.

4 PART II

5 SECTION 2. (a) Notwithstanding any other law to the  
6 contrary, the fee simple interest to the following parcels of  
7 land with the existing improvements thereon (hereinafter "the  
8 properties") (but not including submerged land, accreted land,  
9 or any land makai of the shoreline), shall be conveyed by the  
10 city and county of Honolulu to the department of land and  
11 natural resources as grantee, as is, where is:

- 12 (1) TMK 1-4-5-34-14 (Castle High);
- 13 (2) TMKs 1-5-6-6-9, 1-5-6-6-10, and 1-5-6-6-25 (Kahuku  
14 High and Elementary);
- 15 (3) TMK 1-4-4-34-24 (Kalaheo High);
- 16 (4) TMK 1-9-1-1-2 (portion) (Campbell High);
- 17 (5) TMK 1-8-5-15-1 (Waianae High);
- 18 (6) TMK 1-9-4-8-20 (Waipahu High);
- 19 (7) TMK 1-9-8-31-17 (Aiea High);
- 20 (8) TMK 1-7-4-18-1 (Leilehua High);
- 21 (9) TMK 1-9-9-2-23 (Radford High);



- 1 (10) TMK 1-6-7-2-10 (Waiialua High and Intermediate);
- 2 (11) TMKs 1-6-003-048, 1-6-021-005 (Farrington High);
- 3 (12) TMK 2-7-024-001 (Kaimuki High);
- 4 (13) TMK 3-9-005-027 (Kaiser High); and
- 5 (14) TMK 3-5-020-004 (Kalani High).

6 (b) The city and county of Honolulu shall prepare,  
7 execute, and record, in the land court or bureau of conveyances,  
8 as appropriate, a quitclaim deed to convey each above-listed  
9 parcel with all existing improvements, subject to the property  
10 boundaries determined pursuant to subsection (d), to the  
11 department of land and natural resources, as grantee. As these  
12 are conveyances in which the city and county of Honolulu and the  
13 State and its agencies are the only parties, the tax imposed by  
14 section 247-1, Hawaii Revised Statutes, shall not apply to them.  
15 Effective on the date of transfer pursuant to subsection (e),  
16 every reference to the present titleholder or the head of the  
17 department or agency in each instrument, if the titleholder is a  
18 department or an agency, shall be construed as a reference to  
19 the department of land and natural resources.

20 (c) The department of land and natural resources shall  
21 accept the properties in their existing condition. All claims



1 and liabilities against the city and county of Honolulu, if any,  
2 which the department of land and natural resources has, may have  
3 had, or may have in the future, regarding any injury, loss,  
4 cost, damage, or liability, including reasonable attorney's  
5 fees, concerning the physical, environmental, soil, economic,  
6 and legal conditions of the conveyed properties, are released,  
7 waived, and extinguished.

8 (d) Transfer of parcels shall be effective December 31,  
9 2018.

10 SECTION 3. There is appropriated out of the general  
11 revenues of the State of Hawaii the sum of \$100,000 or so much  
12 thereof as may be necessary for fiscal year 2017-2018 and the  
13 same sum or so much thereof as may be necessary for fiscal year  
14 2018-2019 as a grant-in-aid to the city and county of Honolulu  
15 to prepare, execute, and record the quitclaim deeds required  
16 under this Act, including costs outside of normal business.

17 The sums appropriated shall be expended by the city and  
18 county of Honolulu for the purposes of this Act.

19 **PART III**

20 SECTION 4. Section 302A-1151.1, Hawaii Revised Statutes,  
21 is amended by amending subsection (e) to read as follows:



1           "(e) Any lease entered into by the department pursuant to  
2 subsection (b) shall be fully executed no later than [~~five~~] ten  
3 years from July 1, 2013."

4   **PART IV**

5           SECTION 5. This Act does not affect rights and duties that  
6 matured, penalties that were incurred, and proceedings that were  
7 begun before its effective date.

8           SECTION 6. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10           SECTION 7. This Act shall take effect on July 1, 2017.



**Report Title:**

Public Schools; Property; Title; Transfer; Appropriation

**Description:**

Requires the City and County of Honolulu to transfer to the Department of Land and Natural Resources all property upon which certain public high schools are situated. Extends the twenty-first century schools pilot program by an additional five years. (HB116 CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

