
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.

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

1 SECTION 1. The legislature finds that Hawaii's public
2 schools are underfunded. Compared to school districts of
3 similar size in other states, Hawaii ranks two hundred twenty-
4 seventh in per-pupil funding before adjusting for cost of
5 living. At \$11,823 per student, Hawaii education spending
6 trails major private schools, which average \$15,173 in per-pupil
7 spending. Hawaii also ranks last nationally in capital
8 improvement expenditures for public schools, appropriating about
9 \$300 per pupil, compared to averages in other states of \$1,200
10 to \$1,500.

11 The legislature further finds that chronic underfunding of
12 public schools undermines the State's goal of providing a
13 quality education to all of Hawaii's children. Specifically,
14 insufficient education funding results in delayed repairs to
15 school facilities; overheated classrooms; higher class sizes; a
16 lack of adequate classroom supplies; elimination of arts,



1 career, and technical education courses; budget cuts for special
2 education and English language learner programs; and an
3 increasing number of vacant teacher positions throughout the
4 State.

5 The purpose of this Act is to propose amendments to the
6 Constitution of the State of Hawaii to advance the State's goal
7 of providing a quality education for the children of Hawaii by
8 authorizing the legislature to establish a surcharge on
9 residential investment property and visitor accommodations.

10 SECTION 2. Article VII of the Constitution of the State of
11 Hawaii is amended by adding a new section to be appropriately
12 designated and to read as follows:

13 "SURCHARGE ON RESIDENTIAL INVESTMENT PROPERTY

14 Section Notwithstanding any provision of this
15 constitution to the contrary, the State shall not be prohibited
16 from establishing a surcharge on residential investment property
17 pursuant to Article X, Section 1."

18 SECTION 3. Article X, section 1, of the Constitution of
19 the State of Hawaii is amended to read as follows:

20 "PUBLIC EDUCATION



1 **Section 1.** The State shall [~~provide~~] make sufficient sums
2 available for the establishment, support and control of a
3 statewide system of quality public schools free from sectarian
4 control, a state university, public libraries and such other
5 educational institutions as may be deemed desirable, including
6 physical facilities therefor. There shall be no discrimination
7 in public educational institutions because of race, religion,
8 sex or ancestry; nor shall public funds be appropriated for the
9 support or benefit of any sectarian or nonsectarian private
10 educational institution, except that proceeds of special purpose
11 revenue bonds authorized or issued under section 12 of Article
12 VII may be appropriated to finance or assist:

13 1. Not-for-profit corporations that provide early
14 childhood education and care facilities serving the general
15 public; and

16 2. Not-for-profit private nonsectarian and sectarian
17 elementary schools, secondary schools, colleges and
18 universities.

19 The legislature may establish, as provided by law, a
20 surcharge on residential investment property and visitor



1 accommodations to fund a quality public education for all of
2 Hawaii's children."

3 SECTION 4. The question to be printed on the ballot shall
4 be as follows:

5 "Shall the legislature be authorized to establish a
6 surcharge on residential investment property and visitor
7 accommodations to fund a quality public education for all of
8 Hawaii's children, including the recruitment and retention
9 of teachers, lower class sizes, special education
10 programming, career and technical education, art, music,
11 Hawaiian studies, and Hawaiian language?"

12 SECTION 5. Constitutional material to be repealed is
13 bracketed and stricken. New constitutional material is
14 underscored.

15 SECTION 6. This amendment shall take effect upon
16 compliance with article XVII, section 3, of the Constitution of
17 the State of Hawaii.

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Report Title:

Public Education; Residential Investment Property Surcharge;
Visitor Accommodation Surcharge; Constitutional Amendment

Description:

Proposes amendments to the Constitution of the State of Hawaii to advance the State's goal of providing a quality education for the children of Hawaii by authorizing the legislature to establish, as provided by law, a surcharge on residential investment property and visitor accommodations. (SD1)

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