

Honolulu, Hawaii

APR 27 2018

RE: S.B. No. 2237
S.D. 2
H.D. 1
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2237, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Transfer fee interest in certain public school lands from the City and County of Honolulu and Department of Land and Natural Resources, as applicable, to the Department of Education; and
- (2) Exempt transferred lands from classification as public lands.

Your Committee on Conference finds that many public schools in Hawaii require extensive renovation or rebuilding, and that this



process is unnecessarily complicated by having state schools on county land, or situated on both county and state land. Transferring a fee simple interest for county school lands to the State will greatly simplify the process of undertaking much needed repairs and renovations.

Your Committee on Conference has amended this measure by:

- (1) Inserting the contents of the S.D. 2 version, which:
 - (A) Requires the City and County of Honolulu to transfer to the Department of Education all property upon which a public elementary or intermediate school is situated;
 - (B) Gives the Department of Education power to acquire and hold title to real, personal, or mixed property for use for public educational purposes; and
 - (C) Requires legislative approval prior to the sale or gift of lands to which the Department of Education holds title;
- (2) Clarifying the purpose of the measure as it relates to the transfer of lands owned, operated, maintained, and managed by the City and County of Honolulu, some of which are public park lands;
- (3) Specifying that work to initiate the transfer of parcels identified in this measure shall start no later than December 31, 2018;
- (4) Inserting language that requires the Department of Education to incur all fees and costs associated with, and for, the subdividing of the land;
- (5) Specifying that the Department of Education is prohibited from selling any property, real or personal, or any interest therein, except to a government entity;
- (6) Clarifying the definition of "real property" as it relates to agreed upon easements;
- (7) Specifying that the lands conveyed under this measure shall revert back to the City and County of Honolulu if the land is not used for public educational purposes;



- (8) Inserting an appropriation amount of \$100,000 as a grant-in-aid to the City and County of Honolulu to prepare, execute, and record the quitclaim deeds;
- (9) Changing the effective date to upon approval; provided that the appropriation section shall take effect on July 1, 2018; and
- (10) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

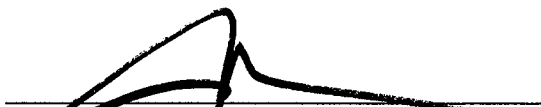
Your Committee on Conference further finds that some of the parcels of land being transferred and subdivided pursuant to this measure were previously used as park land.


As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2237, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2237, S.D. 2, H.D. 1, C.D. 1.

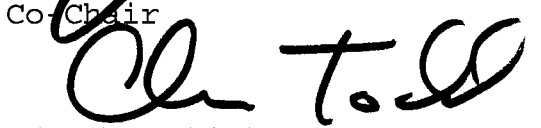
Respectfully submitted on behalf
of the managers:

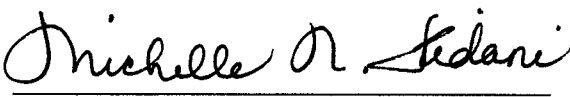
ON THE PART OF THE HOUSE


ON THE PART OF THE SENATE



JUSTIN H. WOODSON
Co-Chair


RYAN I. YAMANE
Co-Chair


CHRIS TODD
Co-Chair


MICHELLE N. KIDANI
Chair


KARL RHOADS
Co-Chair




MAILE S.L. SHIMABUKURO
Co-Chair



Hawai'i State Legislature

Cur 129-18

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 2237, SD 2, HD 1					Date/Time: 4/27/18 1:10pm						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
KIDANI, Michelle N., Chr.		✓				WOODSON, Justin H., Co-Chr.		✓			
RHOADS, Karl, Co-Chr.		✓				YAMANE, Ryan I., Co-Chr.		✓			
SHIMABUKURO, Maile S.L., Co-Chr.		✓				TODD, Chris, Co-Chr.		✓			
						HASHEM, Mark J.		✓			
						WARD, Gene		✓			
TOTAL		3				TOTAL		5			
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused				
Senate Recommendation is:					House Recommendation is:						
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted						
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:						
											
Distribution:		Original <i>File with Conference Committee Report</i>			Yellow <i>House Clerk's Office</i>		Pink <i>Senate Clerk's Office</i>		Goldenrod <i>Drafting Agency</i>		