

Honolulu, Hawaii

MAR 23 , 2018

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

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

Sir:

Your Committees on Education and Water & Land, to which was referred S.B. No. 2237, S.D. 2, entitled:

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

beg leave to report as follows:

The purpose of this measure is to assist the Department of Education in optimizing the use of public school lands.

Specifically, this measure:

- (1) Requires the City and County of Honolulu to transfer to the Department of Education the fee simple title for 83 parcels used by public schools, effective December 31, 2019;
- (2) Authorizes the Department of Education to acquire, hold, and convey real property for public educational purposes;
- (3) Exempts the transferred lands from classification as public lands subject to the jurisdiction of the Department of Land and Natural Resources;



- (4) Requires the Department of Education to obtain legislative approval prior to conveying real property; and
- (5) Appropriates funds to the City and County of Honolulu to assist with the land transfer.

The Department of Education, Hawaii State Teachers Association, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and a concerned individual supported this measure. The 'Āina Haina Community Association and Ka Lahui Hawai'i Political Action Committee opposed this measure. The Office of Hawaiian Affairs, Department of the Attorney General, Department of Land and Natural Resources, City and County of Honolulu Department of Parks and Recreation, The Chamber of Commerce Hawaii, and Building Industry Association of Hawaii offered comments.

Your Committees have amended this measure by deleting its contents and inserting the substantive provisions of House Bill No. 2679, H.D. 1, which was heard by your Committees earlier this session. As amended, this measure:

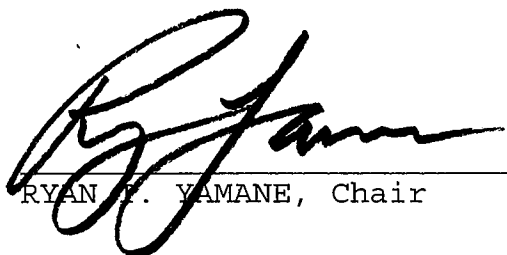
- (1) Authorizes the Department of Education to acquire or contract to acquire property for immediate or future use for public educational purposes, including revenue generation, to develop and insure its property, and to convey property to a government entity; provided that the Department shall incur all fees and costs related to redevelopment of property including fees and costs associated with subdivision or creation of condominium property regimes;
- (2) Exempts property transferred to the Department from classification as public lands subject to the jurisdiction of the Department of Land and Natural Resources;
- (3) Transfers fee simple interest in 58 parcels of land from the Department of Land and Natural Resources and the City and County of Honolulu to the Department of Education and provides for the reversion of the fee simple interest if the parcels are not used for public educational purposes, including revenue generation;



- (4) Contains no appropriation; and
- (5) Contains an effective date of January 1, 2050.

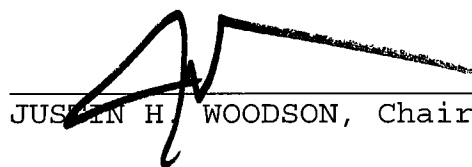
As affirmed by the records of votes of the members of your Committees on Education and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2237, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2237, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committees on Education and  
Water & Land,



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RYAN F. YAMANE, Chair



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JUSTIN H. WOODSON, Chair





